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February 10, 2026

Neutral Testimony for SB 383
Seante Committee on Education
Frank Harwood, Deputy Commissioner
Kansas State Department of Education

Chair Erickson and members of the committee,

Thank you for the opportunity to provide testimony regarding Seante Bill 383 concerning the definition of "Special Teacher".

In recent months, it has been stated that school districts are not able to receive special education funding for services provided to virtual school students and Kansas State Department of Education (KSDE) would like to clarify that this is already permitted under statute. Pursuant to K.S.A. 72-3411, school districts have always been able to receive applicable reimbursement for employing or contracting for qualified staff who provide necessary services in support of a student's IEP. Although it is true that only school districts and interlocals are eligible to receive special education payments from the state, these agencies often contract third parties for staff to provide the services.

KSDE suggests if a school district's contract with a third-party virtual school provider does not allow the district to claim services of a third-party's qualified staff providing necessary services in support to a student's IEP, the district and the third party should amend their contract. This could be done without a need for an amendment to statute.

If this bill moves forward, KSDE requests retaining the phrase "who are qualified to provide special education or related services to exceptional children" on page 6 lines 34 and 35 of the bill. This language is important to remind districts that staff members providing special education services are required to meet certain requirements.

Although KSDE does not believe this bill is needed for a district to receive funding for providing special education services for virtual school students, we would be happy to work with any legislator and the revisors to write appropriate amendments to the bill.

Again, thank you for the opportunity to offer neutral testimony concerning SB 382.

For more information, contact:

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