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AS AMENDED

By: Stanley of the Senate

Lawson and Waldron of the House

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

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

2. For those kindergarten children at risk for reading difficulties at the beginning of the year, teachers shall emphasize

1 reading skills as identified in the subject matter standards adopted
2 by the State Board of Education, monitor progress throughout the
3 year, and measure mid-year and year-end reading progress.

4 3. Kindergarten students who are not meeting grade-level
5 targets by mid-year in reading shall be provided a program of
6 reading instruction designed to enable the student to acquire the
7 appropriate grade-level reading skills.

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

12 5. Exemptions to the screening requirements of this subsection
13 may be provided for students who have documented evidence that they
14 meet at least one of the following criteria as related to the
15 provision of instruction:

16 a. the student participates in the Oklahoma Alternate
17 Assessment Program (OAAP) and is taught using
18 alternate methods,

19 b. the student's primary expressive and/or receptive
20 communication is sign language,

21 c. the student's primary form of written or read text is
22 Braille, or

23 d. the student's primary expressive and/or receptive
24 language is not English, the student is identified as

1 an English learner using a state-approved
2 identification assessment, and the student has had
3 less than one (1) school year of instruction in an
4 English learner program.

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

12 2. Exemptions to the screening requirements of this subsection
13 may be provided for students who have documented evidence that they
14 meet at least one of the following criteria as related to the
15 provision of classroom instruction:

16 a. the student participates in the OAAP and is taught
17 using alternate methods,

18 b. the student's primary expressive and/or receptive
19 communication is sign language,

20 c. the student's primary form of written or read text is
21 Braille, or

22 d. the student's primary expressive and/or receptive
23 language is not English, the student is identified as
24 an English learner using a state-approved

1 identification assessment, and the student has had
2 less than one (1) school year of instruction in an
3 English learner program.

4 A public school that grants an exemption pursuant to this
5 paragraph shall provide ongoing evidence of student progression
6 toward English language acquisition with the same frequency as
7 administration of screening assessments. Evidence may include, but
8 not be limited to, student progression toward OAAP reading essential
9 elements, proficiency in sign language and reading comprehension,
10 and proficiency in Braille and reading comprehension.

11 C. Any student enrolled in first, second, or third grade who is
12 assessed and who is not meeting grade-level targets in reading shall
13 be provided a program of reading instruction designed to enable the
14 student to acquire the appropriate grade level reading skills. The
15 program of reading instruction shall include provisions of the READ
16 Initiative adopted by the school district as provided for in
17 subsection P of this section. Throughout the year progress
18 monitoring shall continue, and diagnostic assessment, if determined
19 appropriate, shall be provided. Year-end reading skills shall be
20 measured to determine reading success.

21 D. The State Board of Education shall approve screening
22 instruments for use at the beginning and end of the school year, for
23 monitoring of progress, and for measurement of reading skills at the
24 end of the school year as required in subsections A and B of this

section; provided, at least one of the screening instruments shall meet the following criteria:

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

2. Document the validity and reliability of each assessment;

3. Can be used for identifying students who are at risk for reading deficiency and progress monitoring throughout the school year;

4. Can be used to assess students with disabilities and English language learners; and

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

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

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

16 2. A student enrolled in first or second grades who has been
17 assessed as provided for in subsection B of this section and found
18 not to be meeting grade-level targets in reading, shall be entitled
19 to supplemental instructional services and supports in reading until
20 the student is determined by the results of a screening instrument
21 to be meeting grade-level targets in reading. The program of
22 reading instruction for each student shall be developed by a Student
23 Reading Proficiency Team and shall include supplemental
24

1 instructional services and supports. Each team shall be composed
2 of:

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

11 F. The program of reading instruction shall continue until the
12 student is determined by the results of approved reading assessments
13 to be meeting grade-level targets.

14 G. 1. Every school district shall adopt⁷ and implement a
15 district reading sufficiency plan which has had input from school
16 administrators, teachers, and parents and if possible a reading
17 specialist, and which shall be submitted electronically to and
18 approved by the State Board of Education. The plan shall be updated
19 annually. School districts shall not be required to electronically
20 submit the annual updates to the Board if the last plan submitted to
21 the Board was approved and expenditures for the program include only
22 expenses relating to individual and small group tutoring, purchase
23 of and training in the use of screening and assessment measures,
24 summer school programs,¹ and Saturday school programs. If any

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

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

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

24

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

11 2. If a third-grade student is identified at any point of the
12 academic year as having a significant reading deficiency, which
13 shall be defined as not meeting grade-level targets on a screening
14 instrument which meets the acquisition of reading skills criteria
15 pursuant to subsection B of this section, the district shall
16 immediately begin a student reading portfolio as provided by
17 subsection L of this section and shall provide notice to the parent
18 of the deficiency pursuant to subsection J of this section.

19 3. If a student has not yet satisfied the proficiency
20 requirements of this section prior to the completion of third grade
21 and still has a significant reading deficiency, as identified based
22 on assessments administered as provided for in subsection B of this
23 section, has not accumulated evidence of third-grade proficiency
24 through a student portfolio as provided in subsection L of this

1 section, or is not subject to a good-cause exemption as provided in
2 subsection L of this section, then the student shall not be eligible
3 for automatic promotion to fourth grade.

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

19 5. a. A student not eligible for automatic promotion as
20 provided for under paragraph 3 of this subsection and
21 who does not meet the criteria established by the
22 Commission for Educational Quality and Accountability
23 on the reading portion of the statewide third-grade
24 assessment administered pursuant to Section 1210.508

1 of this title may be evaluated for probationary
2 promotion by the Student Reading Proficiency Team
3 which was created for the student pursuant to
4 subsection E of this section.

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

1 6. Beginning with the 2017-2018 school year, students who do
2 not meet the performance criteria established by the Commission for
3 Educational Quality and Accountability on the reading portion of the
4 statewide third-grade assessment administered pursuant to Section
5 1210.508 of this title, who are not subject to a good cause
6 exemption as provided in subsection L of this section, and who do
7 not qualify for promotion or probationary promotion as provided in
8 this subsection~~7~~, shall be retained in the third grade and provided
9 intensive instructional services and supports as provided for in
10 subsection O of this section.

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

23 J. The parent of any student who is found to have a reading
24 deficiency and is not meeting grade-level reading targets and has

1 been provided a program of reading instruction as provided for in
2 subsection B of this section shall be notified in writing of the
3 following:

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

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

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

12 4. That the student will not be promoted to the fourth grade if
13 the reading deficiency is not remediated by the end of the third
14 grade, unless the student is otherwise promoted as provided for in
15 subsection I of this section or is exempt for good cause as set
16 forth in subsection L of this section;

17 5. Strategies for parents to use in helping their child succeed
18 in reading proficiency;

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

20 7. That while the results of the statewide assessments
21 administered pursuant to Section 1210.508 of this title are the
22 initial determinant, they are not the sole determiner of promotion
23 and that portfolio reviews and assessments are available; and
24

1 8. The specific criteria and policies of the school district
2 for midyear promotion implemented as provided for in paragraph 4 of
3 subsection O of this section.

4 K. No student may be assigned to a grade level based solely on
5 age or other factors that constitute social promotion.

6 L. For those students who do not meet the academic requirements
7 for promotion and who are not otherwise promoted as provided for in
8 subsection I of this section, a school district may promote the
9 student for good cause only. Good-cause exemptions for promotion
10 shall be limited to the following:

11 1. English language learners who have had less than two (2)
12 years of instruction in an English language learner program;

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

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

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

23 5. Students with disabilities who participate in the statewide
24 assessments administered pursuant to Section 1210.508 of this title

1 and who have an individualized education program that reflects that
2 the student has received intensive remediation in reading and has
3 made adequate progress in reading pursuant to the student's
4 individualized education program;

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

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

12 M. A student who is otherwise promoted as provided for in
13 subsection I of this section or is promoted for good cause as
14 provided for in subsection L of this section shall be provided
15 intensive reading instruction that includes specialized diagnostic
16 information and specific reading strategies for each student until
17 the student meets grade-level targets in reading. The school
18 district shall assist schools and teachers to implement reading
19 strategies for the promoted students that research has shown to be
20 successful in improving reading among low-performing readers.

21 N. Requests to exempt students from the retention requirements
22 based on one of the good-cause exemptions as described in subsection
23 L of this section shall be made using the following process:

1 1. Documentation submitted from the teacher of the student to
2 the school principal that indicates the student meets one of the
3 good-cause exemptions and promotion of the student is appropriate.
4 In order to minimize paperwork requirements, the documentation shall
5 consist only of the alternative assessment results or student
6 portfolio work and the individual education plan (IEP), as
7 applicable;

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

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

17 0. Each school district shall:

18 1. Conduct a review of the program of reading instruction for
19 all students who do not meet the performance criteria established by
20 the Commission for Educational Quality and Accountability on the
21 reading portion of the statewide assessment administered pursuant to
22 Section 1210.508 of this title and did not meet the criteria for one
23 of the good-cause exemptions as set forth in subsection L of this
24 section. The review shall address additional supports and services,

1 as described in this subsection, needed to remediate the identified
2 areas of reading deficiency. The school district shall require a
3 student portfolio to be completed for each retained student;

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

- 12 a. small group instruction,
- 13 b. reduced teacher-student ratios,
- 14 c. more frequent progress monitoring,
- 15 d. tutoring or mentoring,
- 16 e. transition classes containing third- and fourth-grade
17 students,
- 18 f. extended school day, week, or year, and
- 19 g. summer reading academies as provided for in Section
20 1210.508E of this title, if available;

21 3. Provide written notification to the parent or legal guardian
22 of any student who is to be retained as set forth in subsection I of
23 this section that the student has not met the performance criteria
24 required for promotion and was not otherwise promoted and the

1 reasons the student is not eligible for a good-cause exemption. The
2 notification shall include a description of proposed interventions
3 and intensive instructional supports that will be provided to the
4 student to remediate the identified areas of reading deficiency;

5 4. Implement a policy for the midyear promotion of a retained
6 student who can demonstrate that the student is a successful and
7 independent reader, is reading at or above grade-level targets, and
8 is ready to be promoted to the fourth grade. Tools that school
9 districts may use in reevaluating any retained student may include
10 screening assessments, alternative assessments, and portfolio
11 reviews, in accordance with rules of the State Board of Education.
12 Retained students may only be promoted midyear prior to November 1
13 and only upon demonstrating that the student has met the performance
14 criteria established by the Commission for Educational Quality and
15 Accountability on the reading portion of the statewide third-grade
16 assessment administered pursuant to Section 1210.508 of this title,
17 or upon demonstrating proficiency in reading at the third-grade
18 level through a screening instrument administered pursuant to
19 subsection B of this section, and upon showing progress sufficient
20 to master appropriate fourth-grade-level skills, as determined by
21 the school. A midyear promotion shall be made only upon agreement
22 of the parent or legal guardian of the student and the school
23 principal;

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

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

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

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

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

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

23 1. Be provided to all kindergarten through third-grade students
24 at risk of retention as identified by the assessments administered

1 pursuant to the Reading Sufficiency Act. The assessment used shall
2 measure phonemic awareness, phonics, reading fluency, vocabulary,
3 and comprehension;

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

6 3. Provide a reading curriculum that, at a minimum, meets the
7 following specifications:

8 a. assists students assessed as exhibiting a reading
9 deficiency in developing the ability to read at grade
10 level,

11 b. provides skill development in phonemic awareness,
12 phonics, reading fluency, vocabulary, and
13 comprehension,

14 c. provides a scientific-research-based and reliable
15 assessment,

16 d. provides initial and ongoing analysis of the reading
17 progress of each student, and

18 e. is implemented during regular school hours⁷;

19 4. Establish at each school, where applicable, an Intensive
20 Acceleration Class for retained third-grade students who
21 subsequently do not meet the performance criteria established by the
22 Commission for Educational Quality and Accountability on the reading
23 portion of the statewide assessment administered pursuant to Section
24 1210.508 of this title. The focus of the Intensive Acceleration

1 Class shall be to increase the reading level of a child at least two
2 grade levels in one (1) school year. The Intensive Acceleration

3 Class shall:

- 4 a. be provided to any student in the third grade who does
5 not meet the performance criteria established by the
6 Commission for Educational Quality and Accountability
7 on the reading portion of the statewide assessments
8 and who was retained in the third grade the prior year
9 because of not meeting the performance criteria on the
10 reading portion of the statewide assessments,
- 11 b. have a reduced teacher-student ratio,
- 12 c. provide uninterrupted reading instruction for the
13 majority of student contact time each day and
14 incorporate opportunities to master the fourth-grade
15 state standards in other core subject areas,
- 16 d. use a reading program that is scientific-research-
17 based and has proven results in accelerating student
18 reading achievement within the same school year,
- 19 e. provide intensive language and vocabulary instruction
20 using a scientific-research-based program, including
21 use of a speech-language therapist, and
- 22 f. include weekly progress monitoring measures to ensure
23 progress is being made;

1 5. Provide reports to the State Board of Education, upon
2 request, on the specific intensive reading interventions and
3 supports implemented by the school district. The State
4 Superintendent of Public Instruction shall annually prescribe the
5 required components of the reports; and

6 6. Provide to a student who has been retained in the third
7 grade and has received intensive instructional services but is still
8 not ready for grade promotion, as determined by the school district,
9 the option of being placed in a transitional instructional setting.
10 A transitional setting shall specifically be designed to produce
11 learning gains sufficient to meet fourth-grade performance standards
12 while continuing to remediate the areas of reading deficiency.

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

17 a. the provisions of this section relating to public
18 school student progression and the policies and
19 procedures of the school district on student retention
20 and promotion,

21 b. the number and percentage of all students in grade
22 three that did not meet the performance criteria
23 established by the Commission for Educational Quality
24 and Accountability on the reading portion of the

1 statewide assessment administered pursuant to Section
2 1210.508 of this title,

3 c. by grade, the number and percentage of all students
4 retained in grades three through ten,

5 d. information on the total number and percentage of
6 students who were promoted for good cause, by each
7 category of good cause as specified above, and

8 e. any revisions to the policies of the school district
9 on student retention and promotion from the prior
10 year.

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

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

23 S. On or before January 31 of each year, the State Department
24 of Education shall issue to the Governor, the President Pro Tempore

1 of the Senate, the Speaker of the House of Representatives, and
2 members of the education committees of the Senate and House of
3 Representatives ~~Education Committees~~ a Reading Sufficiency Report
4 which shall include, but is not limited to, trend data detailing
5 three (3) years of data, disaggregated by student subgroups to
6 include economically disadvantaged, major racial or ethnic groups,
7 students with disabilities, and English language learners, as
8 appropriate for the following:

9 1. The number and percentage of students in kindergarten
10 through third grade determined to be at risk for reading
11 difficulties compared to the total number of students enrolled in
12 each grade;

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

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

20 4. The number and percentage of students that meet or do not
21 meet the performance criteria established by the Commission for
22 Educational Quality and Accountability on the reading portion of the
23 statewide third-grade assessment administered pursuant to Section
24 1210.508 of this title;

1 5. The number of students tested, the number of students
2 promoted through meeting proficiency on a screening instrument as
3 provided for in subsection I of this section, the number of students
4 promoted through each of the good-cause exemptions as provided for
5 in subsection L of this section and the number of students retained
6 and the number of students promoted through probationary promotion
7 as provided for in subsection I of this section for each elementary
8 site;

9 6. Data tracking the progression of students promoted through
10 each of the good-cause exemptions as provided for in subsection L of
11 this section and students promoted through probationary promotion or
12 students who are retained in third grade as provided for in
13 subsection I of this section. The data shall include but not be
14 limited to information regarding whether students graduate on time;

15 7. The amount of funds for reading remediation received by each
16 district;

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

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

22 10. Socioeconomic information, access to reading resources
23 outside of school and screening for and identification of learning
24

1 disabilities for students not reading at the appropriate grade level
2 by third grade;

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

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

9 The State Department of Education may contract with an
10 independent entity for the reporting and analysis requirements of
11 this subsection.

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

14 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.520, is
15 amended to read as follows:

16 Section 1210.520. A. Beginning with the 2022-2023 school year
17 and for each school year thereafter, any student enrolled in
18 kindergarten, first, second, or third grade in a public school in
19 this state who is assessed through the Reading Sufficiency Act
20 pursuant to Section 1210.508C of ~~Title 70 of the Oklahoma Statutes~~
21 this title and who is not meeting grade-level targets in reading
22 after the beginning-of-the-year assessment shall be screened for
23 dyslexia. Screening also may be requested for a student by his or
24

1 her parent or legal guardian, teacher, counselor, speech-language
2 pathologist, or school psychologist.

3 B. No later than July 1, 2021, the State Board of Education
4 shall develop policies for dyslexia screening required under this
5 subsection ~~and~~ which shall include, but not be limited to:

6 1. The definition and characteristics of dyslexia and related
7 language disorders;

8 2. The process for referring students in kindergarten and
9 grades one through three for screening;

10 3. A process for providing notification to parents of the use
11 of a qualified dyslexia-screening tool and notification of the
12 results of the screening;

13 4. A process for providing the parents of students screened for
14 dyslexia with information and resource material regarding dyslexia;
15 and

16 5. ~~A process for monitoring the student's progress after the~~
17 ~~positive identification of characteristics of dyslexia, or other~~
18 ~~disorders; and~~

19 ~~6.~~ Requirements and qualifications for screeners that
20 demonstrate an understanding of and training to administer the
21 screening instrument.

22 C. The Board shall adopt a list of approved qualified dyslexia
23 screening tools that address the following components, as
24 developmentally appropriate:

1. Phonological awareness;
2. ~~Advanced phonemic~~ Phonemic awareness;
3. Sound symbol recognition;
4. Alphabet knowledge;
5. Decoding skills;
6. Encoding skills; and
7. Rapid naming; ~~and~~
8. ~~Developmental language.~~

D. Screening shall be conducted in accordance with the policies developed by the State Board of Education pursuant to subsection B of this section ~~and the Oklahoma Dyslexia Handbook,~~ including policies and information developed relating to universal screening of kindergarten students for characteristics of dyslexia.

E. 1. Exemptions to the screening requirements of this section may be provided for students who have documented evidence that they meet at least one of the following criteria as related to the provision of classroom instruction:

a. the student participates in the Oklahoma Alternate Assessment Program (OAAP) and is taught using alternate standards,

b. the student's primary expressive and/or receptive communication is sign language,

c. the student's primary form of written or read text is Braille, or

1 d. the student's primary expressive and/or receptive
2 language is not English, the student is identified as
3 an English learner using a state-approved
4 identification assessment, and the student has had
5 less than one (1) school year of instruction in an
6 English learner program.

7 2. If a student who qualifies for an exemption pursuant to this
8 subsection is screened for characteristics of dyslexia, he or she
9 shall be subject to the other requirements of this section.

10 3. A public school that grants an exemption pursuant to this
11 subsection shall provide ongoing evidence of student progression
12 toward English language acquisition with the same frequency as
13 administration of screening tools. Evidence may include, but not be
14 limited to, student progression toward OAAP reading essential
15 elements, proficiency in sign language and reading comprehension,
16 proficiency in Braille and reading comprehension, and proficiency in
17 English as an additional language. The public school shall collect
18 ongoing evidence in a manner that may be provided to a student's
19 parent or legal guardian as necessary or upon request.

20 F. Beginning June 30, 2023, and ~~for~~ by June 30 each year
21 thereafter, school districts shall provide the following data to the
22 State Department of Education:
23
24

1 1. The number of students by grade level in kindergarten
2 through grade three who were screened for characteristics of
3 dyslexia in a school year;

4 2. The number of students by grade level in kindergarten
5 through grade three who were ~~newly~~ identified as having
6 characteristics of dyslexia in a school year;

7 3. The number of students by grade level in kindergarten
8 through grade three who qualified for and were provided an exemption
9 pursuant to subsection E of this section in a school year;

10 4. The process or tools used to evaluate student progress;

11 ~~4.~~ 5. The number of trained school system personnel or licensed
12 professionals used to administer the qualified dyslexia screening
13 tool;

14 ~~5.~~ 6. The number of students in kindergarten through grade
15 three who were participating in interventions addressing
16 characteristics of dyslexia provided by the school within the school
17 setting and the number of students participating in interventions
18 outside the school setting; and

19 ~~6.~~ 7. The programs used by districts for intervention to
20 address characteristics of dyslexia within the school setting.

21 ~~F.~~ G. By ~~December 31, 2023~~ January 31, 2025, and ~~for~~ by January
22 31 each year thereafter, the State Department of Education shall
23 provide a report containing all of the information provided in
24

1 subsection ~~E~~ F of this section to the Governor and Legislature and
2 make the report available on the Department's website.

3 ~~G.~~ H. As funds are available, beginning the 2021-2022 school
4 year, the Department shall provide training on the best practices
5 for screening for characteristics of dyslexia.

6 ~~H.~~ I. The State Board of Education may promulgate rules
7 necessary to implement the provisions of this section.

8 SECTION 3. This act shall become effective July 1, 2023.

9 SECTION 4. It being immediately necessary for the preservation
10 of the public peace, health, or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
14 February 28, 2023 - DO PASS AS AMENDED
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