

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 1190

By: Stanislawski

AS INTRODUCED

An Act relating to the Reading Sufficiency Act; amending 70 O.S. 2011, Section 1210.508B, as last amended by Section 6, Chapter 360, O.S.L. 2016 (70 O.S. Supp. 2017, Section 1210.508B), which relates to the purpose of the Reading Sufficiency Act; removing language establishing certain goal; removing language regarding recognition of certain schools; amending 70 O.S. 2011, Section 1210.508C, as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S. Supp. 2017, Section 1210.508C), which relates to programs of reading instruction; adding criterion which certain screening instrument must meet; directing the State Board of Education to ensure that certain students meet certain minimum criteria; directing the Board to use certain scores; 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; updating reference; modifying criteria for good-cause exemption for certain students; providing an effective date; and declaring an emergency.

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

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

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

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

13 C. Each public school district in this state shall ensure that
14 a majority of the instructional time each day of the school year in
15 kindergarten through third grade is focused on reading and
16 mathematics. The State Board of Education shall encourage school
17 districts to integrate the teaching of the other curricular areas in
18 the subject matter standards adopted by the Board with the
19 instruction of reading and mathematics. All teachers of reading in
20 the public schools in this state in kindergarten through third grade
21 shall incorporate into instruction the five elements of reading
22 instruction which are phonemic awareness, phonics, reading fluency,
23 vocabulary, and comprehension.

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

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

16 ~~2. Set and achieve annual improvement goals necessary to~~
17 ~~progress from the baseline established in 2005 to the reading goal~~
18 ~~by July 1, 2008. The annual improvement goals shall be included in~~
19 ~~the district's reading sufficiency plan required in Section~~
20 ~~1210.508C of this title.~~

21 ~~E. The State Board of Education shall recognize schools and~~
22 ~~districts that attain or make progress toward achieving the reading~~
23 ~~goal and shall provide technical assistance to schools and districts~~
24 ~~that do not make progress toward the reading goal. The district~~

~~reading sufficiency plan shall be submitted to the State Board if the district has any schools that are not achieving the required annual improvement goals pursuant to this section.~~

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

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

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

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

B. 1. Each student enrolled in kindergarten, first, second and third grade of the public schools of this state shall be assessed at

1 the beginning and end of each school year using a screening
2 instrument approved by the State Board of Education for the
3 acquisition of reading skills including, but not limited to,
4 phonemic awareness, phonics, reading fluency, vocabulary, and
5 comprehension.

6 2. Any student who is assessed and found not to be reading at
7 the appropriate grade level shall be provided a program of reading
8 instruction designed to enable the student to acquire the
9 appropriate grade level reading skills. The program of reading
10 instruction shall include provisions of the READ Initiative adopted
11 by the school district as provided for in subsection O of this
12 section.

13 3. Throughout the year progress monitoring shall continue, and
14 diagnostic assessment, if determined appropriate, shall be provided.
15 Year-end reading skills shall be measured to determine reading
16 success.

17 C. The State Board of Education shall approve screening
18 instruments for use at the beginning and end of the school year, for
19 monitoring of progress, and for measurement of reading skills at the
20 end of the school year as required in subsections A and B of this
21 section; provided, at least one of the screening instruments shall
22 meet the following criteria:

23 1. Assess for phonemic awareness, phonics, reading fluency,
24 vocabulary and comprehension;

2. Document the validity and reliability of each assessment;

3. Can be used for diagnosis and progress monitoring;

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

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

D. 1. The program of reading instruction required in subsection B of this section shall align with the subject matter standards adopted by the State Board of Education and shall include provisions of the READ Initiative adopted by the school district as provided for in subsection O of this section. A program of reading instruction may include, but is not limited to:

- a. sufficient additional in-school instructional time for the acquisition of phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,
- b. if necessary, tutorial instruction after regular school hours, on Saturdays and during summer; however,

such instruction may not be counted toward the one-hundred-eighty-day or one-thousand-eighty-hour school year required in Section 1-109 of this title, and

c. assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.

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

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

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

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

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

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

15 H. 1. Any first-grade, second-grade or third-grade student who
16 demonstrates proficiency in reading at the third-grade level through
17 a screening instrument which meets the acquisition of reading skills
18 criteria pursuant to subsection B of this section shall not be
19 subject to retention pursuant to this section. After a student has
20 demonstrated proficiency through a screening instrument, the
21 district shall provide notification to the parent or guardian of the
22 student that they have satisfied the requirements of the Reading
23 Sufficiency Act and will not be subject to retention pursuant to
24 this section.

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

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

18 4. To determine the promotion and retention of third-grade
19 students pursuant to the Reading Sufficiency Act, the State Board of
20 Education shall ensure that, at a minimum, students are able to meet
21 the following criteria: read and comprehend grade level text and
22 identify main ideas and key details. The Board shall use only the
23 scores based on the standards for reading foundations/processes and
24 vocabulary portions of the statewide third-grade assessment

1 administered pursuant to Section 1210.508 of this title and shall
2 not use the scores from the other language arts portions of the
3 assessment. The performance levels established by the Commission
4 for Educational Quality and Accountability pursuant to Section
5 1210.508 of this title shall ensure that students meeting the
6 criteria are performing at grade level on the reading portion of the
7 statewide third-grade assessment.

8 5. a. For the 2016-2017 school year, a student not eligible
9 for automatic promotion as provided for in paragraph 3
10 of this subsection and who scores at the
11 unsatisfactory level on the reading portion of the
12 statewide third-grade assessment administered pursuant
13 to Section 1210.508 of this title may be evaluated for
14 probationary promotion by the Student Reading
15 Proficiency Team. Beginning with the 2017-2018 school
16 year, a A student not eligible for automatic promotion
17 as provided for under paragraph 3 of this subsection
18 and who scores below the proficiency level does not
19 meet the criteria established by the Commission for
20 Educational Quality and Accountability on the reading
21 portion of the statewide third-grade assessment
22 administered pursuant to Section 1210.508 of this
23 title may be evaluated for probationary promotion by
24 the Student Reading Proficiency Team which was created

1 for the student pursuant to subsection D of this
2 section.

3 b. The student shall be promoted to the fourth grade if
4 the team members unanimously recommend probationary
5 promotion to the school principal and the school
6 district superintendent and the principal and
7 superintendent approve the recommendation that
8 promotion is the best option for the student. If a
9 student is allowed a probationary promotion, the team
10 shall continue to review the reading performance of
11 the student and repeat the requirements of this
12 paragraph each academic year until the student
13 demonstrates grade-level reading proficiency, as
14 identified through a screening instrument which meets
15 the acquisition of reading skills criteria pursuant to
16 subsection B of this section, for the corresponding
17 grade level in which the student is enrolled or
18 transitions to ~~the requirements set forth by the~~
19 ~~Achieving Classroom Excellence Act~~ a locally designed
20 remediation plan after the fifth grade which shall
21 have the goal of ensuring that the student is on track
22 to be college and career ready.

23 ~~5. 6.~~ Beginning with the 2017-2018 school year, students who
24 ~~score below the proficient level~~ do not meet the established

1 criteria on the reading portion of the statewide third-grade
2 assessment administered pursuant to Section 1210.508 of this title,
3 who are not subject to a good cause exemption as provided in
4 subsection K of this section, and who do not qualify for promotion
5 or probationary promotion as provided in this subsection, shall be
6 retained in the third grade and provided intensive instructional
7 services and supports as provided for in subsection N of this
8 section.

9 ~~6.~~ 7. Each school district shall annually report to the State
10 Department of Education the number of students promoted to the
11 fourth grade pursuant to this subsection and the number of students
12 promoted to a subsequent grade pursuant to the provisions in
13 paragraph 4 of this subsection. The State Department of Education
14 shall publicly report the aggregate and district-specific number of
15 students promoted on their website and shall provide electronic
16 copies of the report to the Governor, Secretary of Education,
17 President Pro Tempore of the Senate, Speaker of the House of
18 Representatives, and to the respective chairs of the committees with
19 responsibility for common education policy in each legislative
20 chamber.

21 ~~7.~~ 8. Nothing shall prevent a school district from applying the
22 principles of paragraphs 3 and ~~4~~ 5 of this subsection in grades
23 kindergarten through second grade.

24

1 ~~8. To determine the promotion and retention of third grade~~
2 ~~students pursuant to the Reading Sufficiency Act, the State Board of~~
3 ~~Education shall use only the reading comprehension and vocabulary~~
4 ~~scores portion of the statewide third-grade assessment administered~~
5 ~~pursuant to Section 1210.508 of this title and shall not use the~~
6 ~~other language arts scores portions of the assessment.~~

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

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

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

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

20 4. That the student will not be promoted to the fourth grade if
21 the reading deficiency is not remediated by the end of the third
22 grade, unless the student is otherwise promoted as provided for in
23 subsection H of this section or is exempt for good cause as set
24 forth in subsection K of this section;

1 5. Strategies for parents to use in helping their child succeed
2 in reading proficiency;

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

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

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

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

13 K. For those students who do not meet the academic requirements
14 for promotion and who are not otherwise promoted as provided for in
15 subsection H of this section, a school district may promote the
16 student for good cause only. Good-cause exemptions for promotion
17 shall be limited to the following:

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

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

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

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

7 5. Students with disabilities who participate in the statewide
8 assessments administered pursuant to Section 1210.508 of this title
9 and who have an individualized education program that reflects that
10 the student has received intensive remediation in reading ~~for more~~
11 ~~than two (2) years but still demonstrates a deficiency in reading~~
12 ~~and was previously retained in prekindergarten for academic reasons,~~
13 ~~kindergarten, first grade, second grade, or third grade~~ and have
14 made adequate progress in reading pursuant to the student's
15 individualized education program;

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

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

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

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

13 1. Documentation submitted from the teacher of the student to
14 the school principal that indicates the student meets one of the
15 good-cause exemptions and promotion of the student is appropriate.
16 In order to minimize paperwork requirements, the documentation shall
17 consist only of the alternative assessment results or student
18 portfolio work and the individual education plan (IEP), as
19 applicable;

20 2. The principal of the school shall review and discuss the
21 documentation with the teacher and, if applicable, the other members
22 of the Student Reading Proficiency Team as described in subsection D
23 of this section. If the principal determines that the student meets
24 one of the good-cause exemptions and should be promoted based on the

documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and

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

N. Each school district shall:

1. Conduct a review of the program of reading instruction for all students who score below the proficient level on the reading portion of the statewide assessment administered pursuant to Section 1210.508 of this title and did not meet the criteria for one of the good-cause exemptions as set forth in subsection K of this section. The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each retained student;

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

- a. small group instruction,
- b. reduced teacher-student ratios,

- c. more frequent progress monitoring,
- d. tutoring or mentoring,
- e. transition classes containing third- and fourth-grade students,
- f. extended school day, week, or year, and
- g. summer reading academies as provided for in Section 1210.508E of this title, if available;

3. Provide written notification to the parent or guardian of any student who is to be retained as set forth in subsection H of this section that the student has not met the proficiency level required for promotion and was not otherwise promoted and the reasons the student is not eligible for a good-cause exemption. The notification shall include a description of proposed interventions and intensive instructional supports that will be provided to the student to remediate the identified areas of reading deficiency;

4. Implement a policy for the midyear promotion of a retained student who can demonstrate that the student is a successful and independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score at the

1 proficient level on the statewide third-grade assessment
2 administered pursuant to Section 1210.508 of this title, or upon
3 demonstrating proficiency in reading at the third-grade level
4 through a screening instrument administered pursuant to subsection B
5 of this section, and upon showing progress sufficient to master
6 appropriate fourth-grade-level skills, as determined by the school.
7 A midyear promotion shall be made only upon agreement of the parent
8 or guardian of the student and the school principal;

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

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

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

23 O. Beginning with the 2011-2012 school year, each school
24 district shall establish a Reading Enhancement and Acceleration

1 Development (READ) Initiative. The focus of the READ Initiative
2 shall be to prevent the retention of third-grade students by
3 offering intensive accelerated reading instruction to third-grade
4 students who failed to meet standards for promotion to fourth grade
5 and to kindergarten through third-grade students who are exhibiting
6 a reading deficiency. The READ Initiative shall:

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

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

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

- 16 a. assists students assessed as exhibiting a reading
17 deficiency in developing the ability to read at grade
18 level,
- 19 b. provides skill development in phonemic awareness,
20 phonics, fluency, vocabulary, and comprehension,
- 21 c. provides a scientific-research-based and reliable
22 assessment,
- 23 d. provides initial and ongoing analysis of the reading
24 progress of each student,

- 1 e. is implemented during regular school hours,
- 2 f. provides a curriculum in core academic subjects to
- 3 assist the student in maintaining or meeting
- 4 proficiency levels for the appropriate grade in all
- 5 academic subjects,
- 6 g. establishes at each school, where applicable, an
- 7 Intensive Acceleration Class for retained third-grade
- 8 students who subsequently score below the proficient
- 9 level on the reading portion of the statewide
- 10 assessment administered pursuant to Section 1210.508
- 11 of this title. The focus of the Intensive
- 12 Acceleration Class shall be to increase the reading
- 13 level of a child at least two grade levels in one (1)
- 14 school year. The Intensive Acceleration Class shall:
- 15 (1) be provided to any student in the third grade who
- 16 scores below the proficient level on the reading
- 17 portion of the statewide assessments and who was
- 18 retained in the third grade the prior year
- 19 because of scoring below the proficient level on
- 20 the reading portion of the statewide assessments,
- 21 (2) have a reduced teacher-student ratio,
- 22 (3) provide uninterrupted reading instruction for the
- 23 majority of student contact time each day and
- 24 incorporate opportunities to master the fourth-

grade state standards in other core subject areas,

(4) use a reading program that is scientific-research-based and has proven results in accelerating student reading achievement within the same school year,

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

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

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

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

i. provide to a student who has been retained in the third grade and has received intensive instructional

1 services but is still not ready for grade promotion,
2 as determined by the school district, the option of
3 being placed in a transitional instructional setting.
4 A transitional setting shall specifically be designed
5 to produce learning gains sufficient to meet fourth-
6 grade performance standards while continuing to
7 remediate the areas of reading deficiency.

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

20 Q. 1. Each school district board of education shall annually
21 publish on the school website, and report in writing to the State
22 Board of Education by September 1 of each year, the following
23 information on the prior school year:
24

- a. the provisions of this section relating to public school student progression and the policies and procedures of the school district on student retention and promotion,
- b. by grade, the number and percentage of all students in grades three through ten performing below the proficient level on the reading portion of the statewide assessment administered pursuant to Section 1210.508 of this title,
- c. by grade, the number and percentage of all students retained in grades three through ten,
- d. information on the total number and percentage of students who were promoted for good cause, by each category of good cause as specified above, and
- e. any revisions to the policies of the school district on student retention and promotion from the prior year.

2. The State Department of Education shall establish a uniform format for school districts to report the information required in this subsection. The format shall be developed with input from school districts and shall be provided not later than ninety (90) days prior to the annual due date. The Department shall annually compile the information required, along with state-level summary information, and report the information to the public, the Governor,

1 the President Pro Tempore of the Senate, and the Speaker of the
2 House of Representatives.

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

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

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

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

23 3. The number and percentage of students in kindergarten
24 through third grade who have successfully completed their program of

1 reading instruction and are reading on grade level as determined by
2 the results of approved reading assessments;

3 4. The number and percentage of students scoring at each
4 performance level on the reading portion of the statewide third-
5 grade assessment administered pursuant to Section 1210.508 of this
6 title;

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

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

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

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.

3

4 56-2-3076 EB 1/22/2018 9:40:31 AM

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24