



**Kansas House Committee on K-12 Education Budget
Proponent of HB 2203**

January 9th, 2026

Chairwoman Williams and Members of the Committee,

On behalf of the Kansas Council on Developmental Disabilities (KCDD), thank you for the opportunity to provide testimony in support of HB 2203. We are grateful for your leadership, Ms. Chairwoman, as well as Representative McDonalds' dedication to the disability community in Kansas by sponsoring this vital bill to ensure that children with fetal alcohol spectrum disorder (FASD) are explicitly recognized within the "other health impairment" category in Kansas's Special Education for Exceptional Children Act.

KCDD's mission is to empower individuals with intellectual and developmental disabilities (I/DD) and their families to lead systems change, build capacity, and advocate for inclusive, integrated, accessible communities where everyone belongs and thrives throughout our state. Our council is made up of self-advocates, family members, state agencies, and other partners from across the state.

KCDD strongly encourages the Committee to support House Bill 2203, as under current statute, FASD is not specifically listed as a qualifying health impairment for special education services. As you may know, Fetal alcohol spectrum disorder is a term used to describe a group of conditions that can occur in a person who has prenatal alcohol exposure. These effects can include physical problems and problems with behavior and learning.

According to the FASD National Survey, as many as 1 in 20 children in the U.S. are estimated to have an FASD, which is 2.5 times more than autism. This means that approximately 1,700 children born in Kansas annually will have an FASD. Since 2021, this number has been growing rapidly. During the pandemic, binge drinking among women of childbearing years increased 40%.

FASD is recognized nationally as affecting brain development and learning. While federal law requires states to provide special education to students whose health impairments adversely impact educational performance, explicit inclusion in state statute removes ambiguity and barriers to service. This bill would update the statutory definition, ensuring that FASD is

explicitly included as a health condition that would qualify a child for needed supports and instructions under special education law. This change aligns with the Kansas law with best practices in recognizing FASD as a developmental disability that requires tailored educational strategies.

Key provisions of HB2203 include:

- **Inclusion of FASD in the definition of “other” health impairments** – Explicitly recognizes FASD as a qualifying condition so students can be identified and evaluated for special education services.
- **Clarifies eligibility for special education, ensuring access to essential supports** – Removes ambiguity for schools and families, helping ensure students with FASD can receive IEPs and related services.
- **Aligns Kansas law with educational needs** – Updates state statute to better reflect student needs and align with federal special education frameworks.

HB2203 is a meaningful step towards advancing ensuring children with FASD are seen, understood, and supported in our education system. By clarifying eligibility in statute, this bill removes unnecessary barriers for families and educators and helps students get the supports they need to succeed. KCDD urges you to support HB 2203 and advance equity for Kansas students with FASD.

Thank you for your time and consideration.



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