

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 221

By: Sharp

4
5
6 AS INTRODUCED

7 An Act relating to the Reading Sufficiency Act;
8 amending 70 O.S. 2011, Section 1210.508C, as last
9 amended by Section 10, Chapter 430, O.S.L. 2014 (70
10 O.S. Supp. 2014, Section 1210.508C), which relates to
11 reading instruction; removing certain limitation on
12 certain teams; directing team recommendation to be
13 based on certain information; providing for referral
14 of certain students to a summer academy of certain
15 length; providing conditions for promotion; providing
16 for notice to parents and/or guardians; amending 70
17 O.S. 2011, Section 1210.508D, as amended by Section
18 2, Chapter 171, O.S.L. 2012 (70 O.S. Supp. 2014,
19 Section 1210.508D), which relates to funding;
20 allowing use of funds for referral to summer academy;
21 amending 70 O.S. 2011, Section 1210.508E, as amended
22 by Section 3, Chapter 171, O.S.L. 2012 (70 O.S. Supp.
23 2014, Section 1210.508E), which relates to summer
24 academies; clarifying school district's ability to
enter into certain contracts; providing an effective
date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508C,
as last amended by Section 10, Chapter 430, O.S.L. 2014 (70 O.S.
Supp. 2014, Section 1210.508C), is amended to read as follows:

Section 1210.508C. A. 1. Each student enrolled in
kindergarten in a public school in this state shall be screened for

1 reading skills including, but not limited to, phonological
2 awareness, letter recognition, and oral language skills as
3 identified in the subject matter standards adopted by the State
4 Board of Education. A screening instrument approved by the State
5 Board shall be utilized for the purposes of this section.

6 2. For those kindergarten children at risk for reading
7 difficulties, teachers shall emphasize reading skills as identified
8 in the subject matter standards adopted by the State Board of
9 Education, monitor progress throughout the year and measure year-end
10 reading progress.

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

15 B. 1. Each student enrolled in kindergarten, first, second and
16 third grade of the public schools of this state shall be assessed at
17 the beginning of each school year using a screening instrument
18 approved by the State Board of Education for the acquisition of
19 reading skills including, but not limited to, phonological
20 awareness, phonics, spelling, reading fluency, vocabulary, and
21 comprehension.

22 2. Any student who is assessed and found not to be reading at
23 the appropriate grade level shall be provided a program of reading
24 instruction designed to enable the student to acquire the

1 appropriate grade level reading skills. Beginning with students
2 entering the first grade in the 2011-2012 school year, the program
3 of reading instruction shall include provisions of the READ
4 Initiative adopted by the school district as provided for in
5 subsection O of this section.

6 3. Throughout the year progress monitoring shall continue, and
7 diagnostic assessment, if determined appropriate, shall be provided.
8 Year-end reading skills shall be measured to determine reading
9 success.

10 C. The State Board of Education shall approve screening
11 instruments for use at the beginning of the school year, for
12 monitoring of progress, and for measurement of reading skills at the
13 end of the school year as required in subsections A and B of this
14 section; provided, at least one of the screening instruments shall
15 meet the following criteria:

16 1. Assess for phonological awareness, phonics, reading fluency,
17 and comprehension;

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

19 3. Can be used for diagnosis and progress monitoring;

20 4. Can be used to assess special education and limited-English-
21 proficient students;

22 5. Accompanied by a data management system that provides
23 profiles for students, class, grade level and school building. The
24 profiles shall identify each student's instructional point of need

1 and reading achievement level. The State Board shall also determine
2 other comparable reading assessments for diagnostic purposes and for
3 periodic and post assessments to be used for students at risk of
4 reading failure. The State Board shall ensure that any assessments
5 approved are in alignment with the subject matter standards adopted
6 by the State Board of Education.

7 D. The program of reading instruction required in subsection B
8 of this section shall align with the subject matter standards
9 adopted by the State Board of Education, shall include provisions of
10 the READ Initiative adopted by the school district as provided for
11 in subsection O of this section beginning with students entering the
12 first grade in the 2011-2012 school year and may include, but is not
13 limited to:

14 1. Sufficient additional in-school instructional time for the
15 acquisition of phonological awareness, phonics, spelling, reading
16 fluency, vocabulary, and comprehension;

17 2. If necessary, tutorial instruction after regular school
18 hours, on Saturdays and during summer; however, such instruction may
19 not be counted toward the one-hundred-eighty-day or one-thousand-
20 eighty-hour school year required in Section 1-109 of this title; and

21 3. Assessments identified for diagnostic purposes and periodic
22 monitoring to measure the acquisition of reading skills including,
23 but not limited to, phonological awareness, phonics, spelling,
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1 reading fluency, vocabulary, and comprehension, as identified in the
2 student's program of reading instruction.

3 E. The program of reading instruction shall continue until the
4 student is determined by the results of approved reading assessments
5 to be reading on grade level.

6 F. 1. Every school district shall adopt, and implement a
7 district reading sufficiency plan which has had input from school
8 administrators, teachers, and parents and if possible a reading
9 specialist, and which shall be submitted electronically to and
10 approved by the State Board of Education. The plan shall be updated
11 annually. School districts shall not be required to electronically
12 submit the annual updates to the Board if the last plan submitted to
13 the Board was approved and expenditures for the program include only
14 expenses relating to individual and small group tutoring, purchase
15 of and training in the use of screening and assessment measures,
16 summer school programs and Saturday school programs. If any
17 expenditure for the program is deleted or changed or any other type
18 of expenditure for the program is implemented, the school district
19 shall be required to submit the latest annual update to the Board
20 for approval. The district reading sufficiency plan shall include a
21 plan for each site which includes an analysis of the data provided
22 by the Oklahoma School Testing Program and other reading assessments
23 utilized as required in this section, and which outlines how each

1 school site will comply with the provisions of the Reading
2 Sufficiency Act.

3 2. Each school site shall establish a committee, composed of
4 educators, which if possible shall include a certified reading
5 specialist, to develop the required programs of reading instruction.
6 A parent or guardian of the student shall be included in the
7 development of the program of reading instruction for that student.

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

13 G. For any third-grade student found not to be reading at grade
14 level as determined by reading assessments administered pursuant to
15 this section, a new program of reading instruction, including
16 provisions of the READ Initiative adopted by the school district as
17 provided for in subsection O of this section, shall be developed and
18 implemented as specified in this section. If possible, a fourth-
19 grade teacher shall be involved in the development of the program of
20 reading instruction. In addition to other requirements of the
21 Reading Sufficiency Act, the plan may include specialized tutoring.

22 H. 1. Any student who demonstrates proficiency in reading at
23 the third-grade level through a screening instrument which meets the
24 acquisition of reading skills criteria pursuant to subsection B of

1 this section shall not be subject to the retention guidelines found
2 in this section. Upon demonstrating the proficiency through the
3 screening, the district shall provide notification to the parent(s)
4 and/or guardian(s) of the student that they have satisfied the
5 requirements of the Reading Sufficiency Act and will not be subject
6 to retention pursuant to this section.

7 2. If a third-grade student is identified at any point of the
8 academic year as having a significant reading deficiency, which
9 shall be defined as scoring below proficient on a screening
10 instrument which meets the acquisition of reading skills criteria
11 pursuant to subsection B of this section, the district shall
12 immediately begin a student reading portfolio as provided by
13 subsection K of this section and shall provide notice to the parent
14 of the deficiency pursuant to subsection I of this section.

15 3. a. If a student has not yet satisfied the proficiency
16 requirements of this section prior to the completion
17 of third grade, the student may qualify for automatic
18 promotion to the fourth grade upon scoring at the
19 "limited knowledge" level on the reading portion of
20 the statewide third-grade criterion-referenced test.

21 b. Prior to promotion, however, the district shall
22 provide notice to the parent(s) and/or guardian(s) of
23 the child that the child is not yet reading at grade
24 level in reading and provide the parent(s) and/or

1 guardian(s) of the child the option for retention
2 should they so desire. The notice shall contain, at a
3 minimum, the most recently identifiable grade level on
4 which the student is actually proficient, the
5 opportunities for summer reading programs, school
6 and/or community based reading tutoring, vendors which
7 provide reading tutoring and the rights to the
8 continuing intensive remediation pursuant to this
9 paragraph.

10 c. A student so promoted shall be entitled to intensive
11 remediation in reading until the student is able to
12 demonstrate proficiency in reading at the grade level
13 in which the student is enrolled. An intensive
14 remediation plan shall be developed by a "Student
15 Reading Proficiency Team" composed of:

- 16 (1) the parent(s) and/or guardian(s) of the student,
- 17 (2) the teacher assigned to the student who had
18 responsibility for reading instruction in that
19 academic year,
- 20 (3) a teacher in reading who teaches in the
21 subsequent grade level,
- 22 (4) the school principal, and
- 23 (5) a certified reading specialist, if one is
24 available.

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

- 10 5. a. ~~For the 2013-14 and 2014-15 school years,~~ a A student
11 not qualified for automatic promotion under paragraph
12 4 of this subsection may be evaluated for
13 "probationary promotion" by a "Student Reading
14 Proficiency Team" composed of:
- 15 (1) the parent(s) and/or guardian(s) of the student,
 - 16 (2) the teacher assigned to the student who had
17 responsibility for reading instruction in that
18 academic year,
 - 19 (3) a teacher in reading who teaches in the
20 subsequent grade level,
 - 21 (4) the school principal, and
 - 22 (5) a certified reading specialist.

23 The Student Reading Proficiency Team shall make its recommendation
24 after analyzing all available pertinent information for the

1 individual student, including classroom performance, cognitive
2 level, and personal events that significantly impact the student.

3 The student shall be promoted to the fourth grade if the team
4 members unanimously recommend "probationary promotion" to the school
5 district superintendent and the superintendent approves the
6 recommendation that promotion is the best option for the student.

7 If a student is allowed a "probationary promotion", the team shall
8 continue to review the reading performance of the student and repeat
9 the requirements of this paragraph each academic year until the
10 student demonstrates grade-level reading proficiency, as identified
11 through a screening instrument which meets the acquisition of
12 reading skills criteria pursuant to subsection B of this section,
13 for the corresponding grade level in which the student is enrolled
14 or transitions to the requirements set forth by the Achieving
15 Classroom Excellence Act.

16 6. Beginning with the 2015-16 school year, students who score
17 at the unsatisfactory level on the reading portion of the statewide
18 third-grade criterion referenced test and who are not subject to a
19 good cause exemption as provided in subsection K of this section
20 shall:

- 21 a. be retained in the third grade and provided intensive
22 instructional services and supports as provided for in
23 subsection N of this section; or

1 b. at the discretion of the school district, be referred
2 to a summer academy pursuant to the provisions of
3 Section 1210.508E of this title. Students shall be
4 eligible for promotion to the fourth grade upon
5 completion of a summer academy of at least eighty (80)
6 instructional hours and:

7 (1) upon demonstrating proficiency in reading at the
8 third-grade level through a screening instrument
9 that meets the acquisition of reading skills
10 criteria pursuant to subsection B of this section
11 administered at the completion of the summer
12 academy, or

13 (2) upon scoring at the "limited knowledge" level on
14 a screening instrument that meets the acquisition
15 of reading skills criteria pursuant to subsection
16 B of this section administered at the completion
17 of the summer academy. Prior to promotion,
18 however, the district shall provide notice to the
19 parent(s) and/or guardian(s) of the child that
20 the child is not yet reading at grade level and
21 provide the parent(s) and/or guardian(s) of the
22 child the option for retention should they so
23 desire. The notice shall contain, at a minimum,
24 the most recently identifiable grade level on

1 which the student is proficient, the
2 opportunities for school and/or community-based
3 reading tutoring, vendors which provide reading
4 tutoring, and the rights to continue intensive
5 remediation pursuant to this section.

6 7. Each school district shall annually report to the State
7 Department of Education the number of students promoted to the
8 fourth grade pursuant to paragraphs 1 ~~and~~, 3 and 6 of this
9 subsection. Following the 2013-14 and 2014-15 school years, each
10 school district shall report the number of students promoted to a
11 subsequent grade pursuant to the provisions in paragraph 5 of this
12 subsection. The State Department of Education shall publicly report
13 the aggregate and district specific number of students promoted on
14 their website and shall provide electronic copies of the report to
15 the Governor, Secretary of Education, President Pro Tempore of the
16 Senate, Speaker of the House of Representatives and to the
17 respective chairs of the committees with responsibility for common
18 education policy in each legislative chamber.

19 8. Nothing shall prevent a school district from applying the
20 principles of paragraphs 4 and 5 of this subsection in grades
21 kindergarten through second grade.

22 I. The parent of any student who is found to have a reading
23 deficiency and is not reading at the appropriate grade level and has
24 been provided a program of reading instruction as provided for in

1 subsection B of this section shall be notified in writing of the
2 following:

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

5 2. A description of the current services that are provided to
6 the student;

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

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

15 5. Strategies for parents to use in helping their child succeed
16 in reading proficiency;

17 6. That while the results of the statewide criterion-referenced
18 tests administered pursuant to Section 1210.508 of this title are
19 the initial determinant, it is not the sole determiner of promotion
20 and that portfolio reviews and assessments are available; and

21 7. The specific criteria and policies of the school district
22 for midyear promotion implemented as provided for in paragraph 4 of
23 subsection N of this section.
24

1 J. No student may be assigned to a grade level based solely on
2 age or other factors that constitute social promotion.

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

8 1. Limited-English-proficient students who have had less than
9 two (2) years of instruction in an English language learner program;

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

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

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

20 5. Students with disabilities who participate in the statewide
21 criterion-referenced tests and who have an individualized education
22 program that reflects that the student has received intensive
23 remediation in reading for more than two (2) years but still
24 demonstrates a deficiency in reading and was previously retained in

1 prekindergarten for academic reasons, kindergarten, first grade,
2 second grade, or third grade;

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

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

11 L. A student who is otherwise promoted as provided for in
12 subsection H of this section or is promoted for good cause as
13 provided for in subsection K of this section shall be provided
14 intensive reading instruction during an altered instructional day
15 that includes specialized diagnostic information and specific
16 reading strategies for each student. The school district shall
17 assist schools and teachers to implement reading strategies for the
18 promoted students that research has shown to be successful in
19 improving reading among low-performing readers.

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

23 1. Documentation submitted from the teacher of the student to
24 the school principal that indicates the student meets one of the

1 good-cause exemptions and promotion of the student is appropriate.
2 In order to minimize paperwork requirements, the documentation shall
3 consist only of the alternative assessment results or student
4 portfolio work and the individual education plan (IEP), as
5 applicable;

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

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

15 N. Beginning with the 2011-2012 school year, each school
16 district shall:

17 1. Conduct a review of the program of reading instruction for
18 all students who score at the unsatisfactory level on the reading
19 portion of the statewide criterion-referenced test administered
20 pursuant to Section 1210.508 of this title and did not meet the
21 criteria for one of the good-cause exemptions as set forth in
22 subsection K of this section. The review shall address additional
23 supports and services, as described in this subsection, needed to
24 remediate the identified areas of reading deficiency. The school

1 district shall require a student portfolio to be completed for each
2 retained student;

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

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

20 3. Provide written notification to the parent or guardian of
21 any student who is to be retained as set forth in subsection H of
22 this section that the student has not met the proficiency level
23 required for promotion and was not otherwise promoted and the
24 reasons the student is not eligible for a good-cause exemption. The

1 notification shall include a description of proposed interventions
2 and intensive instructional supports that will be provided to the
3 student to remediate the identified areas of reading deficiency;

4 4. Implement a policy for the midyear promotion of a retained
5 student who can demonstrate that the student is a successful and
6 independent reader, is reading at or above grade level, and is ready
7 to be promoted to the fourth grade. Tools that school districts may
8 use in reevaluating any retained student may include subsequent
9 assessments, alternative assessments, and portfolio reviews, in
10 accordance with rules of the State Board of Education. Retained
11 students may only be promoted midyear prior to November 1 and only
12 upon demonstrating a level of proficiency required to score above
13 the unsatisfactory level on the statewide third-grade criterion-
14 referenced test and upon showing progress sufficient to master
15 appropriate fourth-grade-level skills, as determined by the school.
16 A midyear promotion shall be made only upon agreement of the parent
17 or guardian of the student and the school principal;

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

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

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

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

1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;
2. Be provided during regular school hours in addition to the regular reading instruction; and

1 3. Provide a state-approved reading curriculum that, at a
2 minimum, meets the following specifications:

- 3 a. assists students assessed as exhibiting a reading
4 deficiency in developing the ability to read at grade
5 level,
- 6 b. provides skill development in phonemic awareness,
7 phonics, fluency, vocabulary, and comprehension,
- 8 c. provides a scientific-research-based and reliable
9 assessment,
- 10 d. provides initial and ongoing analysis of the reading
11 progress of each student,
- 12 e. is implemented during regular school hours,
- 13 f. provides a curriculum in core academic subjects to
14 assist the student in maintaining or meeting
15 proficiency levels for the appropriate grade in all
16 academic subjects,
- 17 g. establishes at each school, where applicable, an
18 Intensive Acceleration Class for retained third-grade
19 students who subsequently score at the unsatisfactory
20 level on the reading portion of the statewide
21 criterion-referenced tests. The focus of the
22 Intensive Acceleration Class shall be to increase the
23 reading level of a child at least two grade levels in
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1 one (1) school year. The Intensive Acceleration Class
2 shall:

- 3 (1) be provided to any student in the third grade who
4 scores at the unsatisfactory level on the reading
5 portion of the statewide criterion-referenced
6 tests and who was retained in the third grade the
7 prior year because of scoring at the
8 unsatisfactory level on the reading portion of
9 the statewide criterion-referenced tests,
- 10 (2) have a reduced teacher-student ratio,
- 11 (3) provide uninterrupted reading instruction for the
12 majority of student contact time each day and
13 incorporate opportunities to master the fourth-
14 grade state standards in other core subject
15 areas,
- 16 (4) use a reading program that is scientific-
17 research-based and has proven results in
18 accelerating student reading achievement within
19 the same school year,
- 20 (5) provide intensive language and vocabulary
21 instruction using a scientific-research-based
22 program, including use of a speech-language
23 therapist,
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1 (6) include weekly progress monitoring measures to
2 ensure progress is being made, and

3 (7) provide reports to the State Department of
4 Education, in the manner described by the
5 Department, outlining the progress of students in
6 the class at the end of the first semester,

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

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

22 P. In addition to the requirements set forth in this section,
23 each school district board of education shall annually report to the
24 parent or guardian of each student in the district the progress of

1 the student toward achieving state and district expectations for
2 proficiency in reading, writing, science, and mathematics. The
3 school district board of education shall report to the parent or
4 guardian of each student the results on statewide criterion-
5 referenced tests. The evaluation of the progress of each student
6 shall be based upon classroom work, observations, tests, district
7 and state assessments, and other relevant information. Progress
8 reporting shall be provided to the parent or guardian in writing.

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

- 13 a. the provisions of this section relating to public
14 school student progression and the policies and
15 procedures of the school district on student retention
16 and promotion,
- 17 b. by grade, the number and percentage of all students in
18 grades three through ten performing at the
19 unsatisfactory level on the reading portion of the
20 statewide criterion-referenced tests,
- 21 c. by grade, the number and percentage of all students
22 retained in grades three through ten,

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- 1 d. information on the total number and percentage of
2 students who were promoted for good cause, by each
3 category of good cause as specified above, and
4 e. any revisions to the policies of the school district
5 on student retention and promotion from the prior
6 year.

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

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

19 S. On or before December 1 of each year, the State Department
20 of Education shall issue to the Governor and members of the Senate
21 and House of Representatives Education Committees a Reading Report
22 Card for the state and each school district and elementary site
23 which shall include, but is not limited to, trend data detailing
24 three (3) years of data, disaggregated by student subgroups to

1 include economically disadvantaged, major racial or ethnic groups,
2 students with disabilities, and English language learners, as
3 appropriate for the following:

4 1. The number and percentage of students in kindergarten
5 through third grade determined to be at risk for reading
6 difficulties compared to the total number of students enrolled in
7 each grade;

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

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

15 4. The number and percentage of students scoring at each
16 performance level on the reading portion of the statewide third-
17 grade criterion-referenced test;

18 5. The amount of funds for reading remediation received by each
19 district;

20 6. An evaluation and narrative interpretation of the report
21 data analyzing the impact of the Reading Sufficiency Act on
22 students' ability to read at grade level; and

23 7. Any recommendations for improvements or amendments to the
24 Reading Sufficiency Act.

1 The State Department of Education may contract with an
2 independent entity for the reporting and analysis requirements of
3 this subsection.

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

6 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.508D,
7 as amended by Section 2, Chapter 171, O.S.L. 2012 (70 O.S. Supp.
8 2014, Section 1210.508D), is amended to read as follows:

9 Section 1210.508D. A. Contingent on the provision of
10 appropriated funds designated for the Reading Sufficiency Act,
11 school districts may be allocated monies for each enrolled
12 kindergarten student or first-, second- and third-grade student of
13 the current school year, including any student who has been retained
14 in the third grade pursuant to Section 1210.508C of this title, who
15 is found to be in need of remediation or intervention in reading,
16 including referral to a summer academy pursuant to Sections
17 1210.508C and 1210.508E of this title. The allocation shall be
18 distributed to each school district upon approval of the reading
19 sufficiency plan for the school district by the State Department of
20 Education and the submittal of a child-count report to the
21 Department that details the number of students identified as needing
22 remediation or intervention in reading. To determine a per-student
23 allocation amount, the total amount of funds available for
24 allocation each year shall be divided by the total number of

1 students in the state identified as in need of remediation or
2 intervention in reading as provided for in Section 1210.508C of this
3 title. Each school district shall be allocated an amount equal to
4 the per-student allocation amount multiplied by the number of
5 identified students enrolled in the school district.

6 B. The State Board of Education shall promulgate rules for the
7 administration of reimbursements.

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

14 SECTION 3. AMENDATORY 70 O.S. 2011, Section 1210.508E,
15 as amended by Section 3, Chapter 171, O.S.L. 2012 (70 O.S. Supp.
16 2014, Section 1210.508E), is amended to read as follows:

17 Section 1210.508E. A. If a teacher determines that a third-
18 grade student is not reading at grade level by the end of the second
19 quarter of the school year, the parent or guardian of the student
20 shall be notified of:

- 21 1. The reading level of the student;
- 22 2. The program of reading instruction for the student as
23 required pursuant to the Reading Sufficiency Act; and

24

1 3. The potential need for the student to participate in a
2 summer academy or other program designed to assist the student in
3 attaining grade-level reading skills.

4 B. A teacher who determines a third-grade student is unable to
5 meet competencies required for reading for completion of third grade
6 and promotion to fourth grade may, after consultation with the
7 parent or guardian of the student, recommend that the promotion of
8 the student to the fourth grade is contingent upon the participation
9 in and successful completion of the required competencies for
10 reading by the student at a summer academy or other program. If the
11 student does not participate in the summer academy or other program
12 or does not successfully complete the competencies in the summer
13 academy or other program, the student shall be retained in the third
14 grade as set forth in Section 1210.508C of this title.

15 C. Summer academy programs shall be designed to ensure that
16 participating students successfully complete the competencies
17 necessary in reading for promotion to fourth grade and to enhance
18 next-grade readiness. A summer academy reading program shall be a
19 program that incorporates the content of a scientifically research-
20 based professional development program administered by the Oklahoma
21 Commission for Teacher Preparation or a scientifically research-
22 based reading program administered by the State Board of Education
23 and is taught by teachers who have successfully completed
24 professional development in the reading program or who are certified

1 as reading specialists. Nothing in this section shall prohibit a
2 school district from contracting with a private vendor to administer
3 a summer reading academy or another school district to provide a
4 summer academy on a regional basis.

5 D. School districts may approve an option for students who are
6 unable to attend a summer academy. The optional program may
7 include, but is not limited to, an approved private provider of
8 instruction, approved computer- or Internet-based instruction, or an
9 approved program of reading instruction monitored by the parent or
10 guardian. School districts shall not be required to pay for the
11 optional program, but shall clearly communicate to the parent or
12 guardian the expectations of the program and any costs that may be
13 involved.

14 E. Subject to the availability of funds, beginning one (1) year
15 after implementation of this section, the requirements of subsection
16 B of this section may be expanded to apply to fourth-grade student
17 promotion to fifth grade. Each year thereafter, the requirements
18 may be expanded by one grade level until the requirements apply to
19 third-grade students through eighth-grade students. Summer academy
20 programs shall be designed for each grade level. Nothing in this
21 section shall prevent the State Board of Education or a school
22 district board of education from utilizing private, local, or
23 federal funds to implement this section.

1 F. The State Board of Education shall adopt rules to implement
2 the provisions of this section which shall include requirements for
3 instructional time for summer school programs, teacher
4 qualifications, and evaluation of student achievement as a result of
5 summer academy programs or other optional programs.

6 SECTION 4. This act shall become effective July 1, 2015.

7 SECTION 5. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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