

FREE CONFERENCE COMMITTEE AMENDMENTS TO H.B. 2202
(Reference to Senate engrossed House bill)

1 Page 1, line 6, strike "SHALL" insert "MAY"

2 Strike lines 17 through 44

3 Strike pages 2 and 3

4 Page 4, strike lines 1 through 31, insert:

5 "15-701. Common school; promotions; requirements;
6 certificate; supervision of eighth grades by
7 superintendent of high school district; high
8 school admissions; academic credit; definition

9 A. The state board of education shall:

10 1. Prescribe a minimum course of study, as defined in section
11 15-101 and incorporating the academic standards adopted by the state
12 board of education, to be taught in the common schools.

13 2. Prescribe competency requirements for the promotion of pupils
14 from the eighth grade and competency requirements for the promotion of
15 pupils from the third grade incorporating the academic standards in at
16 least the areas of reading, writing, mathematics, science and social
17 studies. Notwithstanding section 15-521, paragraph 4, the competency
18 requirements for the promotion of pupils from the third grade shall
19 include the following:

20 (a) A requirement that a pupil not be promoted from the third
21 grade if the pupil obtains a score on the reading portion of the
22 statewide assessment that demonstrates that the pupil's reading falls
23 far below the third grade level or the equivalent as established by the
24 board. A pupil may not be retained if data regarding the pupil's

1 performance on the statewide assessment is not available before the
2 start of the following academic year. A pupil who is not retained due
3 to the unavailability of test data must receive intervention and
4 remedial strategies pursuant to subdivision (c) of this paragraph if the
5 third grade assessment data subsequently demonstrates that the pupil's
6 reading ability falls far below the third grade level or the equivalent.

7 (b) A mechanism to allow a school district governing board or the
8 governing body of a charter school to promote a pupil from the third
9 grade who obtains a score on the reading portion of the statewide
10 assessment that demonstrates that the pupil's reading falls far below
11 the third grade level for any of the following:

12 (i) A good cause exemption if the pupil is an English learner or
13 a limited English proficient student as defined in section 15-751 and
14 has had fewer than two years of English language instruction.

15 (ii) A pupil who is in the process of a special education
16 referral or evaluation for placement in special education, a pupil who
17 has been diagnosed as having a significant reading impairment, including
18 dyslexia, or a pupil who is a child with a disability as defined in
19 section 15-761 if the pupil's individualized education program team and
20 the pupil's parent or guardian agree that promotion is appropriate based
21 on the pupil's individualized education program.

22 (iii) A pupil who receives intervention and remedial services
23 during the summer or subsequent school year pursuant to subdivision (c)
24 of this paragraph and demonstrates sufficient progress may be promoted
25 from the third grade based on guidelines issued pursuant to subsection
26 B, paragraph 5 of this section.

27 (c) Intervention and remedial strategies developed by the state
28 board of education for pupils who are not promoted from the third grade.
29 A school district governing board or the governing body of a charter
30 school shall offer at least one of the intervention and remedial
31 strategies developed by the state board of education. The parent or
32 guardian of a pupil who is not promoted from the third grade and the

1 pupil's teacher and principal may choose the most appropriate
2 intervention and remedial strategies that will be provided to that
3 pupil. The intervention and remedial strategies developed by the state
4 board of education shall include:

5 (i) A requirement that the pupil be assigned to a different
6 teacher for reading instruction.

7 (ii) Summer school reading instruction.

8 (iii) In the next academic year, intensive reading instruction
9 that occurs before, during or after the regular school day, or any
10 combination of before, during and after the regular school day.

11 (iv) Online reading instruction.

12 3. Provide for universal screening of pupils in preschool
13 programs, kindergarten programs and grades one through three that is
14 designed to identify pupils who have reading deficiencies pursuant to
15 section 15-704.

16 4. Develop intervention and remedial strategies pursuant to
17 paragraph 2, subdivision (c) of this subsection for pupils in
18 kindergarten programs and grades one through three who are identified as
19 having reading deficiencies pursuant to section 15-704.

20 5. Distribute guidelines for the school districts to follow in
21 prescribing criteria for the promotion of pupils from grade to grade in
22 the common schools. These guidelines shall include recommended
23 procedures for ensuring that the cultural background of a pupil is taken
24 into consideration when criteria for promotion are being applied.

25 B. School districts and charter schools shall provide annual
26 written notification to parents of pupils in kindergarten programs and
27 first, second and third grades that a pupil who obtains a score on the
28 reading portion of the statewide assessment that demonstrates the pupil
29 is reading far below the third grade level will not be promoted from the
30 third grade. If the school has determined that the pupil is
31 substantially deficient in reading before the end of grade three, the
32 school district or charter school shall provide to the parent of that

1 pupil a separate written notification of the reading deficiency that
2 includes the following information:

3 1. A description of the current reading services provided to the
4 pupil.

5 2. A description of the available supplemental instructional
6 services and supporting programs that are designed to remediate reading
7 deficiencies. Each school district or charter school shall offer at
8 least one intervention strategy and at least one remedial strategy for
9 pupils with reading deficiencies. The notification shall list the
10 intervention and remedial strategies offered and shall instruct the
11 parent or guardian to choose the strategy that will be implemented for
12 that child.

13 3. Parental strategies to assist the pupil to attain reading
14 proficiency.

15 4. A statement that the pupil will not be promoted from the third
16 grade if the pupil obtains a score on the reading portion of the
17 statewide assessment that demonstrates the pupil is reading far below
18 the third grade level, unless the pupil is exempt from mandatory
19 retention in grade three or the pupil qualifies for an exemption
20 pursuant to subsection A of this section.

21 5. A description of the school district or charter school
22 policies on midyear promotion to a higher grade.

23 C. Pursuant to the guidelines that the state board of education
24 distributes, the governing board of a school district shall:

25 1. Prescribe curricula that include the academic standards in the
26 required subject areas pursuant to subsection A, paragraph 1 of this
27 section.

28 2. Prescribe criteria for the promotion of pupils from grade to
29 grade in the common schools in the school district. These criteria
30 shall include accomplishment of the academic standards in at least
31 reading, writing, mathematics, science and social studies, as determined

1 by district assessment. Other criteria may include additional measures
2 of academic achievement and attendance.

3 D. The governing board may prescribe the course of study and
4 competency requirements for promotion that are in addition to or higher
5 than the course of study and competency requirements the state board
6 prescribes.

7 E. A teacher shall determine whether to promote or retain a pupil
8 in grade in a common school as provided in section 15-521, paragraph 4
9 on the basis of the prescribed criteria. The governing board, if it
10 reviews the decision of a teacher to promote or retain a pupil in grade
11 in a common school as provided in section 15-342, paragraph 11, shall
12 base its decision on the prescribed criteria.

13 F. A governing board may provide and issue certificates of
14 promotion to pupils whom it promotes from the eighth grade of a common
15 school. Such certificates shall be signed by the principal or
16 superintendent of schools. Where there is no principal or
17 superintendent of schools, the certificates shall be signed by the
18 teacher of an eighth grade. The certificates shall admit the holders to
19 any high school in the state.

20 G. Within any high school district or union high school district,
21 the superintendent of the high school district shall supervise the work
22 of the eighth grade of all schools employing no superintendent or
23 principal.

24 H. A school district shall not deny a pupil who is between the
25 ages of sixteen and twenty-one years admission to a high school because
26 the pupil does not hold an eighth grade certificate. Governing boards
27 shall establish procedures for determining the admissibility of pupils
28 who are under sixteen years of age and who do not hold eighth grade
29 certificates.

30 I. The state board of education shall adopt rules to allow common
31 school pupils who can demonstrate competency in a particular academic

Free Conference Committee Amendments to H.B. 2202

1 course or subject to obtain academic credit for the course or subject
2 without enrolling in the course or subject.

3 J. A school district may conduct a ceremony to honor pupils who
4 have been promoted from the eighth grade."

5 Amend title to conform

2202.docx
04/11/2017
04:13 PM
C: tdb