STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1133 By: Eddins

AS INTRODUCED

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 assessments for the acquisition of reading skills including, but not limited to, phoneme awareness, phonics, spelling, reading fluency, and comprehension. Except for students who are on an individualized education program or have limited English proficiency or for whom English is a second language, any student who is assessed and found not to be reading at the appropriate grade level shall be provided a program of reading instruction designed to enable the student to

acquire the appropriate grade level reading skills. If a student is found not to be reading at the appropriate grade level and teachers, in collaboration with others, are concerned that undiagnosed health problems may affect the ability of the student to read, the school district may make a recommendation to the parents or legal guardians for a medical evaluation without being liable for the cost of the evaluation or any associated costs.

C. The State Department of Education shall provide to each school district a list of approved comparable reading assessments, which also shall include any such assessments recommended by the Oklahoma Commission for Teacher Preparation and may include any assessments developed and approved by the State Department of Education, to be used for initial identification of students at risk of reading failure and for periodic and post assessments. The sum of the assessments shall measure student acquisition of reading skills including, but not limited to, phoneme awareness, phonics, spelling, reading fluency and comprehension and shall reflect the required reading competencies adopted by the Board pursuant to subsection A of Section 11-103.6 of this title.

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

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

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

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

F. 1. Every school district shall adopt and annually update a district reading sufficiency plan which has had input from school administrators, teachers, 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 as required in this section, 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 develop the required programs of reading instruction. A parent or guardian of the student shall be included in the development of the program of reading instruction for that student.

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

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

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

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

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

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

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

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

SECTION 2. This act shall become effective July 1, 2003.

SECTION 3. 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.

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