

**House Education Committee  
Testimony in Opposition to House Bill 2400  
March 18, 2013**

Chairman Kelly and Members of the Committee,

I am Deborah Meyer, Director of Special Education Services in the Shawnee Mission School District, located in Johnson County. I appear today, representing our district's opposition to House Bill 2400. We, like other school districts in Kansas, advocate for our students with disabilities. We support the following requirements.

- Kansas public schools are required to hire licensed personnel and this is paramount in that parents can be assured their children are taught by highly qualified teachers.
- Kansas public schools are mandated to teach and assess under the state requirements to use scientifically, research-based curriculum and methods, which can assure parents their children are making progress against rigorous standards, and schools are following best and promising practices.
- Kansas public schools provide these procedural safeguards to parents of children with disabilities: rights of participation in decision-making; parental consent for placement and change in services; confidentiality protections; review and inspection of records; timely evaluation; placement in the least restrictive environment; non-discrimination in all practices; and administrative remedies for resolving complaints.

While we appreciate the desire to provide choice and freedom from federal controls, parents of a child with disabilities will lose key protections in HB 2400. An Individualized Education Program (IEP) is required for a student to be eligible for a scholarship but the bill has no requirements that "a qualified school" will provide those IEP services. New Section 3 (f) specifically waives the public school's responsibility to provide IEP services but nowhere are the "qualified school" responsibilities specified. Unlike the public schools, "a qualified school" will not be required to be regulated under state disability compliance laws nor will the quality, quantity or outcomes of their services be reviewed, yet they will receive a tax break, as will the scholarship granting organizations.

Students with disabilities, attending private schools, will have a choice and a tax break but will not be protected by the Individuals with Disabilities Education Act (IDEA). Our district opposes any bill that allows private schools to receive financial assistance from the state, particularly when one condition necessary for participation, an IEP, is waived. A private school under HB 2400 could discriminate against students with disabilities and not be held accountable for IDEA requirements. HB 2400 provides only a choice for a child not to receive the special education services they are eligible for and have been determined to need.

We ask that the committee take no further action on this bill.

