

Senator Pat Roberts
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Senator Jerry Moran
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Rep. Roger Marshall
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Rep. Steve Watkins
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Rep. Sharice Davids
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Rep. Ron Estes
2452 Rayburn
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April 15, 2020

Senator Roberts, Senator Moran; Representatives Marshall, Watkins, Davids and Estes,

As representatives of Kansas public schools, school boards, administrators, teachers and parents we are thankful for your work in providing bipartisan support for K-12 public education in the CARES Act. Although the \$13.5 billion for K12 public education in the CARES Act is a welcome step in the right direction, we believe the evolving economic and educational costs of the COVID-19 pandemic will quickly eclipse the CARES Act appropriation.

As Congress negotiates a fourth emergency supplemental package, the undersigned organizations ask that you consider the following urgent needs for additional significant, robust federal funding for public schools. Our priorities are:

Additional Funding and Flexibility for IDEA

State revenues, which provide roughly 50 percent of K12 funding, are expected to fall between 15 to 20 percent over the course of the pandemic. When Kansas schools reopen their doors, we know we will see more students living in poverty and students with disabilities requiring significant supports and services. As a result, we urgently request that Congress provide **at least \$13 billion** in additional funding for the **Individuals with Disabilities Education Act (IDEA)** to help the nation's public schools respond to student needs.

When the IDEA was enacted in the 1970s, Congress pledged to fund 40 percent of school districts' excess costs in educating students with disabilities. (In Kansas, gifted students are also served by the IDEA). Actual Congressional support for special education funding has historically hovered in the mid-teens, and stands at about 13 percent of excess costs today, requiring school districts to pay for those mandated special education services from their general fund budgets.

Given the myriad of anticipated additional school districts costs in response to the pandemic, including increased technology costs for online learning, the provision of off-site food service and additional costs for instructional materials and school cleaning costs, **fully funding the IDEA** in the fourth supplemental would lessen the fiscal impact of the COVID pandemic on special education services.

It's also critical that Congress provide **narrowly tailored and temporary flexibility to school districts** as they continue to act in good faith to provide special education services to students during this unprecedented time. Schools have encountered challenges including public health directives that prevent the delivery of certain physical therapies; difficulty in complying with IEP deadlines that involve in-person observation of a student's needs; shortages of qualified staff due to health and safety concerns; and lack of internet access and/or necessary hardware to connect staff to students. ***These issues cannot be addressed effectively unless Congress intervenes.***

ERate funding for home broadband internet access

Public school advocates requested **\$2 billion in ERate funding** to support home broadband internet access for our students in the CARES Act. That request was not reflected in the final bill, and in the few weeks since the Act became law home internet access has emerged as one of the **most critical needs** for K12 public education.

While most Kansas school *buildings* have broadband internet, many Kansas students, especially in the rural areas of the state, do not have access at *home*. This challenge, referred to as "the homework gap," has plagued our state for many years; families have attempted to adapt by depending on public libraries, restaurants and other sources of public internet service to provide the internet connection students require to complete and submit online assignments. The homework gap has broadened even further in the weeks since Kansas school buildings closed and schools transitioned a significant portion of their instructional efforts to online formats; school leaders say it is the **most significant barrier to learning at this time**.

As a result, we urgently request that Congress provide \$2 billion in ERate funding and flexibility for the FCC in its administration to support home internet access and associated technology. The problem is worse in rural areas where broadband may not be available and in high poverty families that cannot afford internet service.

Emergency Stabilization Funding

Given the likelihood that the current situation will get worse before it improves, it's realistic for Congress to provide funding that echoes the scope and structure of the 2009 American Recovery and Reinvestment Act (ARRA) that responded to the Great Recession. The ARRA included several billion dollars in educational stabilization funding.

Building off the education stabilization fund included in the CARES Act, we request the fourth emergency COVID response supplemental include an investment of **at least \$175 billion** for K12 education **at the state level** to bolster state budgets, offer a short-term boost to the economy, and to invest in education and other public services. At least 90 percent of these funds should be designated to direct, supplemental sub grants to K-12 school districts and be distributed within 15 days of receipt.

Stabilization funding must include strict protections to ensure the federal funding **supplements rather than supplants** state funding.

The scale and impact of the COVID pandemic emerged quickly and the full impact on our country is still unclear. We are proud to report, however, that Kansas public schools are leading the nation in responding to the needs of our K12 public education students. The individual district Continuous

Learning Plans developed at the direction of our State Board of Education are being held up as examples of how our colleagues in other states can best serve their students. Nonetheless, our challenges remain profound and far-reaching and cannot be vanquished without the additional, robust measures we request here.

Thank you for your leadership in these unprecedented times.

Sincerely,

Kansas State Board of Education
Kansas Association of School Boards
United School Administrators of Kansas
Kansas National Education Association
Kansas Association of Special Education Administrators
Kansas PTA
Game On for Kansas Schools
Schools for Quality Education