

HOUSE BILL No. 2245

By Committee on Education

2-9

1 AN ACT concerning schools; relating to pupils; reading state
2 assessments; amending K.S.A. 2010 Supp. 72-9921 and repealing the
3 existing section.
4

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

6 Section 1. K.S.A. 2010 Supp. 72-9921 is hereby amended to read as
7 follows: 72-9921. (a) Each school district shall determine each child's
8 mathematics and reading skill-level and whether each child is progressing
9 adequately in acquiring mathematics and reading skills for the child's
10 grade-level. Districts shall use the grade-level standards and respective
11 indicators adopted by the state board in making such determinations.
12 Districts shall use state assessments or diagnostic assessments that meet
13 the standards determined by the state board during kindergarten and each
14 of the grades one through three to determine a child's level of
15 performance and to target specialized instructional interventions,
16 programs and strategies. A child's progress shall be assessed at least once
17 each year. Annual diagnostic assessments shall meet the diagnostic
18 assessment requirements of the department.

19 (b) A district shall include in each participating school's
20 improvement plan research-based intervention programs or strategies and
21 interventions determined by the district. District-determined interventions
22 may include, but are not limited to, individualized instruction, alternative
23 teaching methods, a restructured school day, extended time strategies and
24 any other intervention the district deems necessary.

25 (c) If a child has been identified as needing assistance, the plan for
26 the school shall create a mechanism to track the child's interventions and
27 progress. The school shall determine the methods by which the child's
28 progress is measured. When a child has achieved the appropriate skills for
29 the child's grade-level, no further interventions shall be necessary unless
30 the child falls behind in another grade. If the child does not achieve the
31 appropriate skills for the child's grade-level despite intervention, the
32 school shall take action to initiate additional interventions for the child to
33 achieve such skills. When appropriate, districts are encouraged to utilize
34 skilled and trained community-based organizations and individuals to
35 implement intervention plans.

36 (d) *Commencing in the 2011-2012 school year, if the child's reading*

“(1)”

Proposed Balloon Amendment to House Bill 2245
[Material underlined is new; material in strikethrough is stricken]
Prepared by Norm Furse and Eunice Peters
(3/16/11)

1 *deficiency, as identified in this section, is not remedied by the end of*
 2 *grade three, as demonstrated by scoring less than proficient on the*
 3 *reading state assessment test for grade three as determined by the state*
 4 *board of education, the child shall be retained in grade three. ~~The child~~*
 5 *may be promoted to grade four when the child meets the standards*
 6 *established by the state board on the reading state assessment test for*
 7 *grade three.*

8 Sec. 2. K.S.A. 2010 Supp. 72-9921 is hereby repealed.
 9 Sec. 3. This act shall take effect and be in force from and after its
 10 publication in the statute book.
 11

"unless good cause is shown why the child shall be exempted from mandatory retention. Subject to paragraph (2) of this subsection, the"

"(2) A school district may only exempt a child from mandatory retention for good cause. Good cause exemptions shall be limited to the following:

(A) A child who is enrolled in a program of bilingual education who has obtained less than two years of instruction in that school district;

(B) a child who is an exceptional child who receives special education services whose individualized education plan indicates (i) that participation in the statewide assessment program is not appropriate or (ii) that the student has received intensive remediation in reading for two or more years but still demonstrates a deficiency in reading and was previously retained in kindergarten, grade 1, grade 2 or grade 3;

(C) a child who demonstrates an acceptable level of performance on an alternative standardized reading assessment approved by the state board of education;

(D) a child who has received intensive remediation in reading for two or more years but still demonstrates a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2 or grade 3 for a total of two years. Intensive reading instruction shall continue for students so promoted and must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The local board of education shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers; or

(E) a child whose parent or guardian provides written consent to the school district permitting the child to be promoted. Written consent shall be in writing in a form approved by the school district, signed by the parent or guardian and include information that the parent has been notified that the child has been identified as having a substantial deficiency in reading and has been provided with strategies to use in helping the child succeed in reading proficiency.

(3) A child who is promoted under paragraph 2 of this subsection shall be provided supplemental instruction by the school district until the child has achieved the appropriate reading skills for the child's grade-level.

(4) Nothing in this section shall be construed as limiting a school district from conducting any assessments prior to a child reaching grade three."