

Approved: April 10, 1992  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Rick Bowden at 3:30 p.m. on March 31, 1992 in Room 519-S of the Capitol.

All members were present except:

Representative Jones - Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes Office  
Shirley Wilds, Secretary to the Committee

Conferees appearing before the committee:

The meeting was called to order by Chairperson Rick Bowden.

**Consideration of HB 2963:**

Representative Wiard provided a balloon of the amendments to HB 2963, as was briefly discussed in yesterday's meeting. Representative Wiard reported to the committee that he had discussions with Dr. John Poggio and Revisor of Statutes staff to determine proper language to use in the bill. He discussed the proposed changes with his committee colleagues. (See Attachment #1.)

Representative Wiard moved to adopt the amendments to HB 2963 with the inclusion of amending Page 1, line 9, strike the word "essential" and insert "Kansas," and Page 2, line 15 strike " Essential" and insert "Kansas" ; Representative Crumbaker seconded the motion.

Representative Blumenthal made a substitute motion, on Page 2 strike lines 27 through 30, encompassing the amend and on Page 4 lines 35 through 42 encompassing the amendments; seconded by Representative Hackler. Motion lost.

Representative Blumenthal made a second substitute motion to insert into Page 2 and Page 4 of HB 2963 "if deemed appropriate by the State Board and the local Board of Education;" Representative Hensley seconded the motion. Motion lost.

The original motion to adopt the amendments by Representative Wiard passed.

Representative Wiard moved to pass HB 2963 out favorably, as amended; seconded by Representative Pottorff. Motion passed.

Chairman Bowden gave a brief overview of the Senate school finance plan. Upon completion of its business, the meeting adjourned at 4:35 p.m.



# HOUSE BILL No. 2963

By Representatives Wiard, Bowden, Crumbaker,  
Empson and Reardon

2-12

9 AN ACT concerning education; providing for an essential skills as-  
10 sessment program; amending K.S.A. 72-9402, 72-9404, 72-9406,  
11 72-9407 and 72-9408 and K.S.A. 1991 Supp. 72-9401 and 72-9403,  
12 and repealing the existing sections.

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 1991 Supp. 72-9401 is hereby amended to read  
15 as follows: 72-9401. The legislature hereby declares that ~~it is~~ the  
16 purpose of the educational system in Kansas ~~to ensure that~~ each  
17 pupil ~~is afforded~~ similar equal opportunities for learning without  
18 regard to local geographical differences or varying geographic  
19 location, school enrollment size, economic factors, or variant pupil  
20 characteristics. In striving for equality of educational opportunity,  
21 the educational system ~~should~~ emphasize effective and meaningful  
22 educational experiences designed to give provide pupils compe-  
23 tency in with the skills necessary to function successfully and to  
24 survive in today's society. Therefore, it is the intention of this act  
25 to provide for a minimum competency ~~an essential~~ skills assessment  
26 program under which the state in cooperation with schools may shall  
27 determine whether the declared purpose of the educational system  
28 in Kansas is being accomplished through preparation and adminis-  
29 tration of an examination for assessing the attainment by pupils of  
30 minimum competency objectives literacy in basic essential skills  
31 and may shall ensure accomplishment of the declared purpose  
32 through utilization of the results of the examination to identify pupil  
33 failures inadequacies in the attainment mastery of minimum com-  
34 petency objectives so that such pupils may be given remedial  
35 instruction essential skills, to evaluate and upgrade curriculum  
36 redesign curricula, to develop more effective instructional materials,  
37 strategies and techniques, and to devise action and implement im-  
38 provement plans for improving pupil achievement pupils identified  
39 as not having attained literacy in essential skills and to recognize  
40 the achievement of pupils identified as having mastered essential  
41 skills.

42  
43 Sec. 2. K.S.A. 72-9402 is hereby amended to read as follows:

is

afford

shall

knowledge,

and abilities

be a contributing member

a Kansas

examinations

results

and higher order

such

mastery of the essential knowledge base and monitoring the problem solving, reasoning, conceptualization and procedural understandings of pupils together with the ability of pupils to communicate with such skills. Pupil assessments shall be prepared to support"; in line 33, by striking

*Education  
Attachment #1  
March 31, 1992*

Attached #1-2

1 72-9402. As used in this act:

2 (a) "Board" means the board of education of any school district  
3 and the governing authority of any accredited nonpublic school main-  
4 taining any of grades one through 12.

5 (b) "School district" means any public school district.

6 (c) "Accredited nonpublic school" means any nonpublic school  
7 accredited by the state board.

8 (d) "State board" means the state board of education.

9 (e) "Pupil" means any person who is regularly enrolled in any  
10 of the grades one through 12 of a school district or an accredited  
11 nonpublic school.

12 (f) "Parent" and "person acting as parent" have the meanings  
13 respectively ascribed thereto in K.S.A. 72-1046, and amendments  
14 thereof thereto.

15 (g) "Minimum competency ~~Essential~~ skills assessment program"  
16 means a program based upon the identification and specification of  
17 ~~minimum competency objectives literacy standards in basic es-~~  
18 ~~sential skills, the attainment of literacy in which skills~~ individual  
19 pupils can demonstrate through assessment.

20 Sec. 3. K.S.A. 1991 Supp. 72-9403 is hereby amended to read  
21 as follows: 72-9403. (a) The state board shall adopt rules and reg-  
22 ulations for the administration of the provisions of this act and shall:

23 (1) Prescribe a minimum competency ~~an essential~~ skills assessment  
24 program to be conducted in the 1988-89 each school year in every  
25 school district and in every accredited nonpublic school in the state;  
26 and

27 (2) ~~design a special honors designation and insignia for affixation~~  
28 ~~on high school diplomas of pupils who demonstrate mastery of es-~~  
29 ~~sential skills to the extent necessary to enable the pupils to function~~  
30 ~~competently and successfully in adult society.~~

31 (b) During the interim between the 1988 and 1989 regular  
32 sessions of the legislature and during its 1989 regular session  
33 Periodically, but not less often than biennially, the legislature shall:

34 (1) Study, review and consider the data and other information dis-  
35 seminated by the state board to determine if pupils in attendance  
36 in schools are satisfactorily attaining minimum competency ob-  
37 jectives in the basic demonstrating mastery of essential skills; and

38 (2) evaluate the effectiveness of the statewide minimum compe-  
39 tenency ~~essential~~ skills assessment program; and (3) consider the  
40 question of utilization of the results of the examination as a  
41 determinant for grade to grade promotion and for graduation  
42 from high school.

43 Sec. 4. K.S.A. 72-9404 is hereby amended to read as follows:

Kansas

and outcomes of mastery of the essential knowledge base and those skills and abilities which include subject matter proficiency together with problem solving, reasoning, thinking, communication and conceptual and procedural understandings, the attainment of which standards and outcomes

a Kansas

(h) "Assessment grade levels" means and includes grade levels three or four, designated as deemed appropriate by the state board, grade levels seven or eight, designated as deemed appropriate by the state board, and grade level 10.

plan for and, if deemed appropriate

and transcripts

and higher order

and higher order

Kansas

If deemed appropriate by the state board, the special designation and insignia shall be designed for affixation to diplomas and transcripts of pupils being graduated from high school in school years commencing after June 30, 1995.

Attorney #1-3

72-9404. In order to comply with the requirements of K.S.A. 72-9403, and amendments thereof *thereto*, the state board shall: (a)

identify, specify and distribute to each board in the state ~~minimum competency objectives literacy standards~~ in basic *essential* skills. Reading *Communications* and mathematics are the basic *essential* skills for which ~~minimum competency objectives literacy standards~~ shall be identified and specified. The *objectives standards* shall be related to those levels of ~~competency~~ in basic *essential* skills which are necessary to enable pupils in each of the ~~grades 2, 4, 6 and 8 three and seven~~ to achieve academically in school at their ~~respective grade levels~~ and to enable pupils in each of the ~~grades 8 and grade 10~~ to function competently and successfully in adult society;

and higher order

domains

proficiency

the

at

assessment grade levels

the attainment of which levels of proficiency is an indicator of mastery of the skills which are necessary

(b) prepare and distribute to each board examinations for assessing the attainment by pupils of the ~~minimum competency objectives literacy in basic essential~~ skills which examinations shall be administered by boards to pupils in attendance in each of the ~~grades 2, 4, 6, 8 three, seven and 10~~ in the schools governed by such boards;

and higher order

at

assessment grade levels maintained

(c) study, review and evaluate the results of the ~~minimum competency essential skills~~ assessment program to determine if pupils in attendance in schools are satisfactorily attaining ~~minimum competency objectives in the basic demonstrating mastery of essential~~ skills;

(d) disseminate appropriate information and summary data concerning the ~~minimum competency essential~~ skills assessment program to boards, the governor and the legislature; and

Kansas

(e) give technical advice and assistance and make recommendations to boards concerning the administration of the ~~minimum competency essential~~ skills assessment program.

and subsequent use

Kansas

Sec. 5. K.S.A. 72-9406 is hereby amended to read as follows: 72-9406. (a) The provisions of this act do not apply to: (1) Any pupil determined to be exceptional under the provisions of article 9 of chapter 72 of Kansas Statutes Annotated if the special education program in which the pupil is enrolled provides only for nonacademic and nonvocational activities; or (2) any pupil who, upon determination by mutual agreement of the board and the parent or person acting as parent of the pupil, is not able to effectively participate in the ~~minimum competency essential~~ skills assessment program because the inability of the pupil to read, understand and speak the English language.

benefit from assessment or

Kansas

(b) Each board shall report to the state board the number of pupils enrolled in the school district or the accredited nonpublic

Attach #1-4

1 school, whichever is applicable, who are exempt under the provisions  
 2 of this section from participation in the ~~minimum competency~~  
 3 ~~essential~~ skills assessment program. Such reports shall be made in  
 4 the manner and at the times specified by the state board. Kansas

5 Sec. 6. K.S.A. 72-9407 is hereby amended to read as follows:  
 6 72-9407. (a) The state board shall consult with various groups of  
 7 school board members, school administrators, teachers, *parents* and  
 8 *other persons who are* representative of the public in the identifi-  
 9 cation and specification of ~~minimum competency objectives lit-~~  
 10 ~~eracy standards~~ in ~~basic~~ essential skills, and in the preparation of the  
 11 examinations for assessment of attainment thereof by pupils. domains

12 (b) The state board ~~may~~ make appropriate ~~revisions or modifi-~~  
 13 ~~cations~~ of ~~minimum competency objectives literacy standards~~ in and higher order  
 14 ~~basic essential skills~~ and in the examinations for assessing attainment shall  
 15 thereof by pupils of ~~literacy in such~~ skills. the

16 Sec. 7. K.S.A. 72-9408 is hereby amended to read as follows:  
 17 72-9408. Upon request, (a) A board shall make available to any provision for inclusion  
 18 every pupil who participates in the ~~minimum competency essential~~  
 19 ~~skills~~ assessment program; or to the parent or person acting as essential and higher order  
 20 parent of the pupil; the results of the examination administered to Kansas  
 21 the pupil; and, if the pupil has not attained 18 years of age, such

22 results also shall be made available to the parents or a person acting  
 23 as parent of the pupil. The results of the examination administered  
 24 to a pupil who has attained 18 years of age shall be made available  
 25 to the parents or a person acting as parent of the pupil upon written  
 26 consent of the pupil. and higher order

27 (b) In the case of any pupil who does not demonstrate satisfactory  
 28 progress toward mastery of ~~essential~~ skills so that such pupil will  
 29 be able to meet specified ~~literacy~~ standards upon exit from ~~third,~~  
 30 ~~seventh or 10th grade, whichever is applicable,~~ the board shall any grade level at which the pupil is assessed  
 31 arrange a conference between the parents or a person acting as (1)  
 32 parent of the pupil and school district personnel familiar with the and higher order  
 33 pupil's progress to discuss the results of the examination and a and transcript  
 34 recommended plan to improve the pupil's progress. with

35 (c) In the case of every pupil who demonstrates mastery of ~~es-~~  
 36 ~~sentia~~ skills upon examination at the 10th grade level, the board not more than three  
 37 shall provide for recognition of the pupil as having qualified for a and higher order  
 38 high school diploma to which is affixed the special ~~honors~~ designation and transcript  
 39 and insignia designed by the state board. Every pupil shall be given The state board shall  
 40 numerous opportunities to demonstrate mastery of essential skills establish criteria for  
 41 and to qualify for the special ~~honors~~ designation and insignia on determination of qualification  
 42 the pupil's high school diploma. of pupils for the special  
 43 designation and insignia.

43 Sec. 8. K.S.A. 72-9402, 72-9404, 72-9406, 72-9407 and 72-9408  
 (2) The provisions of this subsection shall be operative for school years commencing after June 30, 1995, if the state board determines that recognition of pupils by affixation of a special designation and insignia on diplomas and transcripts is appropriate.

and K.S.A. 1991 Supp. 72-9401 and 72-9403 are hereby repealed.

3 Sec. 9. This act shall take effect and be in force from and after  
its publication in the statute book.

*Attch #1-5*