



**KANSAS SCHOOLS FOR THE DEAF AND THE BLIND**  
STATEWIDE RESOURCES ON DEAFNESS AND BLINDNESS

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**Kansas State School for the Deaf**  
**Senate Education Committee Testimony**  
**February 15, 2022**

We request that the Committee concur with the Governor's recommendations for the FY 2023 budget request. In addition, we request these enhancements.

**SGF Enhancement Requests for FY 2023**

Language Assessment Program K.S.A. 75-5397e – Phase 3	\$466,658
Language Assessment Program K.S.A. 75-5397e – Phase 4	<u>\$192,207</u>
Total:	\$658,865

**Language Assessment Mandate**

In 2016, the legislature, both the House and Senate, unanimously passed K.S.A. 75-5397e which mandates that every child from birth through age eight, who are deaf or hard of hearing (DHH), be assessed annually to ensure he/she is meeting age-appropriate linguistic milestones and developing language skills. Kansas State School for the Deaf (KSSD) was designated as the lead agency to establish and administer the statewide language assessment program in compliance with the State law.

**Language Assessment Program-Phase 3 (\$466,658)**

Phase 3 was intended to be implemented in FY 2021 with the goal of assessing 250 children. Due to COVID-19 and previous lack of funding, expansion to all of birth-three statewide was not possible, and Phase 2 continued into FY 2021. Both the Kansas Department of Education (KSDE) and Kansas Department of Health and Environment (KDHE) agreed to fund Phase 3 of the Language Assessment Program for FY 2022. This was a one-year financial commitment from both agencies with the intent of fully implementing Phase 3 for FY 2022 only. Because KSDE and KDHE were able to fund for one year only, KSSD is seeking sustainable funding for Phase 3; therefore, KSSD is requesting the \$466,658 enhancement for FY 2023.

**Language Assessment Program – Phase 4 (\$192,207)**

To reach the goal of assessing 400 children in Phase 4 by 2023, KSSD is also requesting the amount of \$192,207 for a total of \$658,865 to provide sustainable, long-term funding of the statewide LAP-DHH for FY 2023. The enhancement requested will prevent further delay of

implementing appropriate interventions to help DHH children achieve appropriate milestones commensurate with their hearing peers. Without these interventions, these children will not be kindergarten ready and their language delays will continue to impact their educational and social-emotional outcomes.

An additional enhancement of \$199,232 in FY 2024 would complete implementation of the entire program (772 children) for a total of \$858,097.

### **Rationale for Enhancement Request**

To fully fund LAP-DHH, a permanent budget enhancement is an ideal solution which will allow KSSD to provide sustainable operation of the statewide LAP-DHH with quality and efficiency. This approach will ensure that “no child will fall through the cracks”. Full obligation lies with KSSD to manage and safeguard the success of the program. This would continue phase 3 and allow for implementation of the final phases. This is the best approach for Kansas children and families to ensure they receive the assessments mandated by Kansas law and that those assessments are conducted by professionals with training, experience, and expertise in deaf education. This also allows continuation of the ground-breaking research that is being done in collaboration with the University of Kansas that will impact deaf education not only in Kansas but nationwide. As the first state in the nation to be collecting and utilizing the data to this depth, maintaining the fidelity of this program is essential.

### **Possible Alternative Solution**

#### **SGF Enhancement Requests for FY 2023**

Language Assessment Program K.S.A. 75-5397e – Birth-3	\$386,000
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In lieu of full funding of the enhancement for Phases 3 and 4, we recommend funding a partial enhancement of \$386,000 which will permanently and fully fund the Birth-3 portion of the LAP-DHH program. The remaining portion of LAP-DHH funding required for students ages 3-8 could be collected from unified school districts, special education cooperatives, and interlocals through a fee-for-service approach (See proposed bill language for a LAP-DHH fee fund below).

### **Challenges of Alternative Solution**

The temporary funding for FY 2022 from KDHE was only available due to money previously set aside for other projects, which were then unable to be funded in FY 2022. For KDHE to continue to fund the Birth-3 portion of the LAP program, funds would have to be diverted from Part C funding which would reduce services across the state for all children with disabilities, including children who are deaf/hard of hearing. It would create staffing issues and reduced frequency of services.

Children who are DHH ages 3-8 are educated in various settings including in general education, special education, 504 plans, and private/home schools. This will require the development of a systematic approach that invoices the appropriate billing entities. A fee would need to provide

equitable services for both local and distance students, as well as pay for a part-time position to facilitate billing the appropriate entities and other accounting tasks. For the full implementation of LAP for ages 3-8, fees billed to school districts include the current estimated cost of \$472,097 plus \$21,060 for a part-time clerk for a total of \$493,157.

Utilizing staff from tiny-k programs and local school districts is being explored; however, it is believed that local programs do not have the training, expertise, or experience in assessing children who are DHH. The data collected would no longer be consistent in validity or fidelity, altering the reliability of the data that is provided to the legislature and used in the research with the University of Kansas. This solution allows children to receive appropriate assessments from highly qualified staff as well as the legislature to receive accurate data.

**Proposed Bill Language for LAP-DHH Fee Fund**

Language assessment program fee fund.....No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to KSA 75-5397e:

*Provided further*, That all expenditures from the language assessment program fee fund shall be only for the operations of the language assessment program: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to language assessment program fee fund.

When the law was passed in 2016, the state legislators recognized the need for each child to achieve age-appropriate language milestones as a dire need. KSSD is committed to advancing the program which will lead to positive language acquisition in Kansas' children who are DHH. Early language acquisition will result in early fluent communication, data-driven interventions, language without limits, and DHH children with age-appropriate facility. This is a statutory obligation for KSSD and from a budgetary standpoint, we are requesting enhancement to meet the statutory requirement of K.S.A. 75-5397e.

We thank the legislature for their diligence in developing budgets to address the needs of Kansas schools and citizens. We are using our budget to serve students who are DHH throughout the state of Kansas in an effective and efficient manner to ensure every DHH child receives equal and appropriate educational opportunities.



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Superintendent