

**TESTIMONY IN SUPPORT OF
SJR 27**

by
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As many of you know, I am a Managing Attorney at Disability Rights Wisconsin (DRW), Wisconsin's designated protection and advocacy agency for people with disabilities. In addition, I am the chairperson of the Quality Education Coalition (QEC), Wisconsin's only statewide coalition of parents, educators and advocates, who work to improve Wisconsin's system of special education. I am also here today in my role as chairperson of the Board for People with Developmental Disabilities Governmental Affairs Committee. In addition, I am privileged to testify on behalf of the Survival Coalition of Wisconsin Disability Organizations. Finally, these organizations also support the Wisconsin Alliance of Excellent Schools (WAES) mission to reform Wisconsin's system of financing its public schools so that all of Wisconsin's children can obtain an excellent education.

We are here to remind the legislature that fundamental flaws in Wisconsin's school finance system remain and will continue to worsen if that system is not fundamentally altered. As you know, that system is premised on a three legged stool: revenue caps, caps on teachers' salaries, and 2/3 support of school funding by the state. While the state continues to insist that local school districts and teachers cap revenues and salaries, the legislature has once again failed to support the third leg of that stool with the promised 2/3 funding. In addition, the source of funds for our states' schools is still reliant on an antiquated, inequitable source—property taxes. Here are just a few of the results of this broken system which are a national embarrassment:

- Wisconsin has the lowest reading scores for African-American children in the country;
- Wisconsin has the widest gap between African-American and Caucasian children's reading scores in the country;
- Wisconsin has one of the worst graduation rates for African American children in the country;
- The Milwaukee Public School (MPS) district and the Wisconsin Department of Public Instruction (DPI) recently lost a special education class action brought by our agency in federal court, where the court found that MPS uses suspension instead of evaluating children for possible disabilities, and DPI fails to ensure that state and federal special education laws are enforced within MPS.

Lest you think that these problems stay confined within our schools, Wisconsin also has one of the highest incarceration rates of African-Americans in the country, and our prisons are bursting at the seams despite the major expansion of our prison system under former Governor Thompson. It is well known that being suspended from school, failing to learn how to read, and failing to have

one's disabilities addressed at an early age greatly enhances the chances of incarceration for such children. The time for flushing our neediest children down the toilet in Wisconsin must come to an end!

Others will provide further tales of woe regarding our system of education. Focusing on special education in particular, it becomes painfully obvious that our current system of school funding is broken and needs a major overhaul. After passage of the recent biennial budget, Wisconsin continues to fund school districts special education costs at a miserly rate of approximately 30%. Combined with federal reimbursement of approximately 16%, this means that local school districts continue to pay well over half of the costs of special education. They are forced to do this while they have their revenue constrained by state imposed revenue caps.

As you are probably aware, Wisconsin's reimbursement rate for special education categorical aids has plummeted since the advent of revenue caps. According to a recent Legislative Fiscal Bureau memo, during the 1993-94 school year, Wisconsin reimbursed local school districts over 44% of their special education costs. As that memo states, on a statewide and district by district basis, if the state had maintained that level, in 2005-06, Wisconsin would have paid over \$166 million in additional funding to local school districts in that year alone! Due to revenue caps, the only way to make up that gap is to reduce support for regular education programming.

Thus, the unfortunate reality is that some school districts are forced to reduce regular education funding in order to meet their state and federal obligations to provide a free appropriate public education (FAPE) to children with disabilities. Other school districts are forced to deny those rights to children with disabilities because the funding simply is not available to them. This sets up a constant strain within local communities where regular education parents and teachers battle special education parents and teachers for insufficient funds—clearly an unhealthy environment for building positive school communities.

So much for the bad news. The good news is that for the first time, this legislature is seriously considering reform of this system. SJR 278 represents a good first step. We support this measure because if it is passed, and if the next legislature follows its dictates, we will have a system of school finance that:

- Funds schools based on the actual costs of providing a sound education to all of Wisconsin's children;
- Provides sufficient state funding to meet all state and federal mandates, including special education;
- Provides additional resources for other children with special circumstances, such as those who do not speak English, those in poverty, and those in rural environments who must be transported long distances to school.
- Ends the reliance on the antiquated and unfair property tax system.

As I have stated, passage of SJR 27 is just a first step. The real test will come during the next biennial budget. However, passage of SJR 27 will send a clear message to that legislature, that it must be prepared to roll up its sleeves and get the important work of providing a fair and adequate school finance system so Wisconsin's children can see a brighter day in the years to come.

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