



KANSAS SCHOOLS FOR THE DEAF AND THE BLIND

STATEWIDE RESOURCES ON DEAFNESS AND BLINDNESS

www.KSSDB.org

KANSAS STATE SCHOOL FOR THE DEAF

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KANSAS STATE SCHOOL FOR THE BLIND

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Date: April 26, 2012
To: Senator Carolyn McGinn, Chairman, Senate Ways and Means
From: Madeleine Burkindine, Superintendent, Kansas State School for the Blind
Subject: Support for HB 2777

Additional Instructional Services for Students – Instructional Assistants

FY2012: \$30,438 FY2013: \$81,950

For several years, school districts have hired Instructional Assistants, to work on the campus of the Kansas School for the Blind to provide intensive support for students being enrolled at KSSB as required by the students' Individual Educational Programs (IEP). Typically, the student was a day student and the Para drove the student to KSSB and home each day. The purpose of this arrangement was to allow the local Para to be trained at KSSB with skills that would be needed when the student was returned to the local school. This year a local school district requested enrollment of a student at KSSB but was located too far away to make the daily commute practical. KSSB agreed to enroll the student but informed the local district that a fee for the specialized Para would be charged to the local district because KSSB lacked the budget resources to provide the level of Para support the student required as stated in the IEP. The local district complained to the Kansas Department of Education who informed KSSB that the practice was a technical violation of KSA 76-1102.

The local district has documented through the student's IEP they lacked the expertise to serve the student's mandated education program. The student is enrolled at KSSB and requires the high level of support in order to be educated adequately. KSSB was not appropriated resources to provide adequate staffing for the student. KSSB does not think it is in the best interest of the student to return him to the local school where they lack the skills to meet his need; so we are borrowing from other parts of the budget while we appeal our FY2012 and FT2013 budgets. This borrowing from Peter to pay Paul is leaving other staff positions unfilled and some programs in question like the future of the Extended School Year (Summer School).



EQUAL EMPLOYMENT/EDUCATION OPPORTUNITY SCHOOLS



Senate Ways and Means

Date: 04-26-2012

Attachment: 2

KSSB is statutorily mandated to serve blind, low vision students across the state because the specialized services required for this student are not available at the local level. Without passage of HB 2777 the students in question will have to be returned to their local districts where the services are not available to fulfill the students' IEPs. Returning these students will be a violation of federal and state special education law. KSSB's student population is 100% special education and often students have multiple disabilities (e.g., autism, deaf-blindness, or medically fragile conditions) in addition to the lack of vision. All student services are mandated through Individual Education Programs (IEPs) required by federal IDEA legislation. Kansas also has special education law that covers these students and their IEPs.

Our preference is for the Legislature to fund the current law; however, HB 2777 is helpful in that it allows KSSB to bill the district for services and allows local districts to recover most of the cost through special education reimbursement.



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Date: April 26, 2012

To: Senator Carolyn McGinn, Chairman, Senate Ways and Means

From: Madeleine Burkindine, Superintendent,
Kansas State School for the Deaf (KSSD)

Subject: Testimony in Support: HB 2777

**Support Services for Students – Instructional Assistants -
FY2012 - \$191,732 FY2013 - \$328,549**

For over 20 years KSSD has worked with Local School Districts to provide the level of education support that certain students were required to have in the students' Individual Education Programs (IEP). The local school district lacked the specialized expertise to address the special education needed for language acquisition and KSSD was not appropriated adequate resources to provide the one on one support the student needed for intensive language deficits coupled with severe behavioral issues. These students, in addition to deafness, may have had cognitive delays, serious behavior disorders, or, autism. Local school districts were willing to pay for staffing support on the KSSD campus so that the students' full educational and behavioral needs could be met. Now, with shrinking resources, local school districts are questioning this practice and the Kansas Department of Education has concluded the practice is a technical violation of K.S.A. 76-1006.



EQUAL EMPLOYMENT/EDUCATION OPPORTUNITY SCHOOLS



Local districts document through the student's IEP that they lack the expertise to fulfill the student's needed education program, particularly language acquisition, and recommend enrollment at KSSD. The challenge for KSSD is that students enroll throughout the year and if the student has special needs that must be addressed there is no budget mechanism to address the expense. Currently, there are 16 students at KSSD with these special needs who need to continue receiving this high level of support in order to be educated adequately. We are currently borrowing from other parts of the budget while we appeal our FY 2012 and FY 2013 budgets because it is **not** in the best interest of the students to return them to the local district where their education needs cannot be met. This borrowing from Peter to pay Paul is leaving other needed staff positions unfilled and some programs in question like the future of the Extended School Year (Summer School).

KSSD is statutorily mandated to serve deaf, hard of hearing students across the state because the specialized services required for these students are not available at the local district level. Without approval of this appeal the students in question will have to be returned to their local districts where there are not adequate services available to fulfill the students' IEPs. Returning these students will be a violation of federal and state special education law. KSSD's student population is 100% special education and often students have multiple disabilities (e.g., autism, deaf-blindness, or other medically fragile conditions) in addition to the initial lack of hearing. All student services are mandated through Individual Education Programs (IEPs) required by federal IDEA legislation. Kansas also has special education law that covers these students and their IEPs.

HB 2777 is an attempt to address this budget shortfall and we support it. Our preference is for the Legislature to fund the current law; however, HB 2777 is helpful in that it allows KSSD to bill the district for services and allows local districts to recover most of the cost through special education reimbursement.