

Proponent of SB 75  
For the State Education Committee  
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Chair Erickson and Members of the Committee, thank you for the opportunity to provide proponent testimony in support of Senate Bill 75 on behalf of Maranatha Christian Academy. My name is Malinda Evans. I hold a Specialist Certificate in *Leadership in Special and Inclusive Education* from the University of Kansas, and a *Master of Arts* in Education. With two decades of experience in public school, private school, and private Christian school, I have had the benefit of seeing the education system through different lenses. As the Special Education Coordinator at Maranatha Christian Academy, I am here to testify to the positive benefit of honoring parent educational choice for children who have learning disabilities.

Already written into IDEA, the federal law that provides legal protections for children and their parents, is the foundational principle of Least Restrictive Environment. This is a vital part of a child's individual education plan and is carefully considered by all parties. In §§300.114 through 300.117 one of the provisions states: "(i) To the maximum extent appropriate, children with disabilities, including children in public or **private institutions** or other care facilities, are educated with children who are nondisabled;" [emphasis mine]. The parents themselves are key members of the IEP team making this decision according to sec. 300.321.

I am pleased to tell you that Maranatha Christian Academy educates students who have disabilities alongside their non-disabled peers. Our success with students has even been noted by our constituent public school districts. For example, this year one student who had been in his neighborhood school for several years, is now at MCA and has a plan that includes a weekly visit with a social worker. In October, the social worker gave his teachers a rating scale for the student that had been used in the previous years. The scale goes from 0-20, and this student had never scored above a 4. This time, he scored an 11. The social worker reported,

"Across the years he hovered around this four, with reportedly no growth in his behavior, and this was with maximum effort from me and the rest of our team. He has had exponential growth compared to last year. Now if this was just one data point, maybe I could chalk it up to rater bias, but all of his teachers scored him close to the same. The real point of this email is I wanted to recognize your team at Maranatha. I mean this from the bottom of my heart. Thank you." [identifiable data removed]

His parents made the choice, and there is evidence that our private school is the Least Restrictive Environment for this student. However, the financial burden on their part is significant. These parents are paying out of pocket for tuition.

While the law specifically mentions private school as a possible placement, the process to move a child involves a court due process hearing and the power of the decision is left up to the public school team and the due process hearing officer. Parents are not allowed to simply make a choice, they have to prove that the child is not making progress *in public school*. Parents must go through a time-consuming and very costly battle to make this request, and the hearing officer has the power to deny it. This does not demonstrate parental educational freedom, and it is not honoring the parents as the primary responsible party of their student. In the example of our successful student, the parents were not granted a private school placement prior to the enrollment, so they are responsible for funding the student's education.

Governor Kelly granted \$75 million to Special Education last May. Although paid for by all taxpayers, that funding is only available through the public school. The governor vetoed a line item in that same bill stating, “we should not hamstring districts by limiting this funding opportunity to services provided by one company”( *Kansas Reflector* May 16, 2024). And yet, she is effectively ‘hamstringing’ education for students who attend private schools and homeschools by limiting funding through a sole entity - the public school.

Furthermore, private schools like Maranatha help districts by reducing their caseloads. Last year, I worked in Leavenworth at the Richard Warren Intermediate School. Our caseload required 6 Special Education teachers - but we only had three teachers and two paraeducators. It is very difficult to meet needs when one has twice the number of recommended students and very limited paraeducator support. Giving parents a choice and funding will result in public and private schools shouldering the responsibility together.

DeSoto district has roughly 11.8% students with identified special needs. At MCA 11.2% of our students have been identified and are receiving support at our school. We are doing the work of our constituent districts, and parents are providing the funding. In 2024, DeSoto 232 spent \$17,738 per student. SB 75, which allots less than half of that amount, will help provide parents some funding to choose the Least Restrictive Environment for their child.

Thank you for your consideration in giving parents educational freedom of choice for their students. Your time in hearing this testimony as well as your continued work to increase funding for students who have special needs is greatly appreciated.

Sincerely,

Malinda Evans  
Special Education (ACCESS) Coordinator  
Maranatha Christian Academy