

KANSAS OFFICE *of*
REVISOR *of* STATUTES

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MEMORANDUM

To: Senate Committee on Education
From: Kansas Office of Revisor of Statutes
Date: March 7, 2023
Subject: HB 2322—"Emotional Disability" in Statutory Definitions

House Bill 2322 would change the term “emotional disturbance” to “emotional disability” in two statutes that provide definitions for “children with disabilities” and “individuals with disabilities.”

The bill would amend K.S.A. 72-3404 which provides relevant definitions for terms used in the Special Education for Exceptional Children Act (SEECA). 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) and the SEECA provides additional governance of how special education and related services are provided in Kansas. HB 2322 would amend the definition of the term “Children with Disabilities.” Currently, the definition of “children with disabilities” in SEECA and IDEA includes “emotional disturbance.” HB 2322 would change the name of this disability to “emotional disability” in SEECA. HB 2322 would further define “emotional disability” to mean the same as “emotional disturbance” as defined in the IDEA. This amendment would change the category label but would not alter the categorization of students in Kansas with this particular disability.

Additionally, the bill would similarly amend the definition of “individuals with disability” in K.S.A. 75-5399 that provides definitions for the act related to transition planning services for individuals with disabilities.

The bill would take effect on July 1 upon publication in the statute book.