

EHB 2712

THE STATE SENATE  
Thursday, April 6, 2006

ENGROSSED

House Bill No. 2712

As Amended

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; **modifying criteria for certain programs**; 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.

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

5           C. Each public school district in this state shall ensure that  
6 a majority of the instructional time each day of the school year in  
7 kindergarten through third grade is focused on reading and  
8 mathematics. The State Board of Education shall encourage school  
9 districts to integrate the teaching of the other curricular areas in  
10 the Priority Academic Student Skills (PASS) adopted by the Board  
11 with the instruction of reading and mathematics.

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

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

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

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

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

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

16           1. The reading level of the student;

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

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

22           B. A teacher who determines a third-grade student is unable to  
23 meet competencies required for reading for completion of third grade

1 and promotion to fourth grade, may have the authority, after  
2 consultation with the parent or guardian of the student, to  
3 recommend that the promotion of the student to the fourth grade is  
4 contingent upon the participation in and successful completion of  
5 the required competencies for reading by the student at a summer  
6 academy or other program. If the student does not successfully  
7 complete the competencies in the summer academy or other program,  
8 the student may be retained in the third grade.

9 C. Summer academy programs shall be designed to ensure that  
10 participating students successfully complete the competencies  
11 necessary in reading for promotion to fourth grade and to enhance  
12 next-grade readiness. A summer academy reading program shall be a  
13 program that incorporates the content of a **reading scientifically**  
14 **research based professional development** program administered by the  
15 Oklahoma Commission for Teacher Preparation or a scientifically  
16 based reading program administered by the State Board of Education  
17 and is taught by teachers who have successfully completed  
18 professional development in the reading program or who are certified  
19 as reading specialists.

20 D. School districts may approve an option for students who are  
21 unable to attend a summer academy. The optional program may  
22 include, but is not limited to, an approved private provider of  
23 instruction, approved computer- or Internet-based instruction, or an

1 approved program of reading instruction monitored by the parent or  
2 guardian. School districts shall not be required to pay for the  
3 optional program, but shall clearly communicate to the parent or  
4 guardian the expectations of the program and any costs that may be  
5 involved.

6 E. Subject to the availability of funds, beginning one (1) year  
7 after implementation of this section, the requirements of subsection  
8 B of this section shall be expanded to apply to fourth-grade student  
9 promotion to fifth grade. Each year thereafter, the requirements  
10 shall be expanded by one grade level until the requirements apply to  
11 third-grade students through eighth-grade students. Summer academy  
12 programs shall be designed for each grade level. Nothing in this  
13 section shall prevent the State Board of Education or a school  
14 district board of education from utilizing private, local, or  
15 federal funds to implement this section.

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

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

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

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

6 SECTION 3. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 4-3-06 - DO PASS,  
11 As Amended.