

As Amended by House Committee

Session of 2007

House Concurrent Resolution No. 5016

By Committee on Education

2-12

10 A CONCURRENT RESOLUTION directing the State Board of Edu-
11 cation to monitor the re-authorization of the Elementary and Second-
12 ary Education Act especially in relation to the provisions of that act
13 known as the No Child Left Behind Act.

14
15 WHEREAS, The No Child Left Behind Act is contained within the
16 Elementary and Secondary Education Act; and

17 WHEREAS, The Legislature of the state of Kansas believes that the
18 mandate of the No Child Left Behind Act has caused undue pressure
19 and unfair criticism of the school districts, schools, students, teachers and
20 administrators in Kansas; and

21 WHEREAS, It is the hope and goal of the Legislature of the state of
22 Kansas that every student will attain 100% proficiency in their studies,
23 yet it is the belief of the Legislature that the requirement of 100% pro-
24 ficiency by all students is statistically impossible to attain; and

25 WHEREAS, All public schools in Kansas are accredited; and

26 WHEREAS, Progress has been made in closing achievement gaps; and

27 WHEREAS, The No Child Left Behind Act applies to all states that
28 accept federal Title I education funds; and

29 WHEREAS, The State of Kansas receives federal Title I education
30 funds and therefor is subject to the requirements of the No Child Left
31 Behind Act; and

32 WHEREAS, The federal government, under the No Child Left Be-
33 hind Act, has created a system under which the state, school districts,
34 schools, teachers and students are perceived as failing; and

35 WHEREAS, While significant improvement in student proficiency is
36 being made in Kansas schools, the No Child Left Behind Act identifies
37 an entire school as not making adequate yearly progress in improvement
38 in any school year whether it is the school as a whole or a single subgroup
39 within that school which fails to make adequate yearly progress; and

40 WHEREAS, It will be extremely difficult for the subgroup of students
41 with disabilities to make adequate yearly progress because of significant
42 educational challenges which adversely affect their capacities to achieve
43 proficiency in the measured areas; and

1 WHEREAS, It will be extremely difficult for the subgroup of students
2 with limited English proficiency to make adequate yearly progress in the
3 areas of reading and language arts because those students are required
4 to be tested in English after only one year of school attendance; and

5 WHEREAS, Once a student has been identified as not being profi-
6 cient, the No Child Left Behind Act requires schools to help the student
7 to become proficient which may involve tutoring, mentoring, summer
8 school or other costly programs that provide for more instructional time;
9 and

10 WHEREAS, The Elementary and Secondary Education Act and the
11 No Child Left Behind Act are currently being considered for re-author-
12 ization by the United States Congress: Now, therefore,

13 *Be it resolved by the House of Representatives of the State of Kansas,*
14 *the Senate concurring therein:* That we urge the State Board of Edu-
15 cation to **advise the Kansas Congressional Delegation as the United**
16 **States Congress considers the reauthorization of the Elementary**
17 **and Secondary Education Act and to** closely monitor the actions of
18 the United States Congress as it considers the re-authorization of the
19 Elementary and Secondary Education Act especially in relation to the
20 provisions of the No Child Left Behind Act; and

21 *Be it further resolved:* That the State Board of Education submit a
22 report to the legislature on the actions of the United States Congress in
23 its re-authorization of the Elementary and Secondary Education Act es-
24 pecially in relation to the provisions of the No Child Left Behind Act;
25 and

26 *Be it further resolved:* That the State Board of Education submit a
27 report to the legislature on the effects on the state if the United States
28 Congress fails to re-authorize the Elementary and Secondary Education
29 Act or the provisions of the No Child Left Behind Act; and

30 *Be it further resolved:* That the Chief Clerk of the House of Repre-
31 sentatives provide an enrolled copy of this resolution to the Chairperson
32 of the Kansas State Board of Education.