

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2   STATE OF OKLAHOMA

3   1st Session of the 59th Legislature (2023)

4 HOUSE BILL 2672

  By: Baker of the House

5   and

6   **Pugh** of the Senate

7

8   AS INTRODUCED

9                   An Act relating to schools; amending 70 O.S. 2021,  
10                  Section 6-194, as amended by Section 1, Chapter 211,  
                  O.S.L. 2022 (70 O.S. Supp. 2022, Section 6-194),  
11                  which relates to professional development programs;  
                  requiring dyslexia and dysgraphia program be approved  
12                  by the State Department of Education; amending 70  
                  O.S. 2021, Sections 1210.508C and 1210.508D, which  
13                  relate to the Reading Sufficiency Act; deleting  
                  exception for avoiding annual submission of reading  
14                  sufficiency plan updates; requiring annual report of  
                  certain student data by specified date; modifying  
15                  funding allocation for Reading Sufficiency Act funds;  
                  providing funding for students enrolled in  
16                  kindergarten and first, second, and third grades;  
                  directing funds be used only for certain purposes;  
17                  mandating certain school districts receive Department  
                  approval prior to fund distribution; requiring  
18                  retention of certain funds to employ a literacy  
                  instructional team; providing for technical  
19                  assistance and program implementation guidance to  
                  team members and schools; directing team members to  
20                  be placed regionally statewide; providing duties for  
                  team; listing training required for team members;  
21                  providing Department oversight of team; establishing  
                  minimum criteria for team employees; listing hiring  
22                  preferences for team members with certain knowledge  
                  and training; providing for codification; providing  
23                  an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-194, as  
2 amended by Section 1, Chapter 211, O.S.L. 2022 (70 O.S. Supp. 2022,  
3 Section 6-194), is amended to read as follows:

4 Section 6-194. A. The district boards of education of this  
5 state shall establish professional development programs for the  
6 certified teachers and administrators of the district. Programs  
7 shall be adopted by each board based upon recommendations of a  
8 professional development committee appointed by the board of  
9 education for the district. For the fiscal years ending June 30,  
10 2011, and June 30, 2012, a school district board of education may  
11 elect not to adopt and offer a professional development program for  
12 certified teachers and administrators of the district. If a school  
13 district elects not to adopt and offer a professional development  
14 program, the district may expend any monies allocated for  
15 professional development for any purpose related to the support and  
16 maintenance of the school district as determined by the board of  
17 education of the school district.

18 B. Each professional development committee shall include  
19 classroom teachers, administrators, school counselors or licensed  
20 mental health providers, and parents, guardians or custodians of  
21 children in the school district and shall consult with a higher  
22 education faculty. A majority of the members of the professional  
23 development committee shall be composed of classroom teachers. The  
24 teacher members shall be selected by a designated administrator of

1 the school district from a list of names submitted by the teachers  
2 in the school district. The members selected shall be subject to  
3 the approval of a majority vote of the teachers in the district.

4 C. In developing program recommendations, each professional  
5 development committee shall annually utilize a data-driven approach  
6 to analyze student data and determine district and school  
7 professional development needs. The professional development  
8 programs adopted shall be directed toward development of  
9 competencies and instructional strategies in the core curriculum  
10 areas for the following goals:

- 11 1. Increasing the academic performance data scores for the  
12 district and each school site;
- 13 2. Closing achievement gaps among student subgroups;
- 14 3. Increasing student achievement as demonstrated on state-  
15 mandated tests and the ACT;
- 16 4. Increasing high school graduation rates; and
- 17 5. Decreasing college remediation rates.

18 Each program may also include components on classroom management  
19 and student discipline strategies, outreach to parents, guardians or  
20 custodians of students, special education, and racial and ethnic  
21 education, which all personnel defined as teachers in Section 1-116  
22 of this title shall be required to complete on a periodic basis.  
23 The State Board of Education shall provide guidelines to assist  
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1 school districts in developing and implementing racial and ethnic  
2 education components into professional development programs.

3 D. At a minimum of once an academic year a program shall be  
4 offered which includes the following:

- 5 1. Training on recognition of child abuse and neglect;
- 6 2. Recognition of child sexual abuse;
- 7 3. Proper reporting of suspected abuse; and
- 8 4. Available resources.

9 E. One time per year, beginning in the 2009-2010 school year,  
10 training in the area of autism shall be offered and all resident  
11 teachers of students in early childhood programs through grade three  
12 shall be required to complete the autism training during the  
13 resident year and at least one time every three (3) years  
14 thereafter. All other teachers and education support professionals  
15 of students in early childhood programs through grade three shall be  
16 required to complete the autism training at least one time every  
17 three (3) years. The autism training shall include a minimum  
18 awareness of the characteristics of autistic children, resources  
19 available and an introduction to positive behavior supports to  
20 challenging behavior. Each adopted program shall allow school  
21 counselors to receive at least one-third (1/3) of the hours or  
22 credit required each year through programs or courses specifically  
23 designed for school counselors.

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1 Districts are authorized to utilize any means for professional  
2 development that is not prohibited by law including, but not limited  
3 to, professional development provided by the district, any state  
4 agency, institution of higher education, or any private entity.

5 F. One time per year, beginning in the 2020-2021 school year, a  
6 dyslexia awareness program shall be offered. Beginning in the 2023-  
7 2024 school year, the program shall include information and training  
8 in dysgraphia. At a minimum, the program shall be approved by the  
9 State Department of Education and include:

10 1. Training in awareness of dyslexia characteristics in  
11 students;

12 2. Training in effective classroom instruction to meet the  
13 needs of students with dyslexia; and

14 3. Available dyslexia resources for teachers, students and  
15 parents.

16 G. Except as otherwise provided for in this subsection, each  
17 certified teacher in this state shall be required by the district  
18 board of education to meet the professional development requirements  
19 established by the board, or established through the negotiation  
20 process. Except as otherwise provided for in this subsection, the  
21 professional development requirements established by each board of  
22 education shall require every teacher to annually complete a minimum  
23 number of the total number of points required to maintain  
24 employment. Failure of any teacher to meet district board of

1 education professional development requirements may be grounds for  
2 nonrenewal of such teacher's contract by the board. Such failure  
3 may also be grounds for nonconsideration of salary increments  
4 affecting the teacher. For the fiscal years ending June 30, 2011,  
5 and June 30, 2012, a certified teacher shall not be required to  
6 complete any points of the total number of professional development  
7 points required. Provided, a teacher may elect to complete some or  
8 all of the minimum number of points required for the two (2) fiscal  
9 years and any points completed shall be counted toward the total  
10 number of points required to maintain employment. If a teacher does  
11 not complete some or all of the minimum number of points required  
12 for one (1) or both fiscal years, the total number of points  
13 required to maintain employment shall be adjusted and reduced by the  
14 number of points not completed.

15 H. Each district shall annually submit a report to the State  
16 Department of Education on the district level professional  
17 development needs, activities completed, expenditures, and results  
18 achieved for each school year by each goal as provided in subsection  
19 C of this section. If a school district elects not to adopt and  
20 offer a professional development program as provided for in  
21 subsection A of this section, the district shall not be required to  
22 submit an annual report as required pursuant to this subsection but  
23 shall report to the State Department of Education its election not  
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1 to offer a program and all professional development activities  
2 completed by teachers and administrators of the school district.

3 I. Subject to the availability of funds, the Department shall  
4 develop an online system for reporting as required in subsection H  
5 of this section. The Department shall also make such information  
6 available on its website.

7 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.508C,  
8 is amended to read as follows:

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

17 2. For those kindergarten children at risk for reading  
18 difficulties at the beginning of the year, teachers shall emphasize  
19 reading skills as identified in the subject matter standards adopted  
20 by the State Board of Education, monitor progress throughout the  
21 year and measure mid-year and year-end reading progress.

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

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

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

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

23 D. The State Board of Education shall approve screening  
24 instruments for use at the beginning and end of the school year, for



1 monitoring of progress, and for measurement of reading skills at the  
2 end of the school year as required in subsections A and B of this  
3 section; provided, at least one of the screening instruments shall  
4 meet the following criteria:

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

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

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

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

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

21 E. 1. The program of reading instruction required in  
22 subsections A and B of this section shall align with the subject  
23 matter standards adopted by the State Board of Education and shall  
24 include provisions of the READ Initiative adopted by the school

1 district as provided for in subsection P of this section. A program  
2 of reading instruction may include, but is not limited to:

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

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

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

- 3 a. the parent or 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 adopt, 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 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. Each year, on or before October 1, a school  
10 district shall report to the Board for students enrolled in  
11 prekindergarten, kindergarten, first, second, and third grades:

- 12 a. the number of retained students,
- 13 b. the number of times a student has been retained, and
- 14 c. the number of students in transitional classrooms.

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

20 H. For any third-grade student found not to be meeting grade-  
21 level targets as determined by reading assessments administered  
22 pursuant to this section, a new program of reading instruction,  
23 including provisions of the READ Initiative adopted by the school  
24 district as provided for in subsection P of this section, shall be

1 developed by a Student Reading Proficiency Team and implemented as  
2 specified in subsection E of this section. In addition to other  
3 requirements of the Reading Sufficiency Act, the plan may include  
4 specialized tutoring.

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

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

23 3. If a student has not yet satisfied the proficiency  
24 requirements of this section prior to the completion of third grade

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

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

23 5. a. A student not eligible for automatic promotion as  
24 provided for under paragraph 3 of this subsection and

1 who does not meet the criteria established by the  
2 Commission for Educational Quality and Accountability  
3 on the reading portion of the statewide third-grade  
4 assessment administered pursuant to Section 1210.508  
5 of this title may be evaluated for probationary  
6 promotion by the Student Reading Proficiency Team  
7 which was created for the student pursuant to  
8 subsection E of this section.

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

1 after the fifth grade which shall have the goal of  
2 ensuring that the student is on track to be college  
3 and career ready.

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

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

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

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

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

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

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

21 5. Strategies for parents to use in helping their child succeed  
22 in reading proficiency;

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

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

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

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

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

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

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

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

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

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

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

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

17 M. A student who is otherwise promoted as provided for in  
18 subsection I of this section or is promoted for good cause as  
19 provided for in subsection L of this section shall be provided  
20 intensive reading instruction that includes specialized diagnostic  
21 information and specific reading strategies for each student until  
22 the student meets grade-level targets in reading. The school  
23 district shall assist schools and teachers to implement reading

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1 strategies for the promoted students that research has shown to be  
2 successful in improving reading among low-performing readers.

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

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

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

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

22 O. Each school district shall:

23 1. Conduct a review of the program of reading instruction for  
24 all students who do not meet the performance criteria established by

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

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

- 17 a. small group instruction,
- 18 b. reduced teacher-student ratios,
- 19 c. more frequent progress monitoring,
- 20 d. tutoring or mentoring,
- 21 e. transition classes containing third- and fourth-grade  
22 students,
- 23 f. extended school day, week, or year, and

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

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

11 4. Implement a policy for the midyear promotion of a retained  
12 student who can demonstrate that the student is a successful and  
13 independent reader, is reading at or above grade-level targets, and  
14 is ready to be promoted to the fourth grade. Tools that school  
15 districts may use in reevaluating any retained student may include  
16 screening assessments, alternative assessments, and portfolio  
17 reviews, in accordance with rules of the State Board of Education.  
18 Retained students may only be promoted midyear prior to November 1  
19 and only upon demonstrating that the student has met the performance  
20 criteria established by the Commission for Educational Quality and  
21 Accountability on the reading portion of the statewide third-grade  
22 assessment administered pursuant to Section 1210.508 of this title,  
23 or upon demonstrating proficiency in reading at the third-grade  
24 level through a screening instrument administered pursuant to

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

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

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

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

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

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

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

1 and to kindergarten through third-grade students who are exhibiting  
2 a reading deficiency. The READ Initiative shall:

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

8 2. Be provided during regular school hours in addition to the  
9 regular reading instruction;

10 3. Provide a reading curriculum that, at a minimum, meets the  
11 following specifications:

12 a. assists students assessed as exhibiting a reading  
13 deficiency in developing the ability to read at grade  
14 level,

15 b. provides skill development in phonemic awareness,  
16 phonics, reading fluency, vocabulary, and  
17 comprehension,

18 c. provides a scientific-research-based and reliable  
19 assessment,

20 d. provides initial and ongoing analysis of the reading  
21 progress of each student, and

22 e. is implemented during regular school hours,;

23 4. Establish at each school, where applicable, an Intensive  
24 Acceleration Class for retained third-grade students who



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

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

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

6 5. Provide reports to the State Board of Education, upon  
7 request, on the specific intensive reading interventions and  
8 supports implemented by the school district. The State  
9 Superintendent of Public Instruction shall annually prescribe the  
10 required components of the reports; and

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

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

- 22 a. the provisions of this section relating to public  
23 school student progression and the policies and  
24

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

3 b. 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 Senate and House of Representatives Education  
10 Committees a Reading Sufficiency Report which shall include, but is  
11 not limited to, trend data detailing three (3) years of data,  
12 disaggregated by student subgroups to include economically  
13 disadvantaged, major racial or ethnic groups, students with  
14 disabilities, and English language learners, as appropriate for the  
15 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;

24

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 3. AMENDATORY 70 O.S. 2021, Section 1210.508D,  
22 is amended to read as follows:

23 Section 1210.508D A. Contingent on the provision of  
24 appropriated funds designated for the Reading Sufficiency Act,

1 school districts may be allocated monies for each ~~enrolled~~  
2 kindergarten student or first-, second- and third-grade student  
3 based on the average daily attendance of those students from the  
4 ~~current~~ previous school year, including any student who has been  
5 retained in the third grade pursuant to Section 1210.508C of this  
6 ~~title, who is found to be in need of remediation or intervention in~~  
7 ~~reading~~. The allocation shall be distributed to each school  
8 district upon approval of the reading sufficiency plan for the  
9 school district by the State Department of Education and the  
10 submittal of a child-count report to the Department that details the  
11 ~~number of students identified as needing remediation or intervention~~  
12 ~~in reading~~ average daily attendance numbers. To determine a per-  
13 student allocation amount, the total amount of funds available for  
14 allocation each year shall be divided by the total number of  
15 ~~students in the state identified as in need of remediation or~~  
16 ~~intervention in reading as provided for in Section 1210.508C of this~~  
17 ~~title~~ based on the average daily attendance from the previous school  
18 year. Each school district shall be allocated an amount equal to  
19 the per-student allocation amount multiplied by the ~~number~~ average  
20 daily attendance of identified students enrolled from the previous  
21 school year in the school district.

22 1. School districts shall use monies generated by the Reading  
23 Sufficiency Act only for instructional purposes and professional  
24 development based on the plan submitted to the Department intended

1 to improve reading proficiency for students in kindergarten and  
2 first, second, and third grades with particular emphasis on students  
3 in kindergarten and first and second grade.

4 2. Each school district that has more than twenty percent (20%)  
5 of its students in third grade who do not demonstrate sufficient  
6 reading skills as established by the State Board of Education  
7 according to the reading portion of the statewide assessment shall  
8 receive monies generated by the Reading Sufficiency Act established  
9 in this section only after the kindergarten and first, second, and  
10 third grade reading program plan of the school district has been  
11 submitted, reviewed, and approved by the Department. Additional  
12 support for schools shall be defined in rules promulgated by the  
13 Department. The Department shall give approval to a school district  
14 before any portion of the monies generated by the Reading  
15 Sufficiency Act may be distributed to the school district pursuant  
16 to this subsection.

17 B. Beginning with the 2022-2023 school year, districts  
18 receiving more than Two Thousand Five Hundred Dollars (\$2,500.00)  
19 pursuant to subsection A of this section shall spend no less than  
20 ten percent (10%) to provide professional development for teachers  
21 teaching prekindergarten through grade five. The professional  
22 development shall include training in the science of how students  
23 learn to read as well as instructional materials required for  
24 implementation.



1 C. By June 30, 2022, the Department shall approve and publish a  
2 list of professional development programs that are evidence-based  
3 and directly address the cognitive science of how students learn to  
4 read for which districts are permitted to use the funds received  
5 under this section.

6 D. If a teacher attends and completes a professional  
7 development institute in elementary reading approved by the Oklahoma  
8 Commission for Teacher Preparation during the summer or when school  
9 is not in session, the teacher may receive a stipend equal to the  
10 amount of the cost for a substitute teacher, based on the amount of  
11 funds allocated.

12 SECTION 4. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 1210.508H of Title 70, unless  
14 there is created a duplication in numbering, reads as follows:

15 A. Beginning with the 2023-2024 school year, the State  
16 Department of Education shall retain no less than ten percent (10%)  
17 of funds appropriated for the Reading Sufficiency Act to employ a  
18 literacy instructional team to support school districts in  
19 implementation of the requirements of Section 1210.508C of Title 70  
20 of the Oklahoma Statutes. The Department shall provide technical  
21 assistance for literacy instruction, dyslexia and related disorders,  
22 and serve as a primary source of information and support for schools  
23 in addressing the needs of students struggling with literacy,  
24 dyslexia and related disorders. The Department shall develop

1 program implementation guidance for school districts to assist  
2 schools in administering an effective kindergarten through third  
3 grade evidence-based reading program plan. The guidance shall  
4 include identifying and recommending appropriate program  
5 expenditures, providing technical oversight and assistance for  
6 annually updating reading program plans, selecting and adopting  
7 evidence-based reading curricula, and providing and promoting  
8 teacher professional development that is based on evidence-based  
9 reading research.

10 B. The Department shall employ a literacy instructional team  
11 with team members who are placed regionally across the state. The  
12 literacy instructional teams shall assist general education and  
13 special education teachers in recognizing educational needs to  
14 improve literacy outcomes for all students including those with  
15 dyslexia or identified with the risk characteristics associated with  
16 dyslexia. The role of the literacy instructional team shall also  
17 include increasing professional awareness and instructional  
18 competencies to meet the educational needs of all students including  
19 those with dyslexia or identified with risk characteristics  
20 associated with dyslexia. The Department shall prioritize supports  
21 and interventions, including enrollment in reading trainings and  
22 professional development, for schools which have the highest  
23 percentage of students who do not demonstrate sufficient reading  
24 skills as established by the State Board of Education.

1 C. Literacy instructional team members employed by the  
2 Department shall have training in:

3 1. The science of how students learn to read including  
4 phonological awareness, phonics, fluency, vocabulary, comprehension,  
5 writing, and language;

6 2. Foundation of multisensory, explicit, systematic, and  
7 structured reading instruction;

8 3. Identification of and the appropriate interventions,  
9 accommodations, and teaching techniques for struggling students;

10 4. The requirements of the Reading Sufficiency Act;

11 5. Special education laws and procedures; and

12 6. Appropriate interventions, accommodations, and assistive  
13 technology supports for students with dyslexia or a related  
14 disorder.

15 D. The literacy instructional team members employed by the  
16 Department shall report to the Director of Reading Sufficiency and  
17 have:

18 1. A minimum of five regional literacy leads, at least one who  
19 shall be designated by the Department as a dyslexia specialist to  
20 provide school districts with support and resources that are  
21 necessary to assist students with dyslexia. The Department shall  
22 give preference to educators applying for regional literacy lead  
23 who:

24

- 1 a. have an endorsement or certification as a certified  
2 structured literacy dyslexia specialist or certified  
3 academic language therapist,  
4 b. are knowledgeable of multitiered systems of support;  
5 and  
6 c. have been trained in the identification of and  
7 intervention for dyslexia and related disorders,  
8 including best practice interventions and treatment  
9 models for dyslexia; and

10 2. A minimum of ten literacy specialists. The Department shall  
11 give preference to educators applying for literacy specialist who:

- 12 a. have training in the science of reading,  
13 b. are knowledgeable of multitiered systems of support,  
14 and  
15 c. have been trained in the identification of and  
16 intervention for dyslexia and related disorders,  
17 including best practice interventions and treatment  
18 models for dyslexia.

19 SECTION 5. This act shall become effective July 1, 2023.

20 SECTION 6. It being immediately necessary for the preservation  
21 of the public peace, health or safety, an emergency is hereby  
22  
23  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3

4 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/28/2023  
5 - DO PASS, As Coauthored.

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