

Jane Rhys, Ph.D.
Disability Advocate
Jrhys67@yahoo.com

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Room 546 -S

Madame Chairperson, members of the Committee, I thank you for the opportunity of providing information on Senate Bill Number 397, an Act providing for a change in terminology in the statutes from the term mental retardation and similar terms to the term intellectual disability and similar terms. Overall, I greatly favor of the Bill with a couple of suggestions.

My knowledge with people who have an intellectual disability began in as a child when I had a cousin with this disability and it grew when I went to work at the State Department of Education in 1981. Since then I not only have worked in this area, I have developed many friends who have an intellectual disability. Some people believe that we have become too “politically correct” in our use of words. However, many of these individuals have not had a term that may describe a part of them turned against them as used to hurt them. Persons who have an intellectual disability have experienced this.

Some things one can change – if one wears glasses one can use contacts or have surgery to eliminate the need for glasses. If one has red hair, dye is readily available! However, changing the color of one’s skin, one’s ethnic background, or many of the disabilities one may have cannot be changed. If we know, and we do know, that a certain term can be used to denigrate another, then it is incumbent upon us to quit using that term, even if it means changing our laws.

I respect and support the efforts of the Self Advocacy Coalition of Kansas and others to bring about this change through SB 397. I do have a few recommendations for the Bill.

Recommendations

People first language should be used when referring to persons who have a disability. Instead of repeatedly using the term the “intellectually disabled” one should say “persons with an intellectual disability”. The emphasis is on the person, not the disability. This is used so extensively in this bill that I recommend the Revisor do a search and make these changes.

1. In keeping with the use of person first language on Page 26, Line 21 “intellectually disabled and other handicapped children” should be replaced with “children who have intellectual and other disabilities”. The use of the term “handicapped” is also offensive to persons who have a disability. The same changes must be made on Page 26, Lines 27, 37, 27, and 43 and on Page 27, Lines 5, 7, 12, 19, 27, 35, and 43 and on Page 28 Line 6.

2. I would also suggest careful reading to ensure that the language flows – such as Page 6, Line 23-24 I recommend: any licensed community “center for persons with an intellectual disability”. Likewise Page 19, Line 1 county mental health “program and programs for persons with an intellectual disability.”

3. On Page 72, Line 29 please strike the word “educable”. Under federal law and many U.S. Supreme Court cases schools must educate everyone, they cannot determine who can or cannot be educated.

Summary

This Bill represents a change in *terminology*, not in definition or how Kansas provides services. As such, it represents a change not in the programs but a substantial change in the way in which we think about and treat individuals who have an intellectual disability

I do very much endorse this bill, with minor modifications, and urge you to pass it. As always, your time and attention is greatly appreciated and I would be happy to answer questions.

Jane Rhys, Ph.D.
Disability Advocate
785-249-1943
jrhys67@yahoo.com