

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1556
101ST GENERAL ASSEMBLY

3755H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 161.097, 167.268, 167.640, 167.645, and 170.014, RSMo, and to enact in lieu thereof eight new sections relating to educational outcomes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 161.097, 167.268, 167.640, 167.645, and 170.014, RSMo, are
2 repealed and eight new sections enacted in lieu thereof, to be known as sections 161.097,
3 161.214, 161.241, 167.268, 167.640, 167.645, 170.014, and 186.080, to read as follows:

161.097. 1. The state board of education shall establish standards and procedures by
2 which it will evaluate all teacher training institutions in this state for the approval of teacher
3 education programs. The state board of education shall not require teacher training
4 institutions to meet national or regional accreditation as a part of its standards and procedures
5 in making those evaluations, but it may accept such accreditations in lieu of such approval if
6 standards and procedures set thereby are at least as stringent as those set by the board. The
7 state board of education's standards and procedures for evaluating teacher training institutions
8 shall equal or exceed those of national or regional accrediting associations.

9 2. There is hereby established within the department of elementary and secondary
10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as
11 "MABEP". The MABEP shall advise the state board of education and the coordinating board
12 for higher education regarding matters of mutual interest in the area of quality educator
13 preparation programs in Missouri. **The advisory board shall include at least three active**
14 **elementary or secondary classroom teachers and at least three faculty members within**
15 **approved educator preparation programs. The classroom-teacher members shall be**
16 **selected to represent various regions of the state and districts of different sizes. The**
17 **faculty representatives shall represent institutions from various regions of the state and**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **sizes of program. The advisory board shall hold regular meetings that allow members**
19 **to share needs and concerns and plan strategies to enhance teacher preparation.**

20 3. Upon approval by the state board of education of the teacher education program at
21 a particular teacher training institution, any person who graduates from that program, and
22 who meets other requirements which the state board of education shall prescribe by rule,
23 regulation and statute shall be granted a certificate or license to teach in the public schools of
24 this state. However, no such rule or regulation shall require that the program from which the
25 person graduates be accredited by any national or regional accreditation association.

26 4. **The state board of education shall, in consultation with MABEP, align literacy**
27 **and reading instruction coursework for teacher education programs in early childhood,**
28 **kindergarten to fifth grade elementary teacher certification, middle school**
29 **communication arts, high school communication arts, and all reading and special**
30 **education certificates to include the following:**

31 (1) **Teacher candidates shall receive classroom and clinical training in:**

32 (a) **The core components of reading, including phonemic awareness, phonics,**
33 **fluency, comprehension, morphology, syntax, and vocabulary;**

34 (b) **Oral and written language development; and**

35 (c) **Identification of reading deficiencies, dyslexia, and other language**
36 **difficulties;**

37 (2) **Teacher candidates shall also have training on:**

38 (a) **The selection and use of reading curricula and instructional materials;**

39 (b) **The administration and interpretation of assessments;**

40 (c) **How to translate assessment results into effective practice in the classroom**
41 **specific to the needs of students; and**

42 (d) **Additional best practices in the field of literacy instruction as recommended**
43 **by the literacy advisory council under section 186.080.**

44 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is
45 created under the authority delegated in this section shall become effective only if it complies
46 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
47 This section and chapter 536 are nonseverable and if any of the powers vested with the
48 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
49 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
50 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid
51 and void.

161.214. 1. For purposes of this section, the following terms shall mean:

2 (1) **"Board", the state board of education;**

3 (2) **"Department", the department of elementary and secondary education;**

4 **(3) "School innovation team", a group of natural persons officially authorized**
5 **by:**

6 **(a) A single elementary or secondary school;**

7 **(b) A group of two or more elementary or secondary schools within the same**
8 **school district that share common interests, such as geographical location or educational**
9 **focus, or that sequentially serve classes of students as they progress through elementary**
10 **and secondary education;**

11 **(c) A group of two or more elementary or secondary schools not within the same**
12 **school district that share common interests, such as geographical location or educational**
13 **focus, or that sequentially serve classes of students as they progress through elementary**
14 **and secondary education;**

15 **(d) A single school district; or**

16 **(e) A group of two or more school districts that share common interests, such as**
17 **geographical location or educational focus, or that sequentially serve classes of students**
18 **as they progress through elementary and secondary education;**

19 **(4) "School innovation waiver", a waiver granted by the board to a single school,**
20 **group of schools, single school district, or group of school districts under this section in**
21 **which the school, group of schools, school district, or group of school districts is exempt**
22 **from a specific requirement imposed by chapter 160, 161, 162, 167, 170, or 171 or any**
23 **regulations promulgated thereunder by the board or the department. Any school**
24 **innovation waiver granted to a school district or group of school districts shall be**
25 **applicable to every elementary and secondary school within the school district or group**
26 **of school districts unless the plan specifically provides otherwise.**

27 **2. Any school innovation team seeking a school innovation waiver may submit a**
28 **plan to the board for one or more of the following purposes:**

29 **(1) Improving student readiness for employment, higher education, vocational**
30 **training, technical training, or any other form of career and job training;**

31 **(2) Increasing the compensation of teachers; or**

32 **(3) Improving the recruitment, retention, training, preparation, or professional**
33 **development of teachers.**

34 **3. Any plan for a school innovation waiver shall:**

35 **(1) Identify the specific provision of law for which a waiver is being requested**
36 **and provide an explanation for why the specific provision of law inhibits the ability of**
37 **the school or school district to accomplish the goal stated in the plan;**

38 **(2) Demonstrate that the intent of the specific provision of law can be addressed**
39 **in a more effective, efficient, or economical manner and that the waiver or modification**
40 **is necessary to implement the plan;**

41 **(3) Include measurable annual performance targets and goals for the**
42 **implementation of the plan;**

43 **(4) Specify the innovations to be pursued in meeting one or more of the goals**
44 **listed in subsection 2 of this section;**

45 **(5) Demonstrate parental, school employee, and community and business**
46 **support for, and engagement with, the plan; and**

47 **(6) Be approved by at least the minimum number of people required to be on the**
48 **school innovation team prior to submitting the plan for approval.**

49 **4. (1) In evaluating a plan submitted by a school innovation team under**
50 **subsection 2 of this section, the board shall consider whether the plan will:**

51 **(a) Improve the preparation, counseling, and overall readiness of students for**
52 **postsecondary life;**

53 **(b) Increase teacher salaries in a financially sustainable and prudent manner; or**

54 **(c) Increase the attractiveness of the teaching profession for prospective teachers**
55 **and active teachers alike.**

56 **(2) The board may approve any plan submitted under subsection 2 of this**
57 **section if it determines that:**

58 **(a) The plan successfully demonstrates the ability to address the intent of the**
59 **provision of law to be waived in a more effective, efficient, or economical manner;**

60 **(b) The waivers or modifications are demonstrated to be necessary to stimulate**
61 **improved student readiness for postsecondary life, increase teacher salaries, or increase**
62 **the attractiveness of the teaching profession for prospective teachers and active**
63 **teachers;**

64 **(c) The plan has demonstrated sufficient participation from among the teachers,**
65 **principals, superintendent, faculty, school board, parents, and the community at large;**
66 **and**

67 **(d) The plan is based upon sound educational practices, does not endanger the**
68 **health and safety of students or staff, and does not compromise equal opportunity for**
69 **learning.**

70 **(3) The board may propose modifications to the plan in cooperation with the**
71 **school innovation team.**

72 **5. Any waiver granted under this section shall be effective for a period of no**
73 **longer than three school years beginning the school year following the school year in**
74 **which the waiver is approved. Any waiver may be renewed. No more than one school**
75 **innovation waiver shall be in effect with respect to any one elementary or secondary**
76 **school at one time.**

77 **6. This section shall not be construed to allow the state board of education to**
78 **authorize the waiver of any statutory requirements relating to teacher certification,**
79 **teacher tenure, or any requirement imposed by federal law.**

80 **7. The board may promulgate rules implementing the provisions of this section.**
81 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
82 **under the authority delegated in this section shall become effective only if it complies**
83 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**
84 **536.028. This section and chapter 536 are nonseverable, and if any of the powers vested**
85 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**
86 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
87 **of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall**
88 **be invalid and void.**

161.241. 1. The state board of education, in collaboration with the coordinating
2 **board for higher education and the commissioner's advisory council under section**
3 **186.080, shall develop a plan to establish a comprehensive system of services for reading**
4 **instruction.**

5 **2. The state board of education shall establish and periodically update a**
6 **statewide literacy plan that supports high-quality, evidence-based reading instruction**
7 **for all students.**

8 **3. The state board of education shall create an office of literacy. The**
9 **commissioner of education shall coordinate staff with roles relating to literacy and align**
10 **staff work around supporting best practices in reading instruction.**

11 **4. The state board of education shall align literacy and reading instruction**
12 **coursework for teacher education programs as required under subsection 4 of section**
13 **161.097.**

14 **5. Subject to appropriation, the department of elementary and secondary**
15 **education shall recruit and employ quality teacher trainers with expertise in reading**
16 **instruction and provide opportunities for evidence-based professional development in**
17 **reading instruction available for all active teachers.**

18 **6. The department shall maintain and publish data on reading outcomes,**
19 **provided that the report shall not include individually identifiable student data.**

20 **7. The department shall publish criteria and examples to help districts and**
21 **schools select and use evidence-based reading curricula and instructional materials.**
22 **Additionally, the department shall publish a list of curricula that ensure instruction is**
23 **explicit, systematic, diagnostic, and based on phonological awareness, phonics, fluency,**
24 **vocabulary, comprehension, morphology, syntax, and semantics. This shall be a**
25 **resource to districts.**

26 **8. The department shall provide online tools and training for active teachers on**
27 **evidence-based reading instruction.**

28 **9. (1) There is hereby created in the state treasury the "Evidence-based Reading**
29 **Instruction Program Fund". The fund shall be administered by the department and**
30 **used to reimburse school districts and charter schools for efforts to improve student**
31 **literacy including, but not limited to: initiatives that provide optional training and**
32 **materials to teachers regarding best practices in reading pedagogies; resources for**
33 **parents and guardians to assist them in teaching their children to read; funding for**
34 **reading tutoring programs outside of regular school hours; stipends for teachers who**
35 **undergo additional training in reading instruction, which may also count toward**
36 **professional development requirements; and funding for summer reading programs.**
37 **The fund shall consist of moneys appropriated annually by the general assembly from**
38 **general revenue to such fund, any moneys paid into the state treasury and required by**
39 **law to be credited to such fund, and any gifts, bequests, or donations to such fund. The**
40 **state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**
41 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated**
42 **fund and, upon appropriation, moneys in this fund shall be used solely as provided in**
43 **this section. The fund shall be kept separate and apart from all other moneys in the**
44 **state treasury.**

45 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
46 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
47 **general revenue fund.**

48 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
49 **other funds are invested. Any interest and moneys earned on such investments shall be**
50 **credited to the fund.**

167.268. 1. Each ~~local~~ school district **and charter school** shall have on file a policy
2 for reading ~~intervention~~ **success plans** ~~[for any pupils of the district in grades kindergarten~~
3 ~~through three pursuant to the provisions of this section. Such plans shall identify strategies to~~
4 ~~be followed by the district teachers to raise a pupil identified as reading below grade level by~~
5 ~~recognized methods to reading at grade level by the end of the third grade. Recognized~~
6 ~~methods of identification may include but need not be limited to the scores of the pupil~~
7 ~~obtained through any established standardized testing program currently administered by the~~
8 ~~district, observations of classroom teachers, and documented classroom performance]~~. Each
9 school district and charter school shall provide all parents and guardians of students,
10 including parents of students who are identified as having a substantial deficiency in
11 reading under subsection 1 of section 167.645, with a plan that includes suggestions for
12 regular parent-guided home reading.

13 2. ~~[The state board of education]~~ **The department of elementary and secondary**
14 **education** shall develop guidelines to assist districts **and charter schools** in formulating
15 policies for reading ~~[intervention]~~ **success** plans. Such guidelines may include, but are not
16 limited to, **measures of reading proficiency, strategies for addressing reading**
17 **deficiencies**, timelines for measuring pupil improvement in reading, **and** information on
18 screening ~~[for and treatment]~~ of ~~[auditory]~~ dyslexia~~[-, and information on the Lindamood~~
19 ~~Auditory Conceptualization Test and the Auditory Discrimination in Depth Program]~~. Such
20 guidelines may also identify performance levels for pupils identified as handicapped or
21 severely handicapped and conditions under which such pupils ~~[are]~~ **may be** exempt from the
22 provisions of this section **and section 167.645**.

23 3. ~~[Each local school district enrolling a pupil identified as reading below grade level~~
24 ~~shall develop an individual plan of reading intervention for such pupil. The individual pupil's~~
25 ~~plan may include individual or group reading development activities. The plan may be~~
26 ~~developed after consultation with the pupil's parent or legal guardian]~~ **Each school district**
27 **and charter school shall provide intensive reading instruction to students as provided in**
28 **section 167.645**.

167.640. 1. School districts ~~[may]~~ **shall** adopt a policy with regard to student
2 promotion which may require remediation as a condition of promotion to the next grade level
3 for any student identified by the district as failing to master skills and competencies
4 established for that particular grade level by the district board of education. School districts
5 may also require parents or guardians of such students to commit to conduct home-based
6 tutorial activities with their children or, in the case of a student with disabilities eligible for
7 services pursuant to sections 162.670 to 162.1000, the individual education plan shall
8 determine the nature of parental involvement consistent with the requirements for a free,
9 appropriate public education.

10 2. Such remediation shall recognize that different students learn differently and shall
11 employ methods designed to help these students achieve at high levels. Such remediation
12 may include, but shall not necessarily be limited to, a mandatory summer school program
13 focused on the areas of deficiency or other such activities conducted by the school district
14 outside of the regular school day. Decisions concerning the instruction of a child who
15 receives special educational services pursuant to sections 162.670 to 162.1000 shall be made
16 in accordance with the child's individualized education plan.

17 3. School districts providing remediation pursuant to this section **or section 167.245**
18 outside of the traditional school day may count extra hours of instruction in the calculation of
19 average daily attendance as defined in section 163.011.

167.645. ~~[1. For purposes of this section, the following terms mean:~~

2 ~~(1) "Reading assessment", a recognized method of judging a student's reading ability,~~
3 ~~with results expressed as reading at a particular grade level. The term reading assessment~~
4 ~~shall include, but is not limited to, standard checklists designed for use as a student reads out~~
5 ~~loud, paper and pencil tests promulgated by nationally recognized organizations and other~~
6 ~~recognized methods of determining a student's reading accuracy, expression, fluency and~~
7 ~~comprehension in order to make a determination of the student's grade level reading ability.~~
8 ~~Assessments which do not give a grade level result may be used in combination with other~~
9 ~~assessments to reach a grade level determination. Districts are encouraged but not required to~~
10 ~~select assessment methods identified pursuant to section 167.346. Districts are also~~
11 ~~encouraged to use multiple methods of assessment;~~

12 ~~(2) "Summer school", for reading instruction purposes, a minimum of forty hours of~~
13 ~~reading instruction and practice. A school district may arrange the hours and days of~~
14 ~~instruction to coordinate with its regular program of summer school.~~

15 ~~2. For purposes of this section, methods of reading assessment shall be determined by~~
16 ~~each school district. Unless a student has been determined in the current school year to be~~
17 ~~reading at grade level or above, each school district shall administer a reading assessment or~~
18 ~~set of assessments to each student within forty five days of the end of the third grade year,~~
19 ~~except that the provisions of this subsection shall not apply to students receiving special~~
20 ~~education services under an individualized education plan pursuant to sections 162.670 to~~
21 ~~162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of~~
22 ~~1973 whose services plan includes an element addressing reading or to students determined to~~
23 ~~have limited English proficiency or to students who have been determined, prior to the~~
24 ~~beginning of any school year, to have a cognitive ability insufficient to meet the reading~~
25 ~~requirement set out in this section, provided that districts shall provide reading improvement~~
26 ~~plans for students determined to have such insufficient cognitive ability. The assessment~~
27 ~~required by this subsection shall also be required for students who enter a school district in~~
28 ~~grades four, five or six unless such student has been determined in the current school year to~~
29 ~~be reading at grade level or above.~~

30 ~~3. Beginning with school year 2002-03, for each student whose third grade reading~~
31 ~~assessment determines that such student is reading below second grade level, the school~~
32 ~~district shall design a reading improvement plan for the student's fourth grade year. Such~~
33 ~~reading improvement plan shall include, at a minimum, thirty hours of additional reading~~
34 ~~instruction or practice outside the regular school day during the fourth grade year. The school~~
35 ~~district shall determine the method of reading instruction necessary to enforce this subsection.~~
36 ~~The school district may also require the student to attend summer school for reading~~
37 ~~instruction as a condition of promotion to fourth grade. The department of elementary and~~
38 ~~secondary education may, from funds appropriated for the purpose, reimburse school districts~~

39 for additional instructional personnel costs incurred in the implementation and execution of
40 the thirty hours of additional reading instruction minus the revenue generated by the school
41 district through the foundation formula for the additional reading instruction average daily
42 attendance.

43 ~~4. Each student for whom a reading improvement plan has been designed pursuant to~~
44 ~~subsection 3 of this section shall be given another reading assessment, to be administered~~
45 ~~within forty five days of the end of such student's fourth grade year. If such student is~~
46 ~~determined to be reading below third grade level, the student shall be required to attend~~
47 ~~summer school to receive reading instruction. At the end of such summer school instruction,~~
48 ~~such student shall be given another reading assessment. If such student is determined to be~~
49 ~~reading below third grade level, the district shall notify the student's parents or guardians, and~~
50 ~~the student shall not be promoted to fifth grade. No student shall be denied promotion more~~
51 ~~than once solely for inability to meet the reading standards set out in this section.~~

52 ~~5. The process described in subsections 3 and 4 of this section shall be repeated as~~
53 ~~necessary through the end of the sixth grade, with the target grade level rising accordingly.~~
54 ~~Mandatory retention in grade shall not apply to grades subsequent to fourth grade.~~

55 ~~6. The mandatory process of additional reading instruction pursuant to this section~~
56 ~~shall cease at the end of the sixth grade. The permanent record of students who are~~
57 ~~determined to be reading below the fifth grade level at the end of sixth grade shall carry a~~
58 ~~notation advising that such student has not met minimal reading standards. The notation shall~~
59 ~~stay on the student's record until such time as the district determines that a student has met~~
60 ~~minimal reading standards.~~

61 ~~7. Each school district shall be required to offer summer school reading instruction to~~
62 ~~any student with a reading improvement plan. Districts may fulfill the requirement of this~~
63 ~~section through cooperative arrangements with neighboring districts; provided that such~~
64 ~~districts shall timely make all payments provided pursuant to such cooperative agreements.~~

65 ~~8. A school district may adopt a policy that requires retention in grade of any student~~
66 ~~who has been determined to require summer school instruction in reading and who does not~~
67 ~~fulfill the summer school attendance requirement.~~

68 ~~9. Nothing in this section shall preclude a school district from retaining any student in~~
69 ~~grade when a determination is made in accordance with district policy that retention is in the~~
70 ~~best interests of the student.~~

71 ~~10. The state board of education shall not incorporate information about the number~~
72 ~~of students receiving additional instruction pursuant to this section into any element of any~~
73 ~~standard of the Missouri school improvement program or its successor accreditation program;~~
74 ~~provided, however, each district shall make available, upon the request of any parent, patron,~~
75 ~~or media outlet within the district, the number and percentage of students receiving~~

76 remediation pursuant to this section. The information shall be presented in a way that does
77 not permit personal identification of any student or educational personnel.

78 ~~11. Each school district shall make a systematic effort to inform parents of the~~
79 ~~methods and materials used to teach reading in kindergarten through fourth grade, in terms~~
80 ~~understandable to a layperson and shall similarly inform parents of students for whom a~~
81 ~~reading improvement plan is required pursuant to this section.]~~

82 **1. (1) Each school district and charter school shall assess all students enrolled in**
83 **kindergarten through grade three at the beginning and end of each school year for their**
84 **level of reading or reading readiness on state-approved reading assessments.**
85 **Additionally, all school districts and charter schools shall assess any newly enrolled**
86 **student in grades one through five for their level of reading or reading readiness on a**
87 **reading assessment from the state-approved list. At the beginning of the school year,**
88 **each school district and charter school shall provide a reading success plan to any**
89 **student who:**

90 **(a) Exhibits a substantial deficiency in reading that creates a barrier to the**
91 **child's progress in learning to read. The identification of such deficiency may be based**
92 **upon the most recent assessments or teacher observation; or**

93 **(b) Has been identified as being at risk of dyslexia in the statewide dyslexia**
94 **screening or has a formal diagnosis of dyslexia.**

95 **(2) For the purposes of this section, a substantial reading deficiency shall refer to**
96 **a student who is one or more grade level or levels behind in reading or reading**
97 **readiness; provided that nothing in this section shall be interpreted to prevent a school**
98 **district or charter school from offering a reading success plan to any student based on**
99 **an assessment completed at the start and end of the school year or teacher observation.**
100 **For any student entering the school district or charter school after the start of the school**
101 **year, such student shall be provided a reading success plan in the event the student has**
102 **been identified as having a substantial reading deficiency based on the student's most**
103 **recent assessment or otherwise being identified through teacher observation. The**
104 **student's reading proficiency shall be reassessed by reading assessments on the state-**
105 **approved list. The student shall continue to be provided with intensive reading**
106 **instruction under a reading success plan until the reading deficiency is remedied.**

107 **2. The district or charter school shall notify the parent or guardian of any**
108 **student in kindergarten through grade three who exhibits a substantial deficiency in**
109 **reading, as described in subsection 1 of this section, at least annually in writing, and in**
110 **an appropriate, alternative manner for the parent or other guardian if necessary, of the**
111 **following:**

112 **(1) That the child has been identified as having a substantial deficiency in**
113 **reading;**

114 **(2) A description of the services currently provided to the child;**

115 **(3) A description of the proposed supplemental instructional services and**
116 **supports that the school district will provide to the child that are designed to remediate**
117 **the identified area of reading deficiency. For students identified being at risk of dyslexia**
118 **or those that have a diagnosis of dyslexia, the district shall provide an explanation that**
119 **the instruction that will be used to teach the child reading shall be explicit, systematic,**
120 **and diagnostic and based on phonological awareness, phonics, fluency, vocabulary,**
121 **comprehension, morphology, syntax, and semantics; and**

122 **(4) Strategies for parents and guardians to use in helping the child succeed in**
123 **reading proficiency including, but not limited to, the promotion of parent-guided home**
124 **reading.**

125 **3. If the school district or charter school provides a summer reading program**
126 **under this section, the district or charter school shall notify the parent or guardian of**
127 **each student who exhibits a substantial deficiency in reading of the opportunity to**
128 **attend the summer reading program.**

129 **4. If a student has a substantial reading deficiency at the end of third grade, the**
130 **student's parent or guardian and appropriate school staff shall discuss whether the**
131 **student should be retained in grade level, based on a consideration of all relevant factors**
132 **including, but not limited to, the reading deficiency, the student's progress in other**
133 **subject areas, and the student's overall intellectual, physical, emotional, and social**
134 **development. A decision to promote or retain a student with a substantial reading**
135 **deficiency at the end of grade three shall be made only after direct personal consultation**
136 **with the student's parent or guardian and after the formulation of a specific plan of**
137 **action to remedy the student's reading deficiency.**

138 **5. Each school district or charter school shall do all of the following:**

139 **(1) Provide students who are identified as having a substantial deficiency in**
140 **reading under subsection 1 of this section, have been identified as being at risk of**
141 **dyslexia in the statewide dyslexia screening, or have a formal diagnosis of dyslexia with**
142 **intensive instructional services and supports specified in a reading success plan, as**
143 **appropriate according to student need, free of charge, to remediate the identified areas**
144 **of reading deficiency including, but not limited to, additional scientific, evidence-based**
145 **reading instruction and other strategies prescribed by the school district or charter**
146 **school, which may include, but are not limited to, the following:**

147 **(a) Small group or individual instruction;**

148 **(b) Reduced teacher-student ratios;**

- 149 (c) More frequent progress monitoring;
- 150 (d) Tutoring or mentoring;
- 151 (e) Extended school day, week, or year; and
- 152 (f) Summer reading programs;
- 153 (2) For any student with a formal diagnosis of dyslexia or for a student who was
154 found to be at risk of dyslexia in the statewide dyslexia screening, the school district or
155 charter school shall provide evidence-based reading instruction that addresses
156 phonology, sound-symbol association, syllable instruction, morphology, syntax, and
157 semantics provided through systematic, cumulative, explicit, and diagnostic methods;
- 158 (3) At regular intervals, but not less than four times per year in a manner that
159 reflects progress through each school term, notify the parent or guardian of academic
160 and other progress being made by the student and give the parent or guardian other
161 useful information; and
- 162 (4) In addition to required reading enhancement and acceleration strategies,
163 provide all parents of students, including parents of students who are identified as
164 having a substantial deficiency in reading under subsection 1 of this section, with a plan
165 that includes suggestions for regular parent-guided home reading.
- 166 6. Each school district and charter school shall ensure that intensive reading
167 instruction through a reading development initiative shall be provided to each
168 kindergarten through grade five student who is assessed as exhibiting a substantial
169 deficiency in reading. In addition to the requirements otherwise provided, such
170 instruction shall also comply with all of the following criteria:
- 171 (1) Be provided to all kindergarten through grade five students who exhibit a
172 substantial deficiency in reading under this section. The assessment initiative shall
173 measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;
- 174 (2) Be provided during regular school hours; and
- 175 (3) Provide a reading curriculum that meets the requirements of section 170.014
176 and at a minimum has the following specifications:
- 177 (a) Assists students assessed as exhibiting a substantial deficiency in reading to
178 develop the skills to read at grade level;
- 179 (b) Provides skill development in phonemic awareness, phonics, fluency,
180 vocabulary, and comprehension;
- 181 (c) Includes a scientifically based and reliable assessment;
- 182 (d) Provides initial and ongoing analysis of each student's reading progress; and
- 183 (e) Provides a curriculum in core academic subjects to assist the student in
184 maintaining or meeting proficiency levels for the appropriate grade in all academic
185 subjects.

186 7. School districts shall report to the department the specific intensive reading
187 interventions and supports implemented by the school district or charter school
188 pursuant to this section as well as the reading assessment data collected for
189 kindergarten to grade five. The department shall annually prescribe the components
190 of required or requested reports.

191 8. (1) Each school district and charter school shall address reading proficiency
192 as part of its comprehensive school improvement plan, drawing upon information about
193 children from assessments conducted under subsection 1 and the prevalence of
194 deficiencies identified by classroom, elementary school, and other student
195 characteristics. As part of its comprehensive school improvement plan or contract,
196 each school district or charter school shall review chronic early elementary absenteeism
197 for its impact on literacy development. If more than fifteen percent of an attendance
198 center's students are not at grade level in reading by the end of third grade, the
199 comprehensive school improvement plan or contract shall include strategies to reduce
200 that percentage including, but not limited to, school and community strategies to raise
201 the percentage of students who are proficient in reading.

202 (2) Each school district and charter school shall provide professional
203 development services to enhance the skills of elementary teachers in responding to
204 children's unique reading issues and needs and to increase the use of evidence-based
205 strategies.

170.014. 1. This section shall be known as the "Reading Instruction Act" and is
2 enacted to ensure that all public schools establish reading programs in kindergarten through
3 grade ~~three~~ five based in scientific research. "Evidence-based reading instruction"
4 includes practices that have been proven effective through evaluation of the outcomes
5 for large numbers of students and are highly likely to be effective in improving reading
6 if implemented with fidelity. Such programs shall include the essential components of
7 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and all new teachers
8 who teach reading in kindergarten through grade three shall receive adequate training in these
9 areas.

10 2. ~~[The program described in subsection 1 of this section may include "explicit~~
11 ~~systematic phonics", which, for the purposes of this section, shall mean the methodology of~~
12 ~~pronouncing and reading words by learning the phonetic sound association of individual~~
13 ~~letters, letter groups, and syllables, and the principles governing these associations.~~

14 ~~3.]~~ Every public school in the state shall offer a reading program as described in
15 subsection 1 of this section for kindergarten through grade ~~three~~ five.

186.080. 1. The commissioner of education shall establish a literacy advisory
2 council. The council shall consist of not more than twenty members, appointed by the

3 commissioner, and shall include members representing the following stakeholder
4 groups:

- 5 (1) School boards;
 - 6 (2) Charter schools;
 - 7 (3) School superintendents;
 - 8 (4) Elementary and secondary building principals;
 - 9 (5) At least three teachers, including at least two teachers with expertise in
10 reading instruction;
 - 11 (6) At least two special education educators;
 - 12 (7) At least two parents of elementary and secondary school-age pupils who have
13 struggled with literacy proficiency;
 - 14 (8) At least two community members who have struggled with literacy
15 proficiency or supported others who have struggled with literacy proficiency, at least
16 one of whom shall be a high school student;
 - 17 (9) One member from a dyslexia advocacy group;
 - 18 (10) Faculty members of institutions of higher education with approved teacher
19 preparation programs;
 - 20 (11) Professionals with expertise in reading instruction, reading interventions,
21 and how students learn to read, including one certified academic language therapist;
22 and
 - 23 (12) Professionals with expertise in educational assessment data analysis.
- 24 2. The council shall meet at least twice per year to review best practices in
25 literacy instruction and related policy provisions. The department shall provide
26 necessary staff and resources for the work of the advisory council.
 - 27 3. The council shall periodically provide recommendations to the commissioner
28 and the state board of education regarding any identified improvements to literacy
29 instruction and policy for students. The recommendations may include
30 recommendations for changes to state law, and the commissioner shall furnish any
31 such recommendations to the joint committee on education.
 - 32 4. The council recommendations shall:
 - 33 (1) Advise the department of elementary and secondary education on how to
34 implement and maintain the statewide literacy plan required under section 161.241 and
35 advise the department, school districts, and charter schools on ways to inform and
36 engage parents and other community members about the literacy plan;
 - 37 (2) Provide advice as to what services the department should provide to school
38 districts and charter schools to support implementation of the plan and on staffing levels

39 **and resources needed at the department to support the statewide effort to improve**
40 **literacy;**

41 **(3) Provide advice regarding the statewide plan for collecting literacy-related**
42 **data that informs:**

43 **(a) Literacy instructional practices;**

44 **(b) Teacher professional development in the field of literacy;**

45 **(c) What proficiencies and skills should be measured through literacy**
46 **assessments and how those assessments are incorporated into local assessment plans;**
47 **and**

48 **(d) How to identify school progress in achieving literacy outcomes, including**
49 **closing literacy gaps for students from historically underserved populations;**

50 **(4) Recommend best practices for tiered literacy instruction within a multi-**
51 **tiered system of supports to best improve and sustain literacy proficiency;**

52 **(5) Review literacy assessments and outcomes and provide ongoing advice as to**
53 **how to continuously improve those outcomes and sustain improvement; and**

54 **(6) Provide a means for members of the public to provide input and ask**
55 **questions concerning literacy issues.**

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