

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL 630

By: Ford, Mazzei, Pittman and
Sharp of the Senate

6 and

7 Casey of the House

8
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to schools; amending 70 O.S. 2011,
11 Section 1210.508C, as last amended by Section 35 of
12 Enrolled Senate Bill No. 831 of the 1st Session of
13 the 55th Oklahoma Legislature, which relates to the
14 Reading Sufficiency Act; requiring certain assessment
15 to be administered at the end of the year; modifying
16 certain reading program; providing for intensive
17 remediation of students in certain grades found not
18 reading at grade level; providing for development of
19 remediation plan by certain team; removing language
20 regarding establishment of certain committee;
21 clarifying reference to certain students; removing
22 language regarding automatic promotion of certain
23 students; extending years in which probationary
24 promotion may be used; modifying criteria for
probationary promotion in certain years; modifying
membership of certain team; modifying conditions for
promotion after certain date; directing use of
certain portions of certain test for certain purpose;
modifying information required in certain report;
modifying contents of certain notice; modifying
criteria for midyear promotion; providing an
effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.508C,
2 as last amended by Section 35 of Enrolled Senate Bill No. 831 of the
3 1st Session of the 55th Oklahoma Legislature, is amended to read as
4 follows:

5 Section 1210.508C. A. 1. Each student enrolled in
6 kindergarten in a public school in this state shall be screened for
7 reading skills including, but not limited to, ~~phonological~~ phonemic
8 awareness, letter recognition, and oral language skills as
9 identified in the subject matter standards adopted by the State
10 Board of Education. A screening instrument approved by the State
11 Board shall be utilized for the purposes of this section.

12 2. For those kindergarten children at risk for reading
13 difficulties, teachers shall emphasize reading skills as identified
14 in the subject matter standards adopted by the State Board of
15 Education, monitor progress throughout the year and measure year-end
16 reading progress.

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

21 B. 1. Each student enrolled in kindergarten, first, second and
22 third grade of the public schools of this state shall be assessed at
23 the beginning and end of each school year using a screening
24 instrument approved by the State Board of Education for the

1 acquisition of reading skills including, but not limited to,
2 ~~phonological~~ phonemic awareness, phonics, ~~spelling~~, reading fluency,
3 vocabulary, and comprehension.

4 2. Any student who is assessed and found not to be reading at
5 the appropriate grade level shall be provided a program of reading
6 instruction designed to enable the student to acquire the
7 appropriate grade level reading skills. Beginning with students
8 entering the first grade in the 2011-2012 school year, the program
9 of reading instruction shall include provisions of the READ
10 Initiative adopted by the school district as provided for in
11 subsection O of this section.

12 3. Throughout the year progress monitoring shall continue, and
13 diagnostic assessment, if determined appropriate, shall be provided.
14 Year-end reading skills shall be measured to determine reading
15 success.

16 C. The State Board of Education shall approve screening
17 instruments for use at the beginning and end of the school year, for
18 monitoring of progress, and for measurement of reading skills at the
19 end of the school year as required in subsections A and B of this
20 section; provided, at least one of the screening instruments shall
21 meet the following criteria:

22 1. Assess for ~~phonological~~ phonemic awareness, phonics, reading
23 fluency, and comprehension;

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

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

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

4 5. Accompanied by a data management system that provides
5 profiles for students, class, grade level and school building. The
6 profiles shall identify each student's instructional point of need
7 and reading achievement level. The State Board shall also determine
8 other comparable reading assessments for diagnostic purposes and for
9 periodic and post assessments to be used for students at risk of
10 reading failure. The State Board shall ensure that any assessments
11 approved are in alignment with the subject matter standards adopted
12 by the State Board of Education.

13 D. 1. The program of reading instruction required in
14 subsection B of this section shall align with the subject matter
15 standards adopted by the State Board of Education, ~~and~~ and shall include
16 provisions of the READ Initiative adopted by the school district as
17 provided for in subsection O of this section ~~beginning with students~~
18 ~~entering the first grade in the 2011-2012 school year and.~~ A
19 program of reading instruction may include, but is not limited to:

20 ~~1. Sufficient~~

21 a. sufficient additional in-school instructional time for
22 the acquisition of ~~phonological~~ phonemic awareness,
23 phonics, ~~spelling,~~ reading fluency, vocabulary, and
24 comprehension, ~~and~~

1 ~~2. If~~

2 b. if necessary, tutorial instruction after regular
3 school hours, on Saturdays and during summer; however,
4 such instruction may not be counted toward the one-
5 hundred-eighty-day or one-thousand-eighty-hour school
6 year required in Section 1-109 of this title~~7~~, and

7 ~~3. Assessments~~

8 c. assessments identified for diagnostic purposes and
9 periodic monitoring to measure the acquisition of
10 reading skills including, but not limited to,
11 ~~phonological~~ phonemic awareness, phonics, ~~spelling,~~
12 reading fluency, vocabulary, and comprehension, as
13 identified in the student's program of reading
14 instruction.

15 2. A student enrolled in first or second grades who has been
16 assessed as provided for in subsection B of this section and found
17 not to be reading at the corresponding grade level, shall be
18 entitled to individualized remediation in reading until the student
19 is determined by the results of a screening instrument to be reading
20 on grade level. The program of reading instruction for each student
21 shall be developed by a Student Reading Proficiency Team and shall
22 include individualized remediation. Each team shall be composed of:

23 a. the parent or guardian of the student,
24

- 1 b. the teacher assigned to the student who had
2 responsibility for reading instruction in that
3 academic year,
- 4 c. a teacher who is responsible for reading instruction
5 and is assigned to teach in the next grade level of
6 the student, and
- 7 d. a certified reading specialist, if one is available.

8 E. The program of reading instruction shall continue until the
9 student is determined by the results of approved reading assessments
10 to be reading on grade level.

11 F. 1. Every school district shall adopt, and implement a
12 district reading sufficiency plan which has had input from school
13 administrators, teachers, and parents and if possible a reading
14 specialist, and which shall be submitted electronically to and
15 approved by the State Board of Education. The plan shall be updated
16 annually. School districts shall not be required to electronically
17 submit the annual updates to the Board if the last plan submitted to
18 the Board was approved and expenditures for the program include only
19 expenses relating to individual and small group tutoring, purchase
20 of and training in the use of screening and assessment measures,
21 summer school programs and Saturday school programs. If any
22 expenditure for the program is deleted or changed or any other type
23 of expenditure for the program is implemented, the school district
24 shall be required to submit the latest annual update to the Board

1 for approval. The district reading sufficiency plan shall include a
2 plan for each site which includes an analysis of the data provided
3 by the Oklahoma School Testing Program and other reading assessments
4 utilized as required in this section, and which outlines how each
5 school site will comply with the provisions of the Reading
6 Sufficiency Act.

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

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

17 G. For any third-grade student found not to be reading at grade
18 level as determined by reading assessments administered pursuant to
19 this section, a new program of reading instruction, including
20 provisions of the READ Initiative adopted by the school district as
21 provided for in subsection O of this section, shall be developed and
22 implemented as specified in this section. If possible, a fourth-
23 grade teacher shall be involved in the development of the program of
24

1 reading instruction. In addition to other requirements of the
2 Reading Sufficiency Act, the plan may include specialized tutoring.

3 H. 1. Any first-grade, second-grade or third-grade student who
4 demonstrates proficiency in reading at the third-grade level through
5 a screening instrument which meets the acquisition of reading skills
6 criteria pursuant to subsection B of this section shall not be
7 subject to the retention guidelines found in this section. Upon
8 demonstrating the proficiency through the screening, the district
9 shall provide notification to the parent(s) and/or guardian(s) of
10 the student that they have satisfied the requirements of the Reading
11 Sufficiency Act and will not be subject to retention pursuant to
12 this section.

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

21 3. a. ~~If a student has not yet satisfied the proficiency~~
22 ~~requirements of this section prior to the completion~~
23 ~~of third grade, the student may qualify for automatic~~
24 ~~promotion to the fourth grade upon scoring at the~~

1 ~~"limited knowledge" level on the reading portion of~~
2 ~~the statewide third-grade criterion-referenced test.~~

3 ~~b. Prior to promotion, however, the district shall~~
4 ~~provide notice to the parent(s) and/or guardian(s) of~~
5 ~~the child that the child is not yet reading at grade~~
6 ~~level in reading and provide the parent(s) and/or~~
7 ~~guardian(s) of the child the option for retention~~
8 ~~should they so desire. The notice shall contain, at a~~
9 ~~minimum, the most recently identifiable grade level on~~
10 ~~which the student is actually proficient, the~~
11 ~~opportunities for summer reading programs, school~~
12 ~~and/or community based reading tutoring, vendors which~~
13 ~~provide reading tutoring and the rights to the~~
14 ~~continuing intensive remediation pursuant to this~~
15 ~~paragraph.~~

16 ~~c. A student so promoted shall be entitled to intensive~~
17 ~~remediation in reading until the student is able to~~
18 ~~demonstrate proficiency in reading at the grade level~~
19 ~~in which the student is enrolled. An intensive~~
20 ~~remediation plan shall be developed by a "Student~~
21 ~~Reading Proficiency Team" composed of:~~
22 ~~(1) the parent(s) and/or guardian(s) of the student,~~
23
24

- 1 ~~(2) the teacher assigned to the student who had~~
2 ~~responsibility for reading instruction in that~~
3 ~~academic year,~~
- 4 ~~(3) a teacher in reading who teaches in the~~
5 ~~subsequent grade level,~~
- 6 ~~(4) the school principal, and~~
- 7 ~~(5) a certified reading specialist, if one is~~
8 ~~available.~~

9 4. If a student has not yet satisfied the proficiency
10 requirements of this section prior to the completion of third grade
11 and still has a significant reading deficiency, as identified based
12 on assessments administered ~~that meet the acquisition of reading~~
13 ~~skills criteria pursuant to~~ as provided for in subsection B of this
14 section, has not accumulated evidence of third-grade proficiency
15 through a student portfolio as provided in subsection K, or is not
16 subject to a good cause exemption as provided in subsection K, then
17 the student shall not be eligible for automatic promotion to fourth
18 grade.

19 ~~5.~~

20 4. a. For the ~~2013-14 and 2014-15~~ 2015-2016 school ~~years~~
21 year, a student not ~~qualified~~ eligible for automatic
22 promotion as provided for under paragraph 4 3 of this
23 subsection and who scores at the unsatisfactory level
24 on the reading portion of the third-grade statewide

1 criterion-referenced test may be evaluated for
2 "probationary promotion" by a "the Student Reading
3 Proficiency Team". For the 2016-2017 and 2017-2018
4 school years, a student not eligible for automatic
5 promotion as provided for under paragraph 3 of this
6 subsection and who scores at the unsatisfactory or
7 limited knowledge levels on the reading portion of the
8 third-grade statewide criterion-referenced test may be
9 evaluated for "probationary promotion" by the Student
10 Reading Proficiency Team. The Student Reading
11 Proficiency Team shall be composed of:

- 12 (1) the parent(s) and/or guardian(s) of the student,
- 13 (2) the teacher assigned to the student who had
14 responsibility for reading instruction in that
15 academic year,
- 16 (3) a teacher in reading who teaches in the
17 subsequent grade level, and
- 18 (4) ~~the school principal, and~~
- 19 ~~(5)~~ a certified reading specialist.

20 b. The student shall be promoted to the fourth grade if
21 the team members unanimously recommend "probationary
22 promotion" to the school principal and the school
23 district superintendent and the principal and
24 superintendent ~~approves~~ approve the recommendation

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

13 ~~6.~~ 5. Beginning with the ~~2015-16~~ 2016-2017 school year,
14 students who score ~~at the unsatisfactory~~ below the proficient level
15 on the reading portion of the statewide third-grade criterion-
16 referenced test ~~and,~~ who are not subject to a good cause exemption
17 as provided in subsection K of this section, and who do not qualify
18 for promotion or "probationary promotion" as provided in this
19 subsection, shall be retained in the third grade and provided
20 intensive instructional services and supports as provided for in
21 subsection N of this section.

22 ~~7.~~ 6. Each school district shall annually report to the State
23 Department of Education the number of students promoted to the
24 fourth grade pursuant to ~~paragraphs 1 and 3~~ of this subsection.

1 Following the ~~2013-14 and 2014-15~~ 2015-2016, 2016-2017 and 2017-2018
2 school years, each school district shall report the number of
3 students promoted to a subsequent grade pursuant to the provisions
4 in paragraph ~~5~~ 4 of this subsection. The State Department of
5 Education shall publicly report the aggregate and district specific
6 number of students promoted on their website and shall provide
7 electronic copies of the report to the Governor, Secretary of
8 Education, President Pro Tempore of the Senate, Speaker of the House
9 of Representatives, and to the respective chairs of the committees
10 with responsibility for common education policy in each legislative
11 chamber.

12 ~~8.~~ 7. Nothing shall prevent a school district from applying the
13 principles of paragraphs ~~4~~ 3 and ~~5~~ 4 of this subsection in grades
14 kindergarten through second grade.

15 8. To determine the promotion and retention of third-grade
16 students pursuant to the Reading Sufficiency Act, the State Board of
17 Education shall use only the reading comprehension and vocabulary
18 scores portion of the statewide third-grade criterion-referenced
19 test and shall not use the other language arts scores portions of
20 the test.

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

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 pursuant to a conjoint measurement model such that a
7 reader and a text are placed on the same scale;

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

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

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

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

19 7. That while the results of the statewide criterion-referenced
20 tests administered pursuant to Section 1210.508 of this title are
21 the initial determinant, they are not the sole determiner of
22 promotion and that portfolio reviews and assessments are available;
23 and

24

1 ~~7.~~ 8. The specific criteria and policies of the school district
2 for midyear promotion implemented as provided for in paragraph 4 of
3 subsection N of this section.

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

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

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

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

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

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

23 5. Students with disabilities who participate in the statewide
24 criterion-referenced tests and who have an individualized education

1 program that reflects that the student has received intensive
2 remediation in reading for more than two (2) years but still
3 demonstrates a deficiency in reading and was previously retained in
4 prekindergarten for academic reasons, kindergarten, first grade,
5 second grade, or third grade;

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

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

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

23

24

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

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

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

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

20 N. ~~Beginning with the 2011-2012 school year, each~~ Each school
21 district shall:

22 1. Conduct a review of the program of reading instruction for
23 all students who score ~~at the unsatisfactory~~ below the proficient
24 level on the reading portion of the statewide criterion-referenced

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

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

- 16 a. small group instruction,
- 17 b. reduced teacher-student ratios,
- 18 c. more frequent progress monitoring,
- 19 d. tutoring or mentoring,
- 20 e. transition classes containing third- and fourth-grade
21 students,
- 22 f. extended school day, week, or year, and
- 23 g. summer reading academies as provided for in Section
24 1210.508E of this title, if available;

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

9 4. Implement a policy for the midyear promotion of a retained
10 student who can demonstrate that the student is a successful and
11 independent reader, is reading at or above grade level, and is ready
12 to be promoted to the fourth grade. Tools that school districts may
13 use in reevaluating any retained student may include subsequent
14 assessments, alternative assessments, and portfolio reviews, in
15 accordance with rules of the State Board of Education. Retained
16 students may only be promoted midyear prior to November 1 and only
17 upon demonstrating a level of proficiency required to score ~~above~~
18 ~~the unsatisfactory~~ at the proficient level on the statewide third-
19 grade criterion-referenced test, or upon demonstrating proficiency
20 in reading at the third-grade level through a screening instrument
21 administered pursuant to subsection B of this section, and upon
22 showing progress sufficient to master appropriate fourth-grade-level
23 skills, as determined by the school. A midyear promotion shall be
24

1 made only upon agreement of the parent or guardian of the student
2 and the school principal;

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

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

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

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

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

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

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

6 2. Be provided during regular school hours in addition to the
7 regular reading instruction; and

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

- 10 a. assists students assessed as exhibiting a reading
11 deficiency in developing the ability to read at grade
12 level,
- 13 b. provides skill development in phonemic awareness,
14 phonics, fluency, vocabulary, and comprehension,
- 15 c. provides a scientific-research-based and reliable
16 assessment,
- 17 d. provides initial and ongoing analysis of the reading
18 progress of each student,
- 19 e. is implemented during regular school hours,
- 20 f. provides a curriculum in core academic subjects to
21 assist the student in maintaining or meeting
22 proficiency levels for the appropriate grade in all
23 academic subjects,

1 g. establishes at each school, where applicable, an
2 Intensive Acceleration Class for retained third-grade
3 students who subsequently score ~~at the unsatisfactory~~
4 below the proficient level on the reading portion of
5 the statewide criterion-referenced tests. The focus
6 of the Intensive Acceleration Class shall be to
7 increase the reading level of a child at least two
8 grade levels in one (1) school year. The Intensive
9 Acceleration Class shall:

10 (1) be provided to any student in the third grade who
11 scores ~~at the unsatisfactory~~ below the proficient
12 level on the reading portion of the statewide
13 criterion-referenced tests and who was retained
14 in the third grade the prior year because of
15 scoring ~~at the unsatisfactory~~ below the
16 proficient level on the reading portion of the
17 statewide criterion-referenced tests,

18 (2) have a reduced teacher-student ratio,

19 (3) provide uninterrupted reading instruction for the
20 majority of student contact time each day and
21 incorporate opportunities to master the fourth-
22 grade state standards in other core subject
23 areas,
24

- 1 (4) use a reading program that is scientific-
2 research-based and has proven results in
3 accelerating student reading achievement within
4 the same school year,
- 5 (5) provide intensive language and vocabulary
6 instruction using a scientific-research-based
7 program, including use of a speech-language
8 therapist,
- 9 (6) include weekly progress monitoring measures to
10 ensure progress is being made, and
- 11 (7) provide reports to the State Department of
12 Education, in the manner described by the
13 Department, outlining the progress of students in
14 the class at the end of the first semester,
- 15 h. provide reports to the State Board of Education, upon
16 request, on the specific intensive reading
17 interventions and supports implemented by the school
18 district. The State Superintendent of Public
19 Instruction shall annually prescribe the required
20 components of the reports, and
- 21 i. provide to a student who has been retained in the
22 third grade and has received intensive instructional
23 services but is still not ready for grade promotion,
24 as determined by the school district, the option of

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

6 P. In addition to the requirements set forth in this section,
7 each school district board of education shall annually report to the
8 parent or guardian of each student in the district the progress of
9 the student toward achieving state and district expectations for
10 proficiency in reading, writing, science, and mathematics. The
11 school district board of education shall report to the parent or
12 guardian of each student the results on statewide criterion-
13 referenced tests. The evaluation of the progress of each student
14 shall be based upon classroom work, observations, tests, district
15 and state assessments, and other relevant information. Progress
16 reporting shall be provided to the parent or guardian in writing.

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

- 21 a. the provisions of this section relating to public
22 school student progression and the policies and
23 procedures of the school district on student retention
24 and promotion,

- 1 b. by grade, the number and percentage of all students in
2 grades three through ten performing ~~at the~~
3 ~~unsatisfactory~~ below the proficient level on the
4 reading portion of the statewide criterion-referenced
5 tests,
- 6 c. by grade, the number and percentage of all students
7 retained in grades three through ten,
- 8 d. information on the total number and percentage of
9 students who were promoted for good cause, by each
10 category of good cause as specified above, and
- 11 e. any revisions to the policies of the school district
12 on student retention and promotion from the prior
13 year.

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

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

4 S. On or before December 1 of each year, the State Department
5 of Education shall issue to the Governor and members of the Senate
6 and House of Representatives Education Committees a Reading Report
7 Card for the state and each school district and elementary site
8 which shall include, but is not limited to, trend data detailing
9 three (3) years of data, disaggregated by student subgroups to
10 include economically disadvantaged, major racial or ethnic groups,
11 students with disabilities, and English language learners, as
12 appropriate for the following:

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

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

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

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

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

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

9 7. Any recommendations for improvements or amendments to the
10 Reading Sufficiency Act.

11 The State Department of Education may contract with an
12 independent entity for the reporting and analysis requirements of
13 this subsection.

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

16 SECTION 2. This act shall become effective July 1, 2015.

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21
22 55-1-1774 EB 5/22/2015 2:18:15 PM
23
24