

KS Legislature Special Task Force on Special Education Funding
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Written Testimony for Oral Presentation:

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Honorable Committee Members:

On the couch. By herself. I wish she was working, or at least volunteering at the Union Rescue Mission like she used to. But she's not. A decade ago, Randy Watson, the newly appointed Kansas Commissioner of Education, traveled the state on a listening tour. I attended several of those sessions. Among all the other metrics which emerged into what determined a successful education was this: parents did not want their kids to be living in their basement, unemployed, several years out of school. Kansas measures this now.

By that measure, Kansas is failing my daughter. Not my district-- my state is! And as I have discovered, the vision to achieving the goals of *Kansans Can* is only as promising as the funding which the legislative branches of the government provide.

Believe me, as parents, we have tried everything, searched for every opportunity, argued for every need at IEP meetings. And guess what – she's had the greatest teachers, greatest paras in the three different Kansas districts in which we have been a part. But special education has not been fully funded since she started her first day in the Kansas school system in Maize, way back in 2010.

My name is Marvin Miller, and this year I serve as the Chair of SEAC. The Special Education Advisory Council – an IDEA federally mandated committee—is comprised of individuals who represent a wide variety of interests across the state and have one majority requirement in common – we are parents of, or persons with, a disability. When I was appointed by Governor Brownback a decade ago, I was a pastoring in Wellington, Kansas. Since then, I received my secondary special ed teaching degree and for the last five years, I have taught in a categorical structured learning secondary classroom, working with students across the Autism spectrum. My doctorate studies examined mutual perceptions of local community leaders and family caregivers. I serve on SEAC because I know disability crosses all racial, ethnic, gender, and political lines. My daughter's Down Syndrome did not care I voted Republican. I fight for my daughter, her friends, and those who are not even in the system yet – the ones who are still in the general education population and have not been identified. Our students deserve the best.

This task force is present here today to discuss special ed funding and the effects it has on general education students too. Students who receive specialized instruction and related support are general education students first. But I cannot leave without saying something as every parent of a child with a disability knows – this funding piece is only one part of the puzzle.

When the Kansas Legislature chooses not to fund the HCBS waiver and keeps my daughter and thousands of others on a 10+ year HCBS waiver waitlist, there is no clean handoff between school districts and the adult service world. The chasm swallows families whole.

When the Kansas Legislature chose to ignore the State Board of Education's recommendation to fund an extra year for our 18–21-year transition to work programs, due to Covid closures, it created another hole of failure.

The answer to seeing better outcomes and incomes is aligning and funding services statewide. Every transition taskforce I have taken part in, every study printed in CEC or AAIDD journals, points to this as being not only the best way forward-but also the most cost effective, employment supportive, and increased independence solution.

Yes, I am fully aware local school districts transfer millions of dollars from the general fund to special education – as federal law requires that special education is funded first. I guarantee you those of us on SEAC have been discussing this issue for years now, predicting this cliff would come soon, as it has. The district I work for has transferred between 5 and 6 million dollars every year for the last few years. And yes, my students get what they need from the district– the no-frills bargain basement version. The district simply cannot do more because they have limited funds supplied to them by the state. I know so many special ed teachers who dig into their own pockets to fund all the little extras for their students.

So yes, even with those money transfers, there is still a minor direct effect in special education classrooms too. But the worst impact is in the general education setting. Our general education classrooms have swollen to 25, 30, 35 students. My inclusion students, just like the rest of the general education students, do not receive the same quality of instruction in a class of 30 or 35 they would have at 20. Specialized tech classes, career pathway classes, and other electives are eliminated because there are not enough funds to hire those teachers. My inclusion students, who wanted a specialized or career elective, are now unable to take them as well. These

funding cuts hurt their future integrated competitive employment dreams too! And unlike some of their typical peers, they will not bounce back or switch paths as easily.

Districts find it becomes financially impossible to do great co-teaching classrooms where a general ed teacher and special ed teacher team up in a class to present on-grade level material with modifications. It is these proven instruction delivery model programs which suffer when funding is cut.

Eventually, even the extra curriculums cannot be funded and are reduced or eliminated. These are important opportunities for all our students to engage in social interaction, developing social skills and common human decency.

I have had people tell me the solution is to cut costs of support and related services. But how? In a typical day my students may need a para for a toileting support, an Occupational Therapist, a Physical therapist, a VI (Visually Impaired) consultant, a computer consultant for assistive technology, an ASL signing interpreter, a TOD (Teacher of the Deaf) consultant, an SLP (Speech Pathologist), a Spanish speaking interpreter, a nurse to monitor med machines, a social worker providing services to my homeless students, and a mental health worker providing behavioral counseling support. Specialized related services providers are getting harder and harder to find as the monies are not always available to compete with the demand in the private sector. And this is all before I (as the special education teacher) even get to modifying, teaching, and reteaching my standards based and state assessed lesson plan.

My own classroom precisely shows the fallacy in the argument special ed is already included in the separate at-risk funding. It is not. They are separate. Any idea in which merely changing a funding formula to reduce funding does not address the multiple complex individualized needs of a Kansas student.

My challenge is this: *Fully fund special education; fully fund all education for all students.* Do it for five years. That's never happened before! Give us parents, students, teachers, coops, inter-locals, and districts the resources to be innovative and cutting edge with solutions for all our students in all our programs and pathways.

Thank you.