

EHB 1133

THE STATE SENATE
Wednesday, March 31, 2004

ENGROSSED

House Bill No. 1133

As Amended

ENGROSSED HOUSE BILL NO. 1133 - By: EDDINS of the House and ROZELL of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1210.508C, which relates to the Reading Sufficiency Act; limiting school district liability for certain medical evaluation recommendations; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 1210.508C, is amended to read as follows:

Section 1210.508C A. ~~Beginning with the 2001-2002 school year,~~
~~each~~ Each student enrolled in kindergarten in a public school in this state shall be screened for reading skills including, but not limited to, phoneme awareness, letter recognition, and oral language skills. Classroom assistants, which may include parents, grandparents, or other volunteers, shall be provided in kindergarten classes to assist with the screening of students if a teacher aide is not already employed to assist in a kindergarten classroom.

B. Students enrolled in first, second and third grade of the public schools of this state shall be assessed at the beginning of each school year and throughout the school year by multiple ongoing

1 assessments for the acquisition of reading skills including, but not
2 limited to, phoneme awareness, phonics, spelling, reading fluency,
3 and comprehension. Except for students who are on an individualized
4 education program or have limited English proficiency or for whom
5 English is a second language, any student who is assessed and found
6 not to be reading at the appropriate grade level shall be provided a
7 program of reading instruction designed to enable the student to
8 acquire the appropriate grade level reading skills. If a student is
9 found not to be reading at the appropriate grade level and teachers,
10 in collaboration with others, are concerned that undiagnosed health
11 problems may affect the ability of the student to read, the school
12 district may make a recommendation to the parents or legal guardians
13 for a medical evaluation without being liable for the cost of the
14 evaluation or any associated costs.

15 C. The State Department of Education shall provide to each
16 school district a list of approved comparable reading assessments,
17 which also shall include any such assessments recommended by the
18 Oklahoma Commission for Teacher Preparation and may include any
19 assessments developed and approved by the State Department of
20 Education, to be used for initial identification of students at risk
21 of reading failure and for periodic and post assessments. The sum
22 of the assessments shall measure student acquisition of reading
23 skills including, but not limited to, phoneme awareness, phonics,

1 spelling, reading fluency and comprehension and shall reflect the
2 required reading competencies adopted by the Board pursuant to
3 subsection A of Section 11-103.6 of this title.

4 D. The program of reading instruction required in subsection A
5 B of this section shall include, but not be limited to:

6 1. Sufficient additional in-school instructional time for the
7 acquisition of phoneme awareness, phonics, spelling, reading fluency
8 and comprehension;

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. Periodic reassessments to measure the acquisition of reading
14 skills including, but not limited to, phoneme awareness, phonics,
15 spelling, reading fluency and comprehension, as identified in the
16 student's program of reading instruction.

17 E. The program of reading instruction shall continue until the
18 student is determined by the results of approved reading assessments
19 to be reading on grade level.

20 F. 1. Every school district shall adopt and annually update a
21 district reading sufficiency plan which has had input from school
22 administrators, teachers, and parents and if possible a reading
23 specialist, and which shall be submitted to and approved by the

1 State Board of Education as a part of each district's Comprehensive
2 Local Education Plan. The district reading sufficiency plan shall
3 include a plan for each site which includes an analysis of the data
4 provided by the Oklahoma School Testing Program and other reading
5 assessments utilized as required in this section, and which outlines
6 how each school site will comply with the provisions of the Reading
7 Sufficiency Act.

8 2. Each school site shall establish a committee, composed of
9 educators, which if possible shall include a certified reading
10 specialist, to develop the required programs of reading instruction.
11 A parent or guardian of the student shall be included in the
12 development of the program of reading instruction for that student.

13 3. The State Board of Education shall promulgate rules for the
14 implementation and evaluation of the provisions of the Reading
15 Sufficiency Act. The evaluation shall include, but not be limited
16 to, an analysis of the data required in subsection H of this
17 section.

18 G. For any third-grade student found not to be reading at grade
19 level as determined by reading assessments administered pursuant to
20 this section, a new program of reading instruction shall be
21 developed and implemented as specified in this section. If
22 possible, a fourth-grade teacher shall be involved in the
23 development of the program of reading instruction. In addition to

1 other requirements of this act, the plan shall include specialized
2 tutoring and may include a recommendation as to whether the student
3 should be retained in the third grade at the close of that year.
4 The parent or guardian of the student shall be included in the
5 retention consideration.

6 H. On or before October 1 of each year, the State Department of
7 Education shall issue to the Governor and members of the Senate and
8 House of Representatives Education Committees a Reading Report Card
9 for each elementary site which shall include, but is not limited to:

10 1. The number of students in need of remediation in reading in
11 first, second and third grades;

12 2. The number of students provided with a program of reading
13 instruction pursuant to this section;

14 3. The number of students who have successfully completed their
15 program of reading instruction; and

16 4. An evaluation and narrative interpretation of the report
17 data prepared by the State Department of Education.

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

20 SECTION 2. This act shall become effective **July 1, 2004**.

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 3-29-04 - DO
4 PASS, As Amended.