ENGROSSED HOUSE
BILL NO. 2712

By: Kern of the House

and

Wilcoxson of the Senate

An Act relating to schools; amending 70 O.S. 2001, Sections 1210.508B and 1210.508E, as last amended by Sections 2 and 3, Chapter 385, O.S.L. 2005 (70 O.S. Supp. 2005, Sections 1210.508B and 1210.508E), which relate to the Reading Sufficiency Act; clarifying the amount of time focused on reading and mathematics; adding certain certified teachers who are allowed to teach summer academy programs; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 1210.508B, as last amended by Section 2, Chapter 385, O.S.L. 2005 (70 O.S. Supp. 2005, Section 1210.508B), is amended to read as follows:

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

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

C. Each public school district in this state shall ensure that <u>a majority of the</u> instructional time each day of the school year in

kindergarten through third grade is focused on reading and mathematics. The State Board of Education shall encourage school districts to integrate the teaching of the other curricular areas in the Priority Academic Student Skills (PASS) adopted by the Board with the instruction of reading and mathematics.

D. The reading goal for Oklahoma public schools is as follows: By May 1, 2007, and each year thereafter, ninety percent (90%) or more of all third-grade students, excluding those students who have individualized education programs in an area related to reading, pursuant to the Individuals with Disabilities Education Act (IDEA), limited English proficiency, or for whom English is a second language, will read at or above grade level by the end of their third-grade year. To achieve the reading goal, each public elementary school shall:

1. Determine its baseline no later than May 1, 2002, which shall be the percentage of students reading at or above third-grade level as determined by Section 1210.508C of this title; and

2. Set and achieve annual improvement goals necessary to progress from the baseline established in 2002 to the reading goal of ninety percent (90%) by May 1, 2007. The annual improvement goals shall be included in the district's reading sufficiency plan required in Section 1210.508C of this title.

E. The primary standard for evaluating an elementary school on a district's reading instruction will be whether it results in improvement toward meeting the reading goal.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 1210.508E, as last amended by Section 3, Chapter 385, O.S.L. 2005 (70 O.S. Supp. 2005, Section 1210.508E), is amended to read as follows:

Section 1210.508E A. If a teacher determines that a third-grade student is not reading at grade level by the end of the second quarter of the school year, the parent or guardian of the student shall be notified of:

1. The reading level of the student;

2. The program of reading instruction for the student as required pursuant to the Reading Sufficiency Act; and

3. The potential need for the student to participate in a summer academy or other program designed to assist the student in attaining grade-level reading skills.

B. A teacher who determines a third-grade student is unable to meet competencies required for reading for completion of third grade and promotion to fourth grade, may have the authority, after consultation with the parent or guardian of the student, to recommend that the promotion of the student to the fourth grade is contingent upon the participation in and successful completion of the required competencies for reading by the student at a summer academy or other program. If the student does not successfully complete the competencies in the summer academy or other program, the student may be retained in the third grade.

C. Summer academy programs shall be designed to ensure that participating students successfully complete the competencies necessary in reading for promotion to fourth grade and to enhance next-grade readiness. A summer academy reading program shall be a program that incorporates the content of a <u>scientifically based</u> reading program administered by the Oklahoma Commission for Teacher Preparation or a scientifically based reading program administered by the State Board of Education and is taught by teachers who have successfully completed professional development in the reading program <u>or who are certified as reading specialists</u>.

D. School districts may approve an option for students who are unable to attend a summer academy. The optional program may include, but is not limited to, an approved private provider of instruction, approved computer- or Internet-based instruction, or an approved program of reading instruction monitored by the parent or guardian. School districts shall not be required to pay for the

optional program, but shall clearly communicate to the parent or guardian the expectations of the program and any costs that may be involved.

E. Subject to the availability of funds, beginning one (1) year after implementation of this section, the requirements of subsection B of this section shall be expanded to apply to fourth-grade student promotion 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. Nothing in this section shall prevent the State Board of Education or a school district board of education from utilizing private, local, or federal funds to implement this section.

F. The provisions of this section shall not apply to:

1. Students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) and who satisfy the annual goals of the individualized education program for that student; and

2. Students who are English language learners who have been determined not to be proficient in English as defined by a state-designated English proficiency assessment.

G. The State Board of Education shall adopt rules to implement the provisions of this section which shall include requirements for instructional time for summer school programs, teacher qualifications, and evaluation of student achievement as a result of summer academy programs or other optional programs.

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.

Passed the House of Representatives the 7th day of March, 2006.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2006.

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Presiding Officer of the Senate