

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 949, Page 3, Section 167.450, Line 20,

2 by inserting after "2." the following: "Except as provided for in
3 section 167.735,"; and

4 Further amend said bill and section, page 10, line 13, by
5 inserting after all of said line the following:

6 "167.735. 1. Notwithstanding the provisions of section
7 167.450 to the contrary, beginning July 1, 2019, every public
8 school in the metropolitan school district or in any urban school
9 district containing most or all of a home rule city with more
10 than four hundred thousand inhabitants and located in more than
11 one county, including charter schools, shall incorporate a
12 response-to-intervention tiered approach to reading instruction
13 to focus resources on students who are determined by their school
14 to need additional or changed instruction to make progress as
15 readers. At a minimum, the reading levels of students in
16 kindergarten through tenth grade shall be assessed at the
17 beginning and middle of the school year, and students who score
18 below district benchmarks shall be provided with intensive,
19 systematic reading instruction.

20 2. Beginning January 1, 2019, and every January first
21 thereafter, every public school in the metropolitan school

1 district or in any urban school district containing most or all
2 of a home rule city with more than four hundred thousand
3 inhabitants and located in more than one county, including
4 charter schools, shall prepare a personalized learning plan for
5 any kindergarten or first grade student whose most recent school-
6 wide reading assessment result shows the student is working below
7 grade level unless the student has been determined by other means
8 in the current school year to be working at grade level or above.
9 The provisions of this section shall not apply to students
10 otherwise served under an individualized education program, to
11 students receiving services through a plan prepared under Section
12 504 of the Rehabilitation Act of 1973 that includes an element
13 addressing reading below grade level, or to students determined
14 to have limited English proficiency.

15 3. For any student in a metropolitan school district or in
16 any urban school district containing most or all of a home rule
17 city with more than four hundred thousand inhabitants and located
18 in more than one county that is required by this section to have
19 a personalized learning plan, the student's main teacher shall
20 consult with the student's parent or guardian during the
21 preparation of the plan and shall consult, as appropriate, any
22 district personnel or department of elementary and secondary
23 education personnel with necessary expertise to develop such a
24 plan. The school shall require the written consent of the parent
25 or guardian to implement the plan; however, if the school is
26 unsuccessful in contacting the parent or guardian by January
27 fifteenth, the school may send a letter by certified mail to the
28 student's last known address stating its intention to implement
29 the plan by February first.

1 4. After implementing the personalized learning plan
2 through the end of the student's first grade year, the school
3 shall refer any student who still performs below grade level for
4 assessment to determine if an individualized education program is
5 necessary for the student. A student who is assessed as not
6 needing an individualized education program but who is reading
7 below grade level at the end of the first grade shall continue to
8 be required to have a personalized learning plan until the
9 student is reading at grade level.

10 5. Notwithstanding any provision of law to the contrary,
11 any student in a metropolitan or in any urban school district
12 containing most or all of a home rule city with more than four
13 hundred thousand inhabitants and located in more than one county
14 who is not reading at second-grade level by the end of second
15 grade may be promoted to the third grade only under one of the
16 following circumstances:

17 (1) The school provides additional reading instruction
18 during the summer and demonstrates the student has the abilities
19 and the knowledge to successfully learn in third grade at the end
20 of the summer school;

21 (2) The school provides a combined classroom in which the
22 student continues with the same teacher, sometimes referred to as
23 "looping". If the student in such a classroom is not reading at
24 third-grade level by the end of third grade, the student shall be
25 retained in third grade; or

26 (3) The student's parents or guardians have signed a notice
27 that they prefer to have their student promoted although the
28 student is reading below grade level. The school shall have the
29 final determination on the issue of retention.

1 6. The metropolitan school district, any urban school
2 district containing most or all of a home rule city with more
3 than four hundred thousand inhabitants and located in more than
4 one county, and each charter school located in such districts
5 shall provide in its annual report card under section 160.522 the
6 numbers and percentages by grade from first grade to tenth grade
7 in each school of any students at any grade level who have been
8 promoted who have been determined as reading below grade level,
9 except that no reporting shall permit the identification of an
10 individual student.

11 7. School districts and charter schools under this section
12 may provide for a student promotion and retention program and a
13 reading instruction program that are equivalent to those which
14 are described in this section with the oversight and approval of
15 the department of elementary and secondary education."; and

16 Further amend the title and enacting clause accordingly.