

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 579

6 By: Stanislawski

7 [school calendar - length of the school year -
8 extended-day schedule - alternative school hours
9 policy - effective date]
10

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as
13 last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp.
14 2018, Section 1-109), is amended to read as follows:

15 Section 1-109. A. For all public schools in Oklahoma, school
16 shall actually be in session and classroom instruction offered:

17 1. For not less than one hundred eighty (180) days; or

18 2. For not less than ~~one thousand eighty (1,080) hours~~ one
19 thousand one hundred forty (1,140) hours with a minimum of one
20 hundred fifty-five (155) days of instruction each school year, if a
21 district board of education adopts a school-hours policy and
22 notifies the State Board of Education prior to October 15 of the
23 applicable school year.
24

1 B. A school district may not count more than thirty (30) hours
2 each school year that are used for attendance of professional
3 meetings toward the one hundred eighty (180) days or ~~one thousand~~
4 ~~eighty (1,080) hours~~ one thousand one hundred forty (1,140) hours of
5 classroom instruction time required in subsection A of this section.

6 C. Teachers off contract with an employing district shall not
7 be required by the employing school district to attend professional
8 meetings unless the teacher is paid additional compensation for the
9 additional time. Teachers may be paid additional compensation for
10 attending professional meetings in excess of their contract term.
11 Subject to district board of education policy or collective
12 bargaining agreement, additional paid professional days may be
13 granted for individual teachers to attend or participate in
14 professional meetings, staff development training, or National Board
15 certification portfolio development as provided for in Section 6-
16 204.2 of this title.

17 D. A school district may authorize parent-teacher conferences
18 to be held during a regular school day. If authorized by the school
19 district, parent-teacher conferences shall be counted as classroom
20 instruction time for no more than six (6) hours per semester, for a
21 total of twelve (12) hours per school year.

22 E. A school district may maintain school for less than a full
23 school year only when conditions beyond the control of school
24 authorities make the maintenance of the term impossible and the

1 State Board of Education has been apprised and has expressed
2 concurrence in writing.

3 F. The State Board of Education shall establish criteria for an
4 extended-day schedule for schools subject to paragraph 1 of
5 subsection A of this section. The criteria shall:

6 1. Prescribe a lengthened school day within limits determined
7 not to be detrimental to quality instruction;

8 2. Ensure that the schedule is equivalent in annual hours of
9 instruction to the one-hundred-eighty-day school year specified in
10 paragraph 1 of subsection A of this section; and

11 3. Be consistent with the provisions of this section and
12 Sections 1-111 and 1-112 of this title, ~~but may result in fewer~~
13 ~~annual days of instruction.~~

14 G. Notwithstanding the provisions of subsection F of this
15 section, a school district board of education subject to paragraph 1
16 of subsection A of this section may adopt and implement an extended-
17 day schedule subject to the following requirements:

18 1. The annual number of hours of instruction shall equal or
19 exceed ~~one thousand eighty (1,080) hours, which is the equivalent of~~
20 ~~one hundred eighty (180) days of instruction as specified in~~
21 paragraph 1 of subsection A of this section for six (6) hours each
22 day as specified in Section 1-111 of this title;

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1 2. The annual number of days of instruction shall equal or
2 exceed one hundred eighty (180) days as specified in paragraph 1 of
3 subsection A of this section;

4 3. The schedule adopted shall be consistent with the provisions
5 of Sections 1-111 and 1-112 of this title, except that for not more
6 than one (1) day per week, a school day shall consist of not less
7 than five (5) hours devoted to academic instruction in a regular
8 classroom setting;

9 4. The district shall hold a public hearing prior to the
10 adoption of an extended-day schedule authorized pursuant to this
11 subsection; and

12 5. The district shall document the impact on student
13 achievement as determined by the academic performance data score and
14 any other relevant factors that are a result of implementation of an
15 extended-day schedule authorized pursuant to this subsection and
16 provide an annual report to the State Board of Education of the
17 results. If improvement in student achievement cannot be documented
18 in the report, the district board of education shall revoke
19 authorization as provided by this subsection. If the district does
20 not revoke authorization after student achievement is not documented
21 in the report, the State Board of Education may deny accreditation
22 of any school in violation of this subsection.

23 ~~H. If subject to paragraph 2 of subsection A of this section, a~~
24 A district board of education or designee may elect to close a

1 school during the school day for inclement weather purposes. In
2 such an event, the number of hours incurred in classroom instruction
3 time prior to school closure shall be counted toward the ~~one~~
4 ~~thousand eighty (1,080) hours~~ one hundred eighty (180) days or one
5 thousand one hundred forty (1,140) hours per year requirement.

6 I. Nothing in this section shall be construed as affecting the
7 right of an employing school district to require teachers as defined
8 in Section 6-101.3 of this title to work in excess of the ~~one~~
9 ~~thousand eighty (1,080) hours~~ one hundred eighty (180) days or one
10 thousand one hundred forty (1,140) hours required for student
11 instruction. In addition, nothing in this section shall be
12 construed to affect the Fair Labor Standards Act status of any
13 school district employee.

14 J. The provisions of this section shall not prohibit the
15 Oklahoma School for the Blind or the Oklahoma School for the Deaf
16 from adopting an alternative school hours policy if the Oklahoma
17 School for the Blind or the Oklahoma School for the Deaf notifies
18 and receives approval from the State Board of Education prior to
19 October 15 of the applicable school year.

20 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1-111, as
21 last amended by Section 1, Chapter 135, O.S.L. 2016 (70 O.S. Supp.
22 2018, Section 1-111), is amended to read as follows:

23 Section 1-111. A. Except as otherwise provided for by law, a
24 school day shall consist of not less than six (6) hours devoted to

1 school activities. A district board of education may elect to
2 extend the length of one (1) or more school days to more than six
3 (6) hours ~~and reduce the number of school days~~ as long as the total
4 amount of classroom instruction time is not less than ~~one thousand~~
5 ~~eighty (1,080) hours~~ one hundred eighty (180) days or one thousand
6 one hundred forty (1,140) hours per year as required pursuant to
7 Section 1-109 of this title.

8 B. A school day for nursery, early childhood education,
9 kindergarten, and alternative education programs shall be as
10 otherwise defined by law or as defined by the State Board of
11 Education. Except as otherwise provided for in this subsection, not
12 more than one (1) school day shall be counted for attendance
13 purposes in any twenty-four-hour period. Two (2) school days, each
14 consisting of not less than six (6) hours, may be counted for
15 attendance purposes in any twenty-four-hour period only if one of
16 the school days is for the purpose of parent-teacher conferences
17 held as provided for in Section 1-109 of this title.

18 C. Students absent from school in which they are regularly
19 enrolled may be considered as being in attendance if the reason for
20 such absence is to participate in scheduled school activities under
21 the direction and supervision of a regular member of the faculty or
22 to participate in an online course approved by the district board of
23 education. The State Board of Education shall adopt rules to
24 provide for the implementation of supplemental online courses which

1 shall include, but not be limited to, provisions addressing the
2 following:

3 1. Criteria for student admissions eligibility;

4 2. A student admission process administered through the
5 district of residence, which provides the ability for the student to
6 enroll in individual courses;

7 3. A process by which students are not denied the opportunity
8 to enroll in educationally appropriate courses by school districts.
9 For the purposes of this section, "educationally appropriate" means
10 any instruction that is not substantially a repeat of a course or
11 portion of a course that the student has successfully completed,
12 regardless of the grade of the student, and regardless of whether a
13 course is similar to or identical to the instruction that is
14 currently offered in the school district;

15 4. Creation of a system which provides ongoing enrollment
16 access for students throughout the school year;

17 5. A grace period of fifteen (15) calendar days from the first
18 day of an online course for student withdrawal from an online course
19 without academic penalty;

20 6. Mastery of competencies for course completion rather than
21 Carnegie units;

22 7. Student participation in extracurricular activities in
23 accordance with school district eligibility rules and policies and
24 any rules and policies of a private organization or association

1 which provides the coordination, supervision, and regulation of the
2 interscholastic activities and contests of schools;

3 8. Parent authorization for release of state test results to
4 online course providers, on a form developed by the State Department
5 of Education; and

6 9. A review process to identify and certify online course
7 providers and a uniform payment processing system.

8 D. Each district board of education shall adopt policies and
9 procedures that conform to rules for online courses as adopted by
10 the State Board. Such policies shall include criteria for approval
11 of the course, the appropriateness of the course for a particular
12 student, authorization for full-time students to enroll in online
13 courses, and establishing fees or charges. No district shall be
14 liable for payment of any fees or charges for any online course for
15 a student who has not complied with the district's policies and
16 procedures. School districts shall not deny students the
17 opportunity to enroll in educationally appropriate courses and shall
18 provide an admissions process which includes input from the student,
19 the parent or guardian of the student, and school faculty.

20 E. Districts shall require students enrolled in online courses
21 to participate in the Oklahoma School Testing Program Act. Students
22 participating in online courses from a remote site will be
23 responsible for providing their own equipment and Internet access,
24 unless the district chooses to provide the equipment. Credit may

1 not be granted for such courses except upon approval of the State
2 Board of Education and the district board of education.

3 F. The school day for kindergarten may consist of six (6) hours
4 devoted to school activities.

5 SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.508C,
6 as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S.
7 Supp. 2018, Section 1210.508C), is amended to read as follows:

8 Section 1210.508C. A. 1. Each student enrolled in
9 kindergarten in a public school in this state shall be screened for
10 reading skills including, but not limited to, phonemic awareness,
11 letter recognition, and oral language skills as identified in the
12 subject matter standards adopted by the State Board of Education. A
13 screening instrument approved by the State Board shall be utilized
14 for the purposes of this section.

15 2. For those kindergarten children at risk for reading
16 difficulties, teachers shall emphasize reading skills as identified
17 in the subject matter standards adopted by the State Board of
18 Education, monitor progress throughout the year and measure year-end
19 reading progress.

20 3. Classroom assistants, which may include parents,
21 grandparents, or other volunteers, shall be provided in kindergarten
22 classes to assist with the screening of students if a teacher aide
23 is not already employed to assist in a kindergarten classroom.

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1 B. 1. Each student enrolled in kindergarten, first, second and
2 third grade of the public schools of this state shall be assessed at
3 the beginning and end of each school year using a screening
4 instrument approved by the State Board of Education for the
5 acquisition of reading skills including, but not limited to,
6 phonemic awareness, phonics, reading fluency, vocabulary, and
7 comprehension.

8 2. Any student who is assessed and found not to be reading at
9 the appropriate grade level shall be provided a program of reading
10 instruction designed to enable the student to acquire the
11 appropriate grade level reading skills. The program of reading
12 instruction shall include provisions of the READ Initiative adopted
13 by the school district as provided for in subsection O of this
14 section.

15 3. Throughout the year progress monitoring shall continue, and
16 diagnostic assessment, if determined appropriate, shall be provided.
17 Year-end reading skills shall be measured to determine reading
18 success.

19 C. The State Board of Education shall approve screening
20 instruments for use at the beginning and end of the school year, for
21 monitoring of progress, and for measurement of reading skills at the
22 end of the school year as required in subsections A and B of this
23 section; provided, at least one of the screening instruments shall
24 meet the following criteria:

1 1. Assess for phonemic awareness, phonics, reading fluency, and
2 comprehension;

3 2. Document the validity and reliability of each assessment;

4 3. Can be used for diagnosis and progress monitoring;

5 4. Can be used to assess special education and limited-English-
6 proficient students; and

7 5. Accompanied by a data management system that provides
8 profiles for students, class, grade level and school building. The
9 profiles shall identify each student's instructional point of need
10 and reading achievement level. The State Board shall also determine
11 other comparable reading assessments for diagnostic purposes and for
12 periodic and post assessments to be used for students at risk of
13 reading failure. The State Board shall ensure that any assessments
14 approved are in alignment with the subject matter standards adopted
15 by the State Board of Education.

16 D. 1. The program of reading instruction required in
17 subsection B of this section shall align with the subject matter
18 standards adopted by the State Board of Education and shall include
19 provisions of the READ Initiative adopted by the school district as
20 provided for in subsection O of this section. A program of reading
21 instruction may include, but is not limited to:

- 22 a. sufficient additional in-school instructional time for
23 the acquisition of phonemic awareness, phonics,
24 reading fluency, vocabulary, and comprehension,

- 1 b. if necessary, tutorial instruction after regular
2 school hours, on Saturdays and during summer; however,
3 such instruction may not be counted toward the one-
4 hundred-eighty-day or ~~one-thousand-eighty-hour~~ one-
5 thousand-one-hundred-forty-hour school year required
6 in Section 1-109 of this title, and
- 7 c. assessments identified for diagnostic purposes and
8 periodic monitoring to measure the acquisition of
9 reading skills including, but not limited to, phonemic
10 awareness, phonics, reading fluency, vocabulary, and
11 comprehension, as identified in the student's program
12 of reading instruction.

13 2. A student enrolled in first or second grades who has been
14 assessed as provided for in subsection B of this section and found
15 not to be reading at the corresponding grade level, shall be
16 entitled to individualized remediation in reading until the student
17 is determined by the results of a screening instrument to be reading
18 on grade level. The program of reading instruction for each student
19 shall be developed by a Student Reading Proficiency Team and shall
20 include individualized remediation. Each team shall be composed of:

- 21 a. the parent or guardian of the student,
22 b. the teacher assigned to the student who had
23 responsibility for reading instruction in that
24 academic year,

1 c. a teacher who is responsible for reading instruction
2 and is assigned to teach in the next grade level of
3 the student, and

4 d. a certified reading specialist, if one is available.

5 E. The program of reading instruction shall continue until the
6 student is determined by the results of approved reading assessments
7 to be reading on grade level.

8 F. 1. Every school district shall adopt, and implement a
9 district reading sufficiency plan which has had input from school
10 administrators, teachers, and parents and if possible a reading
11 specialist, and which shall be submitted electronically to and
12 approved by the State Board of Education. The plan shall be updated
13 annually. School districts shall not be required to electronically
14 submit the annual updates to the Board if the last plan submitted to
15 the Board was approved and expenditures for the program include only
16 expenses relating to individual and small group tutoring, purchase
17 of and training in the use of screening and assessment measures,
18 summer school programs and Saturday school programs. If any
19 expenditure for the program is deleted or changed or any other type
20 of expenditure for the program is implemented, the school district
21 shall be required to submit the latest annual update to the Board
22 for approval. The district reading sufficiency plan shall include a
23 plan for each site which includes an analysis of the data provided
24 by the Oklahoma School Testing Program and other reading assessments

1 utilized as required in this section, and which outlines how each
2 school site will comply with the provisions of the Reading
3 Sufficiency Act.

4 2. The State Board of Education shall adopt rules for the
5 implementation and evaluation of the provisions of the Reading
6 Sufficiency Act. The evaluation shall include, but not be limited
7 to, an analysis of the data required in subsection S of this
8 section.

9 G. For any third-grade student found not to be reading at grade
10 level as determined by reading assessments administered pursuant to
11 this section, a new program of reading instruction, including
12 provisions of the READ Initiative adopted by the school district as
13 provided for in subsection O of this section, shall be developed by
14 a Student Reading Proficiency Team and implemented as specified in
15 subsection D of this section. In addition to other requirements of
16 the Reading Sufficiency Act, the plan may include specialized
17 tutoring.

18 H. 1. Any first-grade, second-grade or third-grade student who
19 demonstrates proficiency in reading at the third-grade level through
20 a screening instrument which meets the acquisition of reading skills
21 criteria pursuant to subsection B of this section shall not be
22 subject to retention pursuant to this section. After a student has
23 demonstrated proficiency through a screening instrument, the
24 district shall provide notification to the parent or guardian of the

1 student that they have satisfied the requirements of the Reading
2 Sufficiency Act and will not be subject to retention pursuant to
3 this section.

4 2. If a third-grade student is identified at any point of the
5 academic year as having a significant reading deficiency, which
6 shall be defined as scoring below proficient on a screening
7 instrument which meets the acquisition of reading skills criteria
8 pursuant to subsection B of this section, the district shall
9 immediately begin a student reading portfolio as provided by
10 subsection K of this section and shall provide notice to the parent
11 of the deficiency pursuant to subsection I of this section.

12 3. If a student has not yet satisfied the proficiency
13 requirements of this section prior to the completion of third grade
14 and still has a significant reading deficiency, as identified based
15 on assessments administered as provided for in subsection B of this
16 section, has not accumulated evidence of third-grade proficiency
17 through a student portfolio as provided in subsection K of this
18 section, or is not subject to a good-cause exemption as provided in
19 subsection K of this section, then the student shall not be eligible
20 for automatic promotion to fourth grade.

21 4. a. For the 2016-2017 school year, a student not eligible
22 for automatic promotion as provided for in paragraph 3
23 of this subsection and who scores at the
24 unsatisfactory level on the reading portion of the

1 statewide third-grade assessment administered pursuant
2 to Section 1210.508 of this title may be evaluated for
3 probationary promotion by the Student Reading
4 Proficiency Team. Beginning with the 2017-2018 school
5 year, a student not eligible for automatic promotion
6 as provided for under paragraph 3 of this subsection
7 and who scores below the proficiency level on the
8 reading portion of the statewide third-grade
9 assessment administered pursuant to Section 1210.508
10 of this title may be evaluated for probationary
11 promotion by the Student Reading Proficiency Team
12 which was created for the student pursuant to
13 subsection D of this section.

- 14 b. The student shall be promoted to the fourth grade if
15 the team members unanimously recommend probationary
16 promotion to the school principal and the school
17 district superintendent and the principal and
18 superintendent approve the recommendation that
19 promotion is the best option for the student. If a
20 student is allowed a probationary promotion, the team
21 shall continue to review the reading performance of
22 the student and repeat the requirements of this
23 paragraph each academic year until the student
24 demonstrates grade-level reading proficiency, as

1 identified through a screening instrument which meets
2 the acquisition of reading skills criteria pursuant to
3 subsection B of this section, for the corresponding
4 grade level in which the student is enrolled or
5 transitions to the requirements set forth by the
6 Achieving Classroom Excellence Act.

7 5. Beginning with the 2017-2018 school year, students who score
8 below the proficient level on the reading portion of the statewide
9 third-grade assessment administered pursuant to Section 1210.508 of
10 this title, who are not subject to a good cause exemption as
11 provided in subsection K of this section, and who do not qualify for
12 promotion or probationary promotion as provided in this subsection,
13 shall be retained in the third grade and provided intensive
14 instructional services and supports as provided for in subsection N
15 of this section.

16 6. Each school district shall annually report to the State
17 Department of Education the number of students promoted to the
18 fourth grade pursuant to this subsection and the number of students
19 promoted to a subsequent grade pursuant to the provisions in
20 paragraph 4 of this subsection. The State Department of Education
21 shall publicly report the aggregate and district-specific number of
22 students promoted on their website and shall provide electronic
23 copies of the report to the Governor, Secretary of Education,
24 President Pro Tempore of the Senate, Speaker of the House of

1 Representatives, and to the respective chairs of the committees with
2 responsibility for common education policy in each legislative
3 chamber.

4 7. Nothing shall prevent a school district from applying the
5 principles of paragraphs 3 and 4 of this subsection in grades
6 kindergarten through second grade.

7 8. To determine the promotion and retention of third-grade
8 students pursuant to the Reading Sufficiency Act, the State Board of
9 Education shall use only the reading comprehension and vocabulary
10 scores portion of the statewide third-grade assessment administered
11 pursuant to Section 1210.508 of this title and shall not use the
12 other language arts scores portions of the assessment.

13 I. The parent of any student who is found to have a reading
14 deficiency and is not reading at the appropriate grade level and has
15 been provided a program of reading instruction as provided for in
16 subsection B of this section shall be notified in writing of the
17 following:

18 1. That the student has been identified as having a substantial
19 deficiency in reading;

20 2. A description of the current services that are provided to
21 the student pursuant to a conjoint measurement model such that a
22 reader and a text are placed on the same scale;

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1 3. A description of the proposed supplemental instructional
2 services and supports that will be provided to the student that are
3 designed to remediate the identified area of reading deficiency;

4 4. That the student will not be promoted to the fourth grade if
5 the reading deficiency is not remediated by the end of the third
6 grade, unless the student is otherwise promoted as provided for in
7 subsection H of this section or is exempt for good cause as set
8 forth in subsection K of this section;

9 5. Strategies for parents to use in helping their child succeed
10 in reading proficiency;

11 6. The grade-level performance scores of the student;

12 7. That while the results of the statewide assessments
13 administered pursuant to Section 1210.508 of this title are the
14 initial determinant, they are not the sole determiner of promotion
15 and that portfolio reviews and assessments are available; and

16 8. The specific criteria and policies of the school district
17 for midyear promotion implemented as provided for in paragraph 4 of
18 subsection N of this section.

19 J. No student may be assigned to a grade level based solely on
20 age or other factors that constitute social promotion.

21 K. For those students who do not meet the academic requirements
22 for promotion and who are not otherwise promoted as provided for in
23 subsection H of this section, a school district may promote the
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1 student for good cause only. Good-cause exemptions for promotion
2 shall be limited to the following:

3 1. Limited-English-proficient students who have had less than
4 two (2) years of instruction in an English language learner program;

5 2. Students with disabilities whose individualized education
6 program (IEP), consistent with state law, indicates that the student
7 is to be assessed with alternate achievement standards through the
8 Oklahoma Alternate Assessment Program (OAAP);

9 3. Students who demonstrate an acceptable level of performance
10 on an alternative standardized reading assessment approved by the
11 State Board of Education;

12 4. Students who demonstrate, through a student portfolio, that
13 the student is reading on grade level as evidenced by demonstration
14 of mastery of the state standards beyond the retention level;

15 5. Students with disabilities who participate in the statewide
16 assessments administered pursuant to Section 1210.508 of this title
17 and who have an individualized education program that reflects that
18 the student has received intensive remediation in reading for more
19 than two (2) years but still demonstrates a deficiency in reading
20 and was previously retained in prekindergarten for academic reasons,
21 kindergarten, first grade, second grade, or third grade;

22 6. Students who have received intensive remediation in reading
23 through a program of reading instruction for two (2) or more years
24 but still demonstrate a deficiency in reading and who were

1 previously retained in prekindergarten for academic reasons,
2 kindergarten, first grade, second grade, or third grade for a total
3 of two (2) years; and

4 7. Students who have been granted an exemption for medical
5 emergencies by the State Department of Education.

6 L. A student who is otherwise promoted as provided for in
7 subsection H of this section or is promoted for good cause as
8 provided for in subsection K of this section shall be provided
9 intensive reading instruction during an altered instructional day
10 that includes specialized diagnostic information and specific
11 reading strategies for each student. The school district shall
12 assist schools and teachers to implement reading strategies for the
13 promoted students that research has shown to be successful in
14 improving reading among low-performing readers.

15 M. Requests to exempt students from the retention requirements
16 based on one of the good-cause exemptions as described in subsection
17 K of this section shall be made using the following process:

18 1. Documentation submitted from the teacher of the student to
19 the school principal that indicates the student meets one of the
20 good-cause exemptions and promotion of the student is appropriate.
21 In order to minimize paperwork requirements, the documentation shall
22 consist only of the alternative assessment results or student
23 portfolio work and the individual education plan (IEP), as
24 applicable;

1 2. The principal of the school shall review and discuss the
2 documentation with the teacher and, if applicable, the other members
3 of the Student Reading Proficiency Team as described in subsection D
4 of this section. If the principal determines that the student meets
5 one of the good-cause exemptions and should be promoted based on the
6 documentation provided, the principal shall make a recommendation in
7 writing to the school district superintendent; and

8 3. After review, the school district superintendent shall
9 accept or reject the recommendation of the principal in writing.

10 N. Each school district shall:

11 1. Conduct a review of the program of reading instruction for
12 all students who score below the proficient level on the reading
13 portion of the statewide assessment administered pursuant to Section
14 1210.508 of this title and did not meet the criteria for one of the
15 good-cause exemptions as set forth in subsection K of this section.
16 The review shall address additional supports and services, as
17 described in this subsection, needed to remediate the identified
18 areas of reading deficiency. The school district shall require a
19 student portfolio to be completed for each retained student;

20 2. Provide to students who have been retained as set forth in
21 subsection H of this section with intensive interventions in
22 reading, intensive instructional services and supports to remediate
23 the identified areas of reading deficiency, including a minimum of
24 ninety (90) minutes of daily, uninterrupted, scientific-research-

1 based reading instruction. Retained students shall be provided
2 other strategies prescribed by the school district, which may
3 include, but are not limited to:

- 4 a. small group instruction,
- 5 b. reduced teacher-student ratios,
- 6 c. more frequent progress monitoring,
- 7 d. tutoring or mentoring,
- 8 e. transition classes containing third- and fourth-grade
9 students,
- 10 f. extended school day, week, or year, and
- 11 g. summer reading academies as provided for in Section
12 1210.508E of this title, if available;

13 3. Provide written notification to the parent or guardian of
14 any student who is to be retained as set forth in subsection H of
15 this section that the student has not met the proficiency level
16 required for promotion and was not otherwise promoted and the
17 reasons the student is not eligible for a good-cause exemption. The
18 notification shall include a description of proposed interventions
19 and intensive instructional supports that will be provided to the
20 student to remediate the identified areas of reading deficiency;

21 4. Implement a policy for the midyear promotion of a retained
22 student who can demonstrate that the student is a successful and
23 independent reader, is reading at or above grade level, and is ready
24 to be promoted to the fourth grade. Tools that school districts may

1 use in reevaluating any retained student may include subsequent
2 assessments, alternative assessments, and portfolio reviews, in
3 accordance with rules of the State Board of Education. Retained
4 students may only be promoted midyear prior to November 1 and only
5 upon demonstrating a level of proficiency required to score at the
6 proficient level on the statewide third-grade assessment
7 administered pursuant to Section 1210.508 of this title, or upon
8 demonstrating proficiency in reading at the third-grade level
9 through a screening instrument administered pursuant to subsection B
10 of this section, and upon showing progress sufficient to master
11 appropriate fourth-grade-level skills, as determined by the school.
12 A midyear promotion shall be made only upon agreement of the parent
13 or guardian of the student and the school principal;

14 5. Provide students who are retained with a high-performing
15 teacher who can address the needs of the student, based on student
16 performance data and above-satisfactory performance appraisals; and

17 6. In addition to required reading enhancement and acceleration
18 strategies, provide students who are retained with at least one of
19 the following instructional options:

- 20 a. supplemental tutoring in scientific-research-based
21 reading services in addition to the regular reading
22 block, including tutoring before or after school,
23 b. a parent-guided "Read at Home" assistance plan, as
24 developed by the State Department of Education, the

1 purpose of which is to encourage regular parent-guided
2 home reading, or

3 c. a mentor or tutor with specialized reading training.

4 O. Beginning with the 2011-2012 school year, each school
5 district shall establish a Reading Enhancement and Acceleration
6 Development (READ) Initiative. The focus of the READ Initiative
7 shall be to prevent the retention of third-grade students by
8 offering intensive accelerated reading instruction to third-grade
9 students who failed to meet standards for promotion to fourth grade
10 and to kindergarten through third-grade students who are exhibiting
11 a reading deficiency. The READ Initiative shall:

12 1. Be provided to all kindergarten through third-grade students
13 at risk of retention as identified by the assessments administered
14 pursuant to the Reading Sufficiency Act. The assessment used shall
15 measure phonemic awareness, phonics, fluency, vocabulary, and
16 comprehension;

17 2. Be provided during regular school hours in addition to the
18 regular reading instruction; and

19 3. Provide a state-approved reading curriculum that, at a
20 minimum, meets the following specifications:

21 a. assists students assessed as exhibiting a reading
22 deficiency in developing the ability to read at grade
23 level,

- 1 b. provides skill development in phonemic awareness,
2 phonics, fluency, vocabulary, and comprehension,
3 c. provides a scientific-research-based and reliable
4 assessment,
5 d. provides initial and ongoing analysis of the reading
6 progress of each student,
7 e. is implemented during regular school hours,
8 f. provides a curriculum in core academic subjects to
9 assist the student in maintaining or meeting
10 proficiency levels for the appropriate grade in all
11 academic subjects,
12 g. establishes at each school, where applicable, an
13 Intensive Acceleration Class for retained third-grade
14 students who subsequently score below the proficient
15 level on the reading portion of the statewide
16 assessment administered pursuant to Section 1210.508
17 of this title. The focus of the Intensive
18 Acceleration Class shall be to increase the reading
19 level of a child at least two grade levels in one (1)
20 school year. The Intensive Acceleration Class shall:
21 (1) be provided to any student in the third grade who
22 scores below the proficient level on the reading
23 portion of the statewide assessments and who was
24 retained in the third grade the prior year

- 1 because of scoring below the proficient level on
2 the reading portion of the statewide assessments,
3 (2) have a reduced teacher-student ratio,
4 (3) provide uninterrupted reading instruction for the
5 majority of student contact time each day and
6 incorporate opportunities to master the fourth-
7 grade state standards in other core subject
8 areas,
9 (4) use a reading program that is scientific-
10 research-based and has proven results in
11 accelerating student reading achievement within
12 the same school year,
13 (5) provide intensive language and vocabulary
14 instruction using a scientific-research-based
15 program, including use of a speech-language
16 therapist,
17 (6) include weekly progress monitoring measures to
18 ensure progress is being made, and
19 (7) provide reports to the State Department of
20 Education, in the manner described by the
21 Department, outlining the progress of students in
22 the class at the end of the first semester,
23 h. provide reports to the State Board of Education, upon
24 request, on the specific intensive reading

1 interventions and supports implemented by the school
2 district. The State Superintendent of Public
3 Instruction shall annually prescribe the required
4 components of the reports, and

- 5 i. provide to a student who has been retained in the
6 third grade and has received intensive instructional
7 services but is still not ready for grade promotion,
8 as determined by the school district, the option of
9 being placed in a transitional instructional setting.
10 A transitional setting shall specifically be designed
11 to produce learning gains sufficient to meet fourth-
12 grade performance standards while continuing to
13 remediate the areas of reading deficiency.

14 P. In addition to the requirements set forth in this section,
15 each school district board of education shall annually report to the
16 parent or guardian of each student in the district the progress of
17 the student toward achieving state and district expectations for
18 proficiency in reading, writing, science, and mathematics. The
19 school district board of education shall report to the parent or
20 guardian of each student the results on statewide assessments
21 administered pursuant to Section 1210.508 of this title. The
22 evaluation of the progress of each student shall be based upon
23 classroom work, observations, tests, district and state assessments,
24

1 and other relevant information. Progress reporting shall be
2 provided to the parent or guardian in writing.

3 Q. 1. Each school district board of education shall annually
4 publish on the school website, and report in writing to the State
5 Board of Education by September 1 of each year, the following
6 information on the prior school year:

7 a. the provisions of this section relating to public
8 school student progression and the policies and
9 procedures of the school district on student retention
10 and promotion,

11 b. by grade, the number and percentage of all students in
12 grades three through ten performing below the
13 proficient level on the reading portion of the
14 statewide assessment administered pursuant to Section
15 1210.508 of this title,

16 c. by grade, the number and percentage of all students
17 retained in grades three through ten,

18 d. information on the total number and percentage of
19 students who were promoted for good cause, by each
20 category of good cause as specified above, and

21 e. any revisions to the policies of the school district
22 on student retention and promotion from the prior
23 year.

24

1 2. The State Department of Education shall establish a uniform
2 format for school districts to report the information required in
3 this subsection. The format shall be developed with input from
4 school districts and shall be provided not later than ninety (90)
5 days prior to the annual due date. The Department shall annually
6 compile the information required, along with state-level summary
7 information, and report the information to the public, the Governor,
8 the President Pro Tempore of the Senate, and the Speaker of the
9 House of Representatives.

10 R. The State Department of Education shall provide technical
11 assistance as needed to aid school districts in administering the
12 provision of the Reading Sufficiency Act.

13 S. On or before December 31 of each year, the State Department
14 of Education shall issue to the Governor, the President Pro Tempore
15 of the Senate, the Speaker of the House of Representatives and
16 members of the Senate and House of Representatives Education
17 Committees a Reading Report Card for the state and each school
18 district and elementary site which shall include, but is not limited
19 to, trend data detailing three (3) years of data, disaggregated by
20 student subgroups to include economically disadvantaged, major
21 racial or ethnic groups, students with disabilities, and English
22 language learners, as appropriate for the following:

23 1. The number and percentage of students in kindergarten
24 through third grade determined to be at risk for reading

1 difficulties compared to the total number of students enrolled in
2 each grade;

3 2. The number and percentage of students in kindergarten who
4 continue to be at risk for reading difficulties as determined by the
5 year-end measurement of reading progress;

6 3. The number and percentage of students in kindergarten
7 through third grade who have successfully completed their program of
8 reading instruction and are reading on grade level as determined by
9 the results of approved reading assessments;

10 4. The number and percentage of students scoring at each
11 performance level on the reading portion of the statewide third-
12 grade assessment administered pursuant to Section 1210.508 of this
13 title;

14 5. The number of students tested, the number of students
15 promoted through meeting proficiency on a screening instrument as
16 provided for in subsection H of this section, the number of students
17 promoted through each of the good-cause exemptions as provided for
18 in subsection K of this section and the number of students retained
19 and the number of students promoted through probationary promotion
20 as provided for in subsection H of this section for each elementary
21 site;

22 6. Data tracking the progression of students promoted through
23 each of the good-cause exemptions as provided for in subsection K of
24 this section and students promoted through probationary promotion or

1 students who are retained in third grade as provided for in
2 subsection H of this section through the eighth grade. The data
3 shall include but not be limited to information regarding whether
4 students graduate on time;

5 7. The amount of funds for reading remediation received by each
6 district;

7 8. An evaluation and narrative interpretation of the report
8 data analyzing the impact of the Reading Sufficiency Act on
9 students' ability to read at grade level;

10 9. The type of reading instruction practices and methods
11 currently being used by school districts in the state;

12 10. Socioeconomic information, access to reading resources
13 outside of school and screening for and identification of learning
14 disabilities for students not reading at the appropriate grade level
15 by third grade;

16 11. The types of intensive remediation efforts being conducted
17 by school districts to identify best practices for students that are
18 not reading at the appropriate grade level and are not retained
19 under the provisions of this section; and

20 12. Any recommendations for improvements or amendments to the
21 Reading Sufficiency Act.

22 The State Department of Education may contract with an
23 independent entity for the reporting and analysis requirements of
24 this subsection.

1 T. Copies of the results of the assessments administered shall
2 be made a part of the permanent record of each student.

3 SECTION 4. AMENDATORY 70 O.S. 2011, Section 4516, is
4 amended to read as follows:

5 Section 4516. The board of education of any school district
6 operating pursuant to the provisions of this act shall establish a
7 school calendar whereby the teaching sessions and vacation periods
8 during the school year are on a rotating basis.

9 Each selected school shall be closed for all students and
10 employees on regular school holidays.

11 The schools and classes shall be conducted for a total of no
12 less than one hundred eighty (180) days or no less than ~~one thousand~~
13 ~~eighty (1,080) hours~~ one thousand one hundred forty (1,140) hours
14 during the academic year.

15 The provisions of all other laws relating to compulsory full-
16 time education and the enrollment and attendance of pupils in the
17 kindergarten, elementary and secondary grades shall be applicable
18 with respect to the regular school days prescribed for the entire
19 academic year established for the school at which a program pursuant
20 to this act is conducted, and to the attendance area established for
21 such school.

22 SECTION 5. This act shall become effective July 1, 2020.

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
24 February 27, 2019 - DO PASS AS AMENDED