



March 10, 2020

Chair Baumgardner and members of the Senate Education Committee:

Thank you for the opportunity to testify in favor of HB 2487 to change the term “Emotionally Disturbed” to “Emotionally Disabled.”

My name is Rebekah Helget and I am the current chair of the Kansas Special Education Advisory Council (SEAC). SEAC is one of the councils that advises the Kansas State Board of Education (State Board) and is established by Kansas statute and federal special education law, the Individuals with Disabilities Education Act. SEAC members represent families, different groups of students, and different roles of school and community staff that support students with exceptionalities. I am the Director of Special Education at the Learning Cooperative of North Central Kansas and represent administrators of exceptional programs on SEAC. SEAC has many responsibilities, but the two that relate to this bill are to advise the State Board and the Kansas State Department of Education (KSDE) on unmet needs within the state in the education of exceptional children and comment publicly on any statutes and regulations regarding the education of exceptional children.

SEAC is grateful to Representative Blake Carpenter and Leah Grim, school social worker from Derby, for bringing this topic to our attention during our September 19, 2019, meeting. SEAC further discussed this topic at our November 5, 2019, meeting. SEAC also recommended that the School Mental Health Advisory Council discuss the topic as well as the Kansas Association of Special Education Administrators. At our November meeting SEAC had lengthy discussion on the terms used in other states for this disability category and also reviewed the position of several national organizations on this topic. But SEAC wanted to engage in further study with Kansas experts on this topic.

At SEAC’s January meeting we were joined by representatives from the Kansas Association of School Psychologists, Kansas School Social Work Association, Kansas School Mental Health Advisory Council, and the State Interagency Coordinating Council. We also solicited testimony and input from families through Families Together and from community mental health centers through a community mental health center director that serves on the School Mental Health Advisory Council. Our discussion focused on the benefits of a change in language, any potential unintended consequences of a change, and a specific focus on the impact of this change for both children transitioning into special education services at age 3 from infant and toddler services and children with this disability transitioning into postsecondary life.

SEAC Website <http://www.ksde.org/Default.aspx?tabid=561>

The conclusion SEAC came to from this testimony was that there are a great number of benefits in changing this term, especially for students and families. SEAC spent a lot of time discussing with the panel of experts different terms that could be used. Ultimately, the term “emotional disability” is the only term SEAC recommended based on potential negative connotations with other terms considered. The discussion did not bring to light any unintended consequences, but SEAC recognizes the need to ensure families understand that a change in language does not change any rights or benefits for a child identified under this disability category. SEAC will work with KSDE and Families Together to ensure this message is communicated to families.

Next week at the State Board meeting, SEAC will present its recommendation that the State Board support the language change in HB 2487 to “emotional disability.” SEAC will also recommend that if this bill passes and the language in statute is changed, that the State Board make the same change in its special education regulations. SEAC recommends only a change in term, not a change in the definition or eligibility criteria for this disability category.

SEAC is grateful for the opportunity to study this topic, make a recommendation to the State Board, and testify in support of HB 2487. We look forward to future opportunities of our colleagues in the Legislature and the State Board referring special education topics to us for study and recommendation. SEAC supports changing the term “emotional disturbance” to “emotional disability.”