

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 579

By: Stanislawski

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to the school calendar; amending 70
9 O.S. 2011, Section 1-109, as last amended by Section
10 1, Chapter 6, O.S.L. 2016 (70 O.S. Supp. 2018,
11 Section 1-109), which relates to the length of the
12 school year; modifying the number of hours for which
13 school shall be in session with a minimum number of
14 days of instruction if certain policy is adopted;
15 modifying criteria for certain extended-day schedule;
16 allowing the Oklahoma School for the Blind and the
17 Oklahoma School for the Deaf to adopt an alternative
18 school hours policy if certain notification is
19 provided and certain approval is received; amending
20 70 O.S. 2011, Section 1-111, as last amended by
21 Section 1, Chapter 135, O.S.L. 2016 (70 O.S. Supp.
22 2018, Section 1-111), which relates to the school
23 day; modifying language allowing a district board of
24 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;

24

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

1 g. summer reading academies as provided for in Section
2 1210.508E of this title, if available;

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

11 4. Implement a policy for the midyear promotion of a retained
12 student who can demonstrate that the student is a successful and
13 independent reader, is reading at or above grade level, and is ready
14 to be promoted to the fourth grade. Tools that school districts may
15 use in reevaluating any retained student may include subsequent
16 assessments, alternative assessments, and portfolio reviews, in
17 accordance with rules of the State Board of Education. Retained
18 students may only be promoted midyear prior to November 1 and only
19 upon demonstrating a level of proficiency required to score at the
20 proficient level on the statewide third-grade assessment
21 administered pursuant to Section 1210.508 of this title, or upon
22 demonstrating proficiency in reading at the third-grade level
23 through a screening instrument administered pursuant to subsection B
24 of this section, and upon showing progress sufficient to master

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

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

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

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

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

c. a mentor or tutor with specialized reading training.

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

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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