



**To: House Committee on Education**

**From: The Kansas Association of Special Education Administrators (KASEA), and the Kansas Association of School Boards (KASB)**

Honorable Rep. Aurand and Committee Members,

My name is Terry Collins and I am the Legislative Chair for the Kansas Association of Special Education Administrators (KASEA). I have communicated with the Kansas Association of School Boards (KASB). We are united in this testimony. Thank you for the opportunity to represent them here with this testimony standing as opposed to HB 2602.

- Regarding HB 2602, Kansas State Board of Education has already provided for this. There are already statutes and regulations that provide for appropriate evaluations and special education services, related services, accommodations, and modifications to support ***all students with exceptionalities***, not just students with a learning disability. i.e. PUBLIC NOTICE FOR CHILD FIND K.A.R. 91-40-7(d)).
- Each board shall adopt and implement policies and procedures to identify, locate, and evaluate all children with exceptionalities residing in its jurisdiction.
- Child find in Kansas involves a screening process for children from birth to age 5, and a general education intervention process for children from kindergarten through age 21
- Dyslexia is a specific learning disability in reading and as such is covered under IDEA.
- As defined in K.A.R. 91-40-1 (mmm), “Specific learning disability” (SLD) means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including perceptual disabilities, brain injury, minimal brain dysfunction, **dyslexia**, and developmental aphasia.
- The Diagnostic and Statistical Manual of Mental Disorders (DSM) is a very influential manual used to determine how doctors, teachers and other professionals interpret educational and mental health issues, how the press reports on them, and what kind of treatments and therapies will be covered by health insurance companies.
- In the DSM-5, Learning Disorder has been changed to Specific Learning Disorder and the previous types of Learning Disorders (Dyslexia, Dyscalculia, and Disorder of Written Expression) are no longer being recommended. The type of Learning Disorder will

instead be specified as noted in the diagnosis. (*e.g., SLD With impairment in reading*)

*Source: American Psychiatric Association*

- “**Dyslexia** is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities.” (p.67, **DSM-5**)
- SLD is a clinical diagnosis that is not necessarily synonymous with ‘learning disabilities’ as identified within the education system: that is, not all children with learning disabilities/difficulties identified by the school system would meet a DSM--5 clinical diagnosis of SLD. By contrast, those with a DSM--5 diagnosis of SLD would be expected to meet the educational definition.
- Subsection (b) implies that school districts are not already conducting appropriate evaluations of student suspected of having a learning disability. There are statutes and regulations that already require this and we are not aware of any problem of these laws not being followed
- Subsection (c) is unnecessary because a parent may request a special education evaluation **at any time**. A parent does not have to wait for a diagnosis to request a special education evaluation or Section 504 evaluation.
- I want to refer you to the accompanying Special Education Report regarding dyslexia. Please note on the second page: It is **not** recommended to have legislation specific to one type of condition. For example, under the umbrella of the emotional disturbance category, special education services may be provided for students with a diagnosis of schizophrenia, bi-polar disorder, post-traumatic stress disorder, or attachment disorder. To have a separate law for each condition would result in over-regulation, increased financial burden, and likely conflict with state and Federal Law. The same is true for reading disabilities.
- The Kansas Association of Special Education Administrators, and the Kansas Association of School Boards strongly encourage you not to move forward with HB 2602.

**Terry Collins, Ed.S. 785-741-2202**

**KASEA Legislative Committee**

**Director of Doniphan County Education Cooperative #616**