

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 579

By: Stanislawski

COMMITTEE SUBSTITUTE

An Act relating to the school calendar; amending 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018, Section 1-109), which relates to the length of the school year; modifying the number of hours for which school shall be in session with a minimum number of days of instruction if certain policy is adopted; modifying criteria for certain extended-day schedule; allowing the Oklahoma School for the Blind and the Oklahoma School for the Deaf to adopt an alternative school hours policy if certain notification is provided and certain approval is received; amending 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 135, O.S.L. 2016 (70 O.S. Supp. 2018, Section 1-111), which relates to the school day; modifying language allowing a district board of education to extend the length of certain school days; amending 70 O.S. 2011, Section 1210.508C, as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S. Supp. 2018, Section 1210.508C), which relates to the Reading Sufficiency Act; modifying reference to hours in certain school year; amending 70 O.S. 2011, Section 4516, which relates to a continuous school program; modifying language allowing classes to be conducted for certain number of hours; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, as last amended by Section 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018, Section 1-109), is amended to read as follows:

Section 1-109. A. For all public schools in Oklahoma, school shall actually be in session and classroom instruction offered:

1. For not less than one hundred eighty (180) days; or

2. For not less than ~~one thousand eighty (1,080) hours~~ one thousand one hundred forty (1,140) hours with a minimum of one hundred fifty-five (155) days of instruction each school year, if a district board of education adopts a school-hours policy and notifies the State Board of Education prior to October 15 of the applicable school year.

B. A school district may not count more than thirty (30) hours each school year that are used for attendance of professional meetings toward the one hundred eighty (180) days or ~~one thousand eighty (1,080) hours~~ one thousand one hundred forty (1,140) hours of classroom instruction time required in subsection A of this section.

C. Teachers off contract with an employing district shall not be required by the employing school district to attend professional meetings unless the teacher is paid additional compensation for the additional time. Teachers may be paid additional compensation for attending professional meetings in excess of their contract term. Subject to district board of education policy or collective bargaining agreement, additional paid professional days may be

1 granted for individual teachers to attend or participate in  
2 professional meetings, staff development training, or National Board  
3 certification portfolio development as provided for in Section 6-  
4 204.2 of this title.

5 D. A school district may authorize parent-teacher conferences  
6 to be held during a regular school day. If authorized by the school  
7 district, parent-teacher conferences shall be counted as classroom  
8 instruction time for no more than six (6) hours per semester, for a  
9 total of twelve (12) hours per school year.

10 E. A school district may maintain school for less than a full  
11 school year only when conditions beyond the control of school  
12 authorities make the maintenance of the term impossible and the  
13 State Board of Education has been apprised and has expressed  
14 concurrence in writing.

15 F. The State Board of Education shall establish criteria for an  
16 extended-day schedule for schools subject to paragraph 1 of  
17 subsection A of this section. The criteria shall:

18 1. Prescribe a lengthened school day within limits determined  
19 not to be detrimental to quality instruction;

20 2. Ensure that the schedule is equivalent in annual hours of  
21 instruction to the one-hundred-eighty-day school year specified in  
22 paragraph 1 of subsection A of this section; and  
23  
24

1        3. Be consistent with the provisions of this section and  
2 Sections 1-111 and 1-112 of this title, ~~but may result in fewer~~  
3 ~~annual days of instruction.~~

4        G. Notwithstanding the provisions of subsection F of this  
5 section, a school district board of education subject to paragraph 1  
6 of subsection A of this section may adopt and implement an extended-  
7 day schedule subject to the following requirements:

8        1. The annual number of hours of instruction shall equal or  
9 exceed ~~one thousand eighty (1,080) hours, which is the equivalent of~~  
10 one hundred eighty (180) days of instruction as specified in  
11 paragraph 1 of subsection A of this section for six (6) hours each  
12 day as specified in Section 1-111 of this title;

13        2. The annual number of days of instruction shall equal or  
14 exceed one hundred eighty (180) days as specified in paragraph 1 of  
15 subsection A of this section;

16        3. The schedule adopted shall be consistent with the provisions  
17 of Sections 1-111 and 1-112 of this title, except that for not more  
18 than one (1) day per week, a school day shall consist of not less  
19 than five (5) hours devoted to academic instruction in a regular  
20 classroom setting;

21        4. The district shall hold a public hearing prior to the  
22 adoption of an extended-day schedule authorized pursuant to this  
23 subsection; and  
24

1        5. The district shall document the impact on student  
2 achievement as determined by the academic performance data score and  
3 any other relevant factors that are a result of implementation of an  
4 extended-day schedule authorized pursuant to this subsection and  
5 provide an annual report to the State Board of Education of the  
6 results. If improvement in student achievement cannot be documented  
7 in the report, the district board of education shall revoke  
8 authorization as provided by this subsection. If the district does  
9 not revoke authorization after student achievement is not documented  
10 in the report, the State Board of Education may deny accreditation  
11 of any school in violation of this subsection.

12        H. ~~If subject to paragraph 2 of subsection A of this section, a~~  
13 A district board of education or designee may elect to close a  
14 school during the school day for inclement weather purposes. In  
15 such an event, the number of hours incurred in classroom instruction  
16 time prior to school closure shall be counted toward the ~~one~~  
17 ~~thousand eighty (1,080) hours~~ one hundred eighty (180) days or one  
18 thousand one hundred forty (1,140) hours per year requirement.

19        I. Nothing in this section shall be construed as affecting the  
20 right of an employing school district to require teachers as defined  
21 in Section 6-101.3 of this title to work in excess of the ~~one~~  
22 ~~thousand eighty (1,080) hours~~ one hundred eighty (180) days or one  
23 thousand one hundred forty (1,140) hours required for student  
24 instruction. In addition, nothing in this section shall be

1 construed to affect the Fair Labor Standards Act status of any  
2 school district employee.

3 J. The provisions of this section shall not prohibit the  
4 Oklahoma School for the Blind or the Oklahoma School for the Deaf  
5 from adopting an alternative school hours policy if the Oklahoma  
6 School for the Blind or the Oklahoma School for the Deaf notifies  
7 and receives approval from the State Board of Education prior to  
8 October 15 of the applicable school year.

9 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1-111, as  
10 last amended by Section 1, Chapter 135, O.S.L. 2016 (70 O.S. Supp.  
11 2018, Section 1-111), is amended to read as follows:

12 Section 1-111. A. Except as otherwise provided for by law, a  
13 school day shall consist of not less than six (6) hours devoted to  
14 school activities. A district board of education may elect to  
15 extend the length of one (1) or more school days to more than six  
16 (6) hours ~~and reduce the number of school days~~ as long as the total  
17 amount of classroom instruction time is not less than ~~one thousand~~  
18 ~~eighty (1,080) hours~~ one hundred eighty (180) days or one thousand  
19 one hundred forty (1,140) hours per year as required pursuant to  
20 Section 1-109 of this title.

21 B. A school day for nursery, early childhood education,  
22 kindergarten, and alternative education programs shall be as  
23 otherwise defined by law or as defined by the State Board of  
24 Education. Except as otherwise provided for in this subsection, not

1 more than one (1) school day shall be counted for attendance  
2 purposes in any twenty-four-hour period. Two (2) school days, each  
3 consisting of not less than six (6) hours, may be counted for  
4 attendance purposes in any twenty-four-hour period only if one of  
5 the school days is for the purpose of parent-teacher conferences  
6 held as provided for in Section 1-109 of this title.

7 C. Students absent from school in which they are regularly  
8 enrolled may be considered as being in attendance if the reason for  
9 such absence is to participate in scheduled school activities under  
10 the direction and supervision of a regular member of the faculty or  
11 to participate in an online course approved by the district board of  
12 education. The State Board of Education shall adopt rules to  
13 provide for the implementation of supplemental online courses which  
14 shall include, but not be limited to, provisions addressing the  
15 following:

16 1. Criteria for student admissions eligibility;

17 2. A student admission process administered through the  
18 district of residence, which provides the ability for the student to  
19 enroll in individual courses;

20 3. A process by which students are not denied the opportunity  
21 to enroll in educationally appropriate courses by school districts.  
22 For the purposes of this section, "educationally appropriate" means  
23 any instruction that is not substantially a repeat of a course or  
24 portion of a course that the student has successfully completed,

1 regardless of the grade of the student, and regardless of whether a  
2 course is similar to or identical to the instruction that is  
3 currently offered in the school district;

4 4. Creation of a system which provides ongoing enrollment  
5 access for students throughout the school year;

6 5. A grace period of fifteen (15) calendar days from the first  
7 day of an online course for student withdrawal from an online course  
8 without academic penalty;

9 6. Mastery of competencies for course completion rather than  
10 Carnegie units;

11 7. Student participation in extracurricular activities in  
12 accordance with school district eligibility rules and policies and  
13 any rules and policies of a private organization or association  
14 which provides the coordination, supervision, and regulation of the  
15 interscholastic activities and contests of schools;

16 8. Parent authorization for release of state test results to  
17 online course providers, on a form developed by the State Department  
18 of Education; and

19 9. A review process to identify and certify online course  
20 providers and a uniform payment processing system.

21 D. Each district board of education shall adopt policies and  
22 procedures that conform to rules for online courses as adopted by  
23 the State Board. Such policies shall include criteria for approval  
24 of the course, the appropriateness of the course for a particular



1 student, authorization for full-time students to enroll in online  
2 courses, and establishing fees or charges. No district shall be  
3 liable for payment of any fees or charges for any online course for  
4 a student who has not complied with the district's policies and  
5 procedures. School districts shall not deny students the  
6 opportunity to enroll in educationally appropriate courses and shall  
7 provide an admissions process which includes input from the student,  
8 the parent or guardian of the student, and school faculty.

9 E. Districts shall require students enrolled in online courses  
10 to participate in the Oklahoma School Testing Program Act. Students  
11 participating in online courses from a remote site will be  
12 responsible for providing their own equipment and Internet access,  
13 unless the district chooses to provide the equipment. Credit may  
14 not be granted for such courses except upon approval of the State  
15 Board of Education and the district board of education.

16 F. The school day for kindergarten may consist of six (6) hours  
17 devoted to school activities.

18 SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.508C,  
19 as last amended by Section 1, Chapter 213, O.S.L. 2017 (70 O.S.  
20 Supp. 2018, Section 1210.508C), is amended to read as follows:

21 Section 1210.508C. A. 1. Each student enrolled in  
22 kindergarten in a public school in this state shall be screened for  
23 reading skills including, but not limited to, phonemic awareness,  
24 letter recognition, and oral language skills as identified in the

1 subject matter standards adopted by the State Board of Education. A  
2 screening instrument approved by the State Board shall be utilized  
3 for the purposes of this section.

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

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

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

20 2. Any student who is assessed and found not to be reading at  
21 the appropriate grade level shall be provided a program of reading  
22 instruction designed to enable the student to acquire the  
23 appropriate grade level reading skills. The program of reading  
24 instruction shall include provisions of the READ Initiative adopted

1 by the school district as provided for in subsection O of this  
2 section.

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

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

13 1. Assess for phonemic awareness, phonics, reading fluency, and  
14 comprehension;

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

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

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

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

1 reading failure. The State Board shall ensure that any assessments  
2 approved are in alignment with the subject matter standards adopted  
3 by the State Board of Education.

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

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

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

9            a. the parent or guardian of the student,

10           b. the teacher assigned to the student who had  
11                responsibility for reading instruction in that  
12                academic year,

13           c. a teacher who is responsible for reading instruction  
14                and is assigned to teach in the next grade level of  
15                the student, and

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

17        E. The program of reading instruction shall continue until the  
18 student is determined by the results of approved reading assessments  
19 to be reading on grade level.

20        F. 1. Every school district shall adopt, and implement a  
21 district reading sufficiency plan which has had input from school  
22 administrators, teachers, and parents and if possible a reading  
23 specialist, and which shall be submitted electronically to and  
24 approved by the State Board of Education. The plan shall be updated

1 annually. School districts shall not be required to electronically  
2 submit the annual updates to the Board if the last plan submitted to  
3 the Board was approved and expenditures for the program include only  
4 expenses relating to individual and small group tutoring, purchase  
5 of and training in the use of screening and assessment measures,  
6 summer school programs and Saturday school programs. If any  
7 expenditure for the program is deleted or changed or any other type  
8 of expenditure for the program is implemented, the school district  
9 shall be required to submit the latest annual update to the Board  
10 for approval. The district reading sufficiency plan shall include a  
11 plan for each site which includes an analysis of the data provided  
12 by the Oklahoma School Testing Program and other reading assessments  
13 utilized as required in this section, and which outlines how each  
14 school site will comply with the provisions of the Reading  
15 Sufficiency Act.

16 2. The State Board of Education shall adopt rules for the  
17 implementation and evaluation of the provisions of the Reading  
18 Sufficiency Act. The evaluation shall include, but not be limited  
19 to, an analysis of the data required in subsection S of this  
20 section.

21 G. For any third-grade student found not to be reading at grade  
22 level as determined by reading assessments administered pursuant to  
23 this section, a new program of reading instruction, including  
24 provisions of the READ Initiative adopted by the school district as

1 provided for in subsection O of this section, shall be developed by  
2 a Student Reading Proficiency Team and implemented as specified in  
3 subsection D of this section. In addition to other requirements of  
4 the Reading Sufficiency Act, the plan may include specialized  
5 tutoring.

6 H. 1. Any first-grade, second-grade or third-grade student who  
7 demonstrates proficiency in reading at the third-grade level through  
8 a screening instrument which meets the acquisition of reading skills  
9 criteria pursuant to subsection B of this section shall not be  
10 subject to retention pursuant to this section. After a student has  
11 demonstrated proficiency through a screening instrument, the  
12 district shall provide notification to the parent or guardian of the  
13 student that they have satisfied the requirements of the Reading  
14 Sufficiency Act and will not be subject to retention pursuant to  
15 this section.

16 2. If a third-grade student is identified at any point of the  
17 academic year as having a significant reading deficiency, which  
18 shall be defined as scoring below proficient on a screening  
19 instrument which meets the acquisition of reading skills criteria  
20 pursuant to subsection B of this section, the district shall  
21 immediately begin a student reading portfolio as provided by  
22 subsection K of this section and shall provide notice to the parent  
23 of the deficiency pursuant to subsection I of this section.  
24

1        3. If a student has not yet satisfied the proficiency  
2 requirements of this section prior to the completion of third grade  
3 and still has a significant reading deficiency, as identified based  
4 on assessments administered as provided for in subsection B of this  
5 section, has not accumulated evidence of third-grade proficiency  
6 through a student portfolio as provided in subsection K of this  
7 section, or is not subject to a good-cause exemption as provided in  
8 subsection K of this section, then the student shall not be eligible  
9 for automatic promotion to fourth grade.

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



1 which was created for the student pursuant to  
2 subsection D of this 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.

20 5. Beginning with the 2017-2018 school year, students who score  
21 below the proficient level on the reading portion of the statewide  
22 third-grade assessment administered pursuant to Section 1210.508 of  
23 this title, who are not subject to a good cause exemption as  
24 provided in subsection K of this section, and who do not qualify for

1 promotion or probationary promotion as provided in this subsection,  
2 shall be retained in the third grade and provided intensive  
3 instructional services and supports as provided for in subsection N  
4 of this section.

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

17       7. Nothing shall prevent a school district from applying the  
18 principles of paragraphs 3 and 4 of this subsection in grades  
19 kindergarten through second grade.

20       8. To determine the promotion and retention of third-grade  
21 students pursuant to the Reading Sufficiency Act, the State Board of  
22 Education shall use only the reading comprehension and vocabulary  
23 scores portion of the statewide third-grade assessment administered  
24

1 pursuant to Section 1210.508 of this title and shall not use the  
2 other language arts scores portions of the assessment.

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

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

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

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

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

21 5. Strategies for parents to use in helping their child succeed  
22 in reading proficiency;

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

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

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

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

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

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

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

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

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

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

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

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

19       L. A student who is otherwise promoted as provided for in  
20 subsection H of this section or is promoted for good cause as  
21 provided for in subsection K of this section shall be provided  
22 intensive reading instruction during an altered instructional day  
23 that includes specialized diagnostic information and specific  
24 reading strategies for each student. The school district shall

1 assist schools and teachers to implement reading strategies for the  
2 promoted students that research has shown to be successful in  
3 improving reading among low-performing readers.

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

7 1. Documentation submitted from the teacher of the student to  
8 the school principal that indicates the student meets one of the  
9 good-cause exemptions and promotion of the student is appropriate.

10 In order to minimize paperwork requirements, the documentation shall  
11 consist only of the alternative assessment results or student  
12 portfolio work and the individual education plan (IEP), as  
13 applicable;

14 2. The principal of the school shall review and discuss the  
15 documentation with the teacher and, if applicable, the other members  
16 of the Student Reading Proficiency Team as described in subsection D  
17 of this section. If the principal determines that the student meets  
18 one of the good-cause exemptions and should be promoted based on the  
19 documentation provided, the principal shall make a recommendation in  
20 writing to the school district superintendent; and

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

23 N. Each school district shall:  
24

1        1. Conduct a review of the program of reading instruction for  
2 all students who score below the proficient level on the reading  
3 portion of the statewide assessment administered pursuant to Section  
4 1210.508 of this title and did not meet the criteria for one of the  
5 good-cause exemptions as set forth in subsection K of this section.  
6 The review shall address additional supports and services, as  
7 described in this subsection, needed to remediate the identified  
8 areas of reading deficiency. The school district shall require a  
9 student portfolio to be completed for each retained student;

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

- 18           a. small group instruction,
- 19           b. reduced teacher-student ratios,
- 20           c. more frequent progress monitoring,
- 21           d. tutoring or mentoring,
- 22           e. transition classes containing third- and fourth-grade
- 23           students,
- 24           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 proficient level on the statewide third-grade assessment administered pursuant to Section 1210.508 of this title, or upon demonstrating proficiency in reading at the third-grade level through a screening instrument administered pursuant to subsection B of this section, and upon showing progress sufficient to master



1 appropriate fourth-grade-level skills, as determined by the school.  
2 A midyear promotion shall be made only upon agreement of the parent  
3 or guardian of the student and the school principal;

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

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

10 a. supplemental tutoring in scientific-research-based  
11 reading services in addition to the regular reading  
12 block, including tutoring before or after school,

13 b. a parent-guided "Read at Home" assistance plan, as  
14 developed by the State Department of Education, the  
15 purpose of which is to encourage regular parent-guided  
16 home reading, or

17 c. a mentor or tutor with specialized reading training.

18 O. Beginning with the 2011-2012 school year, each school  
19 district shall establish a Reading Enhancement and Acceleration  
20 Development (READ) Initiative. The focus of the READ Initiative  
21 shall be to prevent the retention of third-grade students by  
22 offering intensive accelerated reading instruction to third-grade  
23 students who failed to meet standards for promotion to fourth grade  
24

1 and to kindergarten through third-grade students who are exhibiting  
2 a reading deficiency. The READ Initiative shall:

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

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

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

- 12 a. assists students assessed as exhibiting a reading  
13 deficiency in developing the ability to read at grade  
14 level,
- 15 b. provides skill development in phonemic awareness,  
16 phonics, fluency, vocabulary, and comprehension,
- 17 c. provides a scientific-research-based and reliable  
18 assessment,
- 19 d. provides initial and ongoing analysis of the reading  
20 progress of each student,
- 21 e. is implemented during regular school hours,
- 22 f. provides a curriculum in core academic subjects to  
23 assist the student in maintaining or meeting  
24

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

- (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 services but is still not ready for grade promotion, as determined by the school district, the option of

1 being placed in a transitional instructional setting.  
2 A transitional setting shall specifically be designed  
3 to produce learning gains sufficient to meet fourth-  
4 grade performance standards while continuing to  
5 remediate the areas of reading deficiency.

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

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

22 a. the provisions of this section relating to public  
23 school student progression and the policies and  
24

1 procedures of the school district on student retention  
2 and promotion,

3 b. by grade, the number and percentage of all students in  
4 grades three through ten performing below the  
5 proficient level on the reading portion of the  
6 statewide assessment administered pursuant to Section  
7 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 on the reading portion of the statewide third-  
3 grade assessment administered pursuant to Section 1210.508 of this  
4 title;

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

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

20        7. The amount of funds for reading remediation received by each  
21 district;

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



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

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

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

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

13        The State Department of Education may contract with an  
14 independent entity for the reporting and analysis requirements of  
15 this subsection.

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

18        SECTION 4.        AMENDATORY        70 O.S. 2011, Section 4516, is  
19 amended to read as follows:

20        Section 4516. The board of education of any school district  
21 operating pursuant to the provisions of this act shall establish a  
22 school calendar whereby the teaching sessions and vacation periods  
23 during the school year are on a rotating basis.

1 Each selected school shall be closed for all students and  
2 employees on regular school holidays.

3 The schools and classes shall be conducted for a total of no  
4 less than one hundred eighty (180) days or no less than ~~one thousand~~  
5 ~~eighty (1,080) hours~~ one thousand one hundred forty (1,140) hours  
6 during the academic year.

7 The provisions of all other laws relating to compulsory full-  
8 time education and the enrollment and attendance of pupils in the  
9 kindergarten, elementary and secondary grades shall be applicable  
10 with respect to the regular school days prescribed for the entire  
11 academic year established for the school at which a program pursuant  
12 to this act is conducted, and to the attendance area established for  
13 such school.

14 SECTION 5. This act shall become effective July 1, 2020.

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