A CONCURRENT RESOLUTION directing the State Board of Edu-
cation to monitor the re-authorization of the Elementary and Second-
ary Education Act especially in relation to the provisions of that act
known as the No Child Left Behind Act.

WHEREAS, The No Child Left Behind Act is contained within the
Elementary and Secondary Education Act; and
WHEREAS, The Legislature of the state of Kansas believes that the
mandate of the No Child Left Behind Act has caused undue pressure
and unfair criticism of the school districts, schools, students, teachers and
administrators in Kansas; and
WHEREAS, It is the hope and goal of the Legislature of the state of
Kansas that every student will attain 100% proficiency in their studies,
yet it is the belief of the Legislature that the requirement of 100% pro-
ficiency by all students is statistically impossible to attain; and
WHEREAS, All public schools in Kansas are accredited; and
WHEREAS, Progress has been made in closing achievement gaps; and
WHEREAS, The No Child Left Behind Act applies to all states that
accept federal Title I education funds; and
WHEREAS, The State of Kansas receives federal Title I education
funds and therefor is subject to the requirements of the No Child Left
Behind Act; and
WHEREAS, The federal government, under the No Child Left Be-
hind Act, has created a system under which the state, school districts,
schools, teachers and students are perceived as failing; and
WHEREAS, While significant improvement in student proficiency is
being made in Kansas schools, the No Child Left Behind Act identifies
an entire school as not making adequate yearly progress in improvement
in any school year whether it is the school as a whole or a single subgroup
within that school which fails to make adequate yearly progress; and
WHEREAS, It will be extremely difficult for the subgroup of students
with disabilities to make adequate yearly progress because of significant
educational challenges which adversely affect their capacities to achieve
proficiency in the measured areas; and
WHEREAS, It will be extremely difficult for the subgroup of students with limited English proficiency to make adequate yearly progress in the areas of reading and language arts because those students are required to be tested in English after only one year of school attendance; and

WHEREAS, Once a student has been identified as not being proficient, the No Child Left Behind Act requires schools to help the student to become proficient which may involve tutoring, mentoring, summer school or other costly programs that provide for more instructional time; and

WHEREAS, The Elementary and Secondary Education Act and the No Child Left Behind Act are currently being considered for re-authorization by the United States Congress: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we urge the State Board of Education to advise the Kansas Congressional Delegation as the United States Congress considers the reauthorization of the Elementary and Secondary Education Act and to closely monitor the actions of the United States Congress as it considers the re-authorization of the Elementary and Secondary Education Act especially in relation to the provisions of the No Child Left Behind Act; and

Be it further resolved: That the State Board of Education submit a report to the legislature on the actions of the United States Congress in its re-authorization of the Elementary and Secondary Education Act especially in relation to the provisions of the No Child Left Behind Act; and

Be it further resolved: That the State Board of Education submit a report to the legislature on the effects on the state if the United States Congress fails to re-authorize the Elementary and Secondary Education Act or the provisions of the No Child Left Behind Act; and

Be it further resolved: That the Chief Clerk of the House of Representa-tives provide an enrolled copy of this resolution to the Chairperson of the Kansas State Board of Education.