

HOUSE BILL No. 2292

By Committee on Federal and State Affairs

2-10

HB 2292 Proposed Amendment
House Committee on Education
March 19, 2015
Office of Revisor of Statutes

1 AN ACT concerning schools; enacting the local control of Kansas
2 education act; relating to the student data privacy act; amending K.S.A.
3 2014 Supp. 72-6216, 72-6217 and 72-6439 and repealing the existing
4 sections.
5

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

7 New Section 1. Sections 1 through 7, and amendments thereto, shall
8 be known and may be cited as the local control of Kansas education act.

9 New Sec. 2. As used in this act:

10 (a) "State board" means the Kansas state board of education;

11 (b) "department" means the Kansas state department of education;

12 (c) "education entity" means the state board, the department, any
13 school district, any school, local government or private enterprise that
14 exercises any responsibilities or decision-making authority with respect to
15 K-12 public education in the state of Kansas;

16 (d) "school" means any public school operated by a unified school
17 district and any nonpublic school accredited by the state board;

18 (e) "state official" means any official in state or local government in
19 Kansas, whether elected or appointed; and

20 (f) "common core state standards" means the common core standards
21 adopted by the Kansas state board of education on or after October 12,
22 2010, and any subsequent amendments to the common core standards.
23 "Common core state standards" includes "common core state standards for
24 English language arts & literacy-in-history/social-studies-science-and-
25 technical-subjects," "common core state standards for mathematics,"
26 "Kansas college and career ready standards" and "next-generation-science-
27 standards."

28 New Sec. 3. (a) The state shall retain sole control over the
29 development, establishment and revision of K-12 curriculum standards.

30 (b) Any education entity or any state official shall not join any
31 consortium or any other organization when participation in that consortium
32 or organization would cede any measure of control over any aspect of
33 Kansas public education to any entity not explicitly allowed authority over
34 education in article 6 of the constitution of the state of Kansas. No such
35 person or entity shall condition or delay a decision on academic standards
36 or curriculum on the decision of any consortium, organization, any other

1 state government, the federal government or any other entity not explicitly
 2 allowed authority over education in article 6 of the constitution of the state
 3 of Kansas.

4 (c) Any actions taken by any education entity or any state official to
 5 adopt, implement or align programs, assessments, testing, surveys or any
 6 educational materials or activities to the common core state standards, the
 7 social-emotional and character development standards, the national
 8 curriculum standards for social studies, the national health education
 9 standards, the national sexuality education standards, core content and
 10 skills, K-12 or any other academic standards not in the public domain, free
 11 of any copyright, as of July 1, 2015, are void.

12 (d) ~~Any~~ education entity or any state official shall not accept public or
 13 private moneys or spend any moneys for the purchase of materials or for
 14 teacher in-service training that supports, aligns or is used to implement the
 15 academic standards described in section 3(c), and amendments thereto. <

16 (e) No law or rule or regulation shall condition teacher evaluation or
 17 pay on state assessment scores or student participation in state
 18 assessments.

19 New Sec. 4. (a) Beginning July 1, 2015, the state board shall not
 20 implement any past academic standards or related assessments or any
 21 future academic standards or related assessments which are aligned with
 22 the academic standards described in section 3(c), and amendments thereto. <

23 (b) ~~The Kansas curriculum standards used to teach K-12 English-~~
 24 ~~language arts, mathematics and science prior to October 12, 2010, shall be~~
 25 ~~reinstated for kindergarten and grades one through 12 in Kansas beginning~~
 26 ~~July 1, 2015. These standards will remain in effect until July 1, 2017. After~~
 27 ~~July 1, 2017, revised Kansas standards in these subjects may be developed~~
 28 ~~through the process provided for in K.S.A. 72-6439, and amendments~~
 29 ~~thereto.~~

30 (c) ~~If advanced placement, international baccalaureate, dual credit or~~
 31 ~~other similar courses and tests are administered to public high school~~
 32 ~~students, they shall be aligned with Kansas curriculum standards in effect~~
 33 ~~pursuant to subsection (b).~~

34 New Sec. 5. ~~The~~ state board of education shall rescind any
 35 requirement, agreement or waiver, including the no child left behind
 36 waiver, with the United States department of education or any other
 37 federal agency which conditioned the receipt of federal funding upon the
 38 board revising educational curriculum standards to align with the common
 39 core state standards. The state board shall not agree to future federal
 40 educational funding, waivers, agreements or requirements which condition
 41 the receipt of federal funding upon academic curriculum being aligned to
 42 the common core state standards.

43 New Sec. 6. The state board of education shall not adopt or develop a

2017

On and after July 1, 2017,

common core state standards

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common core state standards

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1 criterion-referenced formative or summative assessment instrument under
2 this act based on or aligned to common core state standards.

3 New Sec. 7. If any provision of this act is held invalid, such invalidity
4 shall not affect other provisions and to this end the provisions of this act
5 are declared to be severable.

6 Sec. 8. K.S.A. 2014 Supp. 72-6216 is hereby amended to read as
7 follows; 72-6216. As used in K.S.A. 2014 Supp. 72-6215 through 72-
8 6223, and amendments thereto:

9 (a) "Aggregate data" means data collected or reported at the group,
10 cohort or institutional level and which contains no personally identifiable
11 student data.

12 (b) "Biometric data" means one or more measurable biological or
13 behavioral characteristics that can be used for automated recognition of an
14 individual, such as fingerprints, retina and iris patterns, voiceprints, DNA
15 sequence, facial characteristics and handwriting.

16 (c) "Department" means the state department of education.

17 (d) "Directory information" means a student's name, address,
18 telephone listing, participation in officially recognized activities and
19 sports, weight and height if the student is a member of an athletic team,
20 and degrees, honors or awards received.

21 (e) "Educational agency" means a school district or the department.

22 (f) "Prior written consent" means that a parent's signature is required
23 on a written document that notifies the parent what data has been
24 collected, how the data was collected, how the data is to be used, what
25 person or entity the data will be shared with and the dates over which the
26 disclosed data will be used.

27 (g) "School district" means a unified school district organized and
28 operated under the laws of this state.

29 ~~(h)~~ (h) "Statewide longitudinal student data system" means any
30 student data system maintained by the department, which assigns a state
31 identification number for each student who attends an accredited public or
32 private school in Kansas and uses the state identification number to collect
33 student data.

34 ~~(i)~~ (i) "Student data" means the following information contained in a
35 student's educational record:

36 (1) State and national assessment results, including information on
37 untested students;

38 (2) course taking and completion, credits earned and other transcript
39 information;

40 (3) course grades and grade point average;

41 (4) date of birth, grade level and expected date of graduation;

42 (5) degree, diploma, credential attainment and other school exit
43 information such as general education development and drop-out data;

See Attachment A.
Update sections accordingly.

1 mathematics, science, reading, writing and social studies. The curriculum
 2 standards *shall be adopted in accordance with section 4, and amendments*
 3 *thereto, and shall be reviewed at least every seven years.*

4 (2) *Districts may use the model curriculum standards as a guideline*
 5 *in developing district standards. Nothing in this subsection shall be*
 6 *construed in any manner so as to impinge upon any district's authority to*
 7 *determine its own curriculum.*

8 (3) *The state board may not use standards prohibited by section 3,*
 9 *and amendments thereto, or any results from tests associated with those*
 10 *standards in evaluation or accreditation of any school or school district.*

11 (c) The state board shall provide for statewide assessments in the core
 12 academic areas of mathematics, science, reading, writing and social
 13 studies. The board shall ensure compatibility between the statewide
 14 assessments and the curriculum standards established pursuant to
 15 subsection (b). Such assessments shall be administered at three grade
 16 levels, as determined by the board. The state board shall determine
 17 performance levels on the statewide assessments, the achievement of
 18 which represents high academic standards in the academic area at the
 19 grade level to which the assessment applies. The state board should
 20 specify high academic standards both for individual performance and
 21 school performance on the assessments.

22 (d) Each school in every district shall establish a school site council
 23 composed of the principal and representatives of teachers and other school
 24 personnel, parents of pupils attending the school, the business community,
 25 and other community groups. School site councils shall be responsible for
 26 providing advice and counsel in evaluating state, school district, and
 27 school site performance goals and objectives and in determining the
 28 methods that should be employed at the school site to meet these goals and
 29 objectives. Site councils may make recommendations and proposals to the
 30 school board regarding budgetary items and school district matters,
 31 including but not limited to, identifying and implementing the best
 32 practices for developing efficient and effective administrative and
 33 management functions. Site councils also may help school boards analyze
 34 the unique environment of schools, enhance the efficiency and maximize
 35 limited resources, including outsourcing arrangements and cooperative
 36 opportunities as a means to address limited budgets.

37 Sec. 11. K.S.A. 2014 Supp. 72-6216, 72-6217 and 72-6439 are hereby
 38 repealed.

39 Sec. 12. This act shall take effect and be in force from and after its
 40 publication in the statute book.

the common core state standards

Attachment A

Sec. 8. K.S.A. 2014 Supp. 72-1127 is hereby amended to read as follows: 72-1127. (a) In addition to subjects or areas of instruction required by K.S.A. 72-1101, 72-1103, 72-1117, 72-1126 and 72-7535, and amendments thereto, every accredited school in the state of Kansas shall teach the subjects and areas of instruction adopted by the state board of education.

(b) Every accredited high school in the state of Kansas also shall teach the subjects and areas of instruction necessary to meet the graduation requirements adopted by the state board of education.

(c) Subjects and areas of instruction shall be designed by the state board of education to achieve the goal established by the legislature of providing each and every child with at least the following capacities:

- (1) Sufficient oral and written communication skills to enable students to function in a complex and rapidly changing civilization;
- (2) sufficient knowledge of economic, social, and political systems to enable the student to make informed choices;
- (3) sufficient understanding of governmental processes to enable the student to understand the issues that affect his or her community, state, and nation;
- (4) sufficient self-knowledge and knowledge of his or her mental and physical wellness;
- (5) sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage;
- (6) sufficient training or preparation for advanced training in either academic or vocational fields so as to enable each child to choose and pursue life work intelligently; and
- (7) sufficient levels of academic or vocational skills to enable public school students to compete favorably with their counterparts in surrounding states, in academics or in the job market.

(d) In accordance with K.S.A. 72-6439, and amendments thereto, the state board of education shall implement processes and procedures to review and adopt Kansas curriculum standards that align with and achieve the educational capacities set forth in subsection

(c).

(e) Nothing in this section shall be construed as relieving the state or school districts from other duties and requirements imposed by state or federal law including, but not limited to, at-risk programs for pupils needing intervention, programs concerning special education and related services and bilingual education.

(f) Nothing in this section shall be construed in any manner so as to impinge upon any district's authority to determine its own curriculum.