

## **Senate Education Committee**

### **Testimony SB 44**

February 7, 2013

Katherine Kersenbrock-Ostmeyer

Parent

Director Special Education Northwest Kansas Educational Service Center

Honorable Senator Abrams and Members of the Senate Education Committee:

I will present testimony concerning SB 44 first as a parent of a child who struggled with disabilities. Then as a Director of Special Education....

My son has Tourette Syndrome co-occurring with Attention Deficit Hyperactive Disorder. His disability is complicated in that he experienced many disabling conditions associated with this neurological disorder. For example he had difficulties with visual perception and writing (dysgraphia) requiring special education services for much of his early grades, he had speech therapy in preschool and the early grades, he experienced significant issues with his behavior and impulse control (at times where he needed extreme measure to keep him in control), and he had a significant reading disability (sometimes referred to as dyslexia). During his school years (he is now doing very well in his second year at Northwest Kansas Technical School in Diesel Mechanics) when his IEP team met we struggled to develop a plan that could take the time we had in a school day and make it best meet his individual needs. In his case it often times was a compromise in academics and behavior interventions. With this in mind I am sharing my concerns with the provisions of SB 44. Under no circumstances can I see that a mandated set amount of time or a specific program would have better benefitted my son and his needs. As mentioned his situation-- as with many other disabled children, is complicated and that is why under the IDEA (Individuals with Disabilities Act) such a focus is placed on services being individually determined by teams that best know the child.

As a Director of Special Education and an advocate for the disabled—I am very concerned about SB 44. First, I have concerns about the seemingly disregard for the IDEA and it's support for all disabling conditions. For example children with Tourette Syndrome, Autism, Downs Syndrome, Turners Syndrome (and the other 6000 plus syndromes), Intellectual Disabilities, Writing disabilities, and Reading disabilities etc. all have a law with procedures available for them to receive services. When legislation focuses on one disability over others it is a concern for me. As the saying goes “when you say yes to something—you are saying no to something else.” With the established resources available to schools and the guidance provided by KSDE all students have opportunities to receive assistance. When we begin to favor one disability over others I feel we are walking the “slippery slope” toward an unbalanced approach for all learners.

In Northwest Kansas our schools work diligently to provide research based instruction and other supports for struggling readers. The MTSS (Multi-tiered System of Support) and other Tiered

Intervention approaches allow school providers to best address individual needs for learners. In the last several years (approximately 10 years) I have had less than 5 parent complaints concerning reading instruction. In all cases communication with school teams and parents resolved the issue(s) to everyone's satisfaction. I truly feel what is in place works!

I have heard legislators indicate that if they do not vote for the dyslexia legislation it is like voting against the disabled. I feel just about the opposite on the issue---if one votes for SB 44--I feel they are voting against the other disabilities.

I also concur with the positions provided by KASEA (Kansas Association of Special Education Administrators, USA (United School Administrators) and KASB (Kansas Association of School Boards) on their position on SB 44.

Thank you for this opportunity to speak and your work on behalf of Kansans.