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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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23 To require Local Education Agencies (“LEA”) to submit to the Office of the State
24 Superintendent of Education (“OSSE”), for its approval, plans to administer an annual
25 academic assessment for all student in kindergarten, first grade, second grade, and third
26 grade to determine adequate progress in reading and comprehension, to require the
27 establishment of accelerated reading intervention programs to ensure that all students can
28 read at or above grade level at the end of third grade, to require the delivery of a program
29 of professional development to support the early literacy in students, to require the
30 creation of reading development plans for students who are identified as reading below
31 grade level, to inform parents or guardians of a student’s reading deficiency, to require
32 intensive reading intervention plans for students who are not reading on grade level at the
33 end of the third grade, to establish an annual reporting requirement for LEAs to
34 communicate data related to student reading and comprehension, and to establish a
35 uniform LEA reporting requirement of the data requested by this act to OSSE for the
36 purpose of issuing an Annual Early Literacy report.
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38 BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
39 act may be cited as the “Reading Equity Acceleration Declaration Act of 2019”.
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41 Sec. 2. Definitions.

42 For the purposes of this act, the term:

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1 (1) "Local Education Agency" or "LEA" shall have the same meaning as in
2 section 2b(3) of the State Education Office Establishment Act of 2000, effective February 22,
3 2014 (D.C. Law 20-84; D.C. Official Code § 38-2601.02(3)).

4 (2) "OSSE" means Office of the State Superintendent of Education.

5 Sec. 3. Annual academic assessment.

6 Beginning with the 2020-21 school year, each LEA shall submit to OSSE, for its
7 approval, plans to administer a yearly student academic assessment aligned with the Common
8 Core State Standards in English language arts and literacy to all students in kindergarten, first
9 grade, second grade, and third grade. Such assessments shall be provided to determine whether
10 students are making adequate progress in developing reading skills and comprehension and to
11 provide teachers with student-specific diagnostic information to aid with personalizing and
12 improving literacy instruction.

13 Sec. 4. Accelerated Reading Intervention Program.

14 Each LEA shall offer an accelerated reading intervention program for the purpose of
15 ensuring that students can read at or above grade level by the end of the third grade. The
16 accelerated reading intervention program shall:

17 (1) Be provided to all students in kindergarten, first grade, second grade, and third
18 grade who are identified as reading below grade level based upon the OSSE-approved
19 assessments administered within the first thirty days of the school year;

20 (2) Provide intensive development in phonemic awareness, phonic, reading
21 fluency, vocabulary, and reading comprehension;

22 (3) Monitor the reading progress of each student's reading skills throughout the
23 school year and adjust instruction accordingly; and

1 (4) Be implemented during regular school hours and, if necessary, after school
2 hour in addition to the regular reading instruction.

3 Sec. 5. LEA-provided professional development.

4 In support of the accelerated reading intervention program described in Section 4 of this
5 act, each LEA shall deliver to its instructional staff a program of professional development,
6 provided by an organization or entity that is accredited by a regional or national accreditation
7 body such as, respectively, the Middle States Association Commissions on Elementary and
8 Secondary Schools or AdvancED, to support instructional staff competence in the evidence-
9 based teaching of phonemic awareness, phonics, reading fluency, vocabulary, and reading
10 comprehension.

11 Sec. 5. Personalized reading development plan.

12 Any student, who is assessed to read below grade level at any time, based upon the
13 OSSE-approved assessment conducted in kindergarten, first grade, second grade, or third grade,
14 shall receive a personalized reading development plan no later than 30 days after the student is
15 determined to read below grade level. The reading development plan shall be created by the
16 teacher, the principal, other pertinent school personnel, and the parents or guardians of the
17 student and shall contain, at a minimum, the features described in Section 6 of this act. Each such
18 student shall receive supplemental instructional services and support until the student is able to
19 reads on grade level.

20 Sec. 7. Parental notification.

21 (a) The LEA of any student who is assessed to be a reading below grade level as
22 described in Section 6 of this act, shall notify such student's parents or guardians of the creation

1 of the personalized reading development plan in writing no later than 15 days after the plan's
2 creation.

3 (b) The reading development plan shall include, at a minimum, the following:

4 (1) A detailed description of the student's reading ability and particular needs as
5 determined by diagnostic assessment data;

6 (2) A description of the current services that are provided to the student;

7 (3) A description of any proposed new and additional reading intervention and
8 supplemental instructional services and supports that will be provided to the student which are
9 designed to remedy the identifies area or areas of reading deficiency; and

10 (4) Strategies for parents or guardians to use at home in helping the student
11 succeed in reading.

12 Sec. 8. Intensive reading intervention plan.

13 Beginning with the 2021-22 school year, each LEA shall provide to every student who is
14 reading below level by the end of the third grade an intensive reading intervention plan to be
15 shared with the student's parents or guardians that includes all of the elements of the reading
16 development plan provided pursuant to Section 7 of this act and, at a minimum, the following:

17 (1) More dedicated time in evidence-based reading instruction and intervention;

18 (2) Daily targeted small group reading intervention based on student needs as
19 determined by diagnostic and formative assessment data;

20 (3) Participation in evidence-based reading programs which have demonstrated
21 results in accelerating student reading achievement;

22 (4) Explicit and systemic instruction with more detailed explanation, extensive
23 opportunities for guided practice, error correction and feedback;

1 (5) Administration of formative assessments to frequently monitor student
2 progress;

3 (6) Before-school, after-school, or summer-school evidenced-based supplemental
4 reading instruction and interventions delivered by a provider or organization possessing an
5 accreditation of the kind cited in Section 4 of this act;

6 (7) A plan for continued monitoring and follow-up with the student's teachers in
7 subsequent grades; and

8 (8) For parents or guardians, a read-at-home plan outlined in a parental compact,
9 including but not limited to, participation in parent training workshops related to parent-guided
10 home reading.

11 Sec. 9. Exemptions.

12 An LEA may only exempt students from an intensive reading intervention plan pursuant
13 to Section 7 of this act for good cause. The exemption shall apply to the following students:

14 (1) A student who demonstrates performance at or above grade level on an
15 alternative standardized reading assessment approved by OSSE;

16 (2) A student who demonstrates, through a student portfolio, performance at or
17 above grade level as evidenced by demonstrating mastery of all third grade District reading
18 standards through multiple work samples;

19 (3) A student who is a child with a disability as defined in Section 38-2901(7)
20 who has had fewer than 2 years of instruction pursuant to a limited English proficiency plan;

21 Sec. 10. LEA reporting requirements.

22 By September 1 of each year, each LEA shall annually report in writing to OSSE the
23 following information on the prior school year:

1 (1) The LEA's policies and procedures on reading development plans and
2 intensive reading intervention plans;

3 (2) By grade, the number and percentage of all students in kindergarten, first
4 grade, second grade, and third grade, who were identified to be reading below grade level at the
5 beginning of the school year and who performed at or above grade level at the end of the school
6 year, as demonstrated by their performance on the LEA's OSSE-approved literacy assessment
7 proscribed by Section 3 of this act;

8 (3) By grade, the number and percentage of all students in kindergarten, first
9 grade, second grade, and third grade performing below grade level on the OSSE-approved
10 District-wide assessment;

11 (4) By grade, the number and percentage of all students in kindergarten, first
12 grade, second grade, and third grade who were provided reading development plans;

13 (5) By grade, the number and percentage of all students who were provided an
14 intensive reading intervention plan pursuant to Section 9 of the act;

15 (6) Student demographic and family background data, as determined by OSSE, to
16 support the narrowing of achievement gaps; and

17 (7) Any revisions to the LEA's policy on student retention and promotion from
18 the prior year's report.

19 Sec. 11. Uniform format.

20 OSSE shall establish a uniform format for the LEAS to report the information required
21 pursuant to Section 9 of this act. The format shall be developed with input from LEASs and shall
22 be provided to each LEA no later than ninety days prior to the annual due date. OSSE shall
23 annually compile the information submitted under Section 10 of this act along with District-level

1 summary information and shall issue and Annual Early Literacy Report documenting LEAs
2 efforts and activities under this Act to the State Board of Education, the public, the Mayor, and to
3 the Council by October 1 of each year. OSSE shall provide technical assistance as needed to
4 assist LEAs in carrying out this section.

5 Sec. 12. Rules

6 OSSE, pursuant to Title I of the District of Columbia Administrative Procedure Act,
7 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules
8 to implement the provisions of this act. The proposed rules shall be submitted to the Council for
9 a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council
10 recess. If the Council does not approve nor disapprove the proposed rules, in whole or in part, by
11 resolution within this 45-day period, the proposed rules shall be deemed disapproved. The rules
12 shall not take effect until approved by the Council.

13 Sec. 12. Fiscal impact statement

14 The Council adopts the fiscal impact statement in the committee report as the fiscal
15 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
16 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

17 Sec. 13. Effective date.

18 The act shall take effect following approval by the Mayor (or in the event of veto by the
19 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
20 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
21 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
22 Columbia Register.