

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 108**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES LEDOUX, Revak**

**Introduced: 4/16/19**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring the establishment of a reading program in school districts for grades**  
2 **kindergarten through three; providing for student retention in grade three; and**  
3 **providing for a report on the reading program and on student retention."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 SHORT TITLE. This Act may be known as the Learn to Read - Read to Learn Act.

8 \* **Sec. 2.** AS 14.03.120 is amended by adding new subsections to read:

9 (h) To the extent allowable under state and federal privacy laws, each district  
10 shall annually publish on the district's Internet website and report to the department  
11 information from the previous school year regarding

12 (1) overall student progress under each aspect of the program  
13 established under AS 14.30.760;

14 (2) school board policies and procedures on student retention and

1 promotion;

2 (3) the number and percentage of students retained in grades  
3 kindergarten through 10, by grade level;

4 (4) the total number and percentage of students in grade three who  
5 were exempted for good cause, by each category, under AS 14.30.765(b);

6 (5) the number and percentage of students in grades kindergarten  
7 through three performing below grade level on local or statewide reading assessments;

8 (6) the performance on statewide reading assessments by students  
9 above grade three who were retained in grade three under AS 14.30.760(b)(4) or  
10 exempted for good cause under AS 14.30.765(b);

11 (7) revisions, if any, to school board policies on student retention and  
12 promotion from the previous school year.

13 (i) The department shall compile and summarize the information submitted  
14 under (h) of this section in a report and provide copies of the report to the board and  
15 the governor, publish the report on the department's Internet website, and notify the  
16 legislature that the report is available.

17 \* **Sec. 3.** AS 14.30 is amended by adding new sections to read:

18 **Article 15. District Reading Program.**

19 **Sec. 14.30.760. District reading program.** (a) In addition to other state and  
20 local programs established to address students' significant reading deficiencies, each  
21 district shall establish a reading program for students in grades kindergarten through  
22 three consistent with this section.

23 (b) A district reading program must provide for

24 (1) a nationally standardized screening assessment provided to students  
25 in grades kindergarten through three, three times each year, to measure basic  
26 psychological processes involved in reading, sound symbol recognition, alphabet  
27 knowledge, decoding skills, rapid naming skills, and encoding skills, and to identify  
28 students' reading deficiencies. The district shall provide the first assessment within the  
29 first 30 days of the school year. For a student who scores below proficiency, the  
30 district shall notify the student's parent or guardian within 14 days after the school  
31 district receives the results. The district shall provide the student with an individual

1 reading improvement plan not later than 30 days after the identification of the reading  
 2 deficiency and shall provide updates of the student's reading progress to the student's  
 3 parent or guardian every three months;

4 (2) participation in statewide assessments;

5 (3) elimination of social promotion of students to the next grade level  
 6 based on age or other nonacademic factors; in this paragraph, "social promotion"  
 7 means the practice of promoting a student to the next grade level despite the inability  
 8 of the student to meet standards the department has established for that grade level;

9 (4) retention of students in grade three who fail to meet the minimum  
 10 reading standards established by the state board for performance on a nationally  
 11 standardized screening assessment, unless the student demonstrates sufficient reading  
 12 skills for promotion to grade four by completing a test-based portfolio or alternative  
 13 reading assessment or demonstrates good cause under AS 14.30.765(b); however,

14 (A) if a student is identified as not meeting the minimum  
 15 reading standards, the school shall hold a conference with the student's teacher,  
 16 the student's parent or guardian, and the school principal during the last 45  
 17 days of the school year to discuss retention of the student in grade three;

18 (B) a student may not be retained in grade three for more than  
 19 one school year under the program; and

20 (C) a student exempted for good cause under AS 14.30.765(b)  
 21 shall continue to receive intensive reading intervention consistent with this  
 22 section;

23 (5) an optional transitional grade for a student retained in grade three  
 24 under the program that combines intensive reading instruction as described in  
 25 AS 14.30.765(b) with grade four core subjects;

26 (6) an update every three months to the parent or guardian of a student  
 27 in grades kindergarten through three who is identified as having a significant reading  
 28 deficiency, describing

29 (A) the nature of the reading deficiency;

30 (B) the current educational services provided to the student;

31 (C) supplemental instructional services and remedial support of

1 the reading deficiency proposed to be provided to the student;

2 (D) the requirement to retain the student in grade three if the  
3 reading deficiency is not sufficiently remediated, except for good cause as  
4 provided in AS 14.30.765(b);

5 (E) strategies for the parent or guardian to use to help the child  
6 succeed that include the provision of

7 (i) supplemental tutoring using research-based reading  
8 strategies;

9 (ii) a home reading plan in the context of a parent or  
10 guardian contract that includes participation in parent training  
11 workshops and regular parent-guided reading at home;

12 (iii) an assigned mentor in reading;

13 (7) a monitoring plan established by the student's teacher, principal,  
14 parent or guardian, and other pertinent education personnel for each student who is  
15 identified as having a significant reading deficiency; the monitoring plan must include  
16 strategies based on scientific reading research and must require intensive reading  
17 intervention to continue until the student no longer has a reading deficiency;

18 (8) opportunities for students who are identified as having significant  
19 reading deficiencies to participate in summer reading camps, if funding is available.

20 **Sec. 14.30.765. Retention in grade three.** (a) For a student who is retained in  
21 grade three under the program established under AS 14.30.760, a district shall,  
22 beginning as early as possible, provide

23 (1) intensive interventions, during regular school hours, in reading  
24 literacy designed to ameliorate the student's specific reading deficiency, including

25 (A) instructional strategies that are employed daily for at least  
26 90 minutes each day; the strategies must be based on scientific reading  
27 research and include

28 (i) small group instruction;

29 (ii) reduced pupil-teacher ratios;

30 (iii) frequent monitoring for progress;

31 (iv) tutoring and mentoring;

- 1 (v) opportunities in reading that incorporate grade four  
 2 core subjects;
- 3 (vi) intensive language and vocabulary instruction that  
 4 may involve a speech and language therapist;
- 5 (B) participation by the student in a summer reading camp in  
 6 the district;
- 7 (C) appropriate teaching methodologies necessary to assist the  
 8 student in progressing to the next grade level in reading; the methodologies  
 9 under this subparagraph shall be selected by a highly effective teacher in the  
 10 district, as determined by the superintendent based on teacher evaluations;
- 11 (D) extended school days, weeks, or years;
- 12 (2) review of the student's progress in completing a monitoring plan  
 13 established for the student;
- 14 (3) assessment of the student's needs for additional services;
- 15 (4) instruction in developing a reading portfolio;
- 16 (5) an accelerated reading class for retained students with the lowest  
 17 scores on standards-based assessments in language arts and retained students who  
 18 were previously retained in kindergarten, grade one, or grade two; the accelerated  
 19 reading class shall be designed to help each student achieve an improvement of at least  
 20 two grade levels in reading;
- 21 (6) an annual progress report submitted to the department;
- 22 (7) a home reading plan that involves the student's parent or guardian.
- 23 (b) A district may exempt a student from mandatory retention under  
 24 AS 14.30.760(b)(4) for good cause if the student's parent or guardian requests the  
 25 exemption or receives a recommendation for the exemption from the student's teacher  
 26 and principal and provides documentation demonstrating that the student has
- 27 (1) limited English proficiency after completing not more than two  
 28 years of instruction in a limited English proficiency program;
- 29 (2) a disability and an individualized education plan under  
 30 AS 14.30.278 that exempts the student from participation in statewide standards-based  
 31 assessments and meets other requirements established by law;

1 (3) an individualized education program under AS 14.30.278 that  
 2 resulted in at least two years of intensive remediation in reading, was retained at least  
 3 once in grades kindergarten through three, and is promoted using additional resources  
 4 that include specialized diagnostic information, altered instructional days, and  
 5 individualized reading strategies; or

6 (4) received intensive remediation in reading for at least two years that  
 7 included an altered instructional day, specialized diagnostic testing, and strategies  
 8 based on scientific reading research to improve reading skills and was retained at least  
 9 twice in grades kindergarten through three.

10 **Sec. 14.30.770. Temporary waiver of district reading program**  
 11 **requirement.** The department may provide a temporary waiver to a district of a  
 12 reading program required under AS 14.30.760 for a period not to exceed three years if  
 13 the district demonstrates to the satisfaction of the department that the district is taking  
 14 necessary steps toward establishing and implementing the reading program. The  
 15 department may extend a temporary waiver granted under this section if the district  
 16 can demonstrate that full implementation of a district reading program was delayed by  
 17 an extreme circumstance over which the district had no control.

18 **Sec. 14.30.780. Audit of district reading program.** The department shall  
 19 provide an audit of each district reading program to determine consistency with the  
 20 standards established under AS 14.30.760. The department shall perform the audit  
 21 seven years after full implementation of the program or 10 years after the first year of  
 22 implementation of the program, whichever is sooner.

23 **Sec. 14.30.790. Definitions.** In AS 14.30.760 - 14.30.790,

24 (1) "district" has the meaning given in AS 14.17.990;

25 (2) "scientific reading research" means research that

26 (A) applies rigorous, systematic, and objective procedures to  
 27 obtain valid knowledge relevant to reading development, reading instruction,  
 28 and reading difficulties;

29 (B) uses systematic empirical methods based on observation or  
 30 experiments;

31 (C) involves rigorous data analysis that is adequate to test the

1 stated hypothesis and justify the general conclusions drawn by the researchers;

2 (D) relies on measurements or observational methods that can  
3 be verified by other researchers;

4 (E) has been accepted by a peer-reviewed journal or approved  
5 by a panel of independent experts through a comparably rigorous, systematic,  
6 objective, and scientific review; and

7 (F) tests elements of essential components of reading  
8 instruction;

9 (3) "significant reading deficiency" means that a student does not meet  
10 the minimum skill levels for reading competency in the areas of phonemic awareness,  
11 phonics, vocabulary development, and reading fluency, including verbal skills and  
12 reading comprehension, under standards established by the state board for the student's  
13 grade level.