

HOUSE BILL No. 2778

By Committee on Education

2-6

- 9 AN ACT concerning school districts; relating to students with dyslexia.
10
- 11 *Be it enacted by the Legislature of the State of Kansas:*
- 12 Section 1. As used in this act:
- 13 (a) “State board” means the state board of education;
- 14 (b) “commissioner” means the commissioner of the state board of
15 education;
- 16 (c) “dyslexia” means a disorder of constitutional origin manifested by
17 a difficulty in learning to read, write or spell, despite conventional instruc-
18 tion, adequate intelligence and sociocultural opportunity; and
- 19 (d) “related disorders” includes disorders similar to or related to dys-
20 lexia, such as developmental auditory imperception, dysphasia, specific
21 developmental dyslexia, developmental dysgraphia and developmental
22 spelling disability.
- 23 Sec. 2. (a) Students enrolling in accredited schools in this state shall
24 be tested for dyslexia and related disorders at appropriate times in ac-
25 cordance with a program approved by the state board.
- 26 (b) In accordance with the program approved by the state board, the
27 board of education of each school district shall provide for the treatment
28 of any student determined to have dyslexia or a related disorder.
- 29 (c) The state board shall adopt any rules and regulations necessary to
30 administer this section.
- 31 Sec. 3. (a) The commissioner shall develop recommendations for
32 school districts for:
- 33 (1) Administering reading instruments to diagnose student reading
34 development and comprehension;
- 35 (2) training educators in administering the reading instruments; and
- 36 (3) applying the results of the reading instruments to the instructional
37 program.
- 38 (b) The commissioner shall adopt a list of reading instruments that a
39 school district may use to diagnose student reading development and
40 comprehension. A district-level committee may adopt a list of reading
41 instruments for use in the district in addition to the reading instruments
42 on the commissioner’s list. Each reading instrument adopted by the com-
43 missioner or a district-level committee must be based on scientific re-

1 search concerning reading skills development and reading comprehen-
2 sion. A list of reading instruments adopted under this subsection must
3 provide for diagnosing the reading development and comprehension of
4 students who are English language learners.

5 (c) Each school district shall administer, at the kindergarten and first
6 and second grade levels, a reading instrument on the list adopted by the
7 commissioner or by the district-level committee. The district shall ad-
8 minister the reading instrument in accordance with the commissioner's
9 recommendations under subsection (a)(1).

10 (d) The superintendent of each school district shall:

11 (1) Report to the commissioner and the board of the district the re-
12 sults of the reading instruments; and

13 (2) report, in writing, to a student's parent or guardian the student's
14 results on the reading instrument.

15 (e) The results of reading instruments administered under this sec-
16 tion may not be used for purposes of evaluation of licensed personnel
17 pursuant to K.S.A. 72-9001 et seq., and amendments thereto, or district
18 accountability under the quality performance accreditation standards re-
19 quired by rules and regulations established by the state board.

20 (f) This section may be implemented only if funds are appropriated
21 for administering the reading instruments. Funds, other than local funds,
22 may be used to pay the cost of administering a reading instrument only
23 if the instrument is on the list adopted by the commissioner.

24 (g) A school district shall notify the parent or guardian of each student
25 in kindergarten, first or second grade who is determined, on the basis of
26 reading instrument results, to be at risk for dyslexia or other reading
27 difficulties. The district shall implement a reading instruction program
28 commensurate with the student's reading deficiencies and shall deter-
29 mine the form, content and timing of that program. The admission, re-
30 view and dismissal committee of a student who participates in a district's
31 special education program and who does not perform satisfactorily on a
32 reading instrument under this section shall determine the manner in
33 which the student will participate in an accelerated reading instruction
34 program under this subsection.

35 (h) The school district shall make a good faith effort to ensure that
36 the notice required under this section is provided either in person or by
37 regular mail and that the notice is clear and easy to understand and is
38 written in English and in the parent or guardian's native language.

39 (i) The commissioner shall certify, not later than July 1 of each school
40 year or as soon as practicable thereafter, whether sufficient funds have
41 been appropriated statewide for the purposes of this section. A deter-
42 mination by the commissioner is final and may not be appealed.

43 (j) No more than 15% of the funds certified by the commissioner

1 under subsection (i) may be spent on indirect costs. The commissioner
2 shall evaluate the programs that fail to meet the quality performance
3 accreditation standards and may implement sanctions as required by rules
4 and regulations established by the state board. The commissioner may
5 audit the expenditures of funds appropriated for purposes of this section.
6 The use of the funds appropriated for purposes of this section shall be
7 verified as part of the district audit under K.S.A. 75-1122, and amend-
8 ments thereto.

9 (k) The provisions of this section relating to parental notification of
10 a student's results on the reading instrument and to implementation of
11 an accelerated reading instruction program may be implemented only if
12 the commissioner certifies that funds have been appropriated during a
13 school year for administering the accelerated reading instruction program
14 specified under this section.

15 (l) Each district shall provide the accelerated reading instruction un-
16 der subsection (g) to students in:

17 (1) Kindergarten during the 2008-2009 school year;

18 (2) kindergarten and first grade during the 2009-2010 school year;
19 and

20 (3) kindergarten and first and second grades beginning with the 2010-
21 2011 school year.

22 Sec. 4. This act shall take effect and be in force from and after its
23 publication in the statute book.