STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2672

By: Baker

AS INTRODUCED

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

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

B. Each professional development committee shall include classroom teachers, administrators, school counselors or licensed mental health providers, and parents, guardians or custodians of children in the school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected by a designated administrator of
the school district from a list of names submitted by the teachers in the school district. The members selected shall be subject to the approval of a majority vote of the teachers in the district.

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

1. Increasing the academic performance data scores for the district and each school site;

2. Closing achievement gaps among student subgroups;

3. Increasing student achievement as demonstrated on state-mandated tests and the ACT;

4. Increasing high school graduation rates; and

5. Decreasing college remediation rates.

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

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

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

E. One time per year, beginning in the 2009-2010 school year, training in the area of autism shall be offered and all resident teachers of students in early childhood programs through grade three shall be required to complete the autism training during the resident year and at least one time every three (3) years thereafter. All other teachers and education support professionals of students in early childhood programs through grade three shall be required to complete the autism training at least one time every three (3) years. The autism training shall include a minimum awareness of the characteristics of autistic children, resources available and an introduction to positive behavior supports to challenging behavior. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors.
Districts are authorized to utilize any means for professional development that is not prohibited by law including, but not limited to, professional development provided by the district, any state agency, institution of higher education, or any private entity.

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

1. Training in awareness of dyslexia characteristics in students;
2. Training in effective classroom instruction to meet the needs of students with dyslexia; and
3. Available dyslexia resources for teachers, students and parents.

G. Except as otherwise provided for in this subsection, each certified teacher in this state shall be required by the district board of education to meet the professional development requirements established by the board, or established through the negotiation process. Except as otherwise provided for in this subsection, the professional development requirements established by each board of education shall require every teacher to annually complete a minimum number of the total number of points required to maintain employment. Failure of any teacher to meet district board of
education professional development requirements may be grounds for nonrenewal of such teacher's contract by the board. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher. For the fiscal years ending June 30, 2011, and June 30, 2012, a certified teacher shall not be required to complete any points of the total number of professional development points required. Provided, a teacher may elect to complete some or all of the minimum number of points required for the two (2) fiscal years and any points completed shall be counted toward the total number of points required to maintain employment. If a teacher does not complete some or all of the minimum number of points required for one (1) or both fiscal years, the total number of points required to maintain employment shall be adjusted and reduced by the number of points not completed.

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

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

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

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

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

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

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

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

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

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

1. Assess for phonemic awareness, phonics, reading fluency, vocabulary and comprehension;
2. Document the validity and reliability of each assessment;
3. Can be used for identifying students who are at risk for reading deficiency and progress monitoring throughout the school year;
4. Can be used to assess students with disabilities and English language learners; and
5. Accompanied by a data management system that provides profiles for students, class, grade level and school building. The profiles shall identify each student's instructional point of need and reading achievement level. The State Board shall also determine other comparable reading assessments for diagnostic purposes to be used for students at risk of reading failure. The State Board shall ensure that any assessments approved are in alignment with the subject matter standards adopted by the State Board of Education.

E. 1. The program of reading instruction required in subsections A and B of this section shall align with the subject matter standards adopted by the State Board of Education and shall include provisions of the READ Initiative adopted by the school
district as provided for in subsection P of this section. A program of reading instruction may include, but is not limited to:

a. sufficient additional in-school instructional time for the acquisition of phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,

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

c. assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.

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

a. the parent or guardian of the student,
b. the teacher assigned to the student who had responsibility for reading instruction in that academic year,
c. a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
d. a certified reading specialist, if one is available.

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

G. 1. Every school district shall adopt, and implement a district reading sufficiency plan which has had input from school administrators, teachers, and parents and if possible a reading specialist, and which shall be submitted electronically to and approved by the State Board of Education. The plan shall be updated annually. School districts shall not be required to electronically submit the annual updates to the Board if the last plan submitted to the Board was approved and expenditures for the program include only expenses relating to individual and small group tutoring, purchase of and training in the use of screening and assessment measures, summer school programs and Saturday school programs. If any
expenditure for the program is deleted or changed or any other type of expenditure for the program is implemented, the school district shall be required to submit the latest annual update to the Board for approval. The district reading sufficiency plan shall include a plan for each site which includes an analysis of the data provided by the Oklahoma School Testing Program and other reading assessments utilized as required in this section, and which outlines how each school site will comply with the provisions of the Reading Sufficiency Act. Each year, on or before October 1, a school district shall report to the Board for students enrolled in prekindergarten, kindergarten, first, second, and third grades:

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

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

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

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

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

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

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

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

b. The student shall be promoted to the fourth grade if the team members unanimously recommend probationary promotion to the school principal and the school district superintendent and the principal and superintendent approve the recommendation that promotion is the best option for the student. If a student is allowed a probationary promotion, the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria pursuant to subsection B of this section, for the corresponding grade level in which the student is enrolled or transitions to a locally designed remediation plan
after the fifth grade which shall have the goal of ensuring that the student is on track to be college and career ready.

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

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

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

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

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

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

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

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

6. The grade-level performance scores of the student;
7. That while the results of the statewide assessments administered pursuant to Section 1210.508 of this title are the initial determinant, they are not the sole determiner of promotion and that portfolio reviews and assessments are available; and

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

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

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

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

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

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;
4. Students who demonstrate, through a student portfolio, that
the student is reading on grade level as evidenced by demonstration
of mastery of the state standards beyond the retention level;

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

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

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

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

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

1. Documentation submitted from the teacher of the student to
the school principal that indicates the student meets one of the
good-cause exemptions and promotion of the student is appropriate.

In order to minimize paperwork requirements, the documentation shall
consist only of the alternative assessment results or student
portfolio work and the individual education plan (IEP), as
applicable;

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

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

O. Each school district shall:

1. Conduct a review of the program of reading instruction for
all students who do not meet the performance criteria established by
the Commission for Educational Quality and Accountability on the reading portion of the statewide assessment administered pursuant to Section 1210.508 of this title and did not meet the criteria for one of the good-cause exemptions as set forth in subsection L of this section. The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each retained student;

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

   a. small group instruction,

   b. reduced teacher-student ratios,

   c. more frequent progress monitoring,

   d. tutoring or mentoring,

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

   f. extended school day, week, or year, and
1  g. summer reading academies as provided for in Section 1210.508E of this title, if available;
   
   3. Provide written notification to the parent or guardian of any student who is to be retained as set forth in subsection I of this section that the student has not met the performance criteria required for promotion and was not otherwise promoted and the reasons the student is not eligible for a good-cause exemption. The notification shall include a description of proposed interventions and intensive instructional supports that will be provided to the student to remediate the identified areas of reading deficiency;
   
   4. Implement a policy for the midyear promotion of a retained student who can demonstrate that the student is a successful and independent reader, is reading at or above grade-level targets, and is ready to be promoted to the fourth grade. Tools that school districts may use in reevaluating any retained student may include screening assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating that the student has met the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide third-grade assessment administered pursuant to Section 1210.508 of this title, or upon demonstrating proficiency in reading at the third-grade level through a screening instrument administered pursuant to
subsection B of this section, and upon showing progress sufficient
to master appropriate fourth-grade-level skills, as determined by
the school. A midyear promotion shall be made only upon agreement
of the parent or guardian of the student and the school principal;

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

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

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

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

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

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

3. Provide a reading curriculum that, at a minimum, meets the following specifications:
   a. assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level,
   b. provides skill development in phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,
   c. provides a scientific-research-based and reliable assessment,
   d. provides initial and ongoing analysis of the reading progress of each student, and
   e. is implemented during regular school hours;

4. Establish at each school, where applicable, an Intensive Acceleration Class for retained third-grade students who
subsequently do not meet the performance criteria established by the
Commission for Educational Quality and Accountability on the reading
portion of the statewide assessment administered pursuant to Section
1210.508 of this title. The focus of the Intensive Acceleration
Class shall be to increase the reading level of a child at least two
grade levels in one (1) school year. The Intensive Acceleration
Class shall:

a. be provided to any student in the third grade who does
not meet the performance criteria established by the
Commission for Educational Quality and Accountability
on the reading portion of the statewide assessments
and who was retained in the third grade the prior year
because of not meeting the performance criteria on the
reading portion of the statewide assessments,

b. have a reduced teacher-student ratio,

c. provide uninterrupted reading instruction for the
majority of student contact time each day and
incorporate opportunities to master the fourth-grade
state standards in other core subject areas,

d. use a reading program that is scientific-research-
based and has proven results in accelerating student
reading achievement within the same school year,
e. provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist, and

f. include weekly progress monitoring measures to ensure progress is being made;

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

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

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

a. the provisions of this section relating to public school student progression and the policies and
procedures of the school district on student retention
and promotion,
b. the number and percentage of all students in grade
three that did not meet the performance criteria
established by the Commission for Educational Quality
and Accountability on the reading portion of the
statewide assessment administered pursuant to Section
1210.508 of this title,
c. by grade, the number and percentage of all students
retained in grades three through ten,
d. information on the total number and percentage of
students who were promoted for good cause, by each
category of good cause as specified above, and

e. any revisions to the policies of the school district
on student retention and promotion from the prior
year.

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

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

S. On or before January 31 of each year, the State Department of Education shall issue to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and members of the Senate and House of Representatives Education Committees a Reading Sufficiency Report which shall include, but is not limited to, trend data detailing three (3) years of data, disaggregated by student subgroups to include economically disadvantaged, major racial or ethnic groups, students with disabilities, and English language learners, as appropriate for the following:

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

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

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

4. The number and percentage of students that meet or do not
meet the performance criteria established by the Commission for
Educational Quality and Accountability on the reading portion of the
statewide third-grade assessment administered pursuant to Section
1210.508 of this title;

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

6. Data tracking the progression of students promoted through
each of the good-cause exemptions as provided for in subsection L of
this section and students promoted through probationary promotion or
students who are retained in third grade as provided for in
subsection I of this section. The data shall include but not be
limited to information regarding whether students graduate on time;

7. The amount of funds for reading remediation received by each
district;
8. An evaluation and narrative interpretation of the report data analyzing the impact of the Reading Sufficiency Act on students' ability to read at grade level;

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

10. Socioeconomic information, access to reading resources outside of school and screening for and identification of learning disabilities for students not reading at the appropriate grade level by third grade;

11. The types of intensive remediation efforts being conducted by school districts to identify best practices for students that are not reading at the appropriate grade level and are not retained under the provisions of this section; and

12. Any recommendations for improvements or amendments to the Reading Sufficiency Act.

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

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

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

Section 1210.508D A. Contingent on the provision of appropriated funds designated for the Reading Sufficiency Act,
school districts may be allocated monies for each enrolled kindergarten student or first-, second- and third-grade student based on the average daily attendance of those students from the current previous school year, including any student who has been retained in the third grade pursuant to Section 1210.508C of this title, who is found to be in need of remediation or intervention in reading. The allocation shall be distributed to each school district upon approval of the reading sufficiency plan for the school district by the State Department of Education and the submittal of a child-count report to the Department that details the number of students identified as needing remediation or intervention in reading average daily attendance numbers. To determine a per-student allocation amount, the total amount of funds available for allocation each year shall be divided by the total number of students in the state identified as in need of remediation or intervention in reading as provided for in Section 1210.508C of this title based on the average daily attendance from the previous school year. Each school district shall be allocated an amount equal to the per-student allocation amount multiplied by the number average daily attendance of identified students enrolled from the previous school year in the school district.

1. School districts shall use monies generated by the Reading Sufficiency Act only for instructional purposes and professional development based on the plan submitted to the Department intended
to improve reading proficiency for students in kindergarten and first, second, and third grades with particular emphasis on students in kindergarten and first and second grade.

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

B. Beginning with the 2022-2023 school year, districts receiving more than Two Thousand Five Hundred Dollars ($2,500.00) pursuant to subsection A of this section shall spend no less than ten percent (10%) to provide professional development for teachers teaching prekindergarten through grade five. The professional development shall include training in the science of how students learn to read as well as instructional materials required for implementation.
C. By June 30, 2022, the Department shall approve and publish a list of professional development programs that are evidence-based and directly address the cognitive science of how students learn to read for which districts are permitted to use the funds received under this section.

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

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

A. Beginning with the 2023-2024 school year, the State Department of Education shall retain no less than ten percent (10%) of funds appropriated for the Reading Sufficiency Act to employ a literacy instructional team to support school districts in implementation of the requirements of Section 1210.508C of Title 70 of the Oklahoma Statutes. The Department shall provide technical assistance for literacy instruction, dyslexia and related disorders, and serve as a primary source of information and support for schools in addressing the needs of students struggling with literacy, dyslexia and related disorders. The Department shall develop
program implementation guidance for school districts to assist schools in administering an effective kindergarten through third grade evidence-based reading program plan. The guidance shall include identifying and recommending appropriate program expenditures, providing technical oversight and assistance for annually updating reading program plans, selecting and adopting evidence-based reading curricula, and providing and promoting teacher professional development that is based on evidence-based reading research.

B. The Department shall employ a literacy instructional team with team members who are placed regionally across the state. The literacy instructional teams shall assist general education and special education teachers in recognizing educational needs to improve literacy outcomes for all students including those with dyslexia or identified with the risk characteristics associated with dyslexia. The role of the literacy instructional team shall also include increasing professional awareness and instructional competencies to meet the educational needs of all students including those with dyslexia or identified with risk characteristics associated with dyslexia. The Department shall prioritize supports and interventions, including enrollment in reading trainings and professional development, for schools which have the highest percentage of students who do not demonstrate sufficient reading skills as established by the State Board of Education.
C. Literacy instructional team members employed by the Department shall have training in:

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

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

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

4. The requirements of the Reading Sufficiency Act;

5. Special education laws and procedures; and

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

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

1. A minimum of five regional literacy leads, at least one who shall be designated by the Department as a dyslexia specialist to provide school districts with support and resources that are necessary to assist students with dyslexia. The Department shall give preference to educators applying for regional literacy lead who:
a. have an endorsement or certification as a certified structured literacy dyslexia specialist or certified academic language therapist,

b. are knowledgeable of multitiered systems of support; and

c. have been trained in the identification of and intervention for dyslexia and related disorders, including best practice interventions and treatment models for dyslexia; and

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

   a. have training in the science of reading,

   b. are knowledgeable of multitiered systems of support, and

   c. have been trained in the identification of and intervention for dyslexia and related disorders, including best practice interventions and treatment models for dyslexia.

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

SECTION 6. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and
be in full force from and after its passage and approval.

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