

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

**MEMORANDUM**

To: Chairman Huebert  
Members of the House Committee on Education

From: Jason B. Long, Senior Assistant Revisor

Date: February 4, 2020

Subject: HB 2487 – Definition of "children with disabilities"

House Bill No. 2487 (HB 2487) would amend K.S.A. 72-3404, which is the statute that provides relevant definitions for the Special Education for Exceptional Children Act. The federal Individuals with Disabilities Education Act (IDEA) generally governs how public schools provide special education and related services to students who have an individualized education program (IEP). The state special education law provides additional governance of how special education and related services are provided in Kansas. Generally, the state act includes many of the provisions of the federal law and also acts as a "gap filler" for those areas not specifically covered by the IDEA.

HB 2487 pertains to the definitions used in the state law. These definitions are generally the same as those provided under the federal IDEA. This includes the definition of "children with disabilities." Currently, under both federal and state law, this term is defined by a list of various disabilities. One such disability is emotional disturbance. HB 2487 proposes to change the name of this disability to "emotional disability."

This change in state law should not impact the State's or any district's ability to continue to provide special education and related services as they currently are, or the receipt of federal funds for special education services.

If enacted, HB 2487 would become effective on July 1, 2020.