

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 601

By: Stanislawski of the Senate

and

Nollan of the House

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6
7
8 **[Reading Sufficiency Act - reading instruction -**
9 **Commission for Educational Quality and Accountability**
10 **- ~~effective date~~ -**
11 **emergency]**

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508B,
15 as last amended by Section 6, Chapter 360, O.S.L. 2016 (70 O.S.
16 Supp. 2018, Section 1210.508B), is amended to read as follows:

17 Section 1210.508B. A. The Legislature finds that it is
18 essential for children in the public schools to read early and well
19 in elementary school. The Legislature further finds that clear and
20 visible goals, assessments to determine the reading level at each
21 elementary school, annual measurements of elementary school reading
22 improvement, and accountability in each level of the educational
23 system will result in a significant increase in the number of
24 children reading at or above grade level.

1 B. The purpose of the Reading Sufficiency Act is to ensure that
2 each child attains the necessary reading skills by completion of the
3 third grade which will enable that student to continue development
4 of reading skills and to succeed throughout school and life.

5 C. Each public school district in this state shall ensure that
6 ~~a majority of the instructional time each day of the school year in~~
7 ~~kindergarten through third grade is focused on~~ all students receive
8 a well-rounded education that is focused on building deep
9 foundations in reading and mathematics. The State Board of
10 Education shall encourage school districts to integrate the teaching
11 of the other curricular areas in the subject matter standards
12 adopted by the Board with the instruction of reading and
13 mathematics. All teachers of reading in the public schools in this
14 state in kindergarten through third grade shall incorporate into
15 instruction the five elements of reading instruction which are
16 phonemic awareness, phonics, reading fluency, vocabulary, and
17 comprehension.

18 ~~D. The reading goal for Oklahoma public schools is as follows:~~
19 ~~By July 1, 2008, and each year thereafter, all third grade students~~
20 ~~will read at or above grade level by the end of their third grade~~
21 ~~year, excluding up to fifteen percent (15%) of those students who~~
22 ~~have an individualized education program (IEP), pursuant to the~~
23 ~~Individuals with Disabilities Education Act (IDEA), and excluding~~
24 ~~those students who are English language learners who have been~~

1 ~~determined not to be proficient in English as defined by a state-~~
2 ~~designated English proficiency assessment. To achieve the reading~~
3 ~~goal, each public elementary school shall:~~

4 1. ~~Determine its baseline no later than September 1, 2005,~~
5 ~~which shall be the percentage of students reading at or above third-~~
6 ~~grade level as determined by the percentage of students scoring~~
7 ~~proficient or above on the third-grade assessment in reading,~~
8 ~~administered pursuant to Section 1210.508 of this title; and~~

9 2. ~~Set and achieve annual improvement goals necessary to~~
10 ~~progress from the baseline established in 2005 to the reading goal~~
11 ~~by July 1, 2008. The annual improvement goals shall be included in~~
12 ~~the district's reading sufficiency plan required in Section~~
13 ~~1210.508C of this title.~~

14 E. ~~The State Board of Education shall recognize schools and~~
15 ~~districts that attain or make progress toward achieving the reading~~
16 ~~goal and shall provide technical assistance to schools and districts~~
17 ~~that do not make progress toward the reading goal. The district~~
18 ~~reading sufficiency plan shall be submitted to the State Board if~~
19 ~~the district has any schools that are not achieving the required~~
20 ~~annual improvement goals pursuant to this section.~~

21 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.508C,
22 as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S.
23 Supp. 2018, Section 1210.508C), is amended to read as follows:
24

1 Section 1210.508C. A. 1. Each student enrolled in
2 kindergarten in a public school in this state shall be screened at
3 the beginning, middle and end of each school year for reading skills
4 including, but not limited to, phonemic awareness, letter
5 recognition, and oral language skills as identified in the subject
6 matter standards adopted by the State Board of Education. A
7 screening instrument approved by the State Board shall be utilized
8 for the purposes of this section.

9 2. For those kindergarten children at risk for reading
10 difficulties at the beginning of the year, teachers shall emphasize
11 reading skills as identified in the subject matter standards adopted
12 by the State Board of Education, monitor progress throughout the
13 year and measure mid-year and year-end reading progress.

14 3. Kindergarten students who are not meeting grade-level
15 targets by mid-year in reading shall be provided a program of
16 reading instruction designed to enable the student to acquire the
17 appropriate grade-level reading skills.

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

22 B. ~~1.~~ Each student enrolled in ~~kindergarten~~, first, second and
23 third grade of the public schools of this state shall be assessed at
24 the beginning, middle and end of each school year using a screening

1 instrument approved by the State Board of Education for the
2 acquisition of reading skills including, but not limited to,
3 phonemic awareness, phonics, reading fluency, vocabulary, and
4 comprehension.

5 ~~2.~~ C. Any student enrolled in first, second or third grade who
6 is assessed and ~~found not to be reading at the appropriate grade~~
7 ~~level~~ who is not meeting grade-level targets in reading shall be
8 provided a program of reading instruction designed to enable the
9 student to acquire the appropriate grade level reading skills. The
10 program of reading instruction shall include provisions of the READ
11 Initiative adopted by the school district as provided for in
12 subsection ~~Θ~~ P of this section.

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

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

23 1. Assess for phonemic awareness, phonics, reading fluency,
24 vocabulary and comprehension;

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

2 3. Can be used for ~~diagnosis~~ identifying students who are at
3 risk for reading deficiency and progress monitoring throughout the
4 school year;

5 4. Can be used to assess ~~special education and limited-English-~~
6 ~~proficient~~ students with disabilities and English language learners;
7 and

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

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

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

15 2. A student enrolled in first or second grades who has been
16 assessed as provided for in subsection B of this section and found
17 not to be ~~reading at the corresponding grade level~~ meeting grade-
18 level targets in reading, shall be entitled to ~~individualized~~
19 ~~remediation~~ supplemental instructional services and supports in
20 reading until the student is determined by the results of a
21 screening instrument to be ~~reading on grade level~~ meeting grade-
22 level targets in reading. The program of reading instruction for
23 each student shall be developed by a Student Reading Proficiency
24 Team and shall include ~~individualized remediation~~ supplemental

1 instructional services and supports. Each team shall be composed
2 of:

- 3 a. the parent or guardian of the student,
- 4 b. the teacher assigned to the student who had
5 responsibility for reading instruction in that
6 academic year,
- 7 c. a teacher who is responsible for reading instruction
8 and is assigned to teach in the next grade level of
9 the student, and
- 10 d. a certified reading specialist, if one is available.

11 ~~E.~~ F. The program of reading instruction shall continue until
12 the student is determined by the results of approved reading
13 assessments to be ~~reading on grade level~~ meeting grade-level
14 targets.

15 ~~F.~~ G. 1. Every school district shall adopt, and implement a
16 district reading sufficiency plan which has had input from school
17 administrators, teachers, and parents and if possible a reading
18 specialist, and which shall be submitted electronically to and
19 approved by the State Board of Education. The plan shall be updated
20 annually. School districts shall not be required to electronically
21 submit the annual updates to the Board if the last plan submitted to
22 the Board was approved and expenditures for the program include only
23 expenses relating to individual and small group tutoring, purchase
24 of and training in the use of screening and assessment measures,

1 summer school programs and Saturday school programs. If any
2 expenditure for the program is deleted or changed or any other type
3 of expenditure for the program is implemented, the school district
4 shall be required to submit the latest annual update to the Board
5 for approval. The district reading sufficiency plan shall include a
6 plan for each site which includes an analysis of the data provided
7 by the Oklahoma School Testing Program and other reading assessments
8 utilized as required in this section, and which outlines how each
9 school site will comply with the provisions of the Reading
10 Sufficiency Act.

11 2. The State Board of Education shall adopt rules for the
12 implementation and evaluation of the provisions of the Reading
13 Sufficiency Act. The evaluation shall include, but not be limited
14 to, an analysis of the data required in subsection S of this
15 section.

16 ~~G.~~ H. For any third-grade student found not to be ~~reading at~~
17 ~~grade level~~ meeting grade-level targets as determined by reading
18 assessments administered pursuant to this section, a new program of
19 reading instruction, including provisions of the READ Initiative
20 adopted by the school district as provided for in subsection ~~Θ~~ P of
21 this section, shall be developed by a Student Reading Proficiency
22 Team and implemented as specified in subsection ~~Ð~~ E of this section.
23 In addition to other requirements of the Reading Sufficiency Act,
24 the plan may include specialized tutoring.

1 ~~H.~~ I. 1. Any first-grade, second-grade or third-grade student
2 who demonstrates end of year proficiency in reading at the third-
3 grade level through a screening instrument which meets the
4 acquisition of reading skills criteria pursuant to subsection B of
5 this section shall not be subject to retention pursuant to this
6 section. After a student has demonstrated proficiency through a
7 screening instrument, the district shall provide notification to the
8 parent or guardian of the student that they have satisfied the
9 requirements of the Reading Sufficiency Act and will not be subject
10 to retention pursuant to this section.

11 2. If a third-grade student is identified at any point of the
12 academic year as having a significant reading deficiency, which
13 shall be defined as ~~scoring below proficient~~ not meeting grade-level
14 targets on a screening instrument which meets the acquisition of
15 reading skills criteria pursuant to subsection B of this section,
16 the district shall immediately begin a student reading portfolio as
17 provided by subsection ~~K~~ L of this section and shall provide notice
18 to the parent of the deficiency pursuant to subsection ~~F~~ J of this
19 section.

20 3. If a student has not yet satisfied the proficiency
21 requirements of this section prior to the completion of third grade
22 and still has a significant reading deficiency, as identified based
23 on assessments administered as provided for in subsection B of this
24 section, has not accumulated evidence of third-grade proficiency

1 through a student portfolio as provided in subsection ~~¶~~ L of this
2 section, or is not subject to a good-cause exemption as provided in
3 subsection ~~¶~~ L of this section, then the student shall not be
4 eligible for automatic promotion to fourth grade.

5 4. The minimum criteria for grade-level performance of third-
6 grade students pursuant to the Reading Sufficiency Act shall be that
7 students are able to read and comprehend grade-level text. To
8 determine the promotion and retention of third-grade students
9 pursuant to the Reading Sufficiency Act, the State Board of
10 Education shall use only the scores for the standards for reading
11 foundations/processes and vocabulary portions of the statewide
12 third-grade assessment administered pursuant to Section 1210.508 of
13 this title and shall not use the scores from the other language arts
14 portions of the assessment. The performance levels established by
15 the Commission for Educational Quality and Accountability pursuant
16 to Section 1210.508 of this title shall ensure that students meeting
17 the performance-level criteria are performing at grade level on the
18 reading foundations and vocabulary portions of the statewide third-
19 grade assessment.

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

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

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

1 demonstrates grade-level reading proficiency, as
2 identified through a screening instrument which meets
3 the acquisition of reading skills criteria pursuant to
4 subsection B of this section, for the corresponding
5 grade level in which the student is enrolled or
6 transitions to ~~the requirements set forth by the~~
7 ~~Achieving Classroom Excellence Act~~ a locally designed
8 remediation plan after the fifth grade which shall
9 have the goal of ensuring that the student is on track
10 to be college and career ready.

11 ~~5.~~ 6. Beginning with the 2017-2018 school year, students who
12 ~~score below the proficient level~~ do not meet the performance
13 criteria established by the Commission for Educational Quality and
14 Accountability on the reading portion of the statewide third-grade
15 assessment administered pursuant to Section 1210.508 of this title,
16 who are not subject to a good cause exemption as provided in
17 subsection ~~¶~~ L of this section, and who do not qualify for promotion
18 or probationary promotion as provided in this subsection, shall be
19 retained in the third grade and provided intensive instructional
20 services and supports as provided for in subsection ~~¶~~ O of this
21 section.

22 ~~6.~~ 7. Each school district shall annually report to the State
23 Department of Education the number of students promoted to the
24 fourth grade pursuant to this subsection and the number of students

1 promoted to a subsequent grade pursuant to the provisions in
2 paragraph 4 5 of this subsection. The State Department of Education
3 shall publicly report the aggregate and district-specific number of
4 students promoted on their website and shall provide electronic
5 copies of the report to the Governor, Secretary of Education,
6 President Pro Tempore of the Senate, Speaker of the House of
7 Representatives, and to the respective chairs of the committees with
8 responsibility for common education policy in each legislative
9 chamber.

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

13 ~~8. To determine the promotion and retention of third-grade~~
14 ~~students pursuant to the Reading Sufficiency Act, the State Board of~~
15 ~~Education shall use only the reading comprehension and vocabulary~~
16 ~~scores portion of the statewide third-grade assessment administered~~
17 ~~pursuant to Section 1210.508 of this title and shall not use the~~
18 ~~other language arts scores portions of the assessment.~~

19 ~~I.~~ J. The parent of any student who is found to have a reading
20 deficiency and is not ~~reading at the appropriate grade level~~ meeting
21 grade-level reading targets and has been provided a program of
22 reading instruction as provided for in subsection B of this section
23 shall be notified in writing of the following:

24

- 1 1. That the student has been identified as having a substantial
2 deficiency in reading;
- 3 2. A description of the current services that are provided to
4 the student pursuant to a conjoint measurement model such that a
5 reader and a text are placed on the same scale;
- 6 3. A description of the proposed supplemental instructional
7 services and supports that will be provided to the student that are
8 designed to remediate the identified area of reading deficiency;
- 9 4. That the student will not be promoted to the fourth grade if
10 the reading deficiency is not remediated by the end of the third
11 grade, unless the student is otherwise promoted as provided for in
12 subsection ~~H~~ I of this section or is exempt for good cause as set
13 forth in subsection ~~K~~ L of this section;
- 14 5. Strategies for parents to use in helping their child succeed
15 in reading proficiency;
- 16 6. The grade-level performance scores of the student;
- 17 7. That while the results of the statewide assessments
18 administered pursuant to Section 1210.508 of this title are the
19 initial determinant, they are not the sole determiner of promotion
20 and that portfolio reviews and assessments are available; and
- 21 8. The specific criteria and policies of the school district
22 for midyear promotion implemented as provided for in paragraph 4 of
23 subsection ~~N~~ O of this section.

24

1 ~~J.~~ K. No student may be assigned to a grade level based solely
2 on age or other factors that constitute social promotion.

3 ~~K.~~ L. For those students who do not meet the academic
4 requirements for promotion and who are not otherwise promoted as
5 provided for in subsection ~~H.~~ I. of this section, a school district
6 may promote the student for good cause only. Good-cause exemptions
7 for promotion shall be limited to the following:

8 1. ~~Limited-English-proficient students~~ English language
9 learners who have had less than two (2) years of instruction in an
10 English language learner program;

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

15 3. Students who demonstrate an acceptable level of performance
16 on an alternative standardized reading assessment approved by the
17 State Board of Education;

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

21 5. Students with disabilities who participate in the statewide
22 assessments administered pursuant to Section 1210.508 of this title
23 and who have an individualized education program that reflects that
24 the student has received intensive remediation in reading ~~for more~~

1 ~~than two (2) years but still demonstrates a deficiency in reading~~
2 ~~and was previously retained in prekindergarten for academic reasons,~~
3 ~~kindergarten, first grade, second grade, or third grade~~ and has made
4 adequate progress in reading pursuant to the student's
5 individualized education program;

6 6. Students who have received intensive remediation in reading
7 through a program of reading instruction for two (2) or more years
8 but still demonstrate a deficiency in reading and who were
9 previously retained in prekindergarten for academic reasons,
10 kindergarten, first grade, second grade, or third grade ~~for a total~~
11 ~~of two (2) years;~~ and

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

14 ~~L.~~ M. A student who is otherwise promoted as provided for in
15 subsection ~~H~~ I of this section or is promoted for good cause as
16 provided for in subsection ~~K~~ L of this section shall be provided
17 intensive reading instruction ~~during an altered instructional day~~
18 that includes specialized diagnostic information and specific
19 reading strategies for each student until the student meets grade-
20 level targets in reading. The school district shall assist schools
21 and teachers to implement reading strategies for the promoted
22 students that research has shown to be successful in improving
23 reading among low-performing readers.

24

1 ~~M.~~ N. Requests to exempt students from the retention
2 requirements based on one of the good-cause exemptions as described
3 in subsection ~~K~~ L of this section shall be made using the following
4 process:

5 1. Documentation submitted from the teacher of the student to
6 the school principal that indicates the student meets one of the
7 good-cause exemptions and promotion of the student is appropriate.
8 In order to minimize paperwork requirements, the documentation shall
9 consist only of the alternative assessment results or student
10 portfolio work and the individual education plan (IEP), as
11 applicable;

12 2. The principal of the school shall review and discuss the
13 documentation with the teacher and, if applicable, the other members
14 of the Student Reading Proficiency Team as described in subsection ~~D~~
15 E of this section. If the principal determines that the student
16 meets one of the good-cause exemptions and should be promoted based
17 on the documentation provided, the principal shall make a
18 recommendation in writing to the school district superintendent; and

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

21 ~~N.~~ O. Each school district shall:

22 1. Conduct a review of the program of reading instruction for
23 all students who ~~score below the proficient level~~ do not meet the
24 performance criteria established by the Commission for Educational

1 Quality and Accountability on the reading portion of the statewide
2 assessment administered pursuant to Section 1210.508 of this title
3 and did not meet the criteria for one of the good-cause exemptions
4 as set forth in subsection ~~K~~ L of this section. The review shall
5 address additional supports and services, as described in this
6 subsection, needed to remediate the identified areas of reading
7 deficiency. The school district shall require a student portfolio
8 to be completed for each retained student;

9 2. Provide to students who have been retained as set forth in
10 subsection ~~H~~ I of this section with intensive interventions in
11 reading, intensive instructional services and supports to remediate
12 the identified areas of reading deficiency, including a minimum of
13 ninety (90) minutes of daily, uninterrupted, scientific-research-
14 based reading instruction. Retained students shall be provided
15 other strategies prescribed by the school district, which may
16 include, but are not limited to:

- 17 a. small group instruction,
- 18 b. reduced teacher-student ratios,
- 19 c. more frequent progress monitoring,
- 20 d. tutoring or mentoring,
- 21 e. transition classes containing third- and fourth-grade
22 students,
- 23 f. extended school day, week, or year, and

24

1 g. summer reading academies as provided for in Section
2 1210.508E of this title, if available;

3 3. Provide written notification to the parent or guardian of
4 any student who is to be retained as set forth in subsection ~~¶ I~~ I of
5 this section that the student has not met the ~~proficiency level~~
6 performance criteria required for promotion and was not otherwise
7 promoted and the reasons the student is not eligible for a good-
8 cause exemption. The notification shall include a description of
9 proposed interventions and intensive instructional supports that
10 will be provided to the student to remediate the identified areas of
11 reading deficiency;

12 4. Implement a policy for the midyear promotion of a retained
13 student who can demonstrate that the student is a successful and
14 independent reader, is reading at or above ~~grade level~~ grade-level
15 targets, and is ready to be promoted to the fourth grade. Tools
16 that school districts may use in reevaluating any retained student
17 may include ~~subsequent~~ screening assessments, alternative
18 assessments, and portfolio reviews, in accordance with rules of the
19 State Board of Education. Retained students may only be promoted
20 midyear prior to November 1 and only upon demonstrating ~~a level of~~
21 ~~proficiency required to score at the proficient level~~ that the
22 student has met the performance criteria established by the
23 Commission for Educational Quality and Accountability on the reading
24 portion of the statewide third-grade assessment administered

1 pursuant to Section 1210.508 of this title, or upon demonstrating
2 proficiency in reading at the third-grade level through a screening
3 instrument administered pursuant to subsection B of this section,
4 and upon showing progress sufficient to master appropriate fourth-
5 grade-level skills, as determined by the school. A midyear
6 promotion shall be made only upon agreement of the parent or
7 guardian of the student and the school principal;

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

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

14 a. supplemental tutoring in scientific-research-based
15 reading services in addition to the regular reading
16 block, including tutoring before or after school,

17 b. a parent-guided "Read at Home" assistance plan, as
18 developed by the State Department of Education, the
19 purpose of which is to encourage regular parent-guided
20 home reading, or

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

22 ~~Θ~~ P. Beginning with the 2011-2012 school year, each school
23 district shall establish a Reading Enhancement and Acceleration
24 Development (READ) Initiative. The focus of the READ Initiative

1 shall be to prevent the retention of third-grade students by
2 offering intensive accelerated reading instruction to third-grade
3 students who failed to meet standards for promotion to fourth grade
4 and to kindergarten through third-grade students who are exhibiting
5 a reading deficiency. The READ Initiative shall:

6 1. Be provided to all kindergarten through third-grade students
7 at risk of retention as identified by the assessments administered
8 pursuant to the Reading Sufficiency Act. The assessment used shall
9 measure phonemic awareness, phonics, reading fluency, vocabulary,
10 and comprehension;

11 2. Be provided during regular school hours in addition to the
12 regular reading instruction; ~~and~~

13 3. Provide a ~~state-approved~~ reading curriculum that, at a
14 minimum, meets the following specifications:

15 a. assists students assessed as exhibiting a reading
16 deficiency in developing the ability to read at grade
17 level,

18 b. provides skill development in phonemic awareness,
19 phonics, reading fluency, vocabulary, and
20 comprehension,

21 c. provides a scientific-research-based and reliable
22 assessment,

23 d. provides initial and ongoing analysis of the reading
24 progress of each student, and

- 1 e. is implemented during regular school hours,
2 ~~f. provides a curriculum in core academic subjects to~~
3 ~~assist the student in maintaining or meeting~~
4 ~~proficiency levels for the appropriate grade in all~~
5 ~~academic subjects,~~
6 ~~g. establishes;~~

7 4. Establish at each school, where applicable, an Intensive
8 Acceleration Class for retained third-grade students who
9 subsequently ~~score below the proficient level~~ do not meet the
10 performance criteria established by the Commission for Educational
11 Quality and Accountability on the reading portion of the statewide
12 assessment administered pursuant to Section 1210.508 of this title.
13 The focus of the Intensive Acceleration Class shall be to increase
14 the reading level of a child at least two grade levels in one (1)
15 school year. The Intensive Acceleration Class shall:

16 ~~(1)~~

- 17 a. be provided to any student in the third grade who
18 ~~scores below the proficient level~~ does not meet the
19 performance criteria established by the Commission for
20 Educational Quality and Accountability on the reading
21 portion of the statewide assessments and who was
22 retained in the third grade the prior year because of
23 ~~scoring below the proficient level~~ not meeting the

1 performance criteria on the reading portion of the
2 statewide assessments,

3 ~~(2)~~

4 b. have a reduced teacher-student ratio,

5 ~~(3)~~

6 c. provide uninterrupted reading instruction for the
7 majority of student contact time each day and
8 incorporate opportunities to master the fourth-grade
9 state standards in other core subject areas,

10 ~~(4)~~

11 d. use a reading program that is scientific-research-
12 based and has proven results in accelerating student
13 reading achievement within the same school year,

14 ~~(5)~~

15 e. provide intensive language and vocabulary instruction
16 using a scientific-research-based program, including
17 use of a speech-language therapist, and

18 ~~(6)~~

19 f. include weekly progress monitoring measures to ensure
20 progress is being made, ~~and~~

21 ~~(7) provide reports to the State Department of~~

22 ~~Education, in the manner described by the~~

23 ~~Department, outlining the progress of students in~~

24 ~~the class at the end of the first semester,~~

1 ~~h. provide;~~

2 5. Provide reports to the State Board of Education, upon
3 request, on the specific intensive reading interventions and
4 supports implemented by the school district. The State
5 Superintendent of Public Instruction shall annually prescribe the
6 required components of the reports, ~~and~~

7 ~~i. provide; and~~

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

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

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~~ grade three through ten performing below the
13 proficient level that did not meet the performance
14 criteria established by the Commission for Educational
15 Quality and Accountability on the reading portion of
16 the statewide assessment administered pursuant to
17 Section 1210.508 of this title,

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

20 d. information on the total number and percentage of
21 students who were promoted for good cause, by each
22 category of good cause as specified above, and
23
24

1 e. any revisions to the policies of the school district
2 on student retention and promotion from the prior
3 year.

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

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

16 S. On or before ~~December~~ January 31 of each year, the State
17 Department of Education shall issue to the Governor, the President
18 Pro Tempore of the Senate, the Speaker of the House of
19 Representatives and members of the Senate and House of
20 Representatives Education Committees a Reading Sufficiency Report
21 ~~Card for the state and each school district and elementary site~~
22 which shall include, but is not limited to, trend data detailing
23 three (3) years of data, disaggregated by student subgroups to
24 include economically disadvantaged, major racial or ethnic groups,

1 students with disabilities, and English language learners, as
2 appropriate for the following:

3 1. The number and percentage of students in kindergarten
4 through third grade determined to be at risk for reading
5 difficulties compared to the total number of students enrolled in
6 each grade;

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

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

14 4. The number and percentage of students ~~scoring at each~~
15 ~~performance level~~ that meet or do not meet the performance criteria
16 established by the Commission for Educational Quality and
17 Accountability on the reading portion of the statewide third-grade
18 assessment administered pursuant to Section 1210.508 of this title;

19 5. The number of students tested, the number of students
20 promoted through meeting proficiency on a screening instrument as
21 provided for in subsection # I of this section, the number of
22 students promoted through each of the good-cause exemptions as
23 provided for in subsection # L of this section and the number of
24 students retained and the number of students promoted through

1 probationary promotion as provided for in subsection # I of this
2 section for each elementary site;

3 6. Data tracking the progression of students promoted through
4 each of the good-cause exemptions as provided for in subsection # L
5 of this section and students promoted through probationary promotion
6 or students who are retained in third grade as provided for in
7 subsection # I of this section ~~through the eighth grade~~. The data
8 shall include but not be limited to information regarding whether
9 students graduate on time;

10 7. The amount of funds for reading remediation received by each
11 district;

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

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

17 10. Socioeconomic information, access to reading resources
18 outside of school and screening for and identification of learning
19 disabilities for students not reading at the appropriate grade level
20 by third grade;

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

1 12. Any recommendations for improvements or amendments to the
2 Reading Sufficiency Act.

3 The State Department of Education may contract with an
4 independent entity for the reporting and analysis requirements of
5 this subsection.

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

8 ~~SECTION 3. This act shall become effective July 1, 2019.~~

9 ~~SECTION 4. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.~~

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
14 February 27, 2019 - DO PASS AS AMENDED

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