

Q. Aren't schools fully funded? Why are you asking for more money for special education?

A: The general education formula for all Kansas public school students is currently fully funded under the Gannon case agreed to by the Legislature and the governor.

However, under state law, special education funding is separate from general education funding and has not been fully funded since 2011. The current shortfall is \$155 million statewide which must be made up from district general fund budgets.

In Kansas, special education serves students with disabilities and gifted students.

Q: How many Kansas students receive special education services?

A: There are 88,000 students with disabilities and gifted students who receive special education services in Kansas public and private schools. If you added up all the services the 88,000 students receive, it would total 29,000 full time equivalent special education students. Depending on their Individualized Education Plans, some students may receive special education services for the full school day, while others may receive services for part of the day or part of the week.

Q: Why do so many Kansas students need special education services?

A: Between 2017 and 2021, the number of special ed students increased by less than one percent.

There are many reasons why the number of special education students has grown, but the process for identifying special ed students has not changed. Efforts by the State Board of Education and the legislature to emphasize screening for dyslexia and other reading conditions may have resulted in earlier special education identification.

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Q: How is special education funding calculated in state law?

A: According to state law, the legislature must pay a statewide average of 92 percent of school districts' costs to educate special education students beyond each student's base state aid, additional weightings, and federal special education payments. Base state aid and weightings are used to calculate general education funding; special education funding is layered on top of general education funding.

Q: Some special education students receive additional weightings through the general education school finance formula (at-risk, bilingual, etc.). Why isn't that money included in the total of special education funding?

A: Those weightings are part of the general education finance law, and provide for other needs above general education. A student might qualify for special education while also having other needs (at-risk, English language learner, etc) that qualify for weightings to help cover the cost of those services. The general education school finance formula is different from the state special education funding formula.

Q: Why do some districts receive more than their excess costs for special education, and some receive less?

A: State law sets the reimbursement rate for state special education aid at 92 percent of total state excess costs. Because reimbursement is based on the statewide total, some districts may receive more than 92 percent while others will receive less. Also, some districts serve as the home for special education coops or interlocals; as a result, on paper the amount of funding may appear to exceed costs.

Special education aid is distributed to districts based upon the number of FTE special education teachers a district employs. According to KSDE, 86 percent of special education expenditures goes to salaries. As a result, hiring more or fewer special education teachers or paying higher or lower special education teacher salaries can cause an individual district's percent of excess costs covered by state aid to fluctuate.

Q: School districts have been increasing their special education unencumbered cash balances (savings). If schools need more special education funding, why are these reserves growing?

A: The special education unencumbered cash balance is the remaining money that a district has in its special education fund that is carried over into the next fiscal year. However, due to the way that special education funding is distributed, these cash balances can appear artificially high.

Districts receive special education state aid in five payments throughout the year. The final payment is made in June; however, at this point the school year is over and most special education expenditures have already been paid. Districts carry over the June payment into the next school year to pay for special education until they receive their October payment. Because KSDE reports cash balances on July 1, the June payment may be reflected in the cash balances.

Between FY 2012 and 2020, the statewide total of special education cash balances decreased from \$210 million to \$181 million.

For FY 2021 and FY 2022, special education cash balances reached a high of \$222 million due to unexpected federal COVID aid; however, there were severe staff shortages at that time, resulting in unspent funds.

FY 2023 cash balances are expected to decrease to \$207 million. In other words, except for FY 2021 and 2022, special education cash balances have been trending downward.

Q: Why should Kansas contribute more money to special education when the federal government is not contributing its share?

A: Federal law set the goal of Congress paying up to 40 percent of the extra cost of special education. Currently, Congress is paying Kansas school districts just under 15 percent of their extra special education costs.

By contrast, Kansas law says districts must receive special education state aid at a rate of 92 percent of statewide excess costs. The current statewide average reimbursement is 71 percent of excess costs. Special education services are mandatory; if neither the federal government nor the state provide adequate funding, each district must use its general education budget to cover the shortfall. Kansas special education services also exceed federal requirements. For example, Kansas includes gifted services under special education.

Finally, Kansas educators and school board members have repeatedly asked Congress to increase federal special education spending, without success. Because of the environment in Washington, D.C., it's unlikely Congress will soon increase special education funding beyond current levels.