



Regarding HB 2322, Revising the definition of “children with disabilities” for purposes of providing special education to replace emotional disturbance with emotional disability.

The Kansas Association of School Psychologists (KASP) supports HB2322. KASP has supported this change since 2020 when a representative from our group appeared before the Special Education Advisory Council (SEAC) and the Kansas State Board of Education to begin preliminary discussions. In order to receive special education services a child must be identified as a “student with a disability” (CFR 300.8). Although the term emotional disturbance is used in the federal regulations, there has been some stigma associated with the term “disturbance.”

School psychologists throughout the state have struggled to get parents to agree to services under the category of emotional disturbance due to the connotation of the term. It is difficult to explain to parents that their child has an educational disability when the term does not match. We have also seen an increase in the use of the “Other Health Impairment” category as a catch all in order to be able to provide special education supports and services to students with difficulties with emotional regulation and control.

We are firm in our belief that the focus of eligibility and IEP team meetings should focus on the supports and services a student needs in order to receive a Free and Appropriate Public Education (FAPE) as opposed to the name of a disability category.

Although, we support the change in the name of this particular disability category, we want to note that simply changing the name will not change the expected outcomes. In order to truly change outcomes, students need explicit skill instruction. School psychologists are uniquely qualified to provide the needed skill instruction. However, there are not enough of us and we are spread too thin, often having multiple buildings and high case loads where evaluations and administrative paperwork prevent us from being able to provide specific skill training.

We do believe that support of this proposed name change is a step forward and look forward to working with you to improve social emotional outcomes for Kansas students.

Thank you for your consideration of this bill.

Jon Smeeton, Ed.S., NCSP
Government and Professional Relations Representative
Kansas Association of School Psychologists