

1 AN ACT relating to early literacy education and making an appropriation therefor.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.791 is amended to read as follows:

4 (1) The General Assembly hereby finds that reading proficiency is a gateway skill
5 necessary for all of Kentucky students to achieve the academic goals established in
6 KRS 158.6451. It is Kentucky's goal that all children learn to read well before
7 exiting the primary program and that all middle and high school students have the
8 skills necessary to read complex materials in specific core subjects and comprehend
9 and constructively apply the information.

10 (2) It is the intent of the General Assembly that:

11 (a) Every elementary school:

12 1. Provide~~[-a]~~ comprehensive schoolwide reading ***instruction aligned to***
13 ***reading and writing standards required by KRS 158.6453 and outlined***
14 ***in administrative regulation as promulgated by the Kentucky Board of***
15 ***Education***~~[program];~~

16 2. Provide ***a multi-tiered system of supports, as defined under and***
17 ***required by Section 2 of this Act, to support and engage all students in***
18 ***learning***~~[diagnostic reading assessments and intervention services for~~
19 ~~those students who need them to learn]~~ to read at the proficient level,
20 ***meaning a level that reflects developmentally appropriate grade-level***
21 ***performance, by the end of grade three (3);***

22 3. Ensure quality instruction by highly trained teachers ***and intervention by***
23 ***individuals most qualified to provide the intervention;*** and

24 4. Provide high quality library media programs;

25 (b) Every middle and high school:

26 1. Provide direct, explicit instruction to students lacking skills in how to
27 read, learn, and analyze information in key subjects, including language,

1 reading, English, mathematics, science, social studies, arts and
 2 humanities, practical living skills, and career studies; and

3 2. Ensure that teachers have the skills to help all students develop critical
 4 strategies and skills for subject-based reading;

5 (c) The Kentucky Department of Education provide technical assistance to local
 6 school districts in the identification of professional development activities,
 7 including teaching strategies to help teachers in each subject area to:

8 1. Implement evidence-based reading, intervention, and instructional
 9 strategies that emphasize phonemic awareness, phonics, fluency,
 10 vocabulary, comprehension, and connections between reading and
 11 writing acquisition, and motivation to read to address the diverse
 12 needs of students;

13 2. Identify and teach the skills that students need to comprehend the
 14 concepts and content of each subject area; and

15 3.~~[2.]~~ Use activities and materials that will help the students comprehend and
 16 constructively apply information based on the unique content of each
 17 subject area;~~[and]~~

18 (d) The Education Professional Standards Board review and revise when deemed
 19 necessary the teacher certification and licensure requirements to ensure that all
 20 teachers, regardless of the subject area taught, are prepared to improve
 21 students' subject reading skills; and

22 (e) The department shall collaborate with the Department for Libraries and
 23 Archives, the Governor's Office of Early Childhood, and Kentucky
 24 Educational Television to establish and maintain a partnership to support
 25 the use of high quality, evidence-based year-round programming, materials,
 26 and activities for elementary-aged children in the areas of reading.

27 ➔Section 2. KRS 158.305 is amended to read as follows:

- 1 (1) As used in this section:
- 2 (a) **"Accelerated learning" has the same meaning as in KRS 158.6453;**
- 3 (b) "Aphasia" means a condition characterized by either partial or total loss of the
4 ability to communicate verbally or through written words. A person with
5 aphasia may have difficulty speaking, reading, writing, recognizing the names
6 of objects, or understanding what other people have said. The condition may
7 be temporary or permanent and does not include speech problems caused by
8 loss of muscle control;
- 9 (c) **"Comprehensive reading program" has the same meaning as in Section 5**
10 **of this Act;**
- 11 (d)~~(b)~~ "Dyscalculia" means the inability to understand the meaning of numbers,
12 the basic operations of addition and subtraction, the complex operations of
13 multiplication and division, or to apply math principles to solve practical or
14 abstract problems;
- 15 (e)~~(c)~~ "Dysgraphia" means difficulty in automatically remembering and
16 mastering the sequence of muscle motor movements needed to accurately
17 write letters or numbers;
- 18 (f)~~(d)~~ "Dyslexia" has the same meaning as in KRS 158.307;
- 19 (g) **"Enrichment program" means accelerated intervention within the school**
20 **day or outside of the school day or school calendar led by individuals most**
21 **qualified to provide the intervention that includes evidence-based reading**
22 **instructional programming related to reading instruction in the areas of**
23 **phonemic awareness, phonics, fluency, vocabulary, and comprehension,**
24 **and other instructional strategies aligned to reading and writing standards**
25 **required by KRS 158.6453 and outlined in administrative regulation as**
26 **promulgated by the Kentucky Board of Education;**
- 27 (h) **"Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);**

- 1 (i) "Formative assessment" has the same meaning as in KRS 158.6453;
2 ~~(j)(e)~~ "Phonemic awareness" has the same meaning as in KRS 158.307;~~and~~
3 (k) "Reading diagnostic assessment" has the same meaning as in Section 4 of
4 this Act;
5 (l) "Reading improvement plan" means an accelerated intervention plan for a
6 student in kindergarten through grade four (4) that is developed to increase
7 a student's rate of progress toward proficient performance in reading that is
8 identified as necessary based on the student's results on an approved
9 reading diagnostic assessment. This plan should be developed in
10 collaboration and accordance with any existing Program Services Plan,
11 Individualized Education Program, or 504 Plan unless the Program
12 Services Plan, Individualized Education Program, or 504 Plan already
13 addresses improving reading;
14 (m) "Reading improvement team" means a team that develops and oversees the
15 progress of a reading improvement plan and includes:
16 1. The parent or guardian of the student that is the subject of the reading
17 improvement plan;
18 2. No less than one (1) regular education teacher of the student to
19 provide information about the general curriculum for same-aged
20 peers;
21 3. A representative of the local education agency who is knowledgeable
22 about the reading curriculum and the availability of the evidence-
23 based literacy resources of the local education agency; and
24 4. Any specialized certified school employees for students receiving
25 language instruction educational programming or special education
26 services; and
27 (n) "Universal screener" means a process of providing a brief assessment to all

1 students within a grade level to assess the students' performance on the
 2 essential components of reading;

3 (f) ~~"Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21).~~

4 (2) Notwithstanding any other statute or administrative regulation to the contrary, the
 5 Kentucky Board of Education shall promulgate administrative regulations to define
 6 a multi-tiered system of supports for district-wide use ~~of a response-to-~~
 7 ~~intervention system~~ for students in kindergarten through grade three (3). Evidence
 8 of implementation shall be submitted by the district to the department by October
 9 1 of each year. The multi-tiered system of supports shall include but not be
 10 limited to ~~that includes~~;

11 (a) A tiered continuum of interventions with varying levels of intensity and
 12 duration and which connects general, compensatory, and special education
 13 programs to provide interventions implemented with fidelity to evidence-
 14 based research and matched to individual student strengths and needs ~~;~~;

15 (b) A response-to-intervention system; and

16 (c) The activities required under this section and KRS 158.649 ~~At a minimum,~~
 17 ~~evidence of implementation shall be submitted by the district to the~~
 18 ~~department for:~~

19 (a) ~~Reading and writing by August 1, 2013;~~

20 (b) ~~Mathematics by August 1, 2014; and~~

21 (c) ~~Behavior by August 1, 2015~~].

22 (3) The Department of Education shall provide technical assistance and training, if
 23 requested by a local district, to assist in the implementation of the district-wide,
 24 multi-tiered system of supports ~~response-to-intervention system~~ as a means to
 25 identify and assist any student experiencing difficulty in reading, writing,
 26 mathematics, or behavior and to determine appropriate instructional modifications
 27 needed by advanced learners to make continuous progress.

- 1 (4) The technical assistance and training shall be designed to improve:
- 2 (a) The use of specific screening processes and programs to identify student
- 3 strengths and needs;
- 4 (b) The use of screening data for designing instructional interventions;
- 5 (c) The use of multisensory instructional strategies and other interventions
- 6 validated for effectiveness by evidence-based research;
- 7 (d) Progress monitoring of student performance; and
- 8 (e) Accelerated, intensive, direct instruction that addresses students' individual
- 9 differences, including advanced learners, and enables students that are
- 10 experiencing difficulty to catch up with typically performing peers.
- 11 **(5) (a) By January 1, 2022, each local school board or public charter school board**
- 12 **of directors shall adopt:**
- 13 **1. At least one (1) universal screener for reading that is determined by**
- 14 **the department to be reliable and valid to be administered to all**
- 15 **students in kindergarten through grade three (3); and**
- 16 **2. At least one (1) reading diagnostic assessment for reading that is**
- 17 **determined by the department to be reliable and valid to be**
- 18 **administered as part of a multi-tiered system of supports for students**
- 19 **in kindergarten through grade three (3).**
- 20 **(b) Notwithstanding KRS 158.6453(19) and 160.345, each local school board or**
- 21 **public charter school board may adopt a common comprehensive reading**
- 22 **program that is determined by the department to be reliable, valid, and**
- 23 **aligned to reading and writing standards required by KRS 158.6453 and**
- 24 **outlined in administrative regulation as promulgated by the Kentucky**
- 25 **Board of Education for kindergarten through grade three (3) for all schools**
- 26 **or a subset of schools.**
- 27 **(c) All teachers for students in kindergarten through grade three (3), including**

1 public charter school teachers, shall be trained on any reading diagnostic
2 assessment and universal screener adopted by the local board or public
3 charter school board prior to administration of the assessment. The training
4 shall address:

- 5 1. How to properly administer the reading diagnostic assessment;
- 6 2. How to interpret the results of the reading diagnostic assessment to
7 identify students needing interventions;
- 8 3. How to use the assessment results to design instruction and
9 interventions;
- 10 4. The use the assessment to monitor the progress of student
11 performance; and
- 12 5. The use of accelerated, intensive, and direct instruction that addresses
13 students' individual differences and enables students to achieve
14 proficiency in reading, including but not limited to daily, one-on-one
15 instruction.

16 (6) Beginning with the 2022-2023 school year, a universal screener approved by the
17 Department of Education shall be:

- 18 (a) Given in the first forty-five (45) days of the school year for all kindergarten
19 students at a public school or public charter school; and
- 20 (b) Given in the first thirty (30) days of the school year for grades one (1)
21 through three (3) at a public school or public charter school.

22 (7) A reading improvement plan shall be developed and implemented by a reading
23 improvement team for any student in kindergarten through grade three (3)
24 identified as needing accelerated interventions to progress toward proficient
25 performance in reading. The reading improvement plan shall require:

- 26 (a) Intensive intervention that includes effective instructional strategies and
27 appropriate instructional materials necessary to help the student make

- 1 accelerated progress toward proficient performance in reading and become
2 ready for the next grade, which may include response to intervention
3 instruction provided by certified teachers specifically trained to provide one-
4 on-one instruction to students with the greatest need;
- 5 (b) A school to provide a written quarterly progress report containing the
6 information required by paragraph (a) of this subsection to a parent or
7 guardian of any student subject to a reading improvement plan. The written
8 quarterly progress report for the reading improvement plan may be included
9 in the school's existing quarterly progress report; and
- 10 (c) Individual placement decisions for children who are eligible for special
11 education and related services to be determined by the appropriate
12 admissions and release committee in accordance with administrative
13 regulations promulgated by the Kentucky Board of Education.
- 14 (8) Beginning in the 2022-2023 school year, if a student's rate of progress toward
15 proficient performance in reading needs accelerated interventions as
16 demonstrated by the results of an approved reading diagnostic assessment, the
17 local school district shall provide:
- 18 (a) Enrichment programs through grade three (3) using evidence-based
19 reading instruction and other strategies;
- 20 (b) Intensive instructional services, progress monitoring measures, and
21 supports to students through grade three (3); and
- 22 (c) Parents and legal guardians of students identified for accelerated
23 interventions in reading in kindergarten through grade three (3) with a
24 "Read at Home" plan, including information on how to participate in
25 regular parent-guided home reading.
- 26 (9) Beginning in the 2023-2024 school year, if a student does not score in the
27 proficient performance level or higher in reading, as defined in subsection (2) of

1 Section 1 of this Act, on the state annually required grade three (3) assessment,
 2 the local school district shall provide:

3 (a) 1. Enrichment programs in grade four (4) using evidence-based reading
 4 instruction and other strategies; or

5 2. Intensive instructional services, progress monitoring measures, and
 6 supports to students in grade four (4); and

7 (b) Written notification of the interventions and supports described in
 8 paragraph (a) of this subsection to the parent or legal guardian of the
 9 student, including a description of proposed interventions and supports to
 10 be provided.

11 (10) By September 1, 2022, if funds are appropriated to the literacy coaching fund, the
 12 department shall establish required teacher academies or coaching models for
 13 teachers of students in pre-kindergarten through grade three (3). The teacher
 14 academies or coaching models shall be related to evidence-based practices in
 15 instruction, instructional materials, and assessment in reading.

16 ~~(11)~~⁽⁵⁾ The department shall develop and maintain a Web-based resource providing
 17 teachers access to:

18 (a) Information on the use of specific screening processes and programs to
 19 identify student strengths and needs, including those for advanced learners;

20 (b) Current, evidence-based research and age-appropriate instructional tools that
 21 may be used for substantial, steady improvement in:

22 1. Reading when a student is experiencing difficulty with phonemic
 23 awareness, phonics, vocabulary, fluency, general reading
 24 comprehension, or reading in specific content areas, or is exhibiting
 25 characteristics of dyslexia, aphasia, or other reading difficulties;

26 2. Writing when a student is experiencing difficulty with consistently
 27 producing letters or numbers with accuracy or is exhibiting

- 1 characteristics of dysgraphia;
- 2 3. Mathematics when a student is experiencing difficulty with basic math
- 3 facts, calculations, or application through problem solving, or is
- 4 exhibiting characteristics of dyscalculia or other mathematical
- 5 difficulties; or
- 6 4. Behavior when a student is exhibiting behaviors that interfere with his or
- 7 her learning or the learning of other students; and
- 8 (c) Current, evidence-based research and age-appropriate instructional tools that
- 9 may be used for continuous progress of advanced learners.

10 ~~(12)~~~~(6)~~ The department shall encourage districts to utilize both state and federal funds

11 as appropriate to implement a district-wide multi-tiered system of supports~~system~~

12 ~~of interventions~~.

13 ~~(13)~~~~(7)~~ The department is encouraged to coordinate technical assistance and training

14 on current best practice interventions with state postsecondary education

15 institutions.

16 ~~(14)~~~~(8)~~ The department shall collaborate with the Kentucky Collaborative Center for

17 Literacy Development, the Kentucky Center for Mathematics, the Kentucky Center

18 for Instructional Discipline, the Education Professional Standards Board, the

19 Council on Postsecondary Education, postsecondary teacher education programs,

20 and other agencies and organizations as deemed appropriate to ensure that teachers

21 are prepared to utilize evidence-based interventions in reading, writing,

22 mathematics, and behavior.

23 ~~(15)~~~~(9)~~ In compliance with 20 U.S.C. sec. 1414(a)(1)(E), screening of a student to

24 determine appropriate instructional strategies for curriculum implementation shall

25 not be considered to be an evaluation for eligibility for special education and related

26 services and nothing in this section shall limit a school district from completing an

27 initial evaluation of a student suspected of having a disability.

1 ~~[(10) By November 30, 2013, and annually thereafter, the department shall provide a~~
 2 ~~report to the Interim Joint Committee on Education that includes survey data on the~~
 3 ~~types of evidence-based research interventions being implemented by districts in~~
 4 ~~reading, writing, mathematics, and behavior in kindergarten through grade three~~
 5 ~~(3).]~~

6 ➔ SECTION 3. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
 7 READ AS FOLLOWS:

8 *(1) Beginning in the 2021-2022 school year, postsecondary institutions offering*
 9 *teacher preparation programs for interdisciplinary early childhood education or*
 10 *elementary regular education shall include evidence-based reading instructional*
 11 *programming related to reading instruction in the areas of phonemic awareness,*
 12 *phonics, fluency, vocabulary, and comprehension and on:*

13 *(a) The administration of specific assessment processes and programs used to*
 14 *identify student strengths and needs and that are approved by the*
 15 *Department of Education in accordance with subsection (4) of Section 2 of*
 16 *this Act;*

17 *(b) The use of assessment data for designing instruction and interventions;*

18 *(c) Progress monitoring of student performance; and*

19 *(d) Instructional strategies that address students' individual differences.*

20 *(2) By January 1, 2023, the Education Professional Standards Board shall develop*
 21 *and maintain a list of approved teacher preparation tests that are determined by*
 22 *the board to be an effective evaluation of reading instruction knowledge and*
 23 *skills.*

24 *(3) Beginning in the 2023-2024 school year, all new teachers seeking certification in*
 25 *Interdisciplinary Early Childhood Education or Elementary School shall*
 26 *successfully pass an approved teacher preparation test that includes an*
 27 *evaluation of reading instruction knowledge and skills.*

1 **(4) The Education Professional Standards Board shall report program data to an**
2 **external evaluator for analysis of postsecondary teacher preparation programs**
3 **for interdisciplinary early childhood education or elementary regular education**
4 **for the goal of increasing the success of new teacher candidates in demonstrating**
5 **reading instruction knowledge and skills.**

6 ➔Section 4. KRS 158.840 is amended to read as follows:

7 (1) The General Assembly hereby finds that reading and mathematics proficiency are
8 gateway skills necessary for all Kentucky students to achieve the academic goals
9 established in KRS 158.6451. It is the General Assembly's intent that:

10 (a) All students in the primary program having difficulty in reading and
11 mathematics receive early diagnosis and intervention services from highly
12 trained teachers;

13 (b) All students demonstrate proficiency in reading and mathematics as they
14 progress through the relevant curricula and complete each assessment level
15 required by the Kentucky Board of Education for the state assessment program
16 established under KRS 158.6453 and in compliance with the requirements of
17 the federal Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its
18 successor; and

19 (c) Students who are struggling in reading and mathematics or are not at the
20 proficient level on statewide assessments be provided research-based and
21 developmentally appropriate diagnostic and intervention services, and
22 instructional modifications necessary to learn.

23 The General Assembly, the Kentucky Board of Education, the Kentucky
24 Department of Education, the Council on Postsecondary Education, colleges and
25 universities, local boards of education, school administrators, school councils,
26 teachers, parents, and other educational entities, such as the Education Professional
27 Standards Board, P-16 councils, the Collaborative Center for Literacy Development,

1 and the Center for Middle School Achievement must collaborate if the intentions
2 specified in this subsection are to be met. Intensive focus on student achievement in
3 reading and mathematics does not negate the responsibility of any entity to help
4 students obtain proficiency in other core curriculum content areas.

5 (2) The General Assembly's role is to set policies that address the achievement levels of
6 all students and provide resources for the professional growth of teachers and
7 administrators, assessing students' academic achievement, including diagnostic
8 assessment and instructional interventions, technology innovations, targeted reading
9 and mathematics statewide initiatives, research and the distribution of research
10 findings, services for students beyond the regular school day, and other services
11 needed to help struggling learners.

12 (3) The Kentucky Board of Education shall regularly review and modify, when
13 appropriate, its statewide assessment policies and practices to enable local school
14 districts and schools to carry out the provisions of the statewide assessment and
15 accountability system, required under KRS 158.6453 to improve student
16 achievement in mathematics and reading.

17 (4) The Kentucky Department of Education shall:

18 (a) Provide assistance to schools and teachers, including publicizing professional
19 development opportunities, methods of measuring effective professional
20 development, the availability of high quality instructional materials, and
21 developmentally appropriate screening and diagnostic assessments of student
22 competency in mathematics and reading. The department shall provide access
23 to samples of units of study, annotated student work, diagnostic instruments,
24 and research findings, and give guidance on parental engagement;

25 (b) Work with state and national educators and subject-matter experts to identify
26 student reading skills in each subject area that align with the state content
27 standards adopted under KRS 158.6453 and identify teaching strategies in

1 each subject area that can be used explicitly to develop the identified reading
2 skills under this paragraph;

3 (c) Encourage the development of comprehensive middle and high school
4 adolescent reading plans to be incorporated into the curricula of each subject
5 area to improve the reading comprehension of all students;

6 (d) Conduct an annual review of the state grant programs it manages and make
7 recommendations, when needed, to the Interim Joint Committee on Education
8 for changes to statutory requirements that are necessary to gain a greater return
9 on investment;

10 (e) Provide administrative support and oversight to programs to train classroom
11 coaches and mentors to help teachers with reading and mathematics
12 instruction; and

13 (f) Require no reporting of instructional plans, formative assessment results, staff
14 effectiveness processes, or interventions implemented in the classroom,
15 except for:

16 1. Interventions implemented under KRS 158.305(2);

17 2. Funds provided under KRS 158.792 or 158.844; or

18 3. Schools that are identified for comprehensive support and improvement
19 and fail to exit comprehensive support and improvement status after
20 three (3) consecutive years of implementing the turnaround intervention
21 process as described in KRS 160.346.

22 (5) The Council on Postsecondary Education, in cooperation with the Education
23 Professional Standards Board, shall exercise its duties and functions under KRS
24 164.020 to ensure that teacher education programs are fulfilling the needs of
25 Kentucky for highly skilled teachers. The council shall:

26 (a) Coordinate the federal and state grant programs it administers with other
27 statewide initiatives relating to improving student achievement in reading and

1 mathematics to avoid duplication of effort and to make efficient use of
2 resources;[-]

3 **(b) Submit a report to the Interim Joint Committee on Education no later than**
4 **November 1 of each year summarizing the compliance of each teacher**
5 **preparation program for interdisciplinary early childhood education or**
6 **elementary regular education to the instructional requirements set forth in**
7 **subsection (1) of Section 3 of this Act; and**

8 **(c) Regularly report program data to an external evaluator for an analysis of**
9 **the progress of teacher preparation programs for interdisciplinary early**
10 **childhood education and elementary regular education to increase the**
11 **success of new teacher candidates in demonstrating reading instruction**
12 **knowledge and skills.**

13 (6) The Education Professional Standards Board shall exercise its duties and
14 responsibilities under KRS 161.030 and 161.048 to ensure highly qualified teachers.

15 (7) Colleges and universities shall:

16 (a) Utilize institution-wide resources to work with elementary and secondary
17 educators and other entities to align curriculum content to ensure that students
18 who achieve proficiency on standards established at the prekindergarten
19 through secondary levels will require no remediation to successfully enter a
20 postsecondary education program;

21 (b) Provide quality undergraduate teacher preparation programs to ensure that
22 those preparing to teach reading or mathematics at all grade levels have the
23 necessary content knowledge, assessment and diagnostic skills, and teaching
24 methodologies and that teachers in all subject areas have the requisite skills
25 for helping students at all grade levels develop critical strategies and skills for
26 reading and comprehending subject matter;

27 (c) Deliver appropriate continuing education for teachers in reading and

- 1 mathematics through institutes, graduate level courses, and other professional
2 development activities that support a statewide agenda for improving student
3 achievement in reading and mathematics;
- 4 (d) Conduct or assist with research on best practices in assessment, intervention
5 strategies, teaching methodologies, costs and effectiveness of instructional
6 models, and other factors as appropriate to reading and mathematics;
- 7 (e) Provide staff to consult and provide technical assistance to teachers, staff, and
8 administrators at elementary, middle, and secondary school sites;
- 9 (f) Assume active roles in the statewide initiatives referenced in KRS 156.553
10 and 158.842; and
- 11 (g) Develop written procedures for measuring the effectiveness of activities
12 outlined in paragraphs (a) to (e) of this subsection.
- 13 (8) School councils at all school levels are encouraged to identify and allocate resources
14 to qualified teachers to become coaches or mentors in mathematics or coaches or
15 mentors in reading with a focus on improving student achievement in their
16 respective schools.
- 17 (9) Local school boards and superintendents shall provide local resources, whenever
18 possible, to supplement or match state and federal resources to support teachers,
19 school administrators, and school councils in helping students achieve proficiency
20 in reading and mathematics.
- 21 (10) Local school superintendents shall provide leadership and resources to the
22 principals of all schools to facilitate curriculum alignment, communications, and
23 technical support among schools to ensure that students are academically prepared
24 to move to the next level of schooling.
- 25 ➔Section 5. KRS 158.792 is amended to read as follows:
- 26 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:
- 27 (a) "Comprehensive reading program" means any print, nonprint, or electronic

1 medium of reading instruction designed to assist students. For students in
 2 kindergarten through grade three (3),~~[a]~~ program instructional resources
 3 shall include instruction in five (5) key areas~~[that emphasizes the essential~~
 4 ~~components of reading]: phonemic awareness, phonics, fluency, vocabulary,~~
 5 and comprehension;~~[-, and connections between writing and reading~~
 6 ~~acquisition and motivation to read.]~~

7 (b) "Reading diagnostic assessment" means an assessment that measures a
 8 student's skills against established performance levels in essential
 9 components of reading and identifies students that require intervention in
 10 at least one (1) of those components to accelerate the student's progress
 11 toward proficient performance in reading;~~[means an assessment that~~
 12 ~~identifies a struggling reader and measures the reader's skills against~~
 13 ~~established performance levels in the essential components of reading. The~~
 14 ~~purpose is to screen for areas that require intervention in order for the student~~
 15 ~~to learn to read proficiently.]~~

16 (c) "Reading intervention program" means short-term intensive instruction in the
 17 essential skills necessary to read proficiently that is provided to a student by a
 18 highly trained teacher. This instruction may be conducted one-on-one or in
 19 small groups; shall be evidence~~[research]~~-based, reliable, and replicable; and
 20 shall be based on the ongoing assessment of individual student needs; and~~[-]~~

21 (d) "Reliable, replicable evidence~~[research]~~" means objective, valid, scientific
 22 studies that:

- 23 1. Include rigorously defined samples of subjects that are sufficiently large
 24 and representative to support the general conclusions drawn;
- 25 2. Rely on measurements that meet established standards of reliability and
 26 validity;
- 27 3. Test competing theories, where multiple theories exist;

- 1 4. Are subjected to peer review before their results are published; and
- 2 5. Discover effective strategies for improving reading skills.
- 3 (2) The reading diagnostic and intervention fund is created to help teachers and library
- 4 media specialists improve the reading skills of struggling readers in the primary
- 5 program. The Department of Education, upon the recommendation of the **Read to**
- 6 **Succeed Council**~~Reading Diagnostic and Intervention Grant Steering Committee~~,
- 7 shall provide renewable, two (2) year grants to schools to support teachers in the
- 8 implementation of reliable, replicable **evidence**~~research~~-based reading intervention
- 9 programs that use a balance of diagnostic tools and instructional strategies that
- 10 emphasize phonemic awareness, phonics, fluency, vocabulary, comprehension, and
- 11 connections between writing and reading acquisition and motivation to read to
- 12 address the diverse learning needs of those students reading at low levels. Any
- 13 moneys in the fund at the close of the fiscal year shall not lapse but shall be carried
- 14 forward to be used for the purposes specified in this section.
- 15 (3) (a) The Kentucky Board of Education shall promulgate administrative
- 16 regulations, based on recommendations from the **Department of Education**
- 17 **and Read to Succeed Council**~~secretary of the Education and Workforce~~
- 18 Development Cabinet, the Reading Diagnostic and Intervention Grant
- 19 Steering Committee established in KRS 158.794, and the Collaborative
- 20 Center for Literacy Development established in KRS 164.0207] to:
- 21 1. Identify eligible grant applicants, taking into consideration how the grant
- 22 program described in this section will relate to other grant programs;
- 23 2. Specify the criteria for acceptable **reading and literacy** diagnostic
- 24 assessments and intervention programs;
- 25 3. ~~Specify the criteria for acceptable ongoing assessment of each child to~~
- 26 ~~determine his or her reading progress;~~
- 27 4. ~~Establish the minimum evaluation process for an annual review of each~~

- 1 grant recipient's program and progress;
- 2 ~~4.15.1~~ Identify the annual data that must be provided from grant recipients;
- 3 ~~5.16.1~~ Define the application review and approval process;
- 4 ~~6.17.1~~ Establish matching requirements deemed necessary;
- 5 ~~7.18.1~~ Define the professional development and continuing education
- 6 requirements for teachers, library media specialists, administrators, and
- 7 staff of grant recipients;
- 8 ~~8.19.1~~ Establish the conditions for renewal of a two (2) year grant; and
- 9 ~~9.10.1~~ Specify other conditions necessary to implement the purposes of
- 10 this section.

11 (b) The board shall require that a grant applicant provide assurances that the

12 following principles will be met if the applicant's request for funding is

13 approved:

- 14 1. A research-based comprehensive schoolwide reading program will be
- 15 available;
- 16 2. Intervention services will supplement, not replace, regular classroom
- 17 instruction;
- 18 3. Intervention services will be provided to struggling primary program
- 19 readers within the school based upon ongoing assessment of their needs;
- 20 and
- 21 4. A system for informing parents of struggling readers of the available
- 22 family literacy services within the district will be established.

23 (4) In order to qualify for funding, the school council, or if none exists, the principal or

24 the superintendent of schools, shall allocate matching funds required by grant

25 recipients under subsection (3) of this section. Funding for professional

26 development allocated to the school council under KRS 160.345 and for continuing

27 education under KRS 158.070 may be used as part of the school's match.

- 1 (5) The Department of Education shall make available to schools:
- 2 (a) Information concerning successful, evidence~~[research]~~-based comprehensive
- 3 reading programs, diagnostic tools for pre- and post-assessment, and
- 4 intervention programs, from the Collaborative Center for Literacy
- 5 Development created under KRS 164.0207;
- 6 (b) Strategies for successfully implementing early reading programs, including
- 7 professional development support and the identification of funding sources;
- 8 and
- 9 (c) A list of professional development providers offering teacher training related
- 10 to reading that emphasizes the essential components for successful reading:
- 11 phonemic awareness, phonics, fluency, vocabulary, comprehension, and
- 12 connections between writing and reading acquisition and motivation to read.
- 13 (6) The Department of Education shall submit a report to the Interim Joint Committee
- 14 on Education no later than September 1 of each year outlining the use of grant
- 15 funds. The report shall also include comparisons of the overall costs and
- 16 effectiveness of intervention programs. The annual report for an odd-numbered year
- 17 shall include an estimate of the cost to expand the reading diagnostic and
- 18 intervention grant program.

19 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO

20 READ AS FOLLOWS:

21 *(1) A literacy coaching fund is hereby created to train and support teachers and*

22 *library media specialists to improve the reading skills of students in kindergarten*

23 *through grade three (3) as set forth in subsection (5) of Section 2 of this Act. The*

24 *Department of Education, upon the recommendation of the Read to Succeed*

25 *Council, shall utilize the fund to create a literacy coaching program. The*

26 *program shall:*

27 *(a) Use data coaches to improve reading and literacy;*

1 (b) Determine the effectiveness of intensive data-focused professional
 2 development; and

3 (c) Provide expert support in literacy and early reading instruction and
 4 intervention.

5 (2) The Kentucky Board of Education shall promulgate administrative regulations,
 6 based on recommendations from the Department of Education and Read to
 7 Succeed Council to establish a school selection process with a focus on those with
 8 the most need, professional learning supports in literacy, and early reading
 9 instruction.

10 (3) The Department of Education shall submit a report to the Interim Joint
 11 Committee on Education no later than November 1 of each year outlining the use
 12 of the literacy coaching funds.

13 (4) The Department of Education shall report program data to an external evaluator
 14 for analysis of the program's success in meeting the goal of increasing early
 15 literacy student outcomes.

16 ➔Section 7. KRS 158.794 is amended to read as follows:

17 (1) The Read to Succeed Council~~[Reading Diagnostic and Intervention Grant Steering~~
 18 ~~Committee]~~ is hereby created for the purpose of advising the Kentucky Board
 19 of Education and the Department of Education concerning the implementation
 20 and administration of universal screeners, reading diagnostic assessments, a
 21 statewide professional development program for early literacy, the read to
 22 succeed fund created in Section 6 of this Act, and the reading diagnostic and
 23 intervention fund created in Section 5 of this Act~~[KRS 158.792]~~. The
 24 council~~[committee]~~ shall be composed of fourteen (14)~~[sixteen (16)]~~
 25 members, including the commissioner of education or the commissioner's
 26 designee~~], the executive director of the Collaborative Center for Literacy~~
 27 ~~Development, the president of the Council on Postsecondary Education or the~~

1 ~~president's designee,~~] and the following members, to be appointed by the
2 Governor:

- 3 (a) Four (4) **elementary school**~~[primary program]~~ teachers with a specialty or
4 background in reading and literacy **or reading intervention**;
- 5 (b) **One (1) elementary school parent**~~[Four (4) university or college professors~~
6 ~~with a specialty or background in reading and literacy representing~~
7 ~~universities];~~
- 8 (c) One (1) elementary school principal;
- 9 (d) One (1) **elementary special education teacher**~~[certified library media~~
10 ~~specialist]; [and]~~
- 11 (e) **One (1) postsecondary educator who trains and prepares elementary**
12 **reading teachers**~~]; [Three (3) individuals from the state at large with an interest~~
13 ~~in reading and literacy.]~~
- 14 **(f) One (1) speech-language pathologist;**
- 15 **(g) One (1) elementary librarian or certified media specialist;**
- 16 **(h) One (1) elementary reading intervention teacher;**
- 17 **(i) One (1) teacher with experience assisting children who are deaf or hearing-**
18 **impaired; and**
- 19 **(j) One (1) private sector member with reading intervention experience.**
- 20 (2) Each member of the **council**~~[committee]~~, other than **the commissioner of education**
21 **or the commissioner's designee**~~[members who serve by virtue of their position]~~,
22 shall serve for a term of three (3) years or until a successor is appointed, except that
23 upon initial appointment, five (5) members shall serve a one (1) year term, four (4)
24 members shall serve a two (2) year term, and four (4) members shall serve a three
25 (3) year term.
- 26 (3) A majority of the full authorized membership shall constitute a quorum.
- 27 (4) The **council**~~[committee]~~ shall elect, by majority vote, a chair, who shall be the

1 presiding officer of the council~~committee~~, preside at all meetings, and coordinate
 2 the functions and activities of the council~~committee~~. The chair shall be elected or
 3 reelected each calendar year.

4 (5) The council~~committee~~ shall be attached to the Department of Education for
 5 administrative purposes.

6 (6) The council~~committee~~ shall:

7 (a) Identify needs, trends, and issues in schools throughout the state regarding
 8 reading and literacy programs;

9 (b) Make recommendations regarding the content of administrative regulations to
 10 be promulgated by the Kentucky Board of Education under KRS 158.792;

11 (c) Recommend approval of grant applications based upon the provisions of KRS
 12 158.792 and administrative regulations promulgated by the Kentucky Board of
 13 Education as required under KRS 158.792; and

14 (d) Advise the Kentucky Board of Education and the Department of Education
 15 regarding:

16 1. Costs and effectiveness of various reading intervention programs;~~[-]~~

17 2. *Suggested universal screeners for reading to be administered to*
 18 *students in kindergarten through grade three (3) as required by*
 19 *Section 1 of this Act;*

20 3. *Suggested criteria for reading diagnostic assessments to be*
 21 *administered to students in kindergarten through grade three (3) as*
 22 *required by Section 1 of this Act; and*

23 4. *The development, implementation, and outcomes of a statewide*
 24 *professional development program to include early literacy skills*
 25 *instruction and student engagement.*

26 ➔Section 8. KRS 164.0207 is amended to read as follows:

27 (1) The Collaborative Center for Literacy Development: Early Childhood through

1 Adulthood is created to make available professional development for educators in
2 reliable, replicable evidence~~[research]~~-based reading programs, and to promote
3 literacy development, including cooperating with other entities that provide family
4 literacy services. The center shall be responsible for:

5 (a) Developing and implementing a clearinghouse for information about
6 programs addressing reading and literacy from early childhood and the
7 elementary grades (P-5) through adult education;

8 (b) Providing advice to the Kentucky Board of Education regarding evidence-
9 based comprehensive reading instruction, the Reading Diagnostic and
10 Intervention Grant Program established in Section 5 of this Act~~[KRS~~
11 ~~158.792]~~, and in other matters relating to reading;

12 (c) Collaborating with public and private institutions of postsecondary education
13 and adult education providers to provide for teachers and administrators
14 quality preservice and professional development relating to reading diagnostic
15 assessments and intervention and to the essential components of successful
16 reading: phonemic awareness, phonics, fluency, vocabulary, comprehension,
17 and the connections between writing and reading acquisition and motivation
18 to read;

19 (d) Collaborating with the Kentucky Department of Education to assist districts
20 with students functioning at low levels of reading skills to assess and address
21 identified literacy needs;

22 (e) Providing professional development and coaching for early childhood
23 educators and classroom teachers, including adult education teachers,
24 implementing selected reliable, replicable evidence~~[research]~~-based reading
25 programs. The professional development shall utilize technology when
26 appropriate;

27 (f) Developing and implementing a comprehensive research agenda evaluating~~[~~

- 1 ~~the~~ comprehensive reading programs and reading intervention
2 ~~programs~~~~early reading models~~ implemented in accordance with~~Kentucky~~
3 ~~under~~ KRS 158.792;
- 4 (g) Maintaining a demonstration and training site for early literacy located at each
5 of the public universities;
- 6 (h) Assisting middle and high schools in the development of comprehensive
7 adolescent reading plans and maintaining a repository of instructional
8 materials or summary materials that identify comprehension best practices in
9 the teaching of each subject area and a list of classroom-based diagnostic
10 reading comprehension assessments that measure student progress in
11 developing students' reading comprehension skills; and
- 12 (i) Evaluating the reading and literacy components of the model adult education
13 programs funded under the adult education and literacy initiative fund created
14 under KRS 151B.409.
- 15 (2) The center shall review national research and disseminate appropriate research
16 abstracts, when appropriate, as well as conduct ongoing research of reading
17 programs throughout the state. Research activities undertaken by the center shall
18 consist of descriptive as well as empirical studies.
- 19 (a) The center may contract for research studies to be conducted on its behalf.
- 20 (b) The research agenda should, at a minimum, consider the impact of various
21 reading and intervention programs:
- 22 1. In eliminating academic achievement gaps among~~for~~ students with
23 differing characteristics, including subpopulations of students with
24 disabilities, students with low socioeconomic status, students from racial
25 minority groups, students with limited English proficiency, and students
26 of different gender;
- 27 2. In schools with differing characteristics, such as urban versus rural

1 schools, poverty versus nonpoverty schools, schools with strong library
2 media center programs versus schools with weak library media center
3 programs, and schools in different geographic regions of the state;

4 3. In terms of their costs and effectiveness; and

5 4. In maintaining positive student progress over a sustained period of time.

6 (3) The center shall submit an annual report of its activities to the Kentucky
7 Department of Education, the Governor, and the Legislative Research Commission
8 no later than September 1 of each year.

9 (4) With advice from the Department of Education, the Council on Postsecondary
10 Education shall develop a process to solicit, review, and approve a proposal for
11 locating the Collaborative Center for Literacy Development at a public institution of
12 postsecondary education. The Council on Postsecondary Education shall approve
13 the location. The center, in conjunction with the council, shall establish goals and
14 performance objectives related to the functions described in this section.

15 ➔Section 9. KRS 156.553 is amended to read as follows:

16 (1) The teachers' professional growth fund is hereby created to provide teachers with
17 high quality professional development in content knowledge in mathematics,
18 reading, science, language arts, social studies, arts and humanities, practical living,
19 vocational studies, and foreign languages; classroom-based screening, diagnostic,
20 assessment, and intervention strategies; and teaching methodologies, including
21 professional development that may lead to additional certification endorsements or
22 renewal of certification. Based on available funds, student achievement data, and
23 teacher data, the Kentucky Board of Education shall annually determine the priority
24 for content emphasis based on the greatest needs.

25 (2) (a) The fund may provide moneys to teachers for:

26 1. Tuition reimbursement for successful completion of college or
27 university level courses, including on-line courses and seminars,

- 1 approved for this purpose by the Education Professional Standards
2 Board;
- 3 2. Stipends for participation in and successful completion of:
- 4 a. College or university courses, including on-line courses and
5 seminars, approved for this purpose by the Education Professional
6 Standards Board;
- 7 b. Teacher institutes developed for core content instructors by the
8 Department of Education in compliance with KRS 156.095; and
- 9 c. Other professional development programs approved by the
10 Kentucky Department of Education, including professional
11 development for teachers participating in grants awarded by the
12 Middle School Mathematics and Science Scholars Program
13 established under KRS 158.848;
- 14 3. Reimbursement for the purchase of materials required for professional
15 development programs; and
- 16 4. Reimbursement for other approved professional development activities
17 throughout the school year, including reimbursement for:
- 18 a. Travel to and from professional development workshops; and
19 b. Travel to and from other schools for the observation of, and
20 consultation with, peer mentors; or
- 21 (b) The fund may be used to provide grants to local school districts to support
22 staff participation in specific, statewide initiatives for the professional
23 development of teachers and administrators in specific content areas as
24 established by the Kentucky Department of Education and the Kentucky
25 Board of Education under the provisions of subsections (4), (5), and (6) of this
26 section and referenced in KRS 158.842.
- 27 (c) The fund may be used to provide grants to colleges and universities to plan

1 and develop statewide professional development institutes and other
2 professional development services.

3 (d) The fund may be used to provide grants to local school districts, to colleges
4 and universities, or other entities to assist the Kentucky Department of
5 Education in evaluating costs and the effectiveness of activities and initiatives
6 established under this section.

7 (3) The Education Professional Standards Board shall determine the college and
8 university courses, including on-line courses and seminars, for which teachers may
9 receive reimbursement from the fund.

10 (4) The Department of Education shall:

11 (a) Administer the fund. In order to process reimbursements to teachers promptly,
12 the reimbursements shall not be subject to KRS 45A.690 to 45A.725;

13 (b) Determine the professional development programs for which teachers may
14 receive reimbursement, or districts or colleges and universities may receive
15 grants, from the fund;

16 (c) Determine the level of stipend or reimbursement, subject to the availability of
17 appropriated funds, for particular courses and programs, under subsection (2)
18 of this section; and

19 (d) Provide an accounting of fund expenditures and results of the use of the funds
20 for each biennium to the Interim Joint Committee on Education by November
21 1 of each odd-numbered year.

22 (5) The professional development programs approved by the Department of Education
23 for which teachers may receive support from the fund shall:

24 (a) Focus on improving the content knowledge of teachers;

25 (b) Provide training in the use of research-based and developmentally appropriate
26 classroom-based screening, diagnostic, assessment, and intervention
27 strategies;

- 1 (c) Provide instruction on teaching methods to effectively impart content
2 knowledge to all students;
- 3 (d) Include intensive training institutes and workshops during the summer;
- 4 (e) Provide programs for the ongoing support of teacher participants throughout
5 the year, which may include:
- 6 1. A peer coaching or mentoring, and assessment program; and
7 2. Planned activities, including:
- 8 a. Follow-up workshops; and
9 b. Support networks of teachers of the core disciplines using
10 technologies, including but not limited to telephone, video, and on-
11 line computer networks;
- 12 (f) Provide teacher participants with professional development credit toward
13 renewal of certification under the provisions of KRS 161.095, relating to
14 continuing education for teachers; and
- 15 (g) Provide teacher participants with the opportunity to obtain certificate
16 endorsements or extensions in critical shortage areas, with priority given to
17 mathematics and science through 2016, and in core content areas to their
18 existing certifications through the TC-HQ process, established by the
19 Education Professional Standards Board to meet the requirements of the No
20 Child Left Behind Act of 2001, 20 U.S.C. sec. 6301 et seq.
- 21 (6) The Kentucky Board of Education shall specify through promulgation of
22 administrative regulations:
- 23 (a) The application and approval process for receipt of funds;
24 (b) The requirements and process for the disbursement of funds; and
25 (c) The number of each kind of approved course for which applicants may receive
26 funds.
- 27 (7) Notwithstanding any other provisions to the contrary, a local school board may

1 advance the funds necessary for its teachers to participate in a college course or
2 professional development seminar or activity approved by the Kentucky Department
3 of Education and the Education Professional Standards Board under provisions of
4 this section and receive reimbursement from the department at the conclusion of the
5 activity or course by the teacher. If funds are advanced for the benefit of a teacher
6 under this subsection, but the teacher does not fulfill his or her obligation, the
7 teacher shall reimburse the school district for the funds expended by the district on
8 the teacher's behalf.

9 (8) Notwithstanding the provisions of KRS 45.229, unexpended funds in the teachers'
10 professional growth fund in the 2000-2001 fiscal year or in any subsequent fiscal
11 year shall not lapse but shall carry forward to the next fiscal year and shall be used
12 for the purposes established in subsections (1) and (2) of this section.

13 (9) Notwithstanding any provisions of this section to the contrary, beginning June 1,
14 2006, through the 2009-2010 school year, priority for the use of funds from the
15 teachers' professional growth fund shall be used to train and support teams of
16 teachers from all school levels to be trained as reading coaches and mentors or as
17 mathematics coaches and mentors in statewide institutes referenced in KRS 158.840
18 and 158.842, and for selected teachers to be highly trained in providing diagnostic
19 assessment and intervention services for students in the primary program struggling
20 with mathematics.

21 (a) The design of the statewide mathematics institutes to train mathematics
22 coaches and mentors shall be developed by the Committee for Mathematics
23 Achievement established in KRS 158.842. The committee shall provide
24 recommendations to the Kentucky Department of Education and the Kentucky
25 Board of Education in the preparation of administrative regulations that may
26 be promulgated by the board to implement the provisions of this subsection
27 relating to mathematics.

1 (b) The design of the professional development program to provide highly trained
2 mathematics intervention teachers in the primary program shall be developed
3 by the Center for Mathematics in collaboration with public and private
4 institutions of postsecondary education.

5 (c) The development of the statewide program to train reading coaches and
6 mentors shall be coordinated by the Kentucky Department of Education with
7 recommendations from the Collaborative Center for Literacy Development,
8 established in KRS 164.0207, and the Read to Succeed Council~~reading~~
9 ~~steering committee~~ established in KRS 158.794. The design of the program
10 shall reflect a consensus of the agencies involved in the development of the
11 program. The training program for reading coaches and mentors shall
12 complement other statewide reading initiatives, funded with state and federal
13 funds, and shall give priority to teachers in grades four (4) through twelve
14 (12). The program shall be implemented no later than June 1, 2006. The board
15 shall promulgate administrative regulations required to implement the
16 provisions of this subsection relating to reading.

17 (10) Notwithstanding any provision of this section to the contrary, beginning June 1,
18 2010, through the 2015-2016 school year, priority for the use of funds from the
19 teachers' professional growth fund shall be for the purpose of increasing the number
20 of certified teachers with extensions or endorsements in mathematics and science as
21 described in subsection (5)(g) of this section.

22 ➔Section 10. There is appropriated to the literacy coaching fund \$3,000,000 in
23 fiscal year 2021-2022 and \$3,000,000 in fiscal year 2022-2023 for the literacy coaching
24 program established in Section 6 of this Act. Notwithstanding KRS 45.229, any General
25 Fund appropriation unexpended at the end of fiscal year 2021-2022 shall not lapse but
26 shall be carried forward into the next fiscal year.

27 ➔Section 11. This Act shall be known and may be cited as the "Read to Succeed

1 Act."