

**SENATE BILL No. 169**

By Committee on Ways and Means

2-11

Proposed Amendments for SB 169  
March 20, 2013  
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Office of the Revisor of Statutes

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 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

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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

; and (C) providing after school programs, summer school programs and parent education programs implementing such interventions and strategies

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.

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

6.

See Attached Insert

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

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Insert A

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

- (1) Three members appointed by the governor;
  - (2) one member appointed by the chairperson of the committee on education of the house of representatives;
  - (3) one member appointed by the chairperson of the committee on education of the senate;
  - (4) one member appointed by the ranking minority member of the committee on education of the house of representatives; and
  - (5) one member appointed by the ranking minority member of the committee on education of the senate.
- (b) Members shall be appointed on or before July 1, 2013. Members appointed shall have experience:
- (1) Teaching pupils enrolled in pre-kindergarten, kindergarten or grades one, two or three;
  - (2) working as a reading specialist; or
  - (3) working as a teacher or specialist with pupils who receive at-risk services.
- (c) Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for original appointment.
- (d) The first meeting of the task force shall be called by the commissioner of education on or before August 1, 2013. The members of the task force shall select a chairperson and vice-chairperson from the membership of the task force. The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be four members. All actions of the task force shall be by motion adopted by a majority of those members present when there is a quorum.
- (e) Upon request of the task force, the state board of education shall provide consultants and assistance, and shall provide any information and supporting documentation requested by the task force.
- (f) If approved by the legislative coordinating council, members of the task force attending regular or special meetings or subcommittee meetings authorized by the task force, shall be paid amounts for expenses, mileage and subsistence as provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.

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

- (1) Study and make recommendations on the implementation of interventions and strategies designed to assist pupils enrolled in kindergarten and grades one through three with acquiring reading skills;
  - (2) conduct hearings, receive information and consider recommendations on implementation of such interventions and strategies from teachers, specialists, parents, the department of education, the state board of education and any other interested parties; and
  - (3) prepare and submit a report on the work of the task force to the committee on education of the house of representatives and the committee on education of the senate on or before January 13, 2014.
- (h) The task force shall cease to exist and the provisions of this section shall expire on June 30, 2014.