

HOUSE BILL No. 2199

By Committee on Education

2-2

9 AN ACT concerning school districts; establishing the early literacy pro-
10 tocol for Kansas schools.

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

13 Section 1. As used in this act:

14 (a) “State board” means the state board of education;

15 (b) “dyslexia” means a disorder of constitutional origin manifested by
16 a difficulty in learning to read, write or spell, despite conventional instruc-
17 tion, adequate intelligence and sociocultural opportunity;

18 (c) “related disorders” includes, but is not limited to, disorders similar
19 to or related to dyslexia, such as developmental auditory imperception,
20 dysphasia, specific developmental dyslexia, developmental dysgraphia and
21 developmental spelling disability; and

22 (d) “multi-tier system of supports” means a coherent continuum of
23 evidence based, system-wide practices to support a rapid response to
24 academic and behavioral needs, with frequent data-based monitoring for
25 instructional decision-making to empower each Kansas student to achieve
26 high standards.

27 Sec. 2. (a) Students enrolled in kindergarten and grades one and two
28 in accredited schools in this state shall be screened for reading deficien-
29 cies, including related disorders and dyslexia, at appropriate times in ac-
30 cordance with a program approved by the state board.

31 (b) In accordance with the program approved by the state board, the
32 board of education of each school district shall provide for appropriate
33 research-based intervention.

34 (c) A diagnosis of dyslexia by a child psychologist or medical doctor
35 shall be accepted by the school district. The school district shall conduct
36 an evaluation of the student to determine whether the student meets the
37 definition of section 504 of the rehabilitation act of 1973, 29 U.S.C. §
38 794, as in effect on the effective date of this act, or is eligible for special
39 education services.

40 (d) The state board shall adopt any rules and regulations necessary
41 to administer this section.

42 Sec. 3. (a) The state board shall develop recommendations for school
43 districts for:

1 (1) Administering reading instruments to diagnose student reading
2 development and comprehension;

3 (2) training educators in administering the reading instruments; and

4 (3) applying the results of the reading instruments to the instructional
5 program.

6 (b) The state board shall adopt a list of reading instruments that a
7 school district may use to diagnose student reading development and
8 comprehension.

9 (c) A district-level committee may adopt a list of reading instruments
10 for use in the district in addition to the reading instruments on the com-
11 missioner's list. Each reading instrument adopted by the state board or a
12 district-level committee must be based on scientific research concerning
13 reading skills development, reading comprehension and dyslexia. A list of
14 reading instruments adopted under this subsection must provide for di-
15 agnosing the reading development and comprehension of students who
16 are English language learners.

17 (d) Each school district shall administer to pupils in kindergarten and
18 grades one and two, a reading instrument on the list adopted by the state
19 board or by the district-level committee. The district shall administer the
20 reading instrument in accordance with the state board's recommenda-
21 tions under subsection (a)(1).

22 (e) Each school district shall:

23 (1) Report to the state board and the board of the district the results
24 of the reading instruments; and

25 (2) report, in writing, to a student's parent or guardian the student's
26 results on the reading instrument.

27 (f) The results of reading instruments administered under this section
28 may not be used for purposes of evaluation of licensed personnel pursuant
29 to K.S.A. 72-9001 et seq., and amendments thereto, or district account-
30 ability under the quality performance accreditation standards required by
31 rules and regulations established by the state board.

32 (g) A school district shall notify the parent or guardian of each student
33 in kindergarten or grades one or two who is determined, on the basis of
34 reading instrument results, to be at risk for dyslexia or other reading
35 difficulties. The district shall implement a reading instruction program
36 commensurate with the student's reading deficiencies and shall deter-
37 mine the form, content and timing of that program whether or not the
38 student has an individualized education plan. The admission, review and
39 dismissal committee of a student who participates in a district's special
40 education program and who does not perform satisfactorily on a reading
41 instrument under this section shall determine the manner in which the
42 student will participate in an appropriate reading instruction program that
43 is based on scientific research concerning reading comprehension. The

1 district shall implement an on-going assessment and progress-monitoring
2 of reading gains for students assessed with dyslexia. The district shall
3 provide for the teacher training and preparation necessary to implement
4 the on-going assessment and progress-monitoring tools for students as-
5 sessed with dyslexia.

6 (h) The school district shall make a good faith effort to ensure that
7 the notice required under this section is provided either in person or by
8 regular mail and that the notice is clear and easy to understand and is
9 written in English and in the parent or guardian's native language.

10 (i) Each district shall provide the appropriate reading instruction pro-
11 gram required under subsection (g) beginning in school year 2009-2010
12 and each school year thereafter.

13 Sec. 4. This act shall take effect and be in force from and after its
14 publication in the statute book.