

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:05 A.M. on January 23, 2008 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Theresa Kiernan, Office of Revisor of Statutes
Dianne Rosell, Office of Revisor of Statutes
Dale Dennis, Kansas State Department of Education
Martha Dorsey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Janet Henning, Committee Assistant

Conferees appearing before the committee:

Scott Frank, Legislative Post Audit
Dr. Dee McKee, Kansas Autism Task Force
Mark Tallman, Kansas Association of School Boards
Diane Gjerstad, Wichita Public Schools

HB 2606: Schools; special education; catastrophic aid, amount

Theresa Kiernan, Office of Revisor of Statutes, gave an overview to Committee members of **HB 2606**. Ms. Kiernan told Committee members that of the money appropriated by the legislature, an amount of money is distributed to school districts pursuant to K.S.A. 72-983 and this is referred to as catastrophic aid. The statute provides that school districts are to receive grants of state money in an amount equal to 75% of that portion of costs over \$25,000 incurred by the district in the provision of special education or related services for a child. This is a distribution on a per pupil basis. The \$25,000 figure is the same as when the statute was enacted in 1994. (Attachment 1)

Dale Dennis, Deputy Commissioner, Kansas State Department of Education, told Committee members the Kansas Legislature provided, in 1994, that any student that met the qualifications of an exceptional child and the school district provided special education services that exceeded \$25,000 that the state would reimburse the district 75 percent above the \$25,000. This program has been quite successful and worked very well. (Attachment 2)

Scott Frank, Legislative Post Audit, told Committee members that in Kansas, the Special Education for Exceptional Children Act augments the federal law by requiring Kansas school districts to provide special education services to gifted children as well. School districts are responsible for providing appropriate educational services to their students, and they have a couple of options for doing so. These include:

- independently providing the special education services using their own teachers.
- joining other school districts to form a special education cooperative or interlocal. A cooperative is administered by a member district, while an interlocal is managed by a separate independent entity.

Districts and cooperatives pay for special education services with a mix of federal, State, and local funds. Each year, the Legislature decides how much State funding it will provide for special education, which is known as "categorical aid". For the 2006-07 school year, the Legislature appropriated almost \$334 million in categorical aid for special education services. (Attachment #3)

Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards, spoke to Committee members in opposition of **HB 2606** and said that although the KASB Delegate Assembly has not voted on the specific proposal contained in this bill, it is their belief that other policies adopted by members indicate this bill should not be passed without consideration of other issues in special education. (Attachment #4)

CONTINUATION SHEET

MINUTES OF THE House Education Committee at 9:05 A.M. on January 23, 2008 in Room 313-S of the Capitol.

Dr. Dee McKee, Chair of the finance committee, Kansas Taskforce on Autism, spoke to Committee members in opposition to **HB 2606**. Dr. McKee stated disequilizing of special education is an ever growing problem in Kansas. At a most recent regional meeting, no director attending the meeting had yet received any Medicaid reimbursements since the mid-summer redesigned Medicaid program.
(Attachment #5)

Diane Gjerstad, Wichita Public Schools, spoke to Committee members in opposition of HB 2606.
(Attachment #6)

A question and answer session followed the presentations.

The Chairman closed the hearing on **HB 2606**.

The meeting was adjourned at 10:25 AM. The next meeting is scheduled for January 24, 2008.