

REPRINTED

FILED FEB 22 2000

SENATE FILE 2267
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2159)

Passed Senate, Date ^(P. 668) 3-14-00

Passed House, Date ^(P. 1339) 4-6-00

Vote: Ayes 26 Nays 24

Vote: Ayes 85 Nays 10

Approved _____

A BILL FOR

1 An Act requiring the board of directors of a school district to
2 adopt a contract with parents as part of a student promotion
3 policy for grade three level students and providing for
4 related matters.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2267

1 Section 1. Section 256D.1, subsection 1, paragraph b,
2 subparagraph (1), Code Supplement 1999, is amended to read as
3 follows:

4 (1) A school district shall at a minimum biannually inform
5 parents of their individual child's performance on the
6 diagnostic assessments in kindergarten through grade three.
7 If intervention is appropriate, the school district shall
8 inform the parents of the actions the school district intends
9 to take to improve the child's reading and mathematics skills
10 and provide the parents with strategies to enable the parents
11 to improve their child's skills. The board of directors of
12 each school district shall adopt a policy indicating the
13 methods the school district will use to inform parents of
14 their individual child's performance.

15 Sec. 2. NEW SECTION. 279.59 STUDENT PROMOTION OR
16 RETENTION.

17 1. A student enrolled in grade three who does not perform
18 satisfactorily on the school district's reading or mathematics
19 curriculum, who is not an active participant in school
20 district intervention efforts, and, if the school district
21 administers a standardized basic educational skills test, who
22 is more than one year below grade level in reading or
23 mathematics on the test, shall not be promoted to grade four.
24 However, retention of a student is not recommended or
25 encouraged unless intervention efforts have been unsuccessful.
26 The board of directors of each school district shall adopt a
27 student promotion policy, in accordance with this section,
28 that provides that the district will enter into a contract
29 with the parents and guardians of the students enrolled in the
30 district. By the first day of school, the school district
31 shall notify the parents and guardians of students in grade
32 three of the district's student promotion policy.

33 2. If appropriate, the school district shall make every
34 reasonable effort to provide interventions designed to improve
35 the reading or mathematics skills of a student who is failing

1 the school district's reading or mathematics curriculum or, if
2 the school district administers a standardized basic
3 educational skills test, who is more than one year below grade
4 level in reading or mathematics on the test, and shall provide
5 the student's parent or guardian with strategies to enable the
6 parent or guardian to improve the student's skills.

7 Notwithstanding section 256D.1, subsection 1, paragraph "b",
8 subparagraph (1), if intervention is appropriate, the school
9 district shall provide written notice to the parent or
10 guardian of the actions the school district intends to take to
11 improve the student's reading or mathematics skills.

12 3. At the end of the fifth, fifteenth, twentieth, twenty-
13 fifth, and thirtieth weeks of the school year, a parent or
14 guardian of a student in grade three shall be notified in
15 writing if the student is receiving a failing grade in reading
16 or mathematics. If the school administers a standardized
17 basic educational skills test, the parent or guardian shall be
18 notified in writing within five days of the receipt of the
19 results, if the results indicate a student is more than one
20 year below grade level in reading or mathematics. Notices
21 sent to the parent or guardian of a student who is failing the
22 reading or mathematics curriculum at the end of the twentieth,
23 twenty-fifth, and thirtieth weeks of the school year shall
24 include a copy of the school district's student promotion
25 policy and shall be sent by certified mail. Notices shall be
26 written in clear, understandable language. If the student is
27 identified as limited English proficient, the notice shall be
28 provided in English and in the student's home language. In
29 lieu of notice by mail, the school district may provide a
30 written notice required pursuant to this section to a parent
31 or guardian at a parent-teacher conference occurring in the
32 same week in which a notice would have been required to be
33 sent by mail pursuant to this section.

34 4. A student who is identified as limited English
35 proficient shall complete the reading and mathematics

1 curriculum in the student's home language or in English as
2 determined by the student's English as a second language
3 teacher, with consideration given to specific assessments
4 given in the student's home language.

5 5. A student identified as a child requiring special
6 education shall be expected to master the general curriculum
7 to the maximum extent appropriate with the use of
8 supplementary aides and services. However, the individualized
9 education program team assigned to the child requiring special
10 education shall determine whether the student is expected to
11 meet the school district's student promotion policy, which
12 must be documented in the student's individualized education
13 program.

14 6. If the parent or guardian of a student who does not
15 perform satisfactorily on the school district's reading or
16 mathematics curriculum, and, if the school district
17 administers a standardized basic educational skills test, who
18 is more than one year below grade level in reading or
19 mathematics on the test, notifies the district of residence of
20 an intention to enroll the student in a public school in
21 another school district under section 282.18, the school
22 district in which the student is enrolled shall submit copies
23 to the receiving district of any notices provided to the
24 parent or guardian under subsections 2 and 3. The receiving
25 district shall work with the sending district to ensure
26 continuity in intervention efforts for the student. However,
27 notwithstanding subsection 1, using standards adopted by the
28 receiving district's school board and based upon whether the
29 student is likely to perform at grade level if the receiving
30 district provides the student with interventions designed to
31 improve the student's reading or mathematics skills, the
32 receiving district shall determine whether the student will be
33 promoted to the grade four level or retained at the grade
34 three level.

35 7. A school district shall notify a parent or guardian in

1 writing of the ability of the parent or guardian to appeal a
2 school's decision to deny promotion of a student to the school
3 board. The school board shall decide in favor of a student's
4 promotion only if the school board concludes, using standards
5 adopted by the school board, that if promoted and provided
6 with interventions designed to improve the student's reading
7 or mathematics skills, the student is likely to perform at
8 grade level. A decision of the school board to deny promotion
9 is subject to appeal under section 290.1.

10 8. The director of the department of education shall
11 conduct a review of school district student promotion
12 policies, the number of grade three level students retained or
13 promoted, and the success of the interventions implemented by
14 school districts to improve the students' reading or
15 mathematics skills. The director shall submit a report of the
16 findings and recommendations resulting from the review to the
17 senate and house standing committees on education and the
18 joint appropriations subcommittee on education by December 1,
19 2002, and biennially thereafter.

20 9. Notwithstanding section 256D.2, a school district may
21 expend funds received pursuant to section 256D.4 to meet the
22 requirements of this section.

23 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
24 with section 25B.2, subsection 3, the state cost of requiring
25 compliance with any state mandate included in this Act shall
26 be paid by a school district from state school foundation aid
27 received by the school district under section 257.16 and from
28 early intervention block grant program moneys appropriated in
29 section 256D.4. This specification of the payment of the
30 state cost shall be deemed to meet all the state funding-
31 related requirements of section 25B.2, subsection 3, and no
32 additional state funding shall be necessary for the full
33 implementation of this Act by and enforcement of this Act
34 against all affected school districts.

35

EXPLANATION

1 This bill requires that a school district retain a student
2 in grade three, who would otherwise be promoted to grade four,
3 if the student does not perform satisfactorily on the school
4 district's reading or mathematics curriculum, who is not an
5 active participant in school district intervention efforts,
6 and, if the school district administers a standardized basic
7 educational skills test, who is more than one year below grade
8 level in reading or mathematics on the test. The bill permits
9 school districts to use early intervention block grant program
10 moneys at grade levels three and four to meet the requirements
11 of the bill.

12 The bill amends Code language establishing the early
13 intervention block grant program to require school districts
14 to inform parents of the actions the school district intends
15 to take to improve the child's mathematics skills.

16 The bill also requires the board of directors of each
17 school district to adopt a student promotion policy providing
18 for contracts between the district and parents and guardians
19 and to notify the parents and guardians of students in grade
20 three of the district's student promotion policy.

21 The school district shall make every reasonable effort to
22 provide interventions designed to improve the reading or
23 mathematics skills of the student and shall provide the
24 student's parent or guardian with strategies to enable the
25 parent or guardian to improve the student's skills. If
26 intervention is appropriate, the school district shall
27 periodically provide written notice to the parent or guardian
28 of the actions the school district intends to take to improve
29 the student's reading or mathematics skills.

30 Under the bill, a student identified as limited English
31 proficient must complete the reading and mathematics
32 curriculum in the student's home language or in English as
33 determined by the student's English as a second language
34 teacher, with consideration given to specific assessments
35 given in the student's home language.

1 The individualized education program team assigned to a
2 child requiring special education shall determine whether that
3 student is expected to meet the school district's student
4 promotion policy.

5 If a parent or guardian notifies a school district that
6 they intend to open enroll their child in another district,
7 and the child is not performing satisfactorily in reading or
8 mathematics, the sending district must submit to the receiving
9 district a copy of any notices provided to the parent or
10 guardian. The receiving district shall work with the sending
11 district to ensure continuity in intervention efforts for the
12 student. However, the receiving district shall determine
13 whether the student will be promoted to the grade four level
14 or retained at the grade three level.

15 The school district must notify a parent or guardian in
16 writing of the ability of the parent or guardian to appeal a
17 school's decision to deny promotion of a student to the school
18 board. The school board can decide in favor of a student's
19 promotion only if the school board concludes, using standards
20 adopted by the school board, that if promoted and provided
21 with interventions, the student is likely to perform at grade
22 level. A decision of the school board to deny promotion may
23 be appealed to the state board of education.

24 The bill requires the director of the department of
25 education to conduct a review of school district student
26 promotion policies, the number of grade three level students
27 retained or promoted, and the success of the interventions
28 implemented by school districts to improve the students'
29 reading or mathematics skills. The director must submit a
30 report of the findings and recommendations resulting from the
31 review to the senate and house standing committees on
32 education and the joint appropriations subcommittee on
33 education by December 1, 2002, and biennially thereafter.

34 This bill may include a state mandate as defined in Code
35 section 25B.3. The bill requires that the state cost of any

1 state mandate included in the bill be paid by a school
2 district from state school foundation aid received by the
3 school district under Code section 257.16 and from early
4 intervention block grant program moneys appropriated in Code
5 section 256D.4. The specification is deemed to constitute
6 state compliance with any state mandate funding-related
7 requirements of Code section 25B.2. The inclusion of this
8 specification is intended to reinstate the requirement of
9 political subdivisions to comply with any state mandates
10 included in the bill.

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SENATE FILE 2267

S-5070

1 Amend Senate File 2267 as follows:

2 1. Page 1, by striking line 21 and inserting the
3 following: "administers a valid and reliable
4 assessment of student progress, who".

5 2. Page 1, line 23, by striking the word "test"
6 and inserting the following: "assessment".

7 3. Page 1, by striking lines 26 through 30 and
8 inserting the following: "The board of directors of
9 each school district shall enter into a compact with
10 the parents and guardians of the students enrolled in
11 the district by adopting a school promotion policy
12 that facilitates collaborations among teachers,
13 parents and guardians of the students, and the school
14 district to support student reading and mathematics
15 proficiency. By the first day of school, the school
16 district".

17 4. Page 2, lines 2 and 3, by striking the words
18 "standardized basic educational skills test" and
19 inserting the following: "valid and reliable
20 assessment of student progress".

21 5. Page 2, line 4, by striking the word "test"
22 and inserting the following: "assessment".

23 6. Page 2, by striking lines 12 and 13 and
24 inserting the following:

25 "3. A parent or".

26 7. Page 2, lines 16 and 17, by striking the words
27 "standardized basic educational skills test" and
28 inserting the following: "valid and reliable
29 assessment of student progress".

30 8. Page 2, by striking lines 21 through 23 and
31 inserting the following: "shall".

32 9. Page 3, line 17, by striking the words
33 "standardized basic educational skills test" and
34 inserting the following: "valid and reliable
35 assessment of student progress".

36 10. Page 4, by inserting after line 22 the
37 following:

38 "10. A valid and reliable assessment, for purposes
39 of this section, shall not be limited to a
40 commercially developed measurement."

41 11. Title page, by striking line 2 and inserting
42 the following: "enter into a compact with parents and
43 guardians by adopting a school promotion".

Adopted 3-14-00 (P.667) By JEFF ANGELO

S-5070 FILED MARCH 7, 2000

SENATE FILE 2267

S-5149

1 Amend Senate File 2267 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. DEPARTMENT OF EDUCATION. There is
5 appropriated from the general fund of the state to the
6 department of education for the fiscal year beginning
7 July 1, 2000, and ending June 30, 2001, the following
8 amount, or so much thereof as is necessary, to be used
9 for the purpose designated:

10 For issuance of reading interventions grants to
11 school districts that wish to utilize intervention
12 methods to assist children enrolled in the district
13 who are reading below grade level:

14 \$ 5,000,000

15 The director of the department of education shall
16 develop reading interventions grant approval criteria
17 and procedures. In developing grant approval criteria
18 and awarding grants, the director shall consider
19 equity concerns and options for distributing grant
20 amounts, based on enrollment, in order to accommodate
21 the needs of small, medium, and large population
22 school districts. The deadline for applications for
23 reading interventions grants for the fiscal year
24 beginning July 1, 2000, shall be November 1, 2000,
25 with grant awards to be made on or about December 1,
26 2000. Grant moneys received pursuant to this section
27 shall supplement, not supplant, moneys received by a
28 school district pursuant to section 256D.5.

29 Sec. 2. NEW SECTION. 279.59 STUDENT PROMOTION
30 POLICY.

31 Each school district is encouraged to develop and
32 adopt a student promotion policy that expresses
33 clearly to parents the school district's reluctance to
34 promote any child from third to fourth grade if the
35 district determines, through valid and reliable
36 assessments of student progress, that the child is not
37 reading at grade level. Such a policy shall take into
38 consideration and allow for the promotion of a child
39 if the district finds that promotion is in the best
40 interest of the child. Any policy adopted in
41 accordance with this section shall require that the
42 school district consult with the parent or guardian of
43 the child before making any decision regarding
44 retention."

45 2. Title page, by striking lines 1 through 4 and
46 inserting the following: "An Act encouraging a school
47 district to develop and adopt a student promotion
48 policy and making an appropriation to the department
49 of education to provide reading interventions grants
50 to school districts."

By MIKE CONNOLLY

S-5149 FILED MARCH 14, 2000
LOST

(P.667)

SENATE FILE 2267

S-5148

- 1 Amend Senate File 2267 as follows:
- 2 1. Page 4, by striking lines 20 through 22.
- 3 2. Page 4, by striking lines 27 through 29 and
- 4 inserting the following: "received by the school
- 5 district under section 257.16. This specification of
- 6 the payment of the".

By MICHAEL E. GRONSTAL

S-5148 FILED MARCH 14, 2000

RULED OUT OF ORDER

(P. 668)

SENATE FILE 2267

S-5151

- 1 Amend Senate File 2267 as follows:
- 2 1. Page 4, by striking lines 20 through 34.

By JEFF ANGELO

S-5151 FILED MARCH 14, 2000

ADOPTED

(P. 668)

HOUSE AMENDMENT TO
SENATE FILE 2267

S-5370

1 Amend Senate File 2267, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 256D.1, subsection 1,
6 paragraph b, subparagraph (1), Code Supplement 1999,
7 is amended to read as follows:

8 (1) A school district shall at a minimum
9 biannually inform parents of their individual child's
10 performance on the diagnostic assessments in
11 kindergarten through grade three. If intervention is
12 appropriate, the school district shall ~~inform~~ provide
13 written notice to the parents of the actions the
14 school district intends to take to improve the child's
15 reading skills and provide the parents with strategies
16 to enable the parents to improve their child's skills.
17 If a school district determines that a child is
18 failing to adequately master the school district's
19 reading curriculum in kindergarten through grade
20 three, the school district shall establish a compact
21 with the parent of the child which shall include a
22 requirement that the parent meet face-to-face with the
23 child's teacher. However, if the teacher makes a good
24 faith effort to meet face-to-face with the parent but
25 the effort is unsuccessful, the teacher and the school
26 district have no further obligation with respect to
27 face-to-face intervention strategies under this
28 subparagraph. The board-of-directors-of-each-school
29 district-shall-adopt-a policy indicating adopted
30 pursuant to section 256D.1A shall indicate the methods
31 the school district will use to inform parents of
32 their individual child's performance.

33 Sec. 2. Section 256D.1, subsection 1, Code
34 Supplement 1999, is amended by adding the following
35 new paragraph:

36 NEW PARAGRAPH. c. ENCOURAGING IOWA FAMILY READING
37 NIGHT -- INTENT. It is the intent of the general
38 assembly to encourage each family in Iowa to set aside
39 Tuesday night, from seven to eight p.m., for reading
40 by the family. School districts, the department of
41 education, and the media are encouraged to promote
42 Iowa family reading night in mailings, on websites,
43 and in public service announcements, billboards, print
44 and broadcast media services, and other appropriate
45 means.

46 Sec. 3. NEW SECTION. 256D.1A STUDENT PROMOTION
47 POLICY -- KINDERGARTEN THROUGH GRADE THREE.

48 1. The board of directors of each school district
49 shall adopt a school promotion policy that facilitates
50 collaborations among teachers, parents of the

S-5370

-1-

S-5370

Page 2

1 students, and the school district to support student
2 reading proficiency. The student promotion policy
3 adopted shall include, but shall not be limited to,
4 the provisions set forth in this section. By the end
5 of the first week of school, the school district shall
6 notify the parents of students in kindergarten through
7 grade three of the district's student promotion
8 policy. The school district may include with this
9 notification a list of suggested reference materials,
10 such as books, computer programs, or other study aids,
11 that enable parents to assist the school district in
12 educating their children during the school year.

13 2. A parent of a student in kindergarten through
14 grade three shall be notified in writing if the
15 student is failing to adequately master the school
16 district's reading curriculum. Notices shall include
17 a copy of the school district's student promotion
18 policy and shall be sent by mail. Notices shall be
19 written in clear, understandable language. In lieu of
20 notice by mail, the school district may provide a
21 written notice required pursuant to this section to a
22 parent at a parent-teacher conference occurring in the
23 same week in which a notice would have been required
24 to be sent by mail pursuant to this section.

25 3. The individualized education program assigned
26 to a child requiring special education shall determine
27 whether the child is expected to meet the school
28 district's student promotion policy, which must be
29 documented in the student's individualized education
30 program.

31 Sec. 4. Section 256D.3, Code Supplement 1999, is
32 amended by adding the following new subsection:

33 NEW SUBSECTION. 4. The director of the department
34 of education shall conduct a review of school district
35 student promotion policies, the number of kindergarten
36 through grade three level students retained or
37 promoted, and the success of the interventions
38 implemented by school districts to improve the
39 students' reading skills. The director shall submit a
40 report of the findings and recommendations resulting
41 from the review to the senate and house standing
42 committees on education and the joint appropriations
43 subcommittee on education by December 1, 2002, and
44 biennially thereafter."

45 2. Title page, line 3, by inserting after the
46 word "for" the following: "kindergarten through".

RECEIVED FROM THE HOUSE

S-5370 FILED APRIL 6, 2000

SENATE FILE 2267
FISCAL NOTE

A fiscal note for Senate File 2267 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2267 requires that a school district retain a student in grade three, who would otherwise be promoted to grade four, if the student does not perform satisfactorily on specified curriculum who is not an active participant in school intervention efforts. The Bill also requires school districts to adopt a student promotion policy providing for contracts between the district and parents or guardians.

ASSUMPTIONS

1. The total cost of a student being placed in special education is estimated at \$4,338 per student (weighted an additional 0.68 in the School Foundation Aid formula.)
2. Section 3 of the Bill includes language stating no additional State funding shall be necessary for the full implementation and enforcement of the Bill.
3. Allowable growth for the School Aid Foundation is 4.0% for FY 2001 and FY 2002.
4. The School Aid Foundation is a standing unlimited appropriation.
5. The current estimate of Special Education I students is 44,000 for FY 2001 and 46,000 for FY 2002.

FISCAL IMPACT

The fiscal impact of Senate File 2267 cannot be determined because the number of children who may be designated as special education students as a result of the Bill is unknown.

(LSB 5097SV, PQP)

FILED MARCH 14, 2000

BY DENNIS PROUTY, FISCAL DIRECTOR

1 Section 1. Section 256D.1, subsection 1, paragraph b,
2 subparagraph (1), Code Supplement 1999, is amended to read as
3 follows:

4 (1) A school district shall at a minimum biannually inform
5 parents of their individual child's performance on the
6 diagnostic assessments in kindergarten through grade three.
7 If intervention is appropriate, the school district shall
8 inform the parents of the actions the school district intends
9 to take to improve the child's reading and mathematics skills
10 and provide the parents with strategies to enable the parents
11 to improve their child's skills. The board of directors of
12 each school district shall adopt a policy indicating the
13 methods the school district will use to inform parents of
14 their individual child's performance.

15 Sec. 2. NEW SECTION. 279.59 STUDENT PROMOTION OR
16 RETENTION.

17 1. A student enrolled in grade three who does not perform
18 satisfactorily on the school district's reading or mathematics
19 curriculum, who is not an active participant in school
20 district intervention efforts, and, if the school district
21 administers a valid and reliable assessment of student
22 progress, who is more than one year below grade level in
23 reading or mathematics on the assessment, shall not be
24 promoted to grade four. However, retention of a student is
25 not recommended or encouraged unless intervention efforts have
26 been unsuccessful. The board of directors of each school
27 district shall enter into a compact with the parents and
28 guardians of the students enrolled in the district by adopting
29 a school promotion policy that facilitates collaborations
30 among teachers, parents and guardians of the students, and the
31 school district to support student reading and mathematics
32 proficiency. By the first day of school, the school district
33 shall notify the parents and guardians of students in grade
34 three of the district's student promotion policy.

35 2. If appropriate, the school district shall make every

1 reasonable effort to provide interventions designed to improve
2 the reading or mathematics skills of a student who is failing
3 the school district's reading or mathematics curriculum or, if
4 the school district administers a valid and reliable
5 assessment of student progress, who is more than one year
6 below grade level in reading or mathematics on the assessment,
7 and shall provide the student's parent or guardian with
8 strategies to enable the parent or guardian to improve the
9 student's skills. Notwithstanding section 256D.1, subsection
10 1, paragraph "b", subparagraph (1), if intervention is
11 appropriate, the school district shall provide written notice
12 to the parent or guardian of the actions the school district
13 intends to take to improve the student's reading or
14 mathematics skills.

15 3. A parent or guardian of a student in grade three shall
16 be notified in writing if the student is receiving a failing
17 grade in reading or mathematics. If the school administers a
18 valid and reliable assessment of student progress, the parent
19 or guardian shall be notified in writing within five days of
20 the receipt of the results, if the results indicate a student
21 is more than one year below grade level in reading or
22 mathematics. Notices shall include a copy of the school
23 district's student promotion policy and shall be sent by
24 certified mail. Notices shall be written in clear,
25 understandable language. If the student is identified as
26 limited English proficient, the notice shall be provided in
27 English and in the student's home language. In lieu of notice
28 by mail, the school district may provide a written notice
29 required pursuant to this section to a parent or guardian at a
30 parent-teacher conference occurring in the same week in which
31 a notice would have been required to be sent by mail pursuant
32 to this section.

33 4. A student who is identified as limited English
34 proficient shall complete the reading and mathematics
35 curriculum in the student's home language or in English as

1 determined by the student's English as a second language
2 teacher, with consideration given to specific assessments
3 given in the student's home language.

4 5. A student identified as a child requiring special
5 education shall be expected to master the general curriculum
6 to the maximum extent appropriate with the use of
7 supplementary aides and services. However, the individualized
8 education program team assigned to the child requiring special
9 education shall determine whether the student is expected to
10 meet the school district's student promotion policy, which
11 must be documented in the student's individualized education
12 program.

13 6. If the parent or guardian of a student who does not
14 perform satisfactorily on the school district's reading or
15 mathematics curriculum, and, if the school district
16 administers a valid and reliable assessment of student
17 progress, who is more than one year below grade level in
18 reading or mathematics on the test, notifies the district of
19 residence of an intention to enroll the student in a public
20 school in another school district under section 282.18, the
21 school district in which the student is enrolled shall submit
22 copies to the receiving district of any notices provided to
23 the parent or guardian under subsections 2 and 3. The
24 receiving district shall work with the sending district to
25 ensure continuity in intervention efforts for the student.
26 However, notwithstanding subsection 1, using standards adopted
27 by the receiving district's school board and based upon
28 whether the student is likely to perform at grade level if the
29 receiving district provides the student with interventions
30 designed to improve the student's reading or mathematics
31 skills, the receiving district shall determine whether the
32 student will be promoted to the grade four level or retained
33 at the grade three level.

34 7. A school district shall notify a parent or guardian in
35 writing of the ability of the parent or guardian to appeal a

1 school's decision to deny promotion of a student to the school
2 board. The school board shall decide in favor of a student's
3 promotion only if the school board concludes, using standards
4 adopted by the school board, that if promoted and provided
5 with interventions designed to improve the student's reading
6 or mathematics skills, the student is likely to perform at
7 grade level. A decision of the school board to deny promotion
8 is subject to appeal under section 290.1.

9 8. The director of the department of education shall
10 conduct a review of school district student promotion
11 policies, the number of grade three level students retained or
12 promoted, and the success of the interventions implemented by
13 school districts to improve the students' reading or
14 mathematics skills. The director shall submit a report of the
15 findings and recommendations resulting from the review to the
16 senate and house standing committees on education and the
17 joint appropriations subcommittee on education by December 1,
18 2002, and biennially thereafter.

* 19 9. A valid and reliable assessment, for purposes of this
20 section, shall not be limited to a commercially developed
21 measurement.

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SENATE FILE 2267

H-8502

- 1 Amend the amendment, H-8409, to Senate File 2267,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 5 through 32.
- 5 2. Page 1, line 35, by striking the figure "1."
- 6 3. Page 1, by striking lines 39 through 41 and
- 7 inserting the following: "reading proficiency. By
- 8 the".
- 9 4. By striking page 1, line 45 through page 2,
- 10 line 26.
- 11 5. By renumbering as necessary.

By FREVERT of Palo Alto

H-8502 FILED MARCH 22, 2000

W/D
4/6/00 (p. 1336)

SENATE FILE 2267

H-8409

1 Amend Senate File 2267, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 256D.1, subsection 1,
6 paragraph b, subparagraph (1), Code Supplement 1999,
7 is amended to read as follows:

8 (1) A school district shall at a minimum
9 biannually inform parents of their individual child's
10 performance on the diagnostic assessments in
11 kindergarten through grade three. If intervention is
12 appropriate, the school district shall inform provide
13 written notice to the parents of the actions the
14 school district intends to take to improve the child's
15 reading skills and provide the parents with strategies
16 to enable the parents to improve their child's skills.
17 If a school district determines that a child is
18 failing to adequately master the school district's
19 reading curriculum, the school district shall
20 establish a compact with the parent of the child which
21 shall include a requirement that the parent meet face-
22 to-face with the child's teacher. However, if the
23 teacher makes a good faith effort to meet face-to-face
24 with the parent but the effort is unsuccessful, the
25 teacher and the school district have no further
26 obligation with respect to face-to-face intervention
27 strategies under this subparagraph. The board-of
28 directors-of-each-school-district-shall-adopt-a policy
29 indicating adopted pursuant to section 256D.1A shall
30 indicate the methods the school district will use to
31 inform parents of their individual child's
32 performance.

33 Sec. 2. NEW SECTION. 256D.1A STUDENT PROMOTION
34 POLICY -- KINDERGARTEN THROUGH GRADE THREE.

35 1. The board of directors of each school district
36 shall adopt a school promotion policy that facilitates
37 collaborations among teachers, parents of the
38 students, and the school district to support student
39 reading proficiency. The student promotion policy
40 adopted shall include, but shall not be limited to,
41 the provisions set forth in this section. By the
42 first day of school, the school district shall notify
43 the parents of students in kindergarten through grade
44 three of the district's student promotion policy.

45 2. A parent of a student in kindergarten through
46 grade three shall be notified in writing if the
47 student is failing to adequately master the school
48 district's reading curriculum. Notices shall include
49 a copy of the school district's student promotion
50 policy and shall be sent by mail. Notices shall be

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Page 2

1 written in clear, understandable language. In lieu of
 2 notice by mail, the school district may provide a
 3 written notice required pursuant to this section to a
 4 parent at a parent-teacher conference occurring in the
 5 same week in which a notice would have been required
 6 to be sent by mail pursuant to this section.

7 3. The individualized education program assigned
 8 to a child requiring special education shall determine
 9 whether the child is expected to meet the school
 10 district's student promotion policy, which must be
 11 documented in the student's individualized education
 12 program.

13 Sec. 3. Section 256D.3, Code Supplement 1999, is
 14 amended by adding the following new subsection:

15 NEW SUBSECTION. 4. The director of the department
 16 of education shall conduct a review of school district
 17 student promotion policies, the number of kindergarten
 18 through grade three level students retained or
 19 promoted, and the success of the interventions
 20 implemented by school districts to improve the
 21 students' reading skills. The director shall submit a
 22 report of the findings and recommendations resulting
 23 from the review to the senate and house standing
 24 committees on education and the joint appropriations
 25 subcommittee on education by December 1, 2002, and
 26 biennially thereafter."

27 2. Title page, line 3, by inserting after the
 28 word "for" the following: "kindergarten through".

By COMMITTEE ON EDUCATION
 GRUNDBERG of Polk, Chairperson

Adopted 4/6/00 (P. 1338)
 H-8409 FILED MARCH 20, 2000

SENATE FILE 2267

H-8441

1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, line 42, by striking the words "first
 5 day" and inserting the following: "end of the first
 6 week".

By CARROLL of Poweshiek

H-8441 FILED MARCH 21, 2000

adopted 4/6/00 (P. 1338)

SENATE FILE 2267

H-8737

1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 19, by inserting after the word
 5 "curriculum" the following: "in kindergarten through
 6 grade three".

By CARROLL of Poweshiek

H-8737 FILED APRIL 5, 2000

adopted 4-6-00 (p. 1336)

SENATE FILE 2267

H-8743

1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 44, by inserting after the word
 5 "policy." the following: "The school district may
 6 include with this notification a list of suggested
 7 reference materials, such as books, computer programs,
 8 or other study aids, that enable parents to assist the
 9 school district in educating their children during the
 10 school year."

By KREIMAN of Davis

H-8743 FILED APRIL 5, 2000

*Adopted
4-6-00
(p. 1338)*

SENATE FILE 2267

H-8745

1 Amend the amendment, H-8409, to Senate File 2267,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 32 the
 5 following:
 6 "Sec. ____ Section 256D.1, subsection 1, Code
 7 Supplement 1999, is amended by adding the following
 8 new paragraph:
 9 NEW PARAGRAPH. c. ENCOURAGING IOWA FAMILY READING
 10 NIGHT -- INTENT. It is the intent of the general
 11 assembly to encourage each family in Iowa to set aside
 12 Tuesday night, from seven to eight p.m., for reading
 13 by the family. School districts, the department of
 14 education, and the media are encouraged to promote
 15 Iowa family reading night in mailings, on websites,
 16 and in public service announcements, billboards, print
 17 and broadcast media services, and other appropriate
 18 means."
 19 2. By renumbering as necessary.

By WISE of Lee

H-8745 FILED APRIL 5, 2000

*Adopted
4-6-00
(p. 1337)*

**SENATE FILE 2267
FISCAL NOTE**

A fiscal note for Senate File 2267 as amended by H-8409 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2267 as amended by H-8409 requires that a parent of a student in kindergarten through grade three be notified in writing if the student is failing to adequately master the school district's reading curriculum. The notice is required to be sent by mail or provided to a parent at a parent-teacher conference occurring in the same week that a notice would have been required to be sent. The Bill as amended requires school districts to adopt a student promotion policy that facilitates collaborations among teachers, parents of the students, and the school district to support reading proficiency. The Bill as amended also requires the Director of the Department of Education to conduct a review of student promotion policies, the number of students retained or promoted, and the success of the implemented interventions, and to submit a report by December 1, 2002.

ASSUMPTIONS

1. The total number of Iowa students in kindergarten through grade three is estimated at 155,000 students.
2. The actual number of students in kindergarten through grade three who will fail to master the school district's reading curriculum is unknown. The estimate assumes approximately 25.0% (39,000) of the students in kindergarten through grade three will fail to master the school district's reading curriculum and their parents will be notified in writing.
3. All of the required notices will be mailed out with first class postage for a total cost to Iowa school districts of \$13,000 per year.
4. Most school districts already have a formal or informal student promotion policy. The cost for each school district to adopt a student promotion policy cannot be determined, but the cost is expected to be minimal.
5. The cost for the Department of Education to conduct a review and submit a report by December 1, 2002, is expected to be minimal.

FISCAL IMPACT

Senate File 2267 as amended by H-8409 is not anticipated to exceed \$15,000 in FY 2001 or in FY 2002.

SOURCE

Department of Education

(LSB 5097sv.2, PQP)

FILED APRIL 6, 2000

BY DENNIS PROUTY, FISCAL DIRECTOR