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HB 2203 Adding FASD to the Conditions that May Establish Eligibility for Special Education
Proponent – Written Testimony for Hearing On January 15, 2026

Honorable Members of the House Committee on Education:

My husband and I are Kansas constituents. We are also the parents of four amazing children ranging in age from 16 to 22. Three of them are adopted and impacted with a Fetal Alcohol Spectrum Disorder (FASD). We refer to FASD as the invisible disability because nothing in the boys' appearance indicates a problem to the "outside" world. But really, each has a unique lifelong condition affecting his brain and body. I have become "that" parent who educates the teachers while advocating for the best needs of our children.

I wish to share our story as it relates to HB 2203:

Our oldest was adopted at birth through a private adoption. He had more trouble than his peers following directions in preschool. His fine motor skills were weak and we worked at home preparing him to be kindergarten-ready. In elementary school, this son struggled to form letters, to spell, and remember basic math facts, not to mention all the social oddities. I recall drilling basic math facts and sight or spelling words over and over and feeling a relief when we could get through a pile of flash cards with 100% accuracy only to be baffled when the "test" came home and he failed. Why? His brain was different. What was mastered one day, seemed lost the next. It was like his brain was made of Swiss cheese. Our saying at home on these days became "the lights are on, but nobody is home."

We fought the school for an IEP, but never had anyone see what we saw. I shutter to think what would have happened had I not I personally sat with him every day to review what he had learned in the classroom and pre-teach what he'd learn the next day. He was a hard worker, but struggled to keep up. The inconsistent brain impacted more than rote memory. As a volunteer room parent, I witnessed he was less mature than his peers, had trouble with personal space, and was still unable to follow directions. It wasn't that he chose not to, he simply was unable to. He was diagnosed with ADHD, but that wasn't the root cause. When our son, who gave his all in the classroom, announced he didn't want to go to school anymore, I began searching for more help. It took over a year to get a diagnosis — static encephalopathy, a non-progressive brain dysfunction caused by alcohol exposure in the womb. This was something that he didn't choose, but an obstacle to his daily function. We pleaded repeatedly with the school for help. He finally "qualified" for an IEP in 4th grade and began work with a wonderful resource teacher.

When he transitioned to 8th grade, our school district pushed him out of SpEd because "he was doing so well." We fought for a 504-plan to request accommodations ensuring the safety net was in place for the upcoming transition to high school. With my momma bear instinct advocating for him each semester and regular contact with teachers, our oldest was able to graduate high school.

However, that's not the end to our story. In 2013, two brothers were placed in our home through the foster care system. At the time they were 4 and 5 years old on the brink of their educational journey. I knew right away that they were also on the fetal alcohol spectrum. These boys had no ability to organize themselves and required repeated single step directions. The youngest was referred to as the Energizer bunny as he just kept going and going. Both also have sleep issues and lack skills in time management and cause-and-effect.

Our FASD foster sons depend upon an external brain to keep them on task, usually my husband or I. They struggle with sensory issues - be that touching everything they see or refusing to eat certain textures. These are just some of the examples we have faced. Yet, knowing they would always have FASD (formally diagnosed as teenagers), we adopted them. And so our uphill battle started all over. We already knew what the road looked like, but this time the scenery was different since no two cases of FASD are exactly alike!

All three of our FASD sons have poor peer relationships. They just don't fit in with their peers as they function about 1/2 to 2/3 their chronological age. This makes having friends awkward. And, they are so desperate to fit in, they seem to gravitate to the "least common denominator." While we've not experienced a lot of "punishments" or negative consequences at school, we know at home these kids do NOT learn from poor choices or errors. They'll repeat the same mistake over and over again and still not learn from it.

HB 2203 would help my family and others like mine. Adding the verbiage "fetal alcohol spectrum disorder" would explain to schools what it is our three children have struggled with and provide basis for Special Education eligibility without us having to beg for help within the public school system.

Thank you for the chance to share our family's experiences.

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