

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1190

 By: Stanislawski and Pittman of
 the Senate

6 and

7 Casey of the House

8
9
10 An Act relating to the Reading Sufficiency Act;
11 amending 70 O.S. 2011, Section 1210.508B, as last
12 amended by Section 6, Chapter 360, O.S.L. 2016 (70
13 O.S. Supp. 2017, Section 1210.508B), which relates to
14 the purpose of the Reading Sufficiency Act; removing
15 language establishing certain goal; removing language
16 regarding recognition of certain schools; amending 70
17 O.S. 2011, Section 1210.508C, as last amended by
18 Section 1, Chapter 213, O.S.L. 2017 (70 O.S. Supp.
19 2017, Section 1210.508C), which relates to programs
20 of reading instruction; modifying criteria which
21 certain screening instrument must meet; establishing
22 minimum criteria for grade-level performance of
23 certain students pursuant to certain act; directing
24 the State Board of Education to use only certain
 scores to determine promotion and retention of
 certain students; requiring performance levels set by
 the Commission for Educational Quality and
 Accountability to ensure certain criteria; modifying
 criteria for consideration of probationary promotion;
 allowing students subject to probationary promotion
 to be transitioned to certain remediation plan;
 modifying references; modifying criteria for good-
 cause exemption for certain students; modifying
 review to be conducted by school districts; modifying
 criteria under which a student may be promoted
 midyear; modifying components of certain initiative;
 modifying references to certain performance;
 modifying components of certain school district

1 report; providing an effective date; and declaring an
2 emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508B,
6 as last amended by Section 6, Chapter 360, O.S.L. 2016 (70 O.S.
7 Supp. 2017, Section 1210.508B), is amended to read as follows:

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

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

20 C. Each public school district in this state shall ensure that
21 a majority of the instructional time each day of the school year in
22 kindergarten through third grade is focused on reading and
23 mathematics. The State Board of Education shall encourage school
24 districts to integrate the teaching of the other curricular areas in

1 the subject matter standards adopted by the Board with the
2 instruction of reading and mathematics. All teachers of reading in
3 the public schools in this state in kindergarten through third grade
4 shall incorporate into instruction the five elements of reading
5 instruction which are phonemic awareness, phonics, reading fluency,
6 vocabulary, and comprehension.

7 ~~D. The reading goal for Oklahoma public schools is as follows:~~
8 ~~By July 1, 2008, and each year thereafter, all third-grade students~~
9 ~~will read at or above grade level by the end of their third-grade~~
10 ~~year, excluding up to fifteen percent (15%) of those students who~~
11 ~~have an individualized education program (IEP), pursuant to the~~
12 ~~Individuals with Disabilities Education Act (IDEA), and excluding~~
13 ~~those students who are English language learners who have been~~
14 ~~determined not to be proficient in English as defined by a state-~~
15 ~~designated English proficiency assessment. To achieve the reading~~
16 ~~goal, each public elementary school shall:~~

17 ~~1. Determine its baseline no later than September 1, 2005,~~
18 ~~which shall be the percentage of students reading at or above third-~~
19 ~~grade level as determined by the percentage of students scoring~~
20 ~~proficient or above on the third-grade assessment in reading,~~
21 ~~administered pursuant to Section 1210.508 of this title; and~~

22 ~~2. Set and achieve annual improvement goals necessary to~~
23 ~~progress from the baseline established in 2005 to the reading goal~~
24 ~~by July 1, 2008. The annual improvement goals shall be included in~~

1 ~~the district's reading sufficiency plan required in Section~~
2 ~~1210.508C of this title.~~

3 ~~E. The State Board of Education shall recognize schools and~~
4 ~~districts that attain or make progress toward achieving the reading~~
5 ~~goal and shall provide technical assistance to schools and districts~~
6 ~~that do not make progress toward the reading goal. The district~~
7 ~~reading sufficiency plan shall be submitted to the State Board if~~
8 ~~the district has any schools that are not achieving the required~~
9 ~~annual improvement goals pursuant to this section.~~

10 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.508C,
11 as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S.
12 Supp. 2017, Section 1210.508C), is amended to read as follows:

13 Section 1210.508C. A. 1. Each student enrolled in
14 kindergarten in a public school in this state shall be screened for
15 reading skills including, but not limited to, phonemic awareness,
16 letter recognition, and oral language skills as identified in the
17 subject matter standards adopted by the State Board of Education. A
18 screening instrument approved by the State Board shall be utilized
19 for the purposes of this section.

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

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

5 B. 1. Each student enrolled in kindergarten, first, second and
6 third grade of the public schools of this state shall be assessed at
7 the beginning and end of each school year using a screening
8 instrument approved by the State Board of Education for the
9 acquisition of reading skills including, but not limited to,
10 phonemic awareness, phonics, reading fluency, vocabulary, and
11 comprehension.

12 2. Any student who is assessed and found not to be reading at
13 the appropriate grade level shall be provided a program of reading
14 instruction designed to enable the student to acquire the
15 appropriate grade level reading skills. The program of reading
16 instruction shall include provisions of the READ Initiative adopted
17 by the school district as provided for in subsection O of this
18 section.

19 3. Throughout the year progress monitoring shall continue, and
20 diagnostic assessment, if determined appropriate, shall be provided.
21 Year-end reading skills shall be measured to determine reading
22 success.

23 C. The State Board of Education shall approve screening
24 instruments for use at the beginning and end of the school year, for

1 monitoring of progress, and for measurement of reading skills at the
2 end of the school year as required in subsections A and B of this
3 section; provided, at least one of the screening instruments shall
4 meet the following criteria:

5 1. Assess for phonemic awareness, phonics, reading fluency,
6 vocabulary and comprehension;

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

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

9 4. Can be used to assess ~~special education and limited English-~~
10 ~~proficient~~ students with disabilities and English language learners;

11 and

12 5. Accompanied by a data management system that provides
13 profiles for students, class, grade level and school building. The
14 profiles shall identify each student's instructional point of need
15 and reading achievement level. The State Board shall also determine
16 other comparable reading assessments for diagnostic purposes and for
17 periodic and post assessments to be used for students at risk of
18 reading failure. The State Board shall ensure that any assessments
19 approved are in alignment with the subject matter standards adopted
20 by the State Board of Education.

21 D. 1. The program of reading instruction required in
22 subsection B of this section shall align with the subject matter
23 standards adopted by the State Board of Education and shall include
24 provisions of the READ Initiative adopted by the school district as

1 provided for in subsection O of this section. A program of reading
2 instruction may include, but is not limited to:

- 3 a. sufficient additional in-school instructional time for
4 the acquisition of phonemic awareness, phonics,
5 reading fluency, vocabulary, and comprehension,
- 6 b. if necessary, tutorial instruction after regular
7 school hours, on Saturdays and during summer; however,
8 such instruction may not be counted toward the one-
9 hundred-eighty-day or one-thousand-eighty-hour school
10 year required in Section 1-109 of this title, and
- 11 c. assessments identified for diagnostic purposes and
12 periodic monitoring to measure the acquisition of
13 reading skills including, but not limited to, phonemic
14 awareness, phonics, reading fluency, vocabulary, and
15 comprehension, as identified in the student's program
16 of reading instruction.

17 2. A student enrolled in first or second grades who has been
18 assessed as provided for in subsection B of this section and found
19 not to be reading at the corresponding grade level, shall be
20 entitled to individualized remediation in reading until the student
21 is determined by the results of a screening instrument to be reading
22 on grade level. The program of reading instruction for each student
23 shall be developed by a Student Reading Proficiency Team and shall
24 include individualized remediation. Each team shall be composed of:

- a. the parent or guardian of the student,
- b. the teacher assigned to the student who had responsibility for reading instruction in that academic year,
- c. a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
- d. a certified reading specialist, if one is available.

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 implement 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 electronically to and approved by the State Board of Education. The plan shall be updated annually. School districts shall not be required to electronically submit the annual updates to the Board if the last plan submitted to the Board was approved and expenditures for the program include only expenses relating to individual and small group tutoring, purchase of and training in the use of screening and assessment measures, summer school programs and Saturday school programs. If any expenditure for the program is deleted or changed or any other type of expenditure for the program is implemented, the school district

1 shall be required to submit the latest annual update to the Board
2 for approval. The district reading sufficiency plan shall include a
3 plan for each site which includes an analysis of the data provided
4 by the Oklahoma School Testing Program and other reading assessments
5 utilized as required in this section, and which outlines how each
6 school site will comply with the provisions of the Reading
7 Sufficiency Act.

8 2. The State Board of Education shall adopt rules for the
9 implementation and evaluation of the provisions of the Reading
10 Sufficiency Act. The evaluation shall include, but not be limited
11 to, an analysis of the data required in subsection S of this
12 section.

13 G. For any third-grade student found not to be reading at grade
14 level as determined by reading assessments administered pursuant to
15 this section, a new program of reading instruction, including
16 provisions of the READ Initiative adopted by the school district as
17 provided for in subsection O of this section, shall be developed by
18 a Student Reading Proficiency Team and implemented as specified in
19 subsection D of this section. In addition to other requirements of
20 the Reading Sufficiency Act, the plan may include specialized
21 tutoring.

22 H. 1. Any first-grade, second-grade or third-grade student who
23 demonstrates proficiency in reading at the third-grade level through
24 a screening instrument which meets the acquisition of reading skills

1 criteria pursuant to subsection B of this section shall not be
2 subject to retention pursuant to this section. After a student has
3 demonstrated proficiency through a screening instrument, the
4 district shall provide notification to the parent or guardian of the
5 student that they have satisfied the requirements of the Reading
6 Sufficiency Act and will not be subject to retention pursuant to
7 this section.

8 2. If a third-grade student is identified at any point of the
9 academic year as having a significant reading deficiency, which
10 shall be defined as scoring below proficient on a screening
11 instrument which meets the acquisition of reading skills criteria
12 pursuant to subsection B of this section, the district shall
13 immediately begin a student reading portfolio as provided by
14 subsection K of this section and shall provide notice to the parent
15 of the deficiency pursuant to subsection I of this section.

16 3. If a student has not yet satisfied the proficiency
17 requirements of this section prior to the completion of third grade
18 and still has a significant reading deficiency, as identified based
19 on assessments administered as provided for in subsection B of this
20 section, has not accumulated evidence of third-grade proficiency
21 through a student portfolio as provided in subsection K of this
22 section, or is not subject to a good-cause exemption as provided in
23 subsection K of this section, then the student shall not be eligible
24 for automatic promotion to fourth grade.

1 4. The minimum criteria for grade-level performance of third-
2 grade students pursuant to the Reading Sufficiency Act shall be that
3 students are able to read and comprehend grade-level text. To
4 determine the promotion and retention of third-grade students
5 pursuant to the Reading Sufficiency Act, the State Board of
6 Education shall use only the scores for the standards for reading
7 foundations/processes and vocabulary portions of the statewide
8 third-grade assessment administered pursuant to Section 1210.508 of
9 this title and shall not use the scores from the other language arts
10 portions of the assessment. The performance levels established by
11 the Commission for Educational Quality and Accountability pursuant
12 to Section 1210.508 of this title shall ensure that students meeting
13 the performance-level criteria are performing at grade level on the
14 reading foundations and vocabulary portions of the statewide third-
15 grade assessment.

16 5. a. ~~For the 2016-2017 school year, a student not eligible~~
17 ~~for automatic promotion as provided for in paragraph 3~~
18 ~~of this subsection and who scores at the~~
19 ~~unsatisfactory level on the reading portion of the~~
20 ~~statewide third-grade assessment administered pursuant~~
21 ~~to Section 1210.508 of this title may be evaluated for~~
22 ~~probationary promotion by the Student Reading~~
23 ~~Proficiency Team. Beginning with the 2017-2018 school~~
24 ~~year, a~~ A student not eligible for automatic promotion

1 as provided for under paragraph 3 of this subsection
2 and who ~~scores below the proficiency level~~ does not
3 meet the criteria established by the Commission for
4 Educational Quality and Accountability on the reading
5 portion of the statewide third-grade assessment
6 administered pursuant to Section 1210.508 of this
7 title may be evaluated for probationary promotion by
8 the Student Reading Proficiency Team which was created
9 for the student pursuant to subsection D of this
10 section.

- 11 b. The student shall be promoted to the fourth grade if
12 the team members unanimously recommend probationary
13 promotion to the school principal and the school
14 district superintendent and the principal and
15 superintendent approve the recommendation that
16 promotion is the best option for the student. If a
17 student is allowed a probationary promotion, the team
18 shall continue to review the reading performance of
19 the student and repeat the requirements of this
20 paragraph each academic year until the student
21 demonstrates grade-level reading proficiency, as
22 identified through a screening instrument which meets
23 the acquisition of reading skills criteria pursuant to
24 subsection B of this section, for the corresponding

1 grade level in which the student is enrolled or
2 transitions to ~~the requirements set forth by the~~
3 ~~Achieving Classroom Excellence Act~~ a locally designed
4 remediation plan after the fifth grade which shall
5 have the goal of ensuring that the student is on track
6 to be college and career ready.

7 ~~5.~~ 6. Beginning with the 2017-2018 school year, students who
8 ~~score below the proficient level~~ do not meet the performance
9 criteria established by the Commission for Educational Quality and
10 Accountability on the reading portion of the statewide third-grade
11 assessment administered pursuant to Section 1210.508 of this title,
12 who are not subject to a good cause exemption as provided in
13 subsection K of this section, and who do not qualify for promotion
14 or probationary promotion as provided in this subsection, shall be
15 retained in the third grade and provided intensive instructional
16 services and supports as provided for in subsection N of this
17 section.

18 ~~6.~~ 7. Each school district shall annually report to the State
19 Department of Education the number of students promoted to the
20 fourth grade pursuant to this subsection and the number of students
21 promoted to a subsequent grade pursuant to the provisions in
22 paragraph 4 5 of this subsection. The State Department of Education
23 shall publicly report the aggregate and district-specific number of
24 students promoted on their website and shall provide electronic

1 copies of the report to the Governor, Secretary of Education,
2 President Pro Tempore of the Senate, Speaker of the House of
3 Representatives, and to the respective chairs of the committees with
4 responsibility for common education policy in each legislative
5 chamber.

6 ~~7.~~ 8. Nothing shall prevent a school district from applying the
7 principles of paragraphs 3 and ~~4~~ 5 of this subsection in grades
8 kindergarten through second grade.

9 ~~8. To determine the promotion and retention of third-grade~~
10 ~~students pursuant to the Reading Sufficiency Act, the State Board of~~
11 ~~Education shall use only the reading comprehension and vocabulary~~
12 ~~scores portion of the statewide third-grade assessment administered~~
13 ~~pursuant to Section 1210.508 of this title and shall not use the~~
14 ~~other language arts scores portions of the assessment.~~

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

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

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

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 of this section or is exempt for good cause as set
8 forth in subsection K of this section;

9 5. Strategies for parents to use in helping their child succeed
10 in reading proficiency;

11 6. The grade-level performance scores of the student;

12 7. That while the results of the statewide assessments
13 administered pursuant to Section 1210.508 of this title are the
14 initial determinant, they are not the sole determiner of promotion
15 and that portfolio reviews and assessments are available; and

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

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

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

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

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

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

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

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

16 5. Students with disabilities who participate in the statewide
17 assessments administered pursuant to Section 1210.508 of this title
18 and who have an individualized education program that reflects that
19 the student has received intensive remediation in reading ~~for more~~
20 ~~than two (2) years but still demonstrates a deficiency in reading~~
21 ~~and was previously retained in prekindergarten for academic reasons,~~
22 ~~kindergarten, first grade, second grade, or third grade~~ and has made
23 adequate progress in reading pursuant to the student's
24 individualized education program;

1 6. Students who have received intensive remediation in reading
2 through a program of reading instruction for two (2) or more years
3 but still demonstrate a deficiency in reading and who were
4 previously retained in prekindergarten for academic reasons,
5 kindergarten, first grade, second grade, or third grade for a total
6 of two (2) years; and

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

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

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

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

1 consist only of the alternative assessment results or student
2 portfolio work and the individual education plan (IEP), as
3 applicable;

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

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

13 N. Each school district shall:

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

1 2. Provide to students who have been retained as set forth in
2 subsection H 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 H of
20 this section that the student has not met the ~~proficiency level~~
21 performance criteria required for promotion and was not otherwise
22 promoted and the reasons the student is not eligible for a good-
23 cause exemption. The notification shall include a description of
24 proposed interventions and intensive instructional supports that

1 will be provided to the student to remediate the identified areas of
2 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 at the~~
12 ~~proficient level~~ that the student has met the performance criteria
13 established by the Commission for Educational Quality and
14 Accountability on the reading portion of the statewide third-grade
15 assessment administered pursuant to Section 1210.508 of this title,
16 or upon demonstrating proficiency in reading at the third-grade
17 level through a screening instrument administered pursuant to
18 subsection B of this section, and upon showing progress sufficient
19 to master appropriate fourth-grade-level skills, as determined by
20 the school. A midyear promotion shall be made only upon agreement
21 of the parent or guardian of the student and the school principal;

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

1 6. In addition to required reading enhancement and acceleration
2 strategies, provide students who are retained with at least one of
3 the following instructional options:

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

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

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

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

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

5 a. assists students assessed as exhibiting a reading
6 deficiency in developing the ability to read at grade
7 level,

8 b. provides skill development in phonemic awareness,
9 phonics, reading fluency, vocabulary, and
10 comprehension,

11 c. provides a scientific-research-based and reliable
12 assessment,

13 d. provides initial and ongoing analysis of the reading
14 progress of each student,

15 e. is implemented during regular school hours,

16 f. provides a curriculum in core academic subjects to
17 assist the student in maintaining or meeting
18 proficiency levels for the appropriate grade in all
19 academic subjects,

20 g. establishes at each school, where applicable, an
21 Intensive Acceleration Class for retained third-grade
22 students who subsequently ~~score below the proficient~~
23 ~~level~~ do not meet the performance criteria established
24 by the Commission for Educational Quality and

1 Accountability on the reading portion of the statewide
2 assessment administered pursuant to Section 1210.508
3 of this title. The focus of the Intensive
4 Acceleration Class shall be to increase the reading
5 level of a child at least two grade levels in one (1)
6 school year. The Intensive Acceleration Class shall:
7 (1) be provided to any student in the third grade who
8 ~~scores below the proficient level~~ does not meet
9 the performance criteria established by the
10 Commission for Educational Quality and
11 Accountability on the reading portion of the
12 statewide assessments and who was retained in the
13 third grade the prior year because of ~~scoring~~
14 ~~below the proficient level~~ not meeting the
15 performance criteria on the reading portion of
16 the statewide assessments,
17 (2) have a reduced teacher-student ratio,
18 (3) provide uninterrupted reading instruction for the
19 majority of student contact time each day and
20 incorporate opportunities to master the fourth-
21 grade state standards in other core subject
22 areas,
23 (4) use a reading program that is scientific-
24 research-based and has proven results in

1 accelerating student reading achievement within
2 the same school year,

3 (5) provide intensive language and vocabulary
4 instruction using a scientific-research-based
5 program, including use of a speech-language
6 therapist,

7 (6) include weekly progress monitoring measures to
8 ensure progress is being made, and

9 (7) provide reports to the State Department of
10 Education, in the manner described by the
11 Department, outlining the progress of students in
12 the class at the end of the first semester,

13 h. provide reports to the State Board of Education, upon
14 request, on the specific intensive reading
15 interventions and supports implemented by the school
16 district. The State Superintendent of Public
17 Instruction shall annually prescribe the required
18 components of the reports, and

19 i. provide to a student who has been retained in the
20 third grade and has received intensive instructional
21 services but is still not ready for grade promotion,
22 as determined by the school district, the option of
23 being placed in a transitional instructional setting.
24 A transitional setting shall specifically be designed

1 to produce learning gains sufficient to meet fourth-
2 grade performance standards while continuing to
3 remediate the areas of reading deficiency.

4 P. In addition to the requirements set forth in this section,
5 each school district board of education shall annually report to the
6 parent or guardian of each student in the district the progress of
7 the student toward achieving state and district expectations for
8 proficiency in reading, writing, science, and mathematics. The
9 school district board of education shall report to the parent or
10 guardian of each student the results on statewide assessments
11 administered pursuant to Section 1210.508 of this title. The
12 evaluation of the progress of each student shall be based upon
13 classroom work, observations, tests, district and state assessments,
14 and other relevant information. Progress reporting shall be
15 provided to the parent or guardian in writing.

16 Q. 1. Each school district board of education shall annually
17 publish on the school website, and report in writing to the State
18 Board of Education by September 1 of each year, the following
19 information on the prior school year:

20 a. the provisions of this section relating to public
21 school student progression and the policies and
22 procedures of the school district on student retention
23 and promotion,
24

- 1 b. ~~by grade,~~ the number and percentage of all students in
2 ~~grades~~ grade three ~~through ten performing below the~~
3 ~~proficient level~~ that did not meet the performance
4 criteria established by the Commission for Educational
5 Quality and Accountability on the reading portion of
6 the statewide assessment administered pursuant to
7 Section 1210.508 of this title,
- 8 c. by grade, the number and percentage of all students
9 retained in grades three through ten,
- 10 d. information on the total number and percentage of
11 students who were promoted for good cause, by each
12 category of good cause as specified above, and
- 13 e. any revisions to the policies of the school district
14 on student retention and promotion from the prior
15 year.

16 2. The State Department of Education shall establish a uniform
17 format for school districts to report the information required in
18 this subsection. The format shall be developed with input from
19 school districts and shall be provided not later than ninety (90)
20 days prior to the annual due date. The Department shall annually
21 compile the information required, along with state-level summary
22 information, and report the information to the public, the Governor,
23 the President Pro Tempore of the Senate, and the Speaker of the
24 House of Representatives.

1 R. The State Department of Education shall provide technical
2 assistance as needed to aid school districts in administering the
3 provision of the Reading Sufficiency Act.

4 S. On or before December 31 of each year, the State Department
5 of Education shall issue to the Governor, the President Pro Tempore
6 of the Senate, the Speaker of the House of Representatives and
7 members of the Senate and House of Representatives Education
8 Committees a Reading Report Card for the state and each school
9 district and elementary site which shall include, but is not limited
10 to, trend data detailing three (3) years of data, disaggregated by
11 student subgroups to include economically disadvantaged, major
12 racial or ethnic groups, students with disabilities, and English
13 language learners, as appropriate for the following:

14 1. The number and percentage of students in kindergarten
15 through third grade determined to be at risk for reading
16 difficulties compared to the total number of students enrolled in
17 each grade;

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

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

1 4. The number and percentage of students ~~scoring at each~~
2 ~~performance level~~ that meet or do not meet the performance criteria
3 established by the Commission for Educational Quality and
4 Accountability on the reading portion of the statewide third-grade
5 assessment administered pursuant to Section 1210.508 of this title;

6 5. The number of students tested, the number of students
7 promoted through meeting proficiency on a screening instrument as
8 provided for in subsection H of this section, the number of students
9 promoted through each of the good-cause exemptions as provided for
10 in subsection K of this section and the number of students retained
11 and the number of students promoted through probationary promotion
12 as provided for in subsection H of this section for each elementary
13 site;

14 6. Data tracking the progression of students promoted through
15 each of the good-cause exemptions as provided for in subsection K of
16 this section and students promoted through probationary promotion or
17 students who are retained in third grade as provided for in
18 subsection H of this section through the eighth grade. The data
19 shall include but not be limited to information regarding whether
20 students graduate on time;

21 7. The amount of funds for reading remediation received by each
22 district;
23
24

1 8. An evaluation and narrative interpretation of the report
2 data analyzing the impact of the Reading Sufficiency Act on
3 students' ability to read at grade level;

4 9. The type of reading instruction practices and methods
5 currently being used by school districts in the state;

6 10. Socioeconomic information, access to reading resources
7 outside of school and screening for and identification of learning
8 disabilities for students not reading at the appropriate grade level
9 by third grade;

10 11. The types of intensive remediation efforts being conducted
11 by school districts to identify best practices for students that are
12 not reading at the appropriate grade level and are not retained
13 under the provisions of this section; and

14 12. Any recommendations for improvements or amendments to the
15 Reading Sufficiency Act.

16 The State Department of Education may contract with an
17 independent entity for the reporting and analysis requirements of
18 this subsection.

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

21 SECTION 3. This act shall become effective July 1, 2018.

22 SECTION 4. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
24

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.

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4 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/12/2018 - DO PASS,
5 As Coauthored.

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