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*Response to Cristina Janney, Hays Post, article  
"Hays USD 489 Super: Legislators mounting attacks on public schools"*

February 27, 2023

Dear Superintendent Wilson,

Thank you for sharing a legislative update, albeit inaccurate, with school board members. Fortunately for your members, I am now providing a more accurate legislative review after reading your report which opened with "crazy legislation being championed by legislators who are attacking public education" as reported in the Hays Post.

As a taxpayer-funded superintendent representing students, teachers, and community members of diverse political and religious viewpoints, it was disappointing to read your rhetoric that afforded no grace to legislators across our State. Assigning motives that you know are false, and at the very least, are premised on assumptions you've made since we've never actually met (the chair of the committee that had hearings on many of the bills you mentioned) seem an unusual way to lead an organization as large and diverse as the Hays School District.

Here are the facts for your board as relates to the K-12 Education Budget Committee in which I am in my fifth year of chairing:

- (1) The Kansas House passed [HB 2060](#): *the Special Education Funding Task Force* bill on February 16 with a vote of 83-37. The funding taskforce was originally created in 2008 to examine the statute, which actually has many fatally-flawed problems (as identified in both the Interim Special Education Committee and during K-12 Education Budget informational hearings). Though the Legislature created a statute that provided the self-imposed 92% excess cost criteria, it nowhere compares to the Federal Government's lack of funding of up to 40% of IDEA federal dollars owed to Kansas.

If the Federal government paid their portion, which was about 13% last year, we'd have an additional \$300 million in special education funding for 2022 alone. IF the Fed's paid their obligation, we would far exceed the 92% self-imposed statute percentage. But of course, I didn't see any mention of the federal government not meeting their obligation or any reference to [HCR 5004](#) which was also passed out of the House on Feb. 16 with 119-1 vote in the Hays Post article. Maybe you did speak of it but it wasn't included in the article? I would also ask if you or board members have solicited help from Senators Moran and Marshall, as well as Congressman Mann, for federal IDEA funding? In

addition, as for excess cost per your districts – collectively you all are exceeding 92%. Since the computation is not a simple calculation of simply subtracting what the district, interlocal, or co-op spends from the state special education aid – many districts are not able to substantially explain how the funding distribution includes crediting money attributed to special education students under the base aid formula. Here’s an easy [explainer](#) I prepared for my caucus which will help you and members better understand the computation. I know how important it is to be factual. Looks like Hays exceeds the 92% excess cost formula (numbers provided by KSDE):

- a. Hays – 94.38% Excess Costs
  - b. Ellis – 100.98%
  - c. Victoria – 81.9%
  - d. Lacrosse – 102.59%
- (2) The reference to “The Fairness in Women’s Sports Act” and how it “highlights how our Legislature or certain individuals or leadership are focusing on certain things that are not impacting Kansas” is simply not giving young girls, your athletes, the space to be protected today or tomorrow as Title IX was originally intended. The Legislature will have a veto-proof majority including at least one Democrat siding with girls. I’m sorry you do not believe this is an important issue. This was not addressed in my committee, but thought I’d mention it. It sure sounds like you shared your political position rather than consider what your constituents might think on the issue.
  - (3) On the ESA bill, [HB 2218](#), the fiscal note does include an erroneous figure of \$150 million; however, it is substantially flawed for two primary reasons. One, the bill was amended after the fiscal note was written and two, it was premised on the State of Arizona not factoring in the fact that AZ has a population of over 7.1 million and a public school population of over 1.15 million. This, along with other miscalculations too in depth to cover here, easily make the fiscal note irrelevant. In addition, you stated that it will “divert about \$150 million in public funds that will go to private schools.” Let’s talk about ESAs – the money is expendable for much, much more than private schools and goes directly to a savings account controlled by the parent. Unfortunately, the old claim that we’re funding private schools doesn’t hold water when what the ESA really does is provide flexible spending to individual students. The ESA funds students not systems.
  - (4) You stated that a House Bill would **require** school board members to be paid. This is false. There is no requirement in [HB 2261](#) which allows districts to pay board members, whether it be \$1,000 per year (which is what I was compensated as Mayor) or per meeting. In no way does it require any funding. If you value your board and want to provide a small stipend, you now are allowed to do so. I’m sure a superintendent could forgo even a small percentage of his/her salary to pay for such a small amount to show appreciation for the hours board members spend on district items. Of course, no board member requires or expects this, but it sure is nice to have the option. Also to note, larger school district board members have reported to me they spend over 30 hours a week on school issues. If the district can and will compensate – why should statute not allow? And further, it’s local control. Interesting how you would complain about the ability to provide compensation with no requirement.
  - (5) As for the Open Enrollment fix, [HB 2271](#), the amendment you referenced which included district-adopted curriculum posted on your website does **NOT** require “teachers to post all of their curricula on an online portal for parents.” Since you falsely stated something the amendment expressly did not allow – I’m curious if you’re also the person who perpetuated last year’s misinformation that said the Parent’s Bill of Rights required

teacher lesson plans (which by the way was in ZERO of our bills)? Do you ever fact check before you inform the board about issues you clearly do not understand? Note: here's the language that counters your false claim: *"information on the parent portal shall be an administrative function of the school district and shall not be a duty or obligation imposed upon teachers."*

- (6) You also spoke of a letter from the United School Administrators. I have that letter that was sent by school staff to me because it was blatantly false and dishonestly portrayed unsubstantiated gossip. I'm not surprised you passed along the misinformation. I could break the letter down for you line by line, point by point, and show the misinformation that seems rampant from school advocacy groups.

Ultimately, I have no problem with public debate on important issues. I have no problem dialoguing with you and board members on any issue desired. I have no problem with disagreements. I have no problem with public school superintendents advocating for what each believes is important.

However, what I do have a problem with is deliberate and consistent misinformation. I do have a problem with the lack of civility displayed in your legislative report. I have a problem with manipulating reports and the clear bias that eliminates any open discussion with board members. I would afford you respect, regardless of your views, and I find it amazing when it is so clearly not reciprocated by leaders such as yourself. Maybe it's easier to vilify someone you haven't met. I guess I'm always surprised when someone would want to do this. To what end? To what advantage? Does it help your students? Do you feel better?

What happened to honest, open, and civil discourse?

If you really wanted to work with the Legislature, it wouldn't be difficult. Pick up the phone. Send an email. Come for a visit. Have coffee with your recently re-elected State Representative. Ask us questions. Be open to a discussion. Listen. Get to know those you disagree with and find common ground. This is how solutions are derived. Name calling doesn't seem very professional, nor does it usually create an opportunity for partnerships and goodwill. But that's just my opinion.

My door is always open. I'm always happy to talk about ways we can partner to help kids.

Serving Kansas,

Rep. Kristey Williams