

 KENTUCKY YMCA YOUTH ASSOCIATION KENTUCKY YOUTH ASSEMBLY Premiere Bill	Blue Bill # P8						
	Referred to Committee: Senate 1						
Authors: Hunter Book, Ashlyn Farina, Ally Groves	Action on the Bill						
School: Holy Name of Jesus School							
City: Henderson							
	<table border="0"> <tr> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td style="text-align: center;">____ <input type="checkbox"/> Passed</td> <td style="text-align: center;">____ <input type="checkbox"/> Passed</td> </tr> <tr> <td style="text-align: center;">____ <input type="checkbox"/> Defeated</td> <td style="text-align: center;">____ <input type="checkbox"/> Defeated</td> </tr> </table>	House	Senate	____ <input type="checkbox"/> Passed	____ <input type="checkbox"/> Passed	____ <input type="checkbox"/> Defeated	____ <input type="checkbox"/> Defeated
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1 An act to require disability testing before students are asked to repeat a grade.

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3 **Be it enacted by the Youth Assembly of the Commonwealth of Kentucky**

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5 Section 1: Repeating a grade unnecessarily can cause long-term problems for students. Children who are
6 retained often become associated with issues such as behavioral problems, decreased achievement, and
7 increased drop out rates. Oftentimes, the point of retention is to bring a student "to grade level" by another
8 year of instruction, the same type of instruction. The problem is that often students targeted for retention
9 have undiagnosed learning disabilities. Therefore, offering them the same type of instruction for another
10 year will not bring them to grade level. This is why students who are targeted for retention need to be tested
11 for learning disabilities. It is possible that they do not need retention at all, simply modified instructional
12 plans. Sometimes the brightest children simply learn in a different way from others.

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14 Section 2: Notice of possible retention (repeating a grade) must be given prior to January 1 of the student's
15 current school year.

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17 Section 3: Students shall be engaged in response to intervention (RTI) measures to resolve the learning
18 difficulties. Students who continue to struggle shall be tested by a licensed psychologist or school
19 psychologist within 60 days of receiving notice of possible retention. Results shall be presented to parents in
20 no less than 14 days. It is the responsibility of all stakeholders (parents and school administrators) to hold to
21 this time line. If either party falls negligent in their responsibility, the state board of education will fine (see
22 Section Four) the party in violation of the time line. The testing shall determine the educational needs of the
23 child - whether the need be intervention at grade level (and a continuation of intervention services) or
24 retention of the grade level with or without services. Limited English proficiency is not defined as a disability
25 as it can be repaired with ELL (English Language Learners) instructional services.

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27 Section 4: Fines: First offense \$100.00 Second offense \$250.00 Third offense \$500.00

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29 Section 5: Parents may not refuse to consent to testing. They may, however, consent to refuse services (opt
30 out) if their child is found to have a learning disability (per federal IDEA law).

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32 Section 6: Students defined as "at risk" for retention are as follows: boys, African American/Hispanic, young
33 in age or immature for age, developmental delays, attention/behavioral/emotional problems, ELL, reading
34 deficit, changed schools often, below poverty level, single parent families, live with adults not involved in the
35 educational process.

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37 Section 7: This bill will go into effect July 1, 2015.