

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 154

By: Stanley

4  
5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,  
8 Section 1210.508C, which relates to the Reading  
9 Sufficiency Act; providing exemptions to certain  
10 screening requirements; requiring certain evidence of  
11 student progression; updating statutory language;  
12 amending 70 O.S. 2021, Section 1210.520, which  
13 relates to screening for dyslexia; updating statutory  
14 language; updating statutory reference; modifying  
15 required components of certain policy; modifying  
16 requirements for certain screening tools; providing  
17 exemptions to certain screening requirements;  
18 requiring certain evidence of student progression;  
19 requiring data to include certain information;  
20 modifying date by which certain report must be  
21 submitted; providing an effective date; and declaring  
22 an emergency.

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

24 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.508C,  
is amended to read as follows:

25 Section 1210.508C. A. 1. Each student enrolled in  
26 kindergarten in a public school in this state shall be screened at  
27 the beginning, middle, and end of each school year for reading  
28 skills including, but not limited to, phonemic awareness, letter  
29 recognition, and oral language skills as identified in the subject

1 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 at the beginning of the year, teachers shall emphasize  
6 reading skills as identified in the subject matter standards adopted  
7 by the State Board of Education, monitor progress throughout the  
8 year, and measure mid-year and year-end reading progress.

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

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

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

- 21 a. the student participates in the Oklahoma Alternate  
22 Assessment Program (OAAP) and is taught using  
23 alternate methods,

- 1           b. the student's primary expressive and/or receptive  
2           communication is sign language,
- 3           c. the student's primary form of written or read text is  
4           Braille, or
- 5           d. the student's primary expressive and/or receptive  
6           language is not English, the student is identified as  
7           an English learner using a state-approved  
8           identification assessment, and the student has had  
9           less than one (1) school year of instruction in an  
10           English learner program.

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

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

- 22           a. the student participates in the OAAP and is taught  
23           using alternate methods,

- 1           b. the student's primary expressive and/or receptive  
2           communication is sign language,
- 3           c. the student's primary form of written or read text is  
4           Braille, or
- 5           d. the student's primary expressive and/or receptive  
6           language is not English, the student is identified as  
7           an English learner using a state-approved  
8           identification assessment, and the student has had  
9           less than one (1) school year of instruction in an  
10           English learner program.

11           A public school that grants an exemption pursuant to this  
12           paragraph shall provide ongoing evidence of student progression  
13           toward English language acquisition with the same frequency as  
14           administration of screening assessments. Evidence may include, but  
15           not be limited to, student progression toward OAAP reading essential  
16           elements, proficiency in sign language and reading comprehension,  
17           and proficiency in Braille and reading comprehension.

18           C. Any student enrolled in first, second, or third grade who is  
19 assessed and who is not meeting grade-level targets in reading shall  
20 be provided a program of reading instruction designed to enable the  
21 student to acquire the appropriate grade level reading skills. The  
22 program of reading instruction shall include provisions of the READ  
23 Initiative adopted by the school district as provided for in  
24 subsection P of this section. Throughout the year progress

1 monitoring shall continue, and diagnostic assessment, if determined  
2 appropriate, shall be provided. Year-end reading skills shall be  
3 measured to determine reading success.

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

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

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

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

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

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

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

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

- 9 a. sufficient additional in-school instructional time for  
10 the acquisition of phonemic awareness, phonics,  
11 reading fluency, vocabulary, and comprehension,  
12 b. if necessary, tutorial instruction after regular  
13 school hours, on Saturdays, and during summer;  
14 however, such instruction may not be counted toward  
15 the one-hundred-eighty-day or one-thousand-eighty-hour  
16 school year required in Section 1-109 of this title,  
17 and  
18 c. assessments identified for diagnostic purposes and  
19 periodic monitoring to measure the acquisition of  
20 reading skills including, but not limited to, phonemic  
21 awareness, phonics, reading fluency, vocabulary, and  
22 comprehension, as identified in the student's program  
23 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 meeting grade-level targets in reading, shall be entitled  
4 to supplemental instructional services and supports in reading until  
5 the student is determined by the results of a screening instrument  
6 to be meeting grade-level targets in reading. The program of  
7 reading instruction for each student shall be developed by a Student  
8 Reading Proficiency Team and shall include supplemental  
9 instructional services and supports. Each team shall be composed  
10 of:

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

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

22           G. 1. Every school district shall adopt, and implement a  
23 district reading sufficiency plan which has had input from school  
24 administrators, teachers, and parents and if possible a reading

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

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

23 H. For any third-grade student found not to be meeting grade-  
24 level targets as determined by reading assessments administered

1 pursuant to this section, a new program of reading instruction,  
2 including provisions of the READ Initiative adopted by the school  
3 district as provided for in subsection P of this section, shall be  
4 developed by a Student Reading Proficiency Team and implemented as  
5 specified in subsection E of this section. In addition to other  
6 requirements of the Reading Sufficiency Act, the plan may include  
7 specialized tutoring.

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

18 2. If a third-grade student is identified at any point of the  
19 academic year as having a significant reading deficiency, which  
20 shall be defined as not meeting grade-level targets on a screening  
21 instrument which meets the acquisition of reading skills criteria  
22 pursuant to subsection B of this section, the district shall  
23 immediately begin a student reading portfolio as provided by  
24

1 subsection L of this section and shall provide notice to the parent  
2 of the deficiency pursuant to subsection J of this section.

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

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

1 reading foundations and vocabulary portions of the statewide third-  
2 grade assessment.

3 5. a. A student not eligible for automatic promotion as  
4 provided for under paragraph 3 of this subsection and  
5 who does not meet the criteria established by the  
6 Commission for Educational Quality and Accountability  
7 on the reading portion of the statewide third-grade  
8 assessment administered pursuant to Section 1210.508  
9 of this title may be evaluated for probationary  
10 promotion by the Student Reading Proficiency Team  
11 which was created for the student pursuant to  
12 subsection E of this section.

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

1 the acquisition of reading skills criteria pursuant to  
2 subsection B of this section, for the corresponding  
3 grade level in which the student is enrolled or  
4 transitions to a locally designed remediation plan  
5 after the fifth grade which shall have the goal of  
6 ensuring that the student is on track to be college  
7 and career ready.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           5. Students with disabilities who participate in the statewide  
8 assessments administered pursuant to Section 1210.508 of this title  
9 and who have an individualized education program that reflects that  
10 the student has received intensive remediation in reading and has  
11 made adequate progress in reading pursuant to the student's  
12 individualized education program;

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

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

20           M. A student who is otherwise promoted as provided for in  
21 subsection I of this section or is promoted for good cause as  
22 provided for in subsection L of this section shall be provided  
23 intensive reading instruction that includes specialized diagnostic  
24 information and specific reading strategies for each student until

1 the student meets grade-level targets in reading. The school  
2 district shall assist schools and teachers to implement reading  
3 strategies for the promoted students that research has shown to be  
4 successful in improving reading among low-performing readers.

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

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

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

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

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

24 O. Each school district shall:

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

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

- 19           a. small group instruction,
- 20           b. reduced teacher-student ratios,
- 21           c. more frequent progress monitoring,
- 22           d. tutoring or mentoring,
- 23           e. transition classes containing third- and fourth-grade  
24           students,

- f. extended school day, week, or year, and
- g. summer reading academies as provided for in Section 1210.508E of this title, if available;

3. Provide written notification to the parent or legal guardian of any student who is to be retained as set forth in subsection I of this section that the student has not met the performance criteria 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 targets, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include screening 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 that the student has met the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide third-grade assessment administered pursuant to Section 1210.508 of this title, or upon demonstrating proficiency in reading at the third-grade

1 level through a screening instrument administered pursuant to  
2 subsection B of this section, and upon showing progress sufficient  
3 to master appropriate fourth-grade-level skills, as determined by  
4 the school. A midyear promotion shall be made only upon agreement  
5 of the parent or legal guardian of the student and the school  
6 principal;

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

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

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

21 P. Beginning with the 2011-2012 school year, each school  
22 district shall establish a Reading Enhancement and Acceleration  
23 Development (READ) Initiative. The focus of the READ Initiative  
24 shall be to prevent the retention of third-grade students by

1 offering intensive accelerated reading instruction to third-grade  
2 students who failed to meet standards for promotion to fourth grade  
3 and to kindergarten through third-grade students who are exhibiting  
4 a reading deficiency. The READ Initiative shall:

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

10 2. Be provided during regular school hours in addition to the  
11 regular reading instruction;

12 3. Provide a reading curriculum that, at a minimum, meets the  
13 following specifications:

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

1           4. Establish at each school, where applicable, an Intensive  
2 Acceleration Class for retained third-grade students who  
3 subsequently do not meet the performance criteria established by the  
4 Commission for Educational Quality and Accountability on the reading  
5 portion of the statewide assessment administered pursuant to Section  
6 1210.508 of this title. The focus of the Intensive Acceleration  
7 Class shall be to increase the reading level of a child at least two  
8 grade levels in one (1) school year. The Intensive Acceleration  
9 Class shall:

- 10           a. be provided to any student in the third grade who does  
11           not meet the performance criteria established by the  
12           Commission for Educational Quality and Accountability  
13           on the reading portion of the statewide assessments  
14           and who was retained in the third grade the prior year  
15           because of not meeting the performance criteria on the  
16           reading portion of the statewide assessments,
- 17           b. have a reduced teacher-student ratio,
- 18           c. provide uninterrupted reading instruction for the  
19           majority of student contact time each day and  
20           incorporate opportunities to master the fourth-grade  
21           state standards in other core subject areas,
- 22           d. use a reading program that is scientific-research-  
23           based and has proven results in accelerating student  
24           reading achievement within the same school year,

- e. provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist, and
- f. include weekly progress monitoring measures to ensure progress is being made;

5. 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

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

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

- a. the provisions of this section relating to public school student progression and the policies and

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

3 b. the number and percentage of all students in grade  
4 three that did not meet the performance criteria  
5 established by the Commission for Educational Quality  
6 and Accountability on the reading portion of the  
7 statewide assessment administered pursuant to Section  
8 1210.508 of this title,

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

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

14 e. any revisions to the policies of the school district  
15 on student retention and promotion from the prior  
16 year.

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

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

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

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

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

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

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

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

3 4. The number and percentage of students that meet or do not  
4 meet the performance criteria established by the Commission for  
5 Educational Quality and Accountability on the reading portion of the  
6 statewide third-grade assessment administered pursuant to Section  
7 1210.508 of this title;

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

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

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

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

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

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

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

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

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

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

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

23 Section 1210.520. A. Beginning with the 2022-2023 school year  
24 and for each school year thereafter, any student enrolled in

1 kindergarten, first, second, or third grade in a public school in  
2 this state who is assessed through the Reading Sufficiency Act  
3 pursuant to Section 1210.508C of ~~Title 70 of the Oklahoma Statutes~~  
4 this title and who is not meeting grade-level targets in reading  
5 after the beginning-of-the-year assessment shall be screened for  
6 dyslexia. Screening also may be requested for a student by his or  
7 her parent or legal guardian, teacher, counselor, speech-language  
8 pathologist, or school psychologist.

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

12 1. The definition and characteristics of dyslexia and related  
13 language disorders;

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

16 3. A process for providing notification to parents of the use  
17 of a qualified dyslexia-screening tool and notification of the  
18 results of the screening;

19 4. A process for providing the parents of students screened for  
20 dyslexia with information and resource material regarding dyslexia;

21 and

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

1       ~~6.~~ Requirements and qualifications for screeners that  
2 demonstrate an understanding of and training to administer the  
3 screening instrument.

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

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

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

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

- 1           a. the student participates in the Oklahoma Alternate  
2           Assessment Program (OAAP) and is taught using  
3           alternate standards,
- 4           b. the student's primary expressive and/or receptive  
5           communication is sign language,
- 6           c. the student's primary form of written or read text is  
7           Braille, or
- 8           d. the student's primary expressive and/or receptive  
9           language is not English, the student is identified as  
10           an English learner using a state-approved  
11           identification assessment, and the student has had  
12           less than one (1) school year of instruction in an  
13           English learner program.

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

17           3. A public school that grants an exemption pursuant to this  
18           subsection shall provide ongoing evidence of student progression  
19           toward English language acquisition with the same frequency as  
20           administration of screening tools. Evidence may include, but not be  
21           limited to, student progression toward OAAP reading essential  
22           elements, proficiency in sign language and reading comprehension,  
23           proficiency in Braille and reading comprehension, and proficiency in  
24           English as an additional language. The public school shall collect

1 ongoing evidence in a manner that may be provided to a student's  
2 parent or legal guardian as necessary or upon request.

3 F. Beginning June 30, 2023, and ~~for~~ by June 30 each year  
4 thereafter, school districts shall provide the following data to the  
5 State Department of Education:

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

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

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

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

16 ~~4.~~ 5. The number of trained school system personnel or licensed  
17 professionals used to administer the qualified dyslexia screening  
18 tool;

19 ~~5.~~ 6. The number of students in kindergarten through grade  
20 three who were participating in interventions addressing  
21 characteristics of dyslexia provided by the school within the school  
22 setting and the number of students participating in interventions  
23 outside the school setting; and

1       ~~6.~~ 7. The programs used by districts for intervention to  
2 address characteristics of dyslexia within the school setting.

3       ~~F. G.~~ By ~~December 31, 2023~~ January 31, 2025, and ~~for~~ by January  
4 31 each year thereafter, the State Department of Education shall  
5 provide a report containing all of the information provided in  
6 subsection ~~E~~ F of this section to the Governor and Legislature and  
7 make the report available on the Department's website.

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

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

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

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

18  
19       59-1-989

EB

1/4/2023 5:18:55 PM