

# House File 129 - Introduced

HOUSE FILE \_\_\_\_\_  
BY ABDUL-SAMAD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to requirements for the promotion of students  
2 from kindergarten through grade twelve based on grade=level  
3 proficiency in reading and mathematics.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1559YH 83  
6 kh/nh/8

PAG LIN

1 1 Section 1. NEW SECTION. 279.68 STUDENT PROMOTION OR  
1 2 RETENTION.  
1 3 1. If a student enrolled in kindergarten through grade  
1 4 twelve is below grade level in reading or mathematics, based  
1 5 on the achievement levels established by the Iowa testing  
1 6 programs, the state indicators for proficiency for students in  
1 7 grades four, eight, and eleven established by the department  
1 8 of education in accordance with section 256.7, subsection 21,  
1 9 paragraph "b", or any other assessment used to measure student  
1 10 progress approved by the department of education, the board of  
1 11 directors of the school district shall notify the student's  
1 12 parent or legal guardian of the student's grade equivalency  
1 13 and shall provide intensive remediation services to the  
1 14 student.  
1 15 2. If a student is not proficient in reading or  
1 16 mathematics by the end of the school calendar, based on the  
1 17 achievement levels established by the Iowa testing programs,  
1 18 the state indicators for proficiency for students in grades  
1 19 four, eight, and eleven established by the department of  
1 20 education in accordance with section 256.7, subsection 21,  
1 21 paragraph "b", or any other assessment used to measure student  
1 22 progress approved by the department of education, the board of  
1 23 directors of the school district shall require the student to  
1 24 attend summer school and shall notify the student's parent or  
1 25 legal guardian that the student must attend summer school or  
1 26 be denied promotion to the next grade level.  
1 27 3. If a student has not achieved grade=level proficiency  
1 28 in reading or mathematics by the close of summer school, based  
1 29 on the achievement levels established by the Iowa testing  
1 30 programs, the state indicators for proficiency for students in  
1 31 grades four, eight, and eleven established by the department  
1 32 of education in accordance with section 256.7, subsection 21,  
1 33 paragraph "b", or any other assessment used to measure student  
1 34 progress approved by the department of education, the board of  
1 35 directors of the school district shall deny promotion to the  
2 1 next grade level to the student and shall notify the student's  
2 2 parent or legal guardian of the student's retention at the  
2 3 current grade level.  
2 4 4. Notwithstanding subsections 2 and 3, if a diagnostic  
2 5 educational team determines that retention at the current  
2 6 grade level would not be in the best interest of the child, a  
2 7 student who has not achieved grade=level proficiency in  
2 8 reading or mathematics at the close of the school calendar  
2 9 need not, at the discretion of the school district, be  
2 10 required to attend summer school and may, at the discretion of  
2 11 the school district, be promoted to the next grade level.  
2 12 5. The decision of the board of directors of a school  
2 13 district to deny promotion to a student in accordance with  
2 14 subsection 3 is subject to appeal under section 290.1.  
2 15 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance  
2 16 with section 25B.2, subsection 3, the state cost of requiring  
2 17 compliance with any state mandate included in this Act shall  
2 18 be paid by a school district from state school foundation aid  
2 19 received by the school district under section 257.16. This

2 20 specification of the payment of the state cost shall be deemed  
2 21 to meet all of the state funding-related requirements of  
2 22 section 25B.2, subsection 3, and no additional state funding  
2 23 shall be necessary for the full implementation of this Act by  
2 24 and enforcement of this Act against all affected school  
2 25 districts.

2 26 EXPLANATION

2 27 This bill establishes requirements for the promotion or  
2 28 retention of students from kindergarten through grade 12 based  
2 29 on grade-level proficiency in reading and mathematics.

2 30 The bill provides that if a student is below grade level in  
2 31 reading or mathematics based on the achievement levels  
2 32 established by the Iowa testing programs, the state indicators  
2 33 for proficiency for students in grades four, eight, and 11  
2 34 established by the department of education, or any other  
2 35 assessment used to measure student progress approved by the  
3 1 department of education, the board of directors of the school  
3 2 district shall notify the student's parent or legal guardian  
3 3 of the student's grade equivalency and provide intensive  
3 4 remediation services to the student.

3 5 If the student is not proficient by the end of the school  
3 6 calendar, the school board shall require the student to attend  
3 7 summer school and shall notify the student's parent or legal  
3 8 guardian that the student must attend summer school or be  
3 9 denied promotion to the next grade level.

3 10 If a student has not achieved grade-level proficiency by  
3 11 the close of summer school, the school board shall deny the  
3 12 student promotion to the next grade level and shall notify the  
3 13 student's parent or legal guardian of the student's retention  
3 14 at the current grade level.

3 15 A student who has not achieved grade-level proficiency in  
3 16 reading or mathematics at the close of the school calendar  
3 17 need not be required to attend summer school and may be  
3 18 promoted to the next grade level if a diagnostic educational  
3 19 team determines that summer school or retention would not be  
3 20 in the best interest of the child.

3 21 The school board's decision to deny promotion may be  
3 22 appealed to the state board of education.

3 23 The bill may include a state mandate as defined in Code  
3 24 section 25B.3. The bill requires that the state cost of any  
3 25 state mandate included in the bill be paid by a school  
3 26 district from state school foundation aid received by the  
3 27 school district under Code section 257.16. The specification  
3 28 is deemed to constitute state compliance with any state  
3 29 mandate funding-related requirements of Code section 25B.2.  
3 30 The inclusion of this specification is intended to reinstate  
3 31 the requirement of political subdivisions to comply with any  
3 32 state mandates included in the bill.

3 33 LSB 1559YH 83

3 34 kh/nh/8