

1 ENGROSSED SENATE  
2 BILL NO. 785

By: Jolley of the Senate

and

Denney of the House

3  
4  
5  
6 [ schools - Reading Sufficiency Act - benchmark  
7 scores - intensive remediation - remediation plan -  
8 automatic promotion - meeting - conditions for  
9 promotion - application of program - parental  
10 notification - ~~effective date~~ -  
11 ~~emergency~~ ]

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508C,  
14 as last amended by Section 10, Chapter 430, O.S.L. 2014 (70 O.S.  
15 Supp. 2014, Section 1210.508C), is amended to read as follows:

16 Section 1210.508C. A. 1. Each student enrolled in  
17 kindergarten in a public school in this state shall be screened for  
18 reading skills including, but not limited to, phonological  
19 awareness, letter recognition, and oral language skills as  
20 identified in the subject matter standards adopted by the State  
21 Board of Education. A screening instrument approved by the State  
22 Board shall be utilized for the purposes of this section, and grade  
23 level performance benchmarks scores shall be used to assess a  
24 student's reading level.

1           2. For those kindergarten children at risk for reading  
2 difficulties, teachers shall emphasize reading skills as identified  
3 in the subject matter standards adopted by the State Board of  
4 Education, monitor progress throughout the year and measure year-end  
5 reading progress.

6           3. Classroom assistants, which may include parents,  
7 grandparents, or other volunteers, shall be provided in kindergarten  
8 classes to assist with the screening of students if a teacher aide  
9 is not already employed to assist in a kindergarten classroom.

10          B. 1. Each student enrolled in kindergarten, first, second,  
11 and third grade of the public schools of this state shall be  
12 assessed at the beginning of each school year using a screening  
13 instrument approved by the State Board of Education for the  
14 acquisition of reading skills including, but not limited to,  
15 phonological awareness, phonics, spelling, reading fluency,  
16 vocabulary, and comprehension.

17          2. Any student who is assessed and found not to be reading at  
18 the appropriate grade level shall be provided a program of reading  
19 instruction designed to enable the student to acquire the  
20 appropriate grade level reading skills. Beginning with students  
21 entering the first grade in the 2011-2012 school year, the program  
22 of reading instruction shall include provisions of the READ  
23 Initiative adopted by the school district as provided for in  
24 subsection Ø P of this section.

1           3. Throughout the year progress monitoring shall continue, and  
2 diagnostic assessment, if determined appropriate, shall be provided.  
3 Year-end reading skills shall be measured to determine reading  
4 success.

5           C. The State Board of Education shall approve screening  
6 instruments for use at the beginning of the school year, for  
7 monitoring of progress, and for measurement of reading skills at the  
8 end of the school year as required in subsections A and B of this  
9 section; provided, at least one of the screening instruments shall  
10 meet the following criteria:

11           1. Assess for phonological awareness, phonics, reading fluency,  
12 and comprehension;

13           2. Document the validity and reliability of each assessment;

14           3. Can be used for diagnosis and progress monitoring;

15           4. Can be used to assess special education and limited-English-  
16 proficient students; or

17           5. Accompanied by a data management system that provides  
18 profiles for students, class, grade level, and school building. The  
19 profiles shall identify each student's instructional point of need  
20 and reading achievement level. The State Board shall also determine  
21 other comparable reading assessments for diagnostic purposes and for  
22 periodic and post assessments to be used for students at risk of  
23 reading failure. The State Board shall ensure that any assessments  
24

1 approved are in alignment with the subject matter standards adopted  
2 by the State Board of Education.

3 D. The program of reading instruction required in subsection B  
4 of this section shall align with the subject matter standards  
5 adopted by the State Board of Education, shall include provisions of  
6 the READ Initiative adopted by the school district as provided for  
7 in subsection Θ P of this section beginning with students entering  
8 the first grade in the 2011-2012 school year and may include, but is  
9 not limited to:

10 1. Sufficient additional in-school instructional time for the  
11 acquisition of phonological awareness, phonics, spelling, reading  
12 fluency, vocabulary, and comprehension;

13 2. If necessary, tutorial instruction after regular school  
14 hours, on Saturdays and during summer; however, such instruction may  
15 not be counted toward the one-hundred-eighty-day or one-thousand-  
16 eighty-hour school year required in Section 1-109 of this title; and

17 3. Assessments identified for diagnostic purposes and periodic  
18 monitoring to measure the acquisition of reading skills including,  
19 but not limited to, phonological awareness, phonics, spelling,  
20 reading fluency, vocabulary, and comprehension, as identified in the  
21 student's program of reading instruction.

22 E. 1. Beginning with the 2015-2016 school year, a student who  
23 is identified at any point of the academic year as having a reading  
24 deficiency shall be entitled to intensive remediation in reading

1 until the student is able to demonstrate proficiency in reading at  
2 the grade level in which the student is enrolled.

3 2. a. For a student enrolled in first grade who scores  
4 unsatisfactory on a screening instrument which meets  
5 the acquisition of reading skills criteria pursuant to  
6 subsection B of this section; and

7 b. For a student enrolled in second grade who scores  
8 unsatisfactory or limited knowledge on a screening  
9 instrument which meets the acquisition of reading  
10 skills criteria pursuant to subsection B of this  
11 section;

12 An intensive remediation plan, which shall include retention at  
13 the parent's discretion, shall be developed by a "Student Reading  
14 Proficiency Team" composed of:

15 a. the parent(s) and/or guardian(s) of the student,

16 b. the teacher assigned to the student who had  
17 responsibility for reading instruction in that  
18 academic year,

19 c. a teacher in reading who teaches in the subsequent  
20 grade level, and

21 d. a certified reading specialist, if one is available.

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

1        ~~F.~~ G. 1. Every school district shall adopt<sup>7</sup> and implement a  
2 district reading sufficiency plan which has had input from school  
3 administrators, teachers, and parents and if possible a reading  
4 specialist, and which shall be submitted electronically to and  
5 approved by the State Board of Education. The plan shall be updated  
6 annually. School districts shall not be required to electronically  
7 submit the annual updates to the Board if the last plan submitted to  
8 the Board was approved and expenditures for the program include only  
9 expenses relating to individual and small group tutoring, purchase  
10 of and training in the use of screening and assessment measures,  
11 summer school programs and Saturday school programs. If any  
12 expenditure for the program is deleted or changed or any other type  
13 of expenditure for the program is implemented, the school district  
14 shall be required to submit the latest annual update to the Board  
15 for approval. The district reading sufficiency plan shall include a  
16 plan for each site which includes an analysis of the data provided  
17 by the Oklahoma School Testing Program and other reading assessments  
18 utilized as required in this section, and which outlines how each  
19 school site will comply with the provisions of the Reading  
20 Sufficiency Act.

21        2. Each school site shall establish a committee, composed of  
22 educators, which if possible shall include a certified reading  
23 specialist, to develop the required programs of reading instruction.  
24

1 A parent or guardian of the student shall be included in the  
2 development of the program of reading instruction for that student.

3 3. The State Board of Education shall adopt rules for the  
4 implementation and evaluation of the provisions of the Reading  
5 Sufficiency Act. The evaluation shall include, but not be limited  
6 to, an analysis of the data required in subsection ~~S~~ T of this  
7 section.

8 ~~G~~ H. For any third-grade student found not to be reading at  
9 grade level as determined by reading assessments administered  
10 pursuant to this section, a new program of reading instruction,  
11 including provisions of the READ Initiative adopted by the school  
12 district as provided for in subsection ~~Θ~~ P of this section, shall be  
13 developed and implemented as specified in this section. If  
14 possible, a fourth-grade teacher shall be involved in the  
15 development of the program of reading instruction. In addition to  
16 other requirements of the Reading Sufficiency Act, the plan may  
17 include specialized tutoring.

18 ~~H~~ I. 1. Any student who demonstrates proficiency in reading  
19 at the third-grade level through a screening instrument which meets  
20 the acquisition of reading skills criteria pursuant to subsection B  
21 of this section shall not be subject to the retention guidelines  
22 found in this section. Upon demonstrating the proficiency through  
23 the screening, the district shall provide notification to the  
24 parent(s) and/or guardian(s) of the student that they have satisfied

1 the requirements of the Reading Sufficiency Act and will not be  
2 subject to retention pursuant to this section.

3 2. If a third-grade student is identified at any point of the  
4 academic year as having a significant reading deficiency, which  
5 shall be defined as scoring below proficient on a screening  
6 instrument which meets the acquisition of reading skills criteria  
7 pursuant to subsection B of this section, the district shall  
8 immediately begin a student reading portfolio as provided by  
9 subsection ~~K~~ L of this section and shall provide notice to the  
10 parent of the deficiency pursuant to subsection ~~F~~ J of this section.

11 3. ~~a.~~ If a student has not yet satisfied the proficiency  
12 requirements of this section prior to the completion  
13 of third grade, the student may qualify for automatic  
14 promotion to the fourth grade upon scoring at or above  
15 the ~~"limited knowledge"~~ "proficient" level on the  
16 reading portion of the statewide third-grade  
17 criterion-referenced test.

18 ~~b. Prior to promotion, however, the district shall~~  
19 ~~provide notice to the parent(s) and/or guardian(s) of~~  
20 ~~the child that the child is not yet reading at grade~~  
21 ~~level in reading and provide the parent(s) and/or~~  
22 ~~guardian(s) of the child the option for retention~~  
23 ~~should they so desire. The notice shall contain, at a~~  
24 ~~minimum, the most recently identifiable grade level on~~

1           ~~which the student is actually proficient, the~~  
2           ~~opportunities for summer reading programs, school~~  
3           ~~and/or community based reading tutoring, vendors which~~  
4           ~~provide reading tutoring and the rights to the~~  
5           ~~continuing intensive remediation pursuant to this~~  
6           ~~paragraph.~~

7           ~~c. A student so promoted shall be entitled to intensive~~  
8           ~~remediation in reading until the student is able to~~  
9           ~~demonstrate proficiency in reading at the grade level~~  
10           ~~in which the student is enrolled. An intensive~~  
11           ~~remediation plan shall be developed by a "Student~~  
12           ~~Reading Proficiency Team" composed of:~~

- 13           ~~(1) the parent(s) and/or guardian(s) of the student,~~  
14           ~~(2) the teacher assigned to the student who had~~  
15           ~~responsibility for reading instruction in that~~  
16           ~~academic year,~~  
17           ~~(3) a teacher in reading who teaches in the~~  
18           ~~subsequent grade level,~~  
19           ~~(4) the school principal, and~~  
20           ~~(5) a certified reading specialist, if one is~~  
21           ~~available.~~

22           4. If a student has not yet satisfied the proficiency  
23 requirements of this section prior to the completion of third grade  
24 and still has a significant reading deficiency, as identified based

1 on assessments administered that meet the acquisition of reading  
2 skills criteria pursuant to subsection B of this section, has not  
3 accumulated evidence of third-grade proficiency through a student  
4 portfolio as provided in subsection ~~K~~, L or is not subject to a good  
5 cause exemption as provided in subsection ~~K~~ L, then the student  
6 shall not be eligible for automatic promotion to fourth grade.

7 5. a. ~~For the 2013-14 and 2014-15 school years~~ Through the  
8 2019-2020 school year, a student not qualified for  
9 automatic promotion under paragraph 4 of this  
10 subsection ~~may~~ who scores below proficient on a  
11 screening instrument which meets the acquisition of  
12 reading skills criteria pursuant to subsection B of  
13 this section shall be evaluated for "probationary  
14 promotion" by a "Student Reading Proficiency and  
15 Retention Review Team" composed of:

- 16 (1) the parent(s) and/or guardian(s) of the student,  
17 (2) the teacher assigned to the student who had  
18 responsibility for reading instruction in that  
19 academic year,  
20 (3) a teacher in reading who teaches in the  
21 subsequent grade level,  
22 (4) the school principal, and  
23 (5) a certified reading specialist.  
24

1 The student shall be promoted to the fourth grade if the team  
2 members unanimously recommend "probationary promotion" to the school  
3 district superintendent and the superintendent approves the  
4 recommendation that promotion is the best option for the student.

5 If a student is allowed a "probationary promotion", the team shall  
6 meet in person and continue to review the reading performance of the  
7 student and repeat the requirements of this paragraph each academic  
8 year until the student demonstrates grade-level reading proficiency,  
9 as identified through a screening instrument which meets the  
10 acquisition of reading skills criteria pursuant to subsection B of  
11 this section, for the corresponding grade level in which the student  
12 is enrolled or transitions to the requirements set forth by the  
13 Achieving Classroom Excellence Act.

14 6. Beginning with the 2015-16 school year, students who score  
15 at the unsatisfactory level on the reading portion of the statewide  
16 third-grade criterion referenced test ~~and~~, who are not subject to a  
17 good cause exemption as provided in subsection ~~K~~ L of this section,  
18 and who do not qualify for promotion or "probationary promotion" as  
19 provided in this subsection shall be retained in the third grade and  
20 provided intensive instructional services and supports as provided  
21 for in subsection ~~N~~ O of this section.

22 7. Each school district shall annually report to the State  
23 Department of Education the number of students promoted to the  
24 fourth grade pursuant to paragraphs 1 and 3 of this subsection.

1 ~~Following the 2013-14 and 2014-15 school years, each school district~~  
2 ~~shall report~~ and the number of students promoted to a subsequent  
3 grade pursuant to the provisions in paragraph 5 of this subsection.  
4 The State Department of Education shall publicly report the  
5 aggregate and district specific number of students promoted on their  
6 website and shall provide electronic copies of the report to the  
7 Governor, Secretary of Education, President Pro Tempore of the  
8 Senate, Speaker of the House of Representatives and to the  
9 respective chairs of the committees with responsibility for common  
10 education policy in each legislative chamber.

11 ~~8. Nothing shall prevent a school district from applying the~~  
12 ~~principles of paragraphs 4 and 5 of this subsection in grades~~  
13 ~~kindergarten through second grade.~~

14 ~~I.~~ J. The parent of any student who is found to have a reading  
15 deficiency and is not reading at the appropriate grade level and has  
16 been provided a program of reading instruction as provided for in  
17 subsection B of this section shall be notified in writing of the  
18 following:

19 1. That the student has been identified as having a substantial  
20 deficiency in reading;

21 2. A description of the current services that are provided to  
22 the student pursuant to a conjoint measurement model such that a  
23 reader and a text are placed on the same scale;  
24

1 3. A description of the proposed supplemental instructional  
2 services and supports that will be provided to the student that are  
3 designed to remediate the identified area of reading deficiency;

4 4. That the student will not be promoted to the fourth grade if  
5 the reading deficiency is not remediated by the end of the third  
6 grade, unless the student is otherwise promoted as provided for in  
7 subsection ~~H~~ I of this section or is exempt for good cause as set  
8 forth in subsection ~~K~~ L of this section;

9 5. Strategies for parents to use in helping their child succeed  
10 in reading proficiency, including a plan to improve reading during  
11 the summer;

12 6. That while the results of the statewide criterion-referenced  
13 tests administered pursuant to Section 1210.508 of this title are  
14 the initial determinant, it is not the sole determiner of promotion  
15 and that portfolio reviews and assessments are available; ~~and~~

16 7. The grade level performance scores of the student; and

17 8. The specific criteria and policies of the school district  
18 for midyear promotion implemented as provided for in paragraph 4 of  
19 subsection ~~H~~ O of this section.

20 ~~J.~~ K. No student may be assigned to a grade level based solely  
21 on age or other factors that constitute social promotion.

22 ~~K.~~ L. For those students who do not meet the academic  
23 requirements for promotion and who are not otherwise promoted as  
24 provided for in subsection ~~H~~ I of this section, a school district

1 may promote the student for good cause only. Good-cause exemptions  
2 for promotion shall be limited to the following:

3 1. Limited-English-proficient students who have had less than  
4 two (2) years of instruction in an English language learner program;

5 2. Students with disabilities whose individualized education  
6 program (IEP), consistent with state law, indicates that the student  
7 is to be assessed with alternate achievement standards through the  
8 Oklahoma Alternate Assessment Program (OAAP);

9 3. Students who demonstrate an acceptable level of performance  
10 on an alternative standardized reading assessment approved by the  
11 State Board of Education;

12 4. Students who demonstrate, through a student portfolio, that  
13 the student is reading on grade level as evidenced by demonstration  
14 of mastery of the state standards beyond the retention level;

15 5. Students with disabilities who participate in the statewide  
16 criterion-referenced tests and who have an individualized education  
17 program that reflects that the student has received intensive  
18 remediation in reading for more than two (2) years but still  
19 demonstrates a deficiency in reading and was previously retained in  
20 prekindergarten for academic reasons, kindergarten, first grade,  
21 second grade, or third grade;

22 6. Students who have received intensive remediation in reading  
23 through a program of reading instruction for two (2) or more years  
24 but still demonstrate a deficiency in reading and who were

1 previously retained in prekindergarten for academic reasons,  
2 kindergarten, first grade, second grade, or third grade for a total  
3 of two (2) years; and

4 7. Students who have been granted an exemption for medical  
5 emergencies by the State Department of Education.

6 ~~L.~~ M. A student who is otherwise promoted as provided for in  
7 subsection ~~H~~ I of this section or is promoted for good cause as  
8 provided for in subsection ~~K~~ L of this section shall be provided  
9 intensive reading instruction during an altered instructional day  
10 that includes specialized diagnostic information and specific  
11 reading strategies for each student. The school district shall  
12 assist schools and teachers to implement reading strategies for the  
13 promoted students that research has shown to be successful in  
14 improving reading among low-performing readers.

15 ~~M.~~ N. Requests to exempt students from the retention  
16 requirements based on one of the good-cause exemptions as described  
17 in subsection ~~K~~ L of this section shall be made using the following  
18 process:

19 1. Documentation submitted from the teacher of the student to  
20 the school principal that indicates the student meets one of the  
21 good-cause exemptions and promotion of the student is appropriate.  
22 In order to minimize paperwork requirements, the documentation shall  
23 consist only of the alternative assessment results or student  
24

1 portfolio work and the individual education plan (IEP), as  
2 applicable;

3 2. The principal of the school shall review and discuss the  
4 documentation with the teacher and, if applicable, the other members  
5 of the team as described in subsection ~~H~~ I of this section. If the  
6 principal determines that the student meets one of the good-cause  
7 exemptions and should be promoted based on the documentation  
8 provided, the principal shall make a recommendation in writing to  
9 the school district superintendent; and

10 3. After review, the school district superintendent shall  
11 accept or reject the recommendation of the principal in writing.

12 ~~N.~~ O. Beginning with the 2011-2012 school year, each school  
13 district shall:

14 1. Conduct a review of the program of reading instruction for  
15 all students who score at the unsatisfactory level on the reading  
16 portion of the statewide criterion-referenced test administered  
17 pursuant to Section 1210.508 of this title and did not meet the  
18 criteria for one of the good-cause exemptions as set forth in  
19 subsection ~~K~~ L of this section. The review shall address additional  
20 supports and services, as described in this subsection, needed to  
21 remediate the identified areas of reading deficiency. The school  
22 district shall require a student portfolio to be completed for each  
23 retained student;

1           2. Provide to students who have been retained as set forth in  
2 subsection ¶ I of this section with intensive interventions in  
3 reading, intensive instructional services, and supports to remediate  
4 the identified areas of reading deficiency, including a minimum of  
5 ninety (90) minutes of daily, uninterrupted, scientific-research-  
6 based reading instruction. Retained students shall be provided  
7 other strategies prescribed by the school district, which may  
8 include, but are not limited to:

- 9           a. small group instruction,
- 10           b. reduced teacher-student ratios,
- 11           c. more frequent progress monitoring,
- 12           d. tutoring or mentoring,
- 13           e. transition classes containing third- and fourth-grade  
14           students,
- 15           f. extended school day, week, or year, and
- 16           g. summer reading academies as provided for in Section  
17           1210.508E of this title, if available;

18           3. Provide written notification to the parent or guardian of  
19 any student who is to be retained as set forth in subsection ¶ I of  
20 this section that the student has not met the proficiency level  
21 required for promotion and was not otherwise promoted and the  
22 reasons the student is not eligible for a good-cause exemption. The  
23 notification shall include a description of proposed interventions  
24

1 and intensive instructional supports that will be provided to the  
2 student to remediate the identified areas of reading deficiency;

3 4. Implement a policy for the midyear promotion of a retained  
4 student who can demonstrate that the student is a successful and  
5 independent reader, is reading at or above grade level, and is ready  
6 to be promoted to the fourth grade. Tools that school districts may  
7 use in reevaluating any retained student may include subsequent  
8 assessments, alternative assessments, and portfolio reviews, in  
9 accordance with rules of the State Board of Education. Retained  
10 students may only be promoted midyear prior to November 1 and only  
11 upon demonstrating a level of proficiency required to score above  
12 the unsatisfactory level on the statewide third-grade criterion-  
13 referenced test and upon showing progress sufficient to master  
14 appropriate fourth-grade-level skills, as determined by the school.  
15 A midyear promotion shall be made only upon agreement of the parent  
16 or guardian of the student and the school principal;

17 5. Provide students who are retained with a high-performing  
18 teacher who can address the needs of the student, based on student  
19 performance data and above-satisfactory performance appraisals; and

20 6. In addition to required reading enhancement and acceleration  
21 strategies, provide students who are retained with at least one of  
22 the following instructional options:  
23  
24

- a. supplemental tutoring in scientific-research-based reading services in addition to the regular reading block, including tutoring before or after school,
- b. a parent-guided "Read at Home" assistance plan, as developed by the State Department of Education, the purpose of which is to encourage regular parent-guided home reading, or
- c. a mentor or tutor with specialized reading training.

~~Ø.~~ P. Beginning with the 2011-2012 school year, each school district shall establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of third-grade students by offering intensive accelerated reading instruction to third-grade students who failed to meet standards for promotion to fourth grade and to kindergarten through third-grade students who are exhibiting a reading deficiency. The READ Initiative shall:

1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;

2. Be provided during regular school hours in addition to the regular reading instruction; and

1           3. Provide a state-approved reading curriculum that, at a  
2 minimum, meets the following specifications:

- 3           a. assists students assessed as exhibiting a reading  
4           deficiency in developing the ability to read at grade  
5           level,
- 6           b. provides skill development in phonemic awareness,  
7           phonics, fluency, vocabulary, and comprehension,
- 8           c. provides a scientific-research-based and reliable  
9           assessment,
- 10          d. provides initial and ongoing analysis of the reading  
11          progress of each student,
- 12          e. is implemented during regular school hours,
- 13          f. provides a curriculum in core academic subjects to  
14          assist the student in maintaining or meeting  
15          proficiency levels for the appropriate grade in all  
16          academic subjects,
- 17          g. establishes at each school, where applicable, an  
18          Intensive Acceleration Class for retained third-grade  
19          students who subsequently score at the unsatisfactory  
20          level on the reading portion of the statewide  
21          criterion-referenced tests. The focus of the  
22          Intensive Acceleration Class shall be to increase the  
23          reading level of a child at least two grade levels in  
24

1 one (1) school year. The Intensive Acceleration Class  
2 shall:

- 3 (1) be provided to any student in the third grade who  
4 scores at the unsatisfactory level on the reading  
5 portion of the statewide criterion-referenced  
6 tests and who was retained in the third grade the  
7 prior year because of scoring at the  
8 unsatisfactory level on the reading portion of  
9 the statewide criterion-referenced tests,
- 10 (2) have a reduced teacher-student ratio,
- 11 (3) provide uninterrupted reading instruction for the  
12 majority of student contact time each day and  
13 incorporate opportunities to master the fourth-  
14 grade state standards in other core subject  
15 areas,
- 16 (4) use a reading program that is scientific-  
17 research-based and has proven results in  
18 accelerating student reading achievement within  
19 the same school year,
- 20 (5) provide intensive language and vocabulary  
21 instruction using a scientific-research-based  
22 program, including use of a speech-language  
23 therapist,
- 24

1 (6) include weekly progress monitoring measures to  
2 ensure progress is being made, and

3 (7) provide reports to the State Department of  
4 Education, in the manner described by the  
5 Department, outlining the progress of students in  
6 the class at the end of the first semester,

7 h. provide reports to the State Board of Education, upon  
8 request, on the specific intensive reading  
9 interventions and supports implemented by the school  
10 district. The State Superintendent of Public  
11 Instruction shall annually prescribe the required  
12 components of the reports, and

13 i. provide to a student who has been retained in the  
14 third grade and has received intensive instructional  
15 services but is still not ready for grade promotion,  
16 as determined by the school district, the option of  
17 being placed in a transitional instructional setting.  
18 A transitional setting shall specifically be designed  
19 to produce learning gains sufficient to meet fourth-  
20 grade performance standards while continuing to  
21 remediate the areas of reading deficiency.

22 ~~P.~~ Q. In addition to the requirements set forth in this  
23 section, each school district board of education shall annually  
24 report to the parent or guardian of each student in the district the

1 progress of the student toward achieving state and district  
2 expectations for proficiency in reading, writing, science, and  
3 mathematics. The school district board of education shall report to  
4 the parent or guardian of each student the results on statewide  
5 criterion-referenced tests. The evaluation of the progress of each  
6 student shall be based upon classroom work, observations, tests,  
7 district and state assessments, and other relevant information.  
8 Progress reporting shall be provided to the parent or guardian in  
9 writing.

10 ~~Q.~~ R. 1. Each school district board of education shall  
11 annually publish on the school website, and report in writing to the  
12 State Board of Education by September 1 of each year, the following  
13 information on the prior school year:

- 14 a. the provisions of this section relating to public  
15 school student progression and the policies and  
16 procedures of the school district on student retention  
17 and promotion,
- 18 b. by grade, the number and percentage of all students in  
19 grades three through ten performing at the  
20 unsatisfactory level on the reading portion of the  
21 statewide criterion-referenced tests,
- 22 c. by grade, the number and percentage of all students  
23 retained in grades three through ten,  
24

- 1           d. information on the total number and percentage of  
2           students who were promoted for good cause, by each  
3           category of good cause as specified above, and  
4           e. any revisions to the policies of the school district  
5           on student retention and promotion from the prior  
6           year.

7           2. The State Department of Education shall establish a uniform  
8           format for school districts to report the information required in  
9           this subsection. The format shall be developed with input from  
10          school districts and shall be provided not later than ninety (90)  
11          days prior to the annual due date. The Department shall annually  
12          compile the information required along with state-level summary  
13          information, and report the information to the public, the Governor,  
14          the President Pro Tempore of the Senate, and the Speaker of the  
15          House of Representatives.

16          ~~R.~~ S. The State Department of Education shall provide technical  
17          assistance as needed to aid school districts in administering the  
18          provision of the Reading Sufficiency Act.

19          ~~S.~~ T. On or before December 1 of each year, the State  
20          Department of Education shall issue to the Governor and members of  
21          the Senate and House of Representatives Education Committees a  
22          Reading Report Card for the state and each school district and  
23          elementary site which shall include, but is not limited to, trend  
24          data detailing three (3) years of data, disaggregated by student

1 subgroups to include economically disadvantaged, major racial or  
2 ethnic groups, students with disabilities, and English language  
3 learners, as appropriate for the following:

4 1. The number and percentage of students in kindergarten  
5 through third grade determined to be at risk for reading  
6 difficulties compared to the total number of students enrolled in  
7 each grade;

8 2. The number and percentage of students in kindergarten who  
9 continue to be at risk for reading difficulties as determined by the  
10 year-end measurement of reading progress;

11 3. The number and percentage of students in kindergarten  
12 through third grade who have successfully completed their program of  
13 reading instruction and are reading on grade level as determined by  
14 the results of approved reading assessments;

15 4. The number and percentage of students scoring at each  
16 performance level on the reading portion of the statewide third-  
17 grade criterion-referenced test;

18 5. The amount of funds for reading remediation received by each  
19 district;

20 6. An evaluation and narrative interpretation of the report  
21 data analyzing the impact of the Reading Sufficiency Act on  
22 students' ability to read at grade level; and

23 7. Any recommendations for improvements or amendments to the  
24 Reading Sufficiency Act.

1 The State Department of Education may contract with an  
2 independent entity for the reporting and analysis requirements of  
3 this subsection.

4 ~~F.~~ U. Copies of the results of the assessments administered  
5 shall be made a part of the permanent record of each student.

6 ~~SECTION 2. This act shall become effective July 1, 2015.~~

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

11 Passed the Senate the 10th day of March, 2015.

12  
13 \_\_\_\_\_  
14 Presiding Officer of the Senate

15 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
16 2015.

17  
18 \_\_\_\_\_  
19 Presiding Officer of the House  
20 of Representatives  
21  
22  
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