

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1906

6 By: Pugh and Young of the
7 Senate

8 and

9 Baker of the House

10 COMMITTEE SUBSTITUTE

11 An Act relating to the Reading Sufficiency Act;
12 amending 70 O.S. 2021, Section 1210.508A, which
13 relates to short title; renaming act the Strong
14 Readers Act; amending 70 O.S. 2021, Section
15 1210.508B, which relates to legislative intent;
16 modifying intent; updating statutory language;
17 amending 70 O.S. 2021, Section 1210.508C, which
18 relates to reading assessments; requiring students in
19 certain grades to be screened for certain reading
20 skills with certain frequency; directing approval of
21 certain screening instrument to be done with certain
22 consultation; directing certain factors to be
23 considered in approving certain screening instrument;
24 removing language regarding students in kindergarten
who are at risk for reading difficulties or are not
meeting grade-level targets; removing language
requiring provision of certain classroom assistants;
removing language requiring certain program of
reading instruction to include certain initiative;
requiring certain screening instruments to be
approved for use in the middle of the school year;
modifying criteria for screening instruments;
modifying purpose of program of reading instruction;
requiring, rather than allowing, program of reading
instruction to include certain provisions; directing
an individual reading intervention plan to be
provided within certain time period to certain
students; requiring the plan to include certain
provisions; requiring notification of a parent or

1 legal guardian within certain time period of
2 identification of certain deficiency; removing
3 requirement for development of new program of reading
4 instruction; providing certain exemption for certain
5 students who demonstrate proficiency in reading;
6 requiring continued monitoring of such student;
7 requiring intensive intervention services to be
8 provided to certain students beginning in certain
9 school year; removing language prohibiting automatic
10 promotion of certain students; removing language
11 regarding minimum criteria for grade-level
12 performance; removing language allowing probationary
13 promotion; removing language requiring retention of
14 certain third grade students; requiring certain
15 report to be submitted electronically to additional
16 recipients; expanding contents of report; removing
17 language establishing good-cause exemptions for
18 promotion; removing language regarding exemptions to
19 retention; removing language requiring school
20 districts to conduct certain review of certain
21 program; removing language directing school districts
22 to establish a Reading Enhancement and Acceleration
23 Development (READ) Initiative; requiring certain
24 reports to be submitted electronically to additional
recipients; modifying contents of reports; amending
70 O.S. 2021, Section 1210.508D, which relates to
Reading Sufficiency Act funding; allowing funds to be
allocated for students in certain grade; removing
allocation for certain retained students; amending 70
O.S. 2021, Section 1210.508E, which relates to summer
academies; expanding grade levels for which summer
academies may be provided; modifying reason for which
a student may participate in an academy; removing
requirement to retain certain student for not
completing certain academy; updating statutory
language; updating statutory references; 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. 2021, Section 1210.508A,
is amended to read as follows:

1 Section 1210.508A. Sections 1210.508A through 1210.508E of this
2 title shall be known and may be cited as the ~~"Reading Sufficiency~~
3 ~~Act"~~ "Strong Readers Act".

4 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.508B,
5 is amended to read as follows:

6 Section 1210.508B. A. The Legislature finds that it is
7 essential for children in the public schools to read early and well
8 in elementary school. The Legislature further finds that clear and
9 visible goals, assessments to determine the reading level at each
10 elementary school, ~~annual~~ use of a scientifically based and
11 researched methodology in reading instruction in addition to regular
12 and periodic measurements of elementary school reading improvement,
13 and accountability in each level of the educational system will
14 result in a significant increase in the number of children reading
15 at or above grade level.

16 B. The purpose of the ~~Reading Sufficiency Act~~ Strong Readers
17 Act is to ensure that ~~each child attains the necessary reading~~
18 ~~skills by completion of the third grade which will enable that~~
19 ~~student to continue development of reading skills and to succeed~~
20 ~~throughout school and life~~ progression from one grade to another is
21 determined, in part, upon proficiency in reading, that school
22 district board of education policies facilitate reading instruction
23 and intervention services to addresses student reading needs, and
24

1 that each student and his or her parent or legal guardian be
2 informed of that student's reading progress.

3 C. Each public school district in this state shall ensure that
4 all students receive a well-rounded education that is focused on
5 building deep foundations in reading, writing, and mathematics. The
6 State Board of Education shall encourage school districts to
7 integrate the teaching of the other curricular areas in the subject
8 matter standards adopted by the Board with the instruction of
9 reading, writing, and mathematics. All teachers of reading in the
10 public schools in this state in kindergarten through third grade
11 shall incorporate into instruction the five elements of reading
12 instruction which are ~~phonemic~~ phonological awareness, ~~phonics~~
13 decoding, ~~reading~~ fluency, vocabulary, and comprehension.

14 SECTION 3. AMENDATORY 70 O.S. 2021, Section 1210.508C,
15 is amended to read as follows:

16 Section 1210.508C. A. ~~1.~~ To identify students who have a
17 reading deficiency including identifying students with
18 characteristics of dyslexia, each student enrolled in kindergarten
19 and first, second, and third grade in a public school in this state
20 shall be screened at the ~~beginning~~, middle and end of each school
21 year for reading skills including, but not limited to, ~~phonemic~~
22 phonological awareness, ~~letter recognition~~ decoding, fluency,
23 vocabulary, and ~~oral language skills as identified in the subject~~
24 ~~matter standards adopted by the State Board of Education~~

1 comprehension. A screening instrument approved by the State Board
2 of Education, in consultation with the Commission for Educational
3 Quality and Accountability and the Secretary of Education, shall be
4 utilized for the purposes of this section. In determining which
5 screening instrument to approve, the State Board of Education, the
6 Commission for Educational Quality and Accountability, and the
7 Secretary of Education shall take into consideration at a minimum
8 the following factors:

9 1. The time required to conduct the screening instrument with
10 the intention of minimizing the impact on instructional time;

11 2. The timeliness in reporting screening instrument results to
12 teachers, administrators, and parents and legal guardians of
13 students; and

14 3. The integration of the screening instrument into reading
15 curriculum.

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

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

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

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

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

21 D. The State Board of Education shall approve screening
22 instruments for use at the ~~beginning~~ middle and end of the school
23 year, for monitoring of progress, and for measurement of reading
24 skills at the end of the school year as required in subsections

1 ~~subsection A and B~~ of this section; ~~provided, at least one of the.~~

2 The screening instruments shall meet the following criteria:

3 1. Assess for ~~phonemic~~ phonological awareness, ~~phonics~~
4 decoding, ~~reading~~ fluency, vocabulary, and comprehension;

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

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

9 4. Can be used to assess students with disabilities and English
10 language learners; and

11 5. Accompanied by a data management system that provides
12 profiles ~~for~~ of students, class, grade level, and school building.

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

20 ~~E. C.~~ 1. Students who are administered a screening instrument
21 pursuant to subsection A of this section and are found not to be
22 meeting grade-level targets shall be provided a program of reading
23 instruction designed to enable students to acquire the appropriate
24 grade-level reading skills. The program of reading instruction

1 ~~required in subsections A and B of this section~~ shall be based on
2 scientific reading research and align with the subject matter
3 standards adopted by the State Board of Education ~~and shall include~~
4 ~~provisions of the READ Initiative adopted by the school district as~~
5 ~~provided for in subsection P of this section.~~ A program of reading
6 instruction ~~may include, but is not limited to~~ shall include:

7 a. sufficient additional in-school instructional time for
8 the acquisition of ~~phonemic~~ phonological awareness,
9 ~~phonics~~ decoding, ~~reading~~ fluency, vocabulary, and
10 comprehension,

11 b. if necessary and if funding is available, tutorial
12 instruction after regular school hours, on Saturdays,
13 and during summer; however, such instruction may not
14 be counted toward the one-hundred-eighty-day or one-
15 thousand-eighty-hour school year required in Section
16 1-109 of this title, ~~and~~

17 c. assessments identified for diagnostic purposes and
18 periodic monitoring to measure the acquisition of
19 reading skills including, but not limited to, ~~phonemic~~
20 phonological awareness, ~~phonics~~ decoding, ~~reading~~
21 fluency, vocabulary, and comprehension, as identified
22 in the student's program of reading instruction,

23 d. high-quality instructional materials grounded in
24 scientifically based reading research, and

1 e. a means of providing every family of a student in
2 prekindergarten, kindergarten, and first, second, and
3 third grade access to free online evidence-based
4 literacy instruction resources to support the
5 student's literacy development at home.

6 2. A student enrolled in kindergarten or first ~~or~~, second,
7 ~~grades or third grade~~ who ~~has been assessed as provided for in~~
8 ~~subsection B of this section and found not to be meeting grade-level~~
9 ~~targets in reading,~~ exhibits a deficiency in reading at any time
10 based on the screening instrument administered pursuant to
11 subsection A of this section shall ~~be entitled to supplemental~~
12 ~~instructional services and supports in reading until the student is~~
13 ~~determined by the results of a screening instrument to be meeting~~
14 ~~grade-level targets in reading~~ receive an individual reading
15 intervention plan no later than thirty (30) days after the
16 identification of the deficiency in reading. The reading
17 intervention plan shall be provided in addition to core reading
18 instruction that is provided to all students. The reading
19 intervention plan shall:

20 a. describe the research-based reading intervention
21 services the student will receive to remedy the
22 deficiency in reading,

- 1 b. provide explicit and systematic instruction in
2 phonological awareness, decoding, fluency, vocabulary,
3 and comprehension, as applicable,
- 4 c. monitor the reading progress of each student's reading
5 skills throughout the school year and adjust
6 instruction according to the student's needs, and
- 7 d. continue until the student is determined to be meeting
8 grade-level targets in reading based on screening
9 instruments administered pursuant to subsection A of
10 this section or assessments identified for diagnostic
11 purposes and periodic monitoring pursuant to
12 subparagraph c of paragraph 1 of this subsection.

13 3. The ~~program of reading instruction~~ intervention plan for
14 each student identified with a deficiency in reading shall be
15 developed by a Student Reading Proficiency Team and shall include
16 supplemental instructional services and supports. Each team shall
17 be composed of:

- 18 a. the parent or guardian of the student,
19 b. the teacher assigned to the student who had
20 responsibility for reading instruction in that
21 academic year,
22 c. a teacher who is responsible for reading instruction
23 and is assigned to teach in the next grade level of
24 the student, and

1 d. a certified reading specialist, if one is available.

2 4. A school district shall notify the parent or legal guardian
3 of any student in kindergarten or first, second, or third grade who
4 exhibits a deficiency in reading at any time based on the screening
5 instrument administered pursuant to subsection A of this section.
6 The notification shall occur no later than fifteen (15) days after
7 the identification of the deficiency in reading.

8 ~~F. The program of reading instruction shall continue until the~~
9 ~~student is determined by the results of approved reading assessments~~
10 ~~to be meeting grade-level targets.~~

11 ~~G. D.~~ 1. Every school district shall adopt⁷ and implement a
12 district ~~reading sufficiency~~ strong readers plan which has had input
13 from school administrators, teachers, and parents and legal
14 guardians and if possible a reading specialist, and which shall be
15 submitted electronically to and approved by the State Board of
16 Education. The plan shall be updated annually. School districts
17 shall not be required to electronically submit the annual updates to
18 the Board if the last plan submitted to the Board was approved and
19 expenditures for the program include only expenses relating to
20 individual and small group tutoring, purchase of and training in the
21 use of screening and assessment measures, summer school programs,
22 and Saturday school programs. If any expenditure for the program is
23 deleted or changed or any other type of expenditure for the program
24 is implemented, the school district shall be required to submit the

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

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

13 ~~H. For any third-grade student found not to be meeting grade-~~
14 ~~level targets as determined by reading assessments administered~~
15 ~~pursuant to this section, a new program of reading instruction,~~
16 ~~including provisions of the READ Initiative adopted by the school~~
17 ~~district as provided for in subsection P of this section, shall be~~
18 ~~developed by a Student Reading Proficiency Team and implemented as~~
19 ~~specified in subsection E of this section. In addition to other~~
20 ~~requirements of the Reading Sufficiency Act, the plan may include~~
21 ~~specialized tutoring.~~

22 ~~F. E.~~ 1. Any first-grade, second-grade, or third-grade student
23 who demonstrates end-of-year proficiency in reading at the ~~third-~~
24 ~~grade level~~ through a grade-level appropriate screening instrument

1 ~~which meets the acquisition of reading skills criteria~~ approved
2 pursuant to subsection B of this section shall not ~~be subject to~~
3 ~~retention pursuant to this section~~ require a program of reading
4 instruction or an individual reading intervention plan. After a
5 student has demonstrated proficiency through a screening instrument,
6 the district shall provide notification to the parent or legal
7 guardian of the student that ~~they have~~ he or she has satisfied the
8 requirements of the ~~Reading Sufficiency Act~~ and will not be subject
9 ~~to retention pursuant to this section~~ Strong Readers Act. The
10 district shall continue to monitor the student in the next
11 successive grade level to ensure he or she maintains proficiency.

12 2. ~~If~~ Beginning with the 2024-2025 school year, if a third-
13 grade student is identified at any point of the academic year as
14 having a significant reading deficiency, which shall be defined as
15 not meeting grade-level targets on a screening instrument ~~which~~
16 ~~meets the acquisition of reading skills criteria~~ administered
17 pursuant to subsection ~~B~~ A of this section, the district shall
18 ~~immediately begin a student reading portfolio as provided by~~
19 ~~subsection L of this section and shall provide notice to the parent~~
20 ~~of the deficiency pursuant to subsection J of this section~~ provide
21 the student with intensive intervention services for the appropriate
22 amount of the instructional day consistent with the individual
23 reading intervention plan developed pursuant to paragraph 2 of
24 subsection C of this section and as determined by the Student

1 Reading Proficiency Team. Intensive intervention services shall
2 continue until the student demonstrates proficiency at his or her
3 grade level based on a screening instrument administered pursuant to
4 subsection A of this section.

5 ~~3. If a student has not yet satisfied the proficiency~~
6 ~~requirements of this section prior to the completion of third grade~~
7 ~~and still has a significant reading deficiency, as identified based~~
8 ~~on assessments administered as provided for in subsection B of this~~
9 ~~section, has not accumulated evidence of third-grade proficiency~~
10 ~~through a student portfolio as provided in subsection L of this~~
11 ~~section, or is not subject to a good-cause exemption as provided in~~
12 ~~subsection L of this section, then the student shall not be eligible~~
13 ~~for automatic promotion to fourth grade.~~

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

1 ~~to Section 1210.508 of this title shall ensure that students meeting~~
2 ~~the performance level criteria are performing at grade level on the~~
3 ~~reading foundations and vocabulary portions of the statewide third-~~
4 ~~grade assessment.~~

5 ~~5. a. A student not eligible for automatic promotion as~~
6 ~~provided for under paragraph 3 of this subsection and~~
7 ~~who does not meet the criteria established by the~~
8 ~~Commission for Educational Quality and Accountability~~
9 ~~on the reading portion of the statewide third-grade~~
10 ~~assessment administered pursuant to Section 1210.508~~
11 ~~of this title may be evaluated for probationary~~
12 ~~promotion by the Student Reading Proficiency Team~~
13 ~~which was created for the student pursuant to~~
14 ~~subsection E of this section.~~

15 ~~b. The student shall be promoted to the fourth grade if~~
16 ~~the team members unanimously recommend probationary~~
17 ~~promotion to the school principal and the school~~
18 ~~district superintendent and the principal and~~
19 ~~superintendent approve the recommendation that~~
20 ~~promotion is the best option for the student. If a~~
21 ~~student is allowed a probationary promotion, the team~~
22 ~~shall continue to review the reading performance of~~
23 ~~the student and repeat the requirements of this~~
24 ~~paragraph each academic year until the student~~

1 demonstrates grade-level reading proficiency, as
2 identified through a screening instrument which meets
3 the acquisition of reading skills criteria pursuant to
4 subsection B of this section, for the corresponding
5 grade level in which the student is enrolled or
6 transitions to a locally designed remediation plan
7 after the fifth grade which shall have the goal of
8 ensuring that the student is on track to be college
9 and career ready.

10 ~~6. Beginning with the 2017-2018 school year, students who do~~
11 ~~not meet the performance criteria established by the Commission for~~
12 ~~Educational Quality and Accountability on the reading portion of the~~
13 ~~statewide third-grade assessment administered pursuant to Section~~
14 ~~1210.508 of this title, who are not subject to a good cause~~
15 ~~exemption as provided in subsection I of this section, and who do~~
16 ~~not qualify for promotion or probationary promotion as provided in~~
17 ~~this subsection, shall be retained in the third grade and provided~~
18 ~~intensive instructional services and supports as provided for in~~
19 ~~subsection O of this section.~~

20 ~~7. F. Each school district shall annually report in an~~
21 ~~electronic format to the State Department of Education, the Office~~
22 ~~of Educational Quality and Accountability, and the Secretary of~~
23 ~~Education the number of students promoted to the fourth grade~~
24 ~~pursuant to this subsection and the number of students promoted to a~~

1 ~~subsequent grade pursuant to the provisions in paragraph 5 of this~~
2 ~~subsection~~ in kindergarten through third grade per grade level who
3 exhibit grade-level reading proficiency, the number of students per
4 grade level who received intensive intervention services pursuant to
5 paragraph 2 of subsection E of this section, the number of students
6 per grade level who attended a summer academy as provided for in
7 Section 1210.508E of this title, the number of students per grade
8 level who exhibited improved reading proficiency after completion of
9 intensive intervention services, and the number of students per
10 grade level who are still in need of intensive intervention
11 services. The State Department of Education shall publicly report
12 the aggregate and district-specific ~~number of students promoted~~
13 numbers submitted pursuant to this subsection on ~~their~~ its website
14 and shall provide electronic copies of the report to the Governor,
15 Secretary of Education, President Pro Tempore of the Senate, Speaker
16 of the House of Representatives, and to the respective chairs of the
17 committees with responsibility for common education policy in each
18 legislative chamber.

19 ~~J.~~ G. The parent of any student who is found to have a reading
20 deficiency and is not meeting grade-level reading targets and has
21 been provided a program of reading instruction as provided for in
22 paragraph 1 of subsection B C of this section shall be notified in
23 writing of the following:

24

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

3 2. A description of the current services that are provided to
4 the student pursuant to ~~a conjoint measurement model such that a~~
5 ~~reader and a text are placed on the same scale~~ subsection C of this
6 section;

7 3. A description of the proposed ~~supplemental instructional~~
8 intensive intervention services and supports that will be provided
9 to the student that are designed to remediate the identified area of
10 reading deficiency as provided for in paragraph 2 of subsection E of
11 this section;

12 4. That ~~the~~ a student ~~will not be~~ who is promoted to the fourth
13 grade ~~if the reading deficiency is not remediated by the end of the~~
14 ~~third grade, unless the student is otherwise promoted as provided~~
15 ~~for in subsection I of this section or is exempt for good cause as~~
16 ~~set forth in subsection L of this section~~ shall receive supplemental
17 intensive intervention services;

18 5. Strategies for parents to use in helping their child succeed
19 in reading proficiency; and

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

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

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

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

6 ~~L. 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 I 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. English language learners who have had less than two (2)~~
12 ~~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 ~~assessments administered pursuant to Section 1210.508 of this title~~

1 ~~and who have an individualized education program that reflects that~~
2 ~~the student has received intensive remediation in reading and has~~
3 ~~made adequate progress in reading pursuant to the student's~~
4 ~~individualized education program;~~

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

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

12 ~~M. A student who is otherwise promoted as provided for in~~
13 ~~subsection I of this section or is promoted for good cause as~~
14 ~~provided for in subsection L of this section shall be provided~~
15 ~~intensive reading instruction that includes specialized diagnostic~~
16 ~~information and specific reading strategies for each student until~~
17 ~~the student meets grade-level targets in reading. The school~~
18 ~~district shall assist schools and teachers to implement reading~~
19 ~~strategies for the promoted students that research has shown to be~~
20 ~~successful in improving reading among low performing readers.~~

21 ~~N. Requests to exempt students from the retention requirements~~
22 ~~based on one of the good cause exemptions as described in subsection~~
23 ~~L of this section shall be made using the following process:~~

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

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

15 ~~3. After review, the school district superintendent shall~~
16 ~~accept or reject the recommendation of the principal in writing.~~

17 ~~0. Each school district shall:~~

18 ~~1. Conduct a review of the program of reading instruction for~~
19 ~~all students who do not meet the performance criteria established by~~
20 ~~the Commission for Educational Quality and Accountability on the~~
21 ~~reading portion of the statewide assessment administered pursuant to~~
22 ~~Section 1210.508 of this title and did not meet the criteria for one~~
23 ~~of the good cause exemptions as set forth in subsection L of this~~
24 ~~section. The review shall address additional supports and services,~~

1 ~~as described in this subsection, needed to remediate the identified~~
2 ~~areas of reading deficiency. The school district shall require a~~
3 ~~student portfolio to be completed for each retained student;~~

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

12 ~~a. small group instruction,~~

13 ~~b. reduced teacher-student ratios,~~

14 ~~c. more frequent progress monitoring,~~

15 ~~d. tutoring or mentoring,~~

16 ~~e. transition classes containing third- and fourth-grade~~
17 ~~students,~~

18 ~~f. extended school day, week, or year, and~~

19 ~~g. summer reading academies as provided for in Section~~
20 ~~1210.508E of this title, if available;~~

21 ~~3. Provide written notification to the parent or guardian of~~
22 ~~any student who is to be retained as set forth in subsection I of~~
23 ~~this section that the student has not met the performance criteria~~
24 ~~required for promotion and was not otherwise promoted and the~~

1 ~~reasons the student is not eligible for a good cause exemption. The~~
2 ~~notification shall include a description of proposed interventions~~
3 ~~and intensive instructional supports that will be provided to the~~
4 ~~student to remediate the identified areas of reading deficiency;~~

5 4. ~~Implement a policy for the midyear promotion of a retained~~
6 ~~student who can demonstrate that the student is a successful and~~
7 ~~independent reader, is reading at or above grade-level targets, and~~
8 ~~is ready to be promoted to the fourth grade. Tools that school~~
9 ~~districts may use in reevaluating any retained student may include~~
10 ~~screening assessments, alternative assessments, and portfolio~~
11 ~~reviews, in accordance with rules of the State Board of Education.~~
12 ~~Retained students may only be promoted midyear prior to November 1~~
13 ~~and only upon demonstrating that the student has met the performance~~
14 ~~criteria established by the Commission for Educational Quality and~~
15 ~~Accountability on the reading portion of the statewide third-grade~~
16 ~~assessment administered pursuant to Section 1210.508 of this title,~~
17 ~~or upon demonstrating proficiency in reading at the third-grade~~
18 ~~level through a screening instrument administered pursuant to~~
19 ~~subsection B of this section, and upon showing progress sufficient~~
20 ~~to master appropriate fourth-grade-level skills, as determined by~~
21 ~~the school. A midyear promotion shall be made only upon agreement~~
22 ~~of the parent or guardian of the student and the school principal;~~

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

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

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

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

14 ~~c. a mentor or tutor with specialized reading training.~~

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

23 ~~1. Be provided to all kindergarten through third-grade students~~
24 ~~at risk of retention as identified by the assessments administered~~

1 ~~pursuant to the Reading Sufficiency Act. The assessment used shall~~
2 ~~measure phonemic awareness, phonics, reading fluency, vocabulary,~~
3 ~~and comprehension;~~

4 ~~2. Be provided during regular school hours in addition to the~~
5 ~~regular reading instruction;~~

6 ~~3. Provide a reading curriculum that, at a minimum, meets the~~
7 ~~following specifications:~~

8 ~~a. assists students assessed as exhibiting a reading~~
9 ~~deficiency in developing the ability to read at grade~~
10 ~~level;~~

11 ~~b. provides skill development in phonemic awareness,~~
12 ~~phonics, reading fluency, vocabulary, and~~
13 ~~comprehension;~~

14 ~~c. provides a scientific-research-based and reliable~~
15 ~~assessment;~~

16 ~~d. provides initial and ongoing analysis of the reading~~
17 ~~progress of each student, and~~

18 ~~e. is implemented during regular school hours;~~

19 ~~4. Establish at each school, where applicable, an Intensive~~
20 ~~Acceleration Class for retained third-grade students who~~
21 ~~subsequently do not meet the performance criteria established by the~~
22 ~~Commission for Educational Quality and Accountability on the reading~~
23 ~~portion of the statewide assessment administered pursuant to Section~~
24 ~~1210.508 of this title. The focus of the Intensive Acceleration~~

1 ~~Class shall be to increase the reading level of a child at least two~~
2 ~~grade levels in one (1) school year. The Intensive Acceleration~~

3 ~~Class shall:~~

- 4 ~~a. be provided to any student in the third grade who does~~
5 ~~not meet the performance criteria established by the~~
6 ~~Commission for Educational Quality and Accountability~~
7 ~~on the reading portion of the statewide assessments~~
8 ~~and who was retained in the third grade the prior year~~
9 ~~because of not meeting the performance criteria on the~~
10 ~~reading portion of the statewide assessments,~~
- 11 ~~b. have a reduced teacher-student ratio,~~
- 12 ~~c. provide uninterrupted reading instruction for the~~
13 ~~majority of student contact time each day and~~
14 ~~incorporate opportunities to master the fourth-grade~~
15 ~~state standards in other core subject areas,~~
- 16 ~~d. use a reading program that is scientific-research-~~
17 ~~based and has proven results in accelerating student~~
18 ~~reading achievement within the same school year,~~
- 19 ~~e. provide intensive language and vocabulary instruction~~
20 ~~using a scientific-research-based program, including~~
21 ~~use of a speech-language therapist, and~~
- 22 ~~f. include weekly progress monitoring measures to ensure~~
23 ~~progress is being made;~~

1 ~~5. Provide reports to the State Board of Education, upon~~
2 ~~request, on the specific intensive reading interventions and~~
3 ~~supports implemented by the school district. The State~~
4 ~~Superintendent of Public Instruction shall annually prescribe the~~
5 ~~required components of the reports; and~~

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

13 ~~Q. I.~~ 1. Each school district board of education shall
14 annually publish on the school website~~7~~ and report ~~in writing~~
15 electronically to the State ~~Board~~ Department of Education, the
16 Office of Educational Quality and Accountability, and the Secretary
17 of Education by September 1 of each year~~7~~ the following information
18 on the prior school year:

- 19 a. ~~the provisions of this section relating to public~~
20 ~~school student progression and the policies and~~
21 ~~procedures of~~ adopted by the school district ~~on~~
22 ~~student retention and promotion~~ board of education to
23 implement the provisions of this section. The
24 information submitted shall include expenditures

1 related to implementing the provisions of this
2 section, the number of staff implementing the
3 provisions of this section, and average daily
4 classroom time devoted to implementing the provisions
5 of this section,

6 b. by grade, the number and percentage of all students in
7 ~~grade three that did not meet the performance criteria~~
8 ~~established by the Commission for Educational Quality~~
9 ~~and Accountability on the reading portion of the~~
10 ~~statewide assessment administered pursuant to Section~~
11 ~~1210.508 of this title~~ kindergarten through third
12 grade who did not meet grade-level targets based on a
13 screening instrument administered pursuant to
14 subsection A of this section,

15 c. by grade, the number and percentage of all students
16 ~~retained in grades three through ten~~ in kindergarten
17 through third grade who have been enrolled in the
18 district for fewer than two (2) years,

19 d. ~~information on the total number and percentage of~~
20 ~~students who were promoted for good cause, by each~~
21 ~~category of good cause as specified above, and~~ by
22 grade, the number and percentage of students in third
23 grade who demonstrated grade-level proficiency based
24

1 on a screening instrument administered pursuant to
2 subsection A of this section, and

3 e. ~~any revisions to the policies of the school district~~
4 ~~on student retention and promotion from the prior year~~
5 by grade, the number and percentage of students in
6 third grade who are on an individualized education
7 program (IEP) in accordance with the Individuals with
8 Disabilities Education Act (IDEA) and who demonstrated
9 grade-level proficiency based on a screening
10 instrument administered pursuant to subsection A of
11 this section or an alternative assessment prescribed
12 by the student's IEP.

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

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

4 ~~S.~~ K. On or before January 31 of each year, the State
5 Department of Education shall ~~issue~~ electronically submit to the
6 Governor, the President Pro Tempore of the Senate, the Speaker of
7 the House of Representatives, and members of the ~~Senate and House of~~
8 ~~Representatives Education Committees~~ committees with responsibility
9 over common education in both houses of the Legislature a ~~Reading~~
10 ~~Sufficiency~~ Strong Readers Report which shall include, but is not
11 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 statewide aggregate number and percentage of students in
17 kindergarten through third grade determined to be at risk for
18 reading difficulties compared to the total number of students
19 enrolled in each grade;

20 2. The statewide aggregate number and percentage of students in
21 kindergarten who continue to be at risk for reading difficulties as
22 determined by the year-end ~~measurement of reading progress~~
23 administration of the screening instrument required subsection A of
24 this section;

1 3. The statewide aggregate number and percentage of students in
2 kindergarten through third grade who have successfully completed
3 their program of reading instruction and are reading on grade level
4 as determined by the results of screening instruments ~~approved~~
5 ~~reading assessments~~ administered pursuant to subsection A of this
6 section;

7 4. The statewide aggregate and district-specific number and
8 percentage of students that meet or do not meet ~~the performance~~
9 ~~criteria established by the Commission for Educational Quality and~~
10 ~~Accountability on the reading portion of the statewide third-grade~~
11 ~~assessment administered pursuant to Section 1210.508 of this title~~
12 grade-level targets for reading based on screening instruments
13 administered pursuant to subsection A of this section;

14 5. ~~The number of students tested, the number of students~~
15 ~~promoted through meeting proficiency on a screening instrument as~~
16 ~~provided for in subsection I of this section, the number of students~~
17 ~~promoted through each of the good-cause exemptions as provided for~~
18 ~~in subsection L of this section and the number of students retained~~
19 ~~and the number of students promoted through probationary promotion~~
20 ~~as provided for in subsection I of this section for each elementary~~
21 ~~site;~~

22 6. ~~Data tracking the progression of students promoted through~~
23 ~~each of the good-cause exemptions as provided for in subsection L of~~
24 ~~this section and students promoted through probationary promotion or~~

1 ~~students who are retained in third grade as provided for in~~
2 ~~subsection I of this section. The data shall include but not be~~
3 ~~limited to information regarding whether students graduate on time;~~

4 ~~7.~~ The amount of funds ~~for reading remediation~~ received by each
5 district for implementation of the Strong Readers Act;

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

9 ~~9.~~ 7. The type of reading instruction practices and methods
10 currently being used by school districts in the state;

11 ~~10.~~ 8. Socioeconomic information, access to reading resources
12 outside of school, and screening for and identification of learning
13 disabilities for students not reading at the appropriate grade level
14 by third grade in kindergarten and first through third grade;

15 ~~11.~~ 9. By grade level, the types of intensive ~~remediation~~
16 intervention efforts being conducted by school districts ~~to identify~~
17 ~~best practices~~ for students that who are not on an IEP and who are
18 not reading at the appropriate grade level and are not retained
19 under the provisions of this section and for students who are on an
20 IEP and who are not reading at the appropriate grade level; and

21 ~~12.~~ 10. Any recommendations for improvements or amendments to
22 the ~~Reading Sufficiency~~ Strong Readers Act.
23
24

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

4 ~~F.~~ L. Copies of the results of the ~~assessments~~ screening
5 instruments administered pursuant to subsection A of this section
6 shall be made a part of the permanent record of each student.

7 SECTION 4. AMENDATORY 70 O.S. 2021, Section 1210.508D,
8 is amended to read as follows:

9 Section 1210.508D. A. Contingent on the provision of
10 appropriated funds designated for the ~~Reading Sufficiency Strong~~
11 Readers Act, school districts may be allocated monies for each
12 enrolled kindergarten student or first-, second-, and third-grade
13 student of the current school year, ~~including any student who has~~
14 ~~been retained in the third grade pursuant to Section 1210.508C of~~
15 ~~this title~~, who is found to be in need of remediation or intensive
16 intervention services in reading. The allocation shall be
17 distributed to each school district upon approval of the ~~reading~~
18 ~~sufficiency strong readers~~ plan for the school district by the State
19 ~~Department~~ Board of Education and the submittal of a child-count
20 report to the State Department of Education that details the number
21 of students identified as needing remediation or intensive
22 intervention services 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 intensive intervention services in reading as provided for in
3 Section 1210.508C of this title. Each school district shall be
4 allocated an amount equal to the per-student allocation amount
5 multiplied by the number of identified students enrolled in the
6 school district.

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

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

20 D. If a teacher attends and completes a professional
21 development institute in elementary reading approved by the ~~Oklahoma~~
22 ~~Commission for Teacher Preparation~~ Commission for Educational
23 Quality and Accountability during the summer or when school is not
24 in session, the teacher may receive a stipend equal to the amount of

1 the cost for a substitute teacher, based on the amount of funds
2 allocated.

3 SECTION 5. AMENDATORY 70 O.S. 2021, Section 1210.508E,
4 is amended to read as follows:

5 Section 1210.508E. A. If a teacher determines that a ~~third-~~
6 ~~grade~~ student in kindergarten or first through third grade is not
7 reading at grade level by the end of the second quarter of the
8 school year, the parent or guardian of the student shall be notified
9 of:

- 10 1. The reading level of the student;
- 11 2. The program of reading instruction for the student as
12 required pursuant to the ~~Reading Sufficiency~~ Strong Readers Act; and
- 13 3. The potential need for the student to participate in a
14 summer academy or other program designed to assist the student in
15 attaining grade-level reading skills.

16 B. A teacher who determines a ~~third-grade~~ student in
17 kindergarten or first through third grade is ~~unable to meet~~
18 ~~competencies required~~ not meeting grade-level targets for reading
19 ~~for completion of third grade and promotion to fourth grade may,~~
20 after consultation with the parent or legal guardian of the student,
21 recommend that the ~~promotion of the student to the fourth grade is~~
22 ~~contingent upon the participation~~ participate in and ~~successful~~
23 ~~completion of the required competencies for reading by the student~~
24 ~~at~~ complete a summer academy or other program. ~~If the student does~~

1 ~~not participate in the summer academy or other program or does not~~
2 ~~successfully complete the competencies in the summer academy or~~
3 ~~other program, the student shall be retained in the third grade as~~
4 ~~set forth in Section 1210.508C of this title.~~

5 C. Summer academy programs shall be designed to ensure that
6 participating students successfully complete the grade-level
7 ~~competencies necessary in reading for promotion to fourth grade and~~
8 to enhance next-grade readiness. A summer academy reading program
9 shall be a program that incorporates the content of a scientifically
10 research-based professional development program administered by the
11 ~~Oklahoma Commission for Teacher Preparation~~ Commission for
12 Educational Quality and Accountability or a scientifically research-
13 based reading program administered by the State Board of Education
14 and is taught by teachers who have successfully completed
15 professional development in the reading program or who are certified
16 as reading specialists.

17 D. School districts may approve an option for students who are
18 unable to attend a summer academy. The optional program may
19 include, but is not limited to, an approved private provider of
20 instruction, approved computer- or Internet-based instruction, or an
21 approved program of reading instruction monitored by the parent or
22 legal guardian. School districts shall not be required to pay for
23 the optional program, but shall clearly communicate to the parent or
24

1 legal guardian the expectations of the program and any costs that
2 may be involved.

3 E. Subject to the availability of funds, beginning one (1) year
4 after implementation of this section, the requirements of subsection
5 B of this section may be expanded to apply to ~~fourth-grade student~~
6 ~~promotion to fifth~~ students in fourth grade. Each year thereafter,
7 the requirements may be expanded by one grade level until the
8 requirements apply to third-grade students through eighth-grade
9 students. Summer academy programs shall be designed for each grade
10 level. Nothing in this section shall prevent the State Board of
11 Education or a school district board of education from utilizing
12 private, local, or federal funds to implement this section.

13 F. The State Board of Education shall adopt rules to implement
14 the provisions of this section which shall include requirements for
15 instructional time for summer ~~school~~ academy programs, teacher
16 qualifications, and evaluation of student achievement as a result of
17 summer academy programs or other optional programs.

18 SECTION 6. This act shall become effective July 1, 2024.

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

23

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