

Senate Substitute for HOUSE BILL No. 2140

By Committee on Education

3-25

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

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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 to identify reading comprehension for grade three;

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

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

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

17 (e) "school district" or "district" means any unified school district
18 organized and operating under the laws of this state whose percentage of
19 pupils scoring at the lowest achievement standard on the most recent
20 reading state assessment is more than the average percentage of pupils
21 scoring at the lowest achievement standard on the most recent reading
22 state assessment for all unified school districts;

23 (f) "school year" shall have the meaning ascribed thereto in K.S.A.
24 72-6408, and amendments thereto; and

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

26 Sec. 3. (a) For school year 2016-2017 and each school year thereafter,
27 the board of education of each school district shall adopt a policy
28 prohibiting the promotion of a pupil from grade three to grade four if such
29 pupil scores at the lowest achievement standard on the most recent reading
30 state assessment or an alternative standardized reading assessment. Such
31 policy shall include a procedure to administer a second alternative
32 standardized reading assessment approved by the board of education of the
33 school district to any pupil who scores at the lowest achievement standard
34 on the most recent reading state assessment or alternative standardized
35 reading assessment prior to such pupil being retained in grade three. Such
36 policy may include, but is limited to, the following exceptions to

1 mandatory retention if the school district provides such pupil with
2 supplemental instruction until such pupil has achieved the appropriate
3 reading skills for the pupil's grade level:

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

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

9 (3) a pupil who was previously retained in grade three for one or
10 more years and who has received intervention services for two or more
11 years; or

12 (4) a pupil whose parent has requested a meeting with the appropriate
13 school district personnel to review the decision to retain such pupil and
14 whose parent after such review determines that it is in the best interests of
15 the pupil to be promoted to grade four.

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

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

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

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

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

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

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

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

43 (2) the number of pupils who were granted exemptions from

1 mandatory retention under subsection (a) in the most recent school year.

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

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

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

10 (b) (1) A qualifying organization may apply to the Kansas children's
11 cabinet for a grant of state moneys from the Kansas reads to succeed
12 program for the purpose of: (A) Developing research-based interventions
13 and strategies designed to assist pupils with acquiring reading skills for
14 kindergarten and grades one through three and to prevent pupils from
15 being retained in grade three; (B) providing training and education on such
16 interventions and strategies to teachers in rural communities; and (C)
17 providing after school programs, summer school programs and parent
18 education programs implementing such interventions and strategies. The
19 Kansas children's cabinet shall award such grants of state moneys in
20 accordance with the provisions of this section.

21 (2) To be eligible to receive a grant of state moneys from the Kansas
22 reads to succeed program, a qualifying organization shall submit to the
23 Kansas children's cabinet an application for a grant. The application shall
24 be prepared in such form and manner as the Kansas children's cabinet shall
25 require and shall be submitted at a time to be determined and specified by
26 the Kansas children's cabinet. All grants shall be awarded by the Kansas
27 children's cabinet in accordance with the standards and criteria established
28 by the Kansas children's cabinet, with preference given to those qualifying
29 organizations who provide at least a 30% match of funds which are not
30 state or federal moneys.

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

34 (c) Each fiscal year, to the extent there are sufficient moneys
35 appropriated to the Kansas reads to succeed program, the Kansas children's
36 cabinet shall determine the amount of grants to be awarded to each
37 qualifying organization. If such qualifying organization includes a school
38 district, upon receipt of a grant of state moneys from the Kansas reads to
39 succeed program, the amount of such grant may be deposited in the
40 general fund of a school district. Moneys deposited in the general fund of a
41 school district under this subsection shall be considered reimbursements
42 for the purpose of the school district finance and quality performance act.

43 (d) The Kansas children's cabinet, with the assistance of the state

1 board, shall prepare a longitudinal analysis report of pupil assessment data.
2 Such report shall track those pupils who received services from qualifying
3 organizations which have been awarded state moneys from the Kansas
4 reads to succeed program under this section. Prior to the regular session of
5 the legislature of each year, the Kansas children's cabinet shall submit the
6 longitudinal analysis report of pupil assessment data to the committee on
7 education of the house of representatives, the committee on education of
8 the senate, the committee on appropriations of the house of
9 representatives, the committee on ways and means of the senate and the
10 governor.

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

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

18 Sec. 5. (a) There is hereby established the Kansas reads to succeed
19 task force. The task force shall be composed of seven members, as
20 follows:

21 (1) Three members appointed by the governor;

22 (2) one member appointed by the chairperson of the committee on
23 education of the house of representatives;

24 (3) one member appointed by the chairperson of the committee on
25 education of the senate;

26 (4) one member appointed by the ranking minority member of the
27 committee on education of the house of representatives; and

28 (5) one member appointed by the ranking minority member of the
29 committee on education of the senate.

30 (b) Members shall be appointed on or before July 1, 2013. Members
31 appointed shall have experience:

32 (1) Teaching pupils enrolled in pre-kindergarten, kindergarten or
33 grades one, two or three;

34 (2) working as a reading specialist; or

35 (3) working as a teacher or specialist with pupils who receive at-risk
36 services.

37 (c) Any vacancy in the membership of the task force shall be filled by
38 appointment in the same manner prescribed by this section for original
39 appointment.

40 (d) The first meeting of the task force shall be called by the
41 commissioner of education on or before August 1, 2013. The members of
42 the task force shall select a chairperson and vice-chairperson from the
43 membership of the task force. The task force may meet at any time and at

1 any place within the state on the call of the chairperson. A quorum of the
2 task force shall be four members. All actions of the task force shall be by
3 motion adopted by a majority of those members present when there is a
4 quorum.

5 (e) Upon request of the task force, the state board of education shall
6 provide consultants and assistance, and shall provide any information and
7 supporting documentation requested by the task force.

8 (f) If approved by the legislative coordinating council, members of
9 the task force attending regular or special meetings or subcommittee
10 meetings authorized by the task force, shall be paid amounts for expenses,
11 mileage and subsistence as provided in subsection (e) of K.S.A. 75-3223,
12 and amendments thereto.

13 (g) The Kansas reads to succeed task force shall:

14 (1) Study and make recommendations on the implementation of
15 interventions and strategies designed to assist pupils enrolled in
16 kindergarten and grades one through three with acquiring reading skills;

17 (2) conduct hearings, receive information and consider
18 recommendations on implementation of such interventions and strategies
19 from teachers, specialists, parents, the department of education, the state
20 board of education and any other interested parties; and

21 (3) prepare and submit a report on the work of the task force to the
22 committee on education of the house of representatives and the committee
23 on education of the senate on or before January 13, 2014.

24 (h) The task force shall cease to exist and the provisions of this
25 section shall expire on June 30, 2014.

26 Sec. 6. (a) The Kansas children's cabinet shall establish the Kansas
27 reads to succeed incentive program.

28 (b) Each school year, to the extent there are sufficient moneys
29 appropriated to the Kansas reads to succeed incentive program, the Kansas
30 children's cabinet shall make a monetary award to those school districts
31 who have at least one elementary school identified by the commissioner of
32 education as a top 100 public elementary school under subsection (c).
33 Such school districts shall receive an award in an amount equal to \$10,000
34 for each such elementary school. Such awards shall be paid at such times
35 as established by the Kansas children's cabinet. Upon receipt of such
36 award, in accordance with this section, the amount of the award shall be
37 deposited in the general fund of a school district. Moneys deposited in the
38 general fund of a school district under this subsection shall be considered
39 reimbursements for the purpose of the school district finance and quality
40 performance act.

41 (c) Commencing in school year 2013-2014 and each school year
42 thereafter, the commissioner of education shall identify the top 100 public
43 elementary schools within the state of Kansas which demonstrate

1 improvement in grade four student reading proficiency.

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

5 Sec. 7. This act shall take effect and be in force from and after its
6 publication in the statute book.

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