

SENATE BILL No. 169

By Committee on Ways and Means

2-11

1 AN ACT concerning schools; relating to pupils and reading proficiency;
2 enacting the Kansas reads to succeed act.

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

5 Section 1. Sections 1 through 5, and amendments thereto, shall be
6 known and may be cited as the Kansas reads to succeed act.

7 Sec. 2. As used in the Kansas reads to succeed act:

8 (a) "Alternative standardized reading assessment" means an
9 assessment approved by the state board to identify reading comprehension
10 for grade three;

11 (b) "qualifying organization" means a nonprofit organization or a
12 nonprofit organization in collaboration with a school district;

13 (c) "nonprofit organization" means those nonprofit organizations
14 exempt from federal income tax pursuant to section 501(c) of the internal
15 revenue code of 1986, as in effect on the effective date of this act;

16 (d) "reading state assessment" means the assessment adopted by the
17 state board used to identify the reading comprehension for grade three;

18 (e) "school district" or "district" means any unified school district
19 organized and operating under the laws of this state;

20 (f) "school year" shall have the meaning ascribed thereto in K.S.A.
21 72-6408, and amendments thereto; and

22 (g) "state board" means the state board of education.

23 Sec. 3. (a) For school year 2016-2017 and each school year thereafter,
24 the board of education of each school district shall adopt a policy
25 prohibiting the promotion of a pupil from grade three to grade four if such
26 pupil scores at the lowest achievement standard on the most recent reading
27 state assessment or an alternative standardized reading assessment. Such
28 policy may include, but is limited to, the following exceptions to
29 mandatory retention if the school district provides such pupil with
30 supplemental instruction until such pupil has achieved the appropriate
31 reading skills for the pupil's grade level:

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

34 (2) a pupil who is an exceptional child receiving special education
35 services and whose individualized education plan indicates participation
36 by the pupil in the statewide assessment program is not appropriate; or

1 (3) a pupil who was previously retained in grade three for one or
2 more years and who has received intervention services for two or more
3 years.

4 (b) The board of education of each school district may adopt in its
5 policy under subsection (a) the opportunity to promote a pupil to grade
6 four if such pupil has been retained in grade three and, after being retained
7 for one semester, identified as meets standards or higher, as demonstrated
8 on the most recent reading state assessment or an alternative standardized
9 reading assessment.

10 (c) The board of education shall provide for the following as part of
11 the policy adopted pursuant to this section:

12 (1) Schools shall be required to provide early screening or testing of
13 pupils enrolled in pre-kindergarten, kindergarten and grades one and two
14 to identify those pupils with reading deficiencies.

15 (2) Pupils identified pursuant to paragraph (1) shall be provided
16 intervention services based on the best practices for education of pupils
17 with such deficiencies.

18 (3) Intervention services provided to pupils who have been retained
19 in grade three in accordance with the policy adopted pursuant to this
20 section shall be more intensive than those intervention services previously
21 provided to such pupil.

22 (4) Schools shall be required to notify the parent of any pupil
23 identified pursuant to paragraph (1) that such pupil has reading
24 deficiencies, any intervention services that will be provided by the school
25 and the list of qualifying organizations published by the Kansas children's
26 cabinet pursuant to section 4, and amendments thereto.

27 (d) A school district shall file annually a report with the state board of
28 education containing the following information:

29 (1) The number of pupils who were retained in grade three in the
30 most recent school year; and

31 (2) the number of pupils who were granted exemptions from
32 mandatory retention under subsection (a) in the most recent school year.

33 (e) The state board is authorized to adopt rules and regulations as to
34 what is an acceptable alternative standardized reading assessment and the
35 type of scores which a pupil must receive in order to be identified as meets
36 standards on such alternative standardized reading assessment for grade
37 three.

38 (f) This section shall take effect on and after July 1, 2016.

39 Sec. 4. (a) The Kansas children's cabinet shall establish the Kansas
40 reads to succeed program.

41 (b) (1) A qualifying organization may apply to the Kansas children's
42 cabinet for a grant of state moneys from the Kansas reads to succeed
43 program for the purpose of: (A) Developing research-based interventions

1 and strategies designed to assist pupils with acquiring reading skills for
2 kindergarten and grades one through three and to prevent pupils from
3 being retained in grade three; and (B) providing training and education on
4 such interventions and strategies to teachers in rural communities. The
5 Kansas children's cabinet shall award such grants of state moneys in
6 accordance with the provisions of this section.

7 (2) To be eligible to receive a grant of state moneys from the Kansas
8 reads to succeed program, a qualifying organization shall submit to the
9 Kansas children's cabinet an application for a grant. The application shall
10 be prepared in such form and manner as the Kansas children's cabinet shall
11 require and shall be submitted at a time to be determined and specified by
12 the Kansas children's cabinet. All grants shall be awarded by the Kansas
13 children's cabinet in accordance with the standards and criteria established
14 by the Kansas children's cabinet, with preference given to those qualifying
15 organizations who provide at least a 30% match of funds which are not
16 state or federal moneys.

17 (3) Each qualifying organization which is awarded a grant shall
18 submit any periodic and special reports of statistical, financial and such
19 other information as the Kansas children's cabinet may request.

20 (c) Each fiscal year, to the extent there are sufficient moneys
21 appropriated to the Kansas reads to succeed program, the Kansas children's
22 cabinet shall determine the amount of grants to be awarded to each
23 qualifying organization. If such qualifying organization includes a school
24 district, upon receipt of a grant of state moneys from the Kansas reads to
25 succeed program, the amount of such grant may be deposited in the
26 general fund of a school district. Moneys deposited in the general fund of a
27 school district under this subsection shall be considered reimbursements
28 for the purpose of the school district finance and quality performance act.

29 (d) The Kansas children's cabinet, with the assistance of the state
30 board, shall prepare a longitudinal analysis report of pupil assessment data.
31 Such report shall track those pupils who received services from qualifying
32 organizations which have been awarded state moneys from the Kansas
33 reads to succeed program under this section. Prior to the regular session of
34 the legislature of each year, the Kansas children's cabinet shall submit the
35 longitudinal analysis report of pupil assessment data to the committee on
36 education of the house of representatives, the committee on education of
37 the senate, the committee on appropriations of the house of
38 representatives, the committee on ways and means of the senate and the
39 governor.

40 (e) The Kansas children's cabinet shall annually publish a list of all
41 qualifying organizations receiving grant funds under this section, including
42 the contact information of such organizations. Such list shall be made
43 available to each school district and to the public.

1 (f) The Kansas children's cabinet may adopt such rules and
2 regulations necessary to implement and carry out the provisions of this
3 section.

4 Sec. 5. (a) The Kansas children's cabinet shall establish the Kansas
5 reads to succeed incentive program.

6 (b) Each school year, to the extent there are sufficient moneys
7 appropriated to the Kansas reads to succeed incentive program, the Kansas
8 children's cabinet shall make a monetary award to those school districts
9 who have at least one elementary school identified by the commissioner of
10 education as a top 100 public elementary school under subsection (c).
11 Such school districts shall receive an award in an amount equal to \$10,000
12 for each such elementary school. Such awards shall be paid at such times
13 as established by the Kansas children's cabinet. Upon receipt of such
14 award, in accordance with this section, the amount of the award shall be
15 deposited in the general fund of a school district. Moneys deposited in the
16 general fund of a school district under this subsection shall be considered
17 reimbursements for the purpose of the school district finance and quality
18 performance act.

19 (c) Commencing in school year 2013-2014 and each school year
20 thereafter, the commissioner of education shall identify the top 100 public
21 elementary schools within the state of Kansas which demonstrate
22 improvement in grade four student reading proficiency.

23 (d) The Kansas children's cabinet and the state board, jointly, may
24 adopt such rules and regulations necessary to implement and carry out the
25 provisions of this section.

26 Sec. 6. This act shall take effect and be in force from and after its
27 publication in the statute book.