ENGROSSED HOUSE
BILL NO. 2036

By: Boyd of the House

and

Morgan of the Senate

An Act relating to schools; amending Section 3, Chapter 349 O.S.L. 1997, as last amended by Section 2, Chapter 176, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508C), which relates to the Reading Sufficiency Act; adding requirement that the State Department of Education adopt a benchmark for the third grade; amending Section 54, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508E), which relates to grade promotion; adding requirement that certain benchmark be used; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 349, O.S.L. 1997, as last amended by Section 2, Chapter 176, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508C), is amended to read as follows:

Section 1210.508C A. Beginning with the 1998-99 school year, each student enrolled in kindergarten, first, second and third grade of the public schools of this state shall be assessed by multiple ongoing assessments for the acquisition of reading skills for the grade level in which that student is enrolled. Before the close of each school year, except for students who are on an individualized education program, have limited English proficiency or for which English is a second language, any of the students provided for in this subsection found not to be reading at the appropriate grade level shall be provided a reading assessment plan which shall include a program of instruction in reading designed to enable the student to acquire the appropriate grade level reading skills. <u>Beginning with the 2000-01 school year, the State Department of</u>

Education shall adopt a benchmark for reading sufficiency at the third-grade level.

B. The reading assessment plan required in subsection A of this section shall include, but not be limited to:

1. Sufficient additional in-school instructional time for the development of reading and comprehension skills of the student;

2. If necessary, tutorial instruction after regular school hours, on Saturdays and during summer; however, such instruction may not be counted toward the one-hundred-eighty-day school year required in Section 1-109 of this title; and

3. The five essential elements of reading instruction: phoneme awareness, phonics, spelling, reading fluency and comprehension.

C. The reading assessment plan program of instruction shall continue until the student is determined not to be in need of remediation in reading.

D. 1. Every school district shall adopt and annually update a district reading sufficiency plan which has had input from school administrators, teachers, students, and parents and if possible a reading specialist, and which shall be submitted to and approved by the State Board of Education as a part of each district's Comprehensive Local Education Plan. The district reading sufficiency plan shall include a plan for each site which includes an analysis of the data provided by the Oklahoma School Testing Program and other reading assessments utilized, and which outlines how each school site will comply with the provisions of the Reading Sufficiency Act.

2. Each school site shall establish a committee composed of educators, which if possible shall include a certified reading specialist, to determine the reading assessment plan for each student for whom one is necessary. A parent or guardian of the student shall be included in the development of the reading assessment plan for that student.

3. The State Board of Education shall promulgate rules for the implementation of the provisions of this section.

E. For any third-grade student ~~in need of remediation as determined by multiple ongoing assessments and reading assessments administered in the Oklahoma School Testing Program~~ who has not met the benchmark specified in Subsection A of this section, a new reading assessment plan shall be developed and implemented as specified in this section. If possible, a fourth-grade teacher shall be involved in the development of the reading assessment plan. In addition to other requirements of this act, the plan shall include specialized tutoring and may include a recommendation as to whether the student should be retained in the third grade at the close of that year. The parent or guardian of the student shall be included in the retention consideration.

F. The State Department of Education shall annually issue a Reading Report Card for each elementary site which includes the number of students in need of remediation in reading in kindergarten, first, second and third grades.

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

SECTION 2. AMENDATORY Section 54, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508E), is amended to read as follows:

Section 1210.508E A. A teacher who determines a third-grade student is unable to meet competencies required for completion of third grade and promotion to fourth grade, shall have the authority to recommend that the promotion of the student to the fourth grade is contingent upon the participation in and successful ~~completion~~ attainment of the required competencies by the student, including meeting the benchmark for reading specified in Subsection A of Section 1210.508C of this title, at a summer academy. If the student does not successfully ~~complete~~ attain the competencies in

the summer academy, the student shall be retained in the third grade. Summer academy programs shall be designed to ensure that participating students successfully ~~complete~~ attain the competencies necessary for promotion to fourth grade and to enhance next-grade readiness.

B. Beginning one (1) year after implementation of this section as provided for in Section 56 of ~~this act~~ Chapter 320 of the 1999 Oklahoma Session Laws, the requirements of subsection A of this section shall be expanded to apply to fourth-grade students being promoted to fifth grade. Each year thereafter the requirements shall be expanded by one grade level until the requirements apply to third-grade students through eighth-grade students. Summer academy programs shall be designed for each grade level.

SECTION 3. This act shall become effective July 1, 2000.

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

Passed the House of Representatives the 2nd day of March, 2000.

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Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 2000.

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President of the Senate