

HOUSE BILL No. 2004

By Representative Huebert

1-7

1 AN ACT concerning schools; relating to pupils and reading state
2 assessments.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Commencing in school year 2013-2014 and each
6 school year thereafter, if a pupil's reading deficiency, as identified in this
7 section, is not remedied by the end of grade three, as demonstrated by
8 scoring less than proficient on the reading state assessment test for grade
9 three as determined by the state board of education, the pupil shall be
10 retained in grade three unless good cause is shown why the pupil shall be
11 exempted from mandatory retention. Subject to subsection (b), the pupil
12 may be promoted to grade four when the pupil meets the standards
13 established by the state board on the reading state assessment test for grade
14 three.

15 (b) A school district may only exempt a pupil from mandatory
16 retention for good cause. Good cause exemptions shall be limited to the
17 following:

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

20 (2) a pupil who is an exceptional child who receives special education
21 services whose individualized education plan indicates: (A) That
22 participation in the statewide assessment program is not appropriate; or
23 (B) that the pupil has received intensive remediation in reading for two or
24 more years but still demonstrates a deficiency in reading and was
25 previously retained in kindergarten, grade one, grade two or grade three;

26 (3) a pupil who demonstrates an acceptable level of performance on
27 an alternative standardized reading assessment approved by the state board
28 of education;

29 (4) a pupil who has received intensive remediation in reading for two
30 or more years but still demonstrates a deficiency in reading and who was
31 previously retained in kindergarten, grade one, grade two or grade three
32 for a total of two years. Intensive reading instruction shall continue for
33 pupils so promoted and must include an altered instructional day that
34 includes specialized diagnostic information and specific reading strategies
35 for each pupil. The local board of education shall assist schools and
36 teachers to implement reading strategies that research has shown to be

1 successful in improving reading among low-performing readers; or

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

9 (c) A pupil who is promoted under subsection (b) shall be provided
10 supplemental instruction by the school district until the pupil has achieved
11 the appropriate reading skills for the pupil's grade level.

12 (d) Nothing in this section shall be construed as limiting a school
13 district from conducting any assessments prior to a pupil reaching grade
14 three.

15 Sec. 2. This act shall take effect and be in force from and after its
16 publication in the statute book.