

**EHB 2036**

**THE STATE SENATE**  
**Tuesday, March 14, 2000**

**ENGROSSED**

**House Bill No. 2036**

**As Amended**

ENGROSSED HOUSE BILL NO. 2036 - By: BOYD of the House and MORGAN,  
WILLIAMS and WILCOXSON of the Senate.

**[ schools - Reading Sufficiency Act - effective date -  
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

1 student to acquire the appropriate grade level reading skills.  
2 Beginning with the 2000-01 school year, the State Department of  
3 Education shall adopt a benchmark for reading sufficiency at the  
4 third-grade level.

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

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

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

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

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

18 D. 1. Every school district shall adopt and annually update a  
19 district reading sufficiency plan which has had input from school  
20 administrators, teachers, students, and parents and if possible a  
21 reading specialist, and which shall be submitted to and approved by  
22 the State Board of Education as a part of each district's  
23 Comprehensive Local Education Plan. The district reading

1 sufficiency plan shall include a plan for each site which includes  
2 an analysis of the data provided by the Oklahoma School Testing  
3 Program and other reading assessments utilized, and which outlines  
4 how each school site will comply with the provisions of the Reading  
5 Sufficiency Act.

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

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

14 E. For any third-grade student ~~in need of remediation as~~  
15 ~~determined by multiple ongoing assessments and reading assessments~~  
16 ~~administered in the Oklahoma School Testing Program~~ who has not met  
17 the benchmark specified in Subsection A of this section, a new  
18 reading assessment plan shall be developed and implemented as  
19 specified in this section. If possible, a fourth-grade teacher  
20 shall be involved in the development of the reading assessment plan.  
21 In addition to other requirements of this act, the plan shall  
22 include specialized tutoring and may include a recommendation as to  
23 whether the student should be retained in the third grade at the

1 close of that year. The parent or guardian of the student shall be  
2 included in the retention consideration.

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

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

9 SECTION 2. AMENDATORY Section 54, Chapter 320, O.S.L.  
10 1999 (70 O.S. Supp. 1999, Section 1210.508E), is amended to read as  
11 follows:

12 Section 1210.508E A. A teacher who determines a third-grade  
13 student is unable to meet competencies required for completion of  
14 third grade and promotion to fourth grade, shall have the authority  
15 to recommend that the promotion of the student to the fourth grade  
16 is contingent upon the participation in and successful ~~completion~~  
17 attainment of the required competencies by the student, including  
18 meeting the benchmark for reading specified in Subsection A of  
19 Section 1210.508C of this title, at a summer academy. If the  
20 student does not successfully ~~complete~~ attain the competencies in  
21 the summer academy, the student shall be retained in the third  
22 grade. Summer academy programs shall be designed to ensure that  
23 participating students successfully ~~complete~~ attain the competencies

1 necessary for promotion to fourth grade and to enhance next-grade  
2 readiness.

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

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 3-13-00 - DO  
17 PASS, As Amended and Coauthored.