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

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

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

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

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

(a) Every elementary school:

1. Provide comprehensive schoolwide reading instruction aligned to reading and writing standards required by KRS 158.6453 and outlined in administrative regulation as promulgated by the Kentucky Board of Education;

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

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

4. Provide high quality library media programs;

(b) Every middle and high school:

1. Provide direct, explicit instruction to students lacking skills in how to read, learn, and analyze information in key subjects, including language,
reading, English, mathematics, science, social studies, arts and humanities, practical living skills, and career studies; and

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

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

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

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

3. Use activities and materials that will help the students comprehend and constructively apply information based on the unique content of each subject area; and

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

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

Section 2. KRS 158.305 is amended to read as follows:
(1) As used in this section:

(a) "Accelerated learning" has the same meaning as in KRS 158.6453;

(b) "Aphasia" means a condition characterized by either partial or total loss of the ability to communicate verbally or through written words. A person with aphasia may have difficulty speaking, reading, writing, recognizing the names of objects, or understanding what other people have said. The condition may be temporary or permanent and does not include speech problems caused by loss of muscle control;

(c) "Comprehensive reading program" has the same meaning as in Section 5 of this Act;

(d) "Dyscalculia" means the inability to understand the meaning of numbers, the basic operations of addition and subtraction, the complex operations of multiplication and division, or to apply math principles to solve practical or abstract problems;

(e) "Dysgraphia" means difficulty in automatically remembering and mastering the sequence of muscle motor movements needed to accurately write letters or numbers;

(f) "Dyslexia" has the same meaning as in KRS 158.307;

(g) "Enrichment program" means accelerated intervention within the school day or outside of the school day or school calendar led by individuals most qualified to provide the intervention that includes evidence-based reading instructional programming related to reading instruction in the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension, and other instructional strategies aligned to reading and writing standards required by KRS 158.6453 and outlined in administrative regulation as promulgated by the Kentucky Board of Education;

(h) "Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);
(i) "Formative assessment" has the same meaning as in KRS 158.6453;

(j) "Phonemic awareness" has the same meaning as in KRS 158.307;

(k) "Reading diagnostic assessment" has the same meaning as in Section 4 of this Act;

(l) "Reading improvement plan" means an accelerated intervention plan for a student in kindergarten through grade four (4) that is developed to increase a student's rate of progress toward proficient performance in reading that is identified as necessary based on the student's results on an approved reading diagnostic assessment. This plan should be developed in collaboration and accordance with any existing Program Services Plan, Individualized Education Program, or 504 Plan unless the Program Services Plan, Individualized Education Program, or 504 Plan already addresses improving reading;

(m) "Reading improvement team" means a team that develops and oversees the progress of a reading improvement plan and includes:

1. The parent or guardian of the student that is the subject of the reading improvement plan;

2. No less than one (1) regular education teacher of the student to provide information about the general curriculum for same-aged peers;

3. A representative of the local education agency who is knowledgeable about the reading curriculum and the availability of the evidence-based literacy resources of the local education agency; and

4. Any specialized certified school employees for students receiving language instruction educational programming or special education services; and

(n) "Universal screener" means a process of providing a brief assessment to all
students within a grade level to assess the students' performance on the essential components of reading.

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

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

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

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

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

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

(b) Mathematics by August 1, 2014; and

(c) Behavior by August 1, 2015.

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

(a) The use of specific screening processes and programs to identify student strengths and needs;
(b) The use of screening data for designing instructional interventions;
(c) The use of multisensory instructional strategies and other interventions validated for effectiveness by evidence-based research;
(d) Progress monitoring of student performance; and
(e) Accelerated, intensive, direct instruction that addresses students' individual differences, including advanced learners, and enables students that are experiencing difficulty to catch up with typically performing peers.

(5) (a) By January 1, 2022, each local school board or public charter school board of directors shall adopt:

1. At least one (1) universal screener for reading that is determined by the department to be reliable and valid to be administered to all students in kindergarten through grade three (3); and
2. At least one (1) reading diagnostic assessment for reading that is determined by the department to be reliable and valid to be administered as part of a multi-tiered system of supports for students in kindergarten through grade three (3).

(b) Notwithstanding KRS 158.6453(19) and 160.345, each local school board or public charter school board may adopt a common comprehensive reading program that is determined by the department to be reliable, valid, and aligned to reading and writing standards required by KRS 158.6453 and outlined in administrative regulation as promulgated by the Kentucky Board of Education for kindergarten through grade three (3) for all schools or a subset of schools.

(c) All teachers for students in kindergarten through grade three (3), including
public charter school teachers, shall be trained on any reading diagnostic assessment and universal screener adopted by the local board or public charter school board prior to administration of the assessment. The training shall address:

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

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

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

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

(a) Intensive intervention that includes effective instructional strategies and appropriate instructional materials necessary to help the student make
accelerated progress toward proficient performance in reading and become ready for the next grade, which may include response to intervention instruction provided by certified teachers specifically trained to provide one-on-one instruction to students with the greatest need;

(b) A school to provide a written quarterly progress report containing the information required by paragraph (a) of this subsection to a parent or guardian of any student subject to a reading improvement plan. The written quarterly progress report for the reading improvement plan may be included in the school's existing quarterly progress report; and

(c) Individual placement decisions for children who are eligible for special education and related services to be determined by the appropriate admissions and release committee in accordance with administrative regulations promulgated by the Kentucky Board of Education.

(8) Beginning in the 2022-2023 school year, if a student's rate of progress toward proficient performance in reading needs accelerated interventions as demonstrated by the results of an approved reading diagnostic assessment, the local school district shall provide:

(a) Enrichment programs through grade three (3) using evidence-based reading instruction and other strategies;

(b) Intensive instructional services, progress monitoring measures, and supports to students through grade three (3); and

(c) Parents and legal guardians of students identified for accelerated interventions in reading in kindergarten through grade three (3) with a "Read at Home" plan, including information on how to participate in regular parent-guided home reading.

(9) Beginning in the 2023-2024 school year, if a student does not score in the proficient performance level or higher in reading, as defined in subsection (2) of
Section 1 of this Act, on the state annually required grade three (3) assessment, the local school district shall provide:

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

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

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

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

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

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

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

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

2. Writing when a student is experiencing difficulty with consistently producing letters or numbers with accuracy or is exhibiting
characteristics of dysgraphia;

3. Mathematics when a student is experiencing difficulty with basic math facts, calculations, or application through problem solving, or is exhibiting characteristics of dyscalculia or other mathematical difficulties; or

4. Behavior when a student is exhibiting behaviors that interfere with his or her learning or the learning of other students; and

(c) Current, evidence-based research and age-appropriate instructional tools that may be used for continuous progress of advanced learners.

(12) The department shall encourage districts to utilize both state and federal funds as appropriate to implement a district-wide multi-tiered system of supports (system of interventions).

(13) The department is encouraged to coordinate technical assistance and training on current best practice interventions with state postsecondary education institutions.

(14) The department shall collaborate with the Kentucky Collaborative Center for Literacy Development, the Kentucky Center for Mathematics, the Kentucky Center for Instructional Discipline, the Education Professional Standards Board, the Council on Postsecondary Education, postsecondary teacher education programs, and other agencies and organizations as deemed appropriate to ensure that teachers are prepared to utilize evidence-based interventions in reading, writing, mathematics, and behavior.

(15) In compliance with 20 U.S.C. sec. 1414(a)(1)(E), screening of a student to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services and nothing in this section shall limit a school district from completing an initial evaluation of a student suspected of having a disability.
By November 30, 2013, and annually thereafter, the department shall provide a report to the Interim Joint Committee on Education that includes survey data on the types of evidence-based research interventions being implemented by districts in reading, writing, mathematics, and behavior in kindergarten through grade three.

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

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

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

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

(c) Progress monitoring of student performance; and

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

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

(3) Beginning in the 2023-2024 school year, all new teachers seeking certification in Interdisciplinary Early Childhood Education or Elementary School shall successfully pass an approved teacher preparation test that includes an evaluation of reading instruction knowledge and skills.
The Education Professional Standards Board shall report program data to an external evaluator for analysis of postsecondary teacher preparation programs for interdisciplinary early childhood education or elementary regular education for the goal of increasing the success of new teacher candidates in demonstrating reading instruction knowledge and skills.

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

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

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

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

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

The General Assembly, the Kentucky Board of Education, the Kentucky Department of Education, the Council on Postsecondary Education, colleges and universities, local boards of education, school administrators, school councils, teachers, parents, and other educational entities, such as the Education Professional Standards Board, P-16 councils, the Collaborative Center for Literacy Development,
and the Center for Middle School Achievement must collaborate if the intentions specified in this subsection are to be met. Intensive focus on student achievement in reading and mathematics does not negate the responsibility of any entity to help students obtain proficiency in other core curriculum content areas.

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

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

(4) The Kentucky Department of Education shall:

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

(b) Work with state and national educators and subject-matter experts to identify student reading skills in each subject area that align with the state content standards adopted under KRS 158.6453 and identify teaching strategies in
each subject area that can be used explicitly to develop the identified reading skills under this paragraph;

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

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

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

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

1. Interventions implemented under KRS 158.305(2);

2. Funds provided under KRS 158.792 or 158.844; or

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

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

(a) Coordinate the federal and state grant programs it administers with other statewide initiatives relating to improving student achievement in reading and
mathematics to avoid duplication of effort and to make efficient use of resources;

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

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

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

(7) Colleges and universities shall:

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

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

(c) Deliver appropriate continuing education for teachers in reading and
mathematics through institutes, graduate level courses, and other professional
development activities that support a statewide agenda for improving student
achievement in reading and mathematics;

(d) Conduct or assist with research on best practices in assessment, intervention
strategies, teaching methodologies, costs and effectiveness of instructional
models, and other factors as appropriate to reading and mathematics;

(e) Provide staff to consult and provide technical assistance to teachers, staff, and
administrators at elementary, middle, and secondary school sites;

(f) Assume active roles in the statewide initiatives referenced in KRS 156.553
and 158.842; and

(g) Develop written procedures for measuring the effectiveness of activities
outlined in paragraphs (a) to (e) of this subsection.

(8) School councils at all school levels are encouraged to identify and allocate resources
to qualified teachers to become coaches or mentors in mathematics or coaches or
mentors in reading with a focus on improving student achievement in their
respective schools.

(9) Local school boards and superintendents shall provide local resources, whenever
possible, to supplement or match state and federal resources to support teachers,
school administrators, and school councils in helping students achieve proficiency
in reading and mathematics.

(10) Local school superintendents shall provide leadership and resources to the
principals of all schools to facilitate curriculum alignment, communications, and
technical support among schools to ensure that students are academically prepared
to move to the next level of schooling.

Section 5. KRS 158.792 is amended to read as follows:

(1) As used in this section and KRS 164.0207, unless the context requires otherwise:

(a) "Comprehensive reading program" means any print, nonprint, or electronic
medium of reading instruction designed to assist students. For students in kindergarten through grade three (3), program instructional resources shall include instruction in five (5) key areas that emphasizes the essential components of reading: phonemic awareness, phonics, fluency, vocabulary, and comprehension, and connections between writing and reading acquisition and motivation to read.

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

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

(d) "Reliable, replicable evidence" means objective, valid, scientific studies that:

1. Include rigorously defined samples of subjects that are sufficiently large and representative to support the general conclusions drawn;
2. Rely on measurements that meet established standards of reliability and validity;
3. Test competing theories, where multiple theories exist;
4. Are subjected to peer review before their results are published; and
5. Discover effective strategies for improving reading skills.

(2) The reading diagnostic and intervention fund is created to help teachers and library
media specialists improve the reading skills of struggling readers in the primary
program. The Department of Education, upon the recommendation of the Read to
Succeed Council[Reading Diagnostic and Intervention Grant Steering Committee],
shall provide renewable, two (2) year grants to schools to support teachers in the
implementation of reliable, replicable evidence[research]-based reading intervention
programs that use a balance of diagnostic tools and instructional strategies that
emphasize phonemic awareness, phonics, fluency, vocabulary, comprehension, and
connections between writing and reading acquisition and motivation to read to
address the diverse learning needs of those students reading at low levels. Any
moneys in the fund at the close of the fiscal year shall not lapse but shall be carried
forward to be used for the purposes specified in this section.

(3) (a) The Kentucky Board of Education shall promulgate administrative
regulations, based on recommendations from the Department of Education
and Read to Succeed Council[secretary of the Education and Workforce
Development Cabinet, the Reading Diagnostic and Intervention Grant
Steering Committee established in KRS 158.794, and the Collaborative
Center for Literacy Development established in KRS 164.0207] to:

1. Identify eligible grant applicants, taking into consideration how the grant
program described in this section will relate to other grant programs;
2. Specify the criteria for acceptable reading and literacy diagnostic
assessments and intervention programs;
3. [Specify the criteria for acceptable ongoing assessment of each child to
determine his or her reading progress;]
4. Establish the minimum evaluation process for an annual review of each
grant recipient's program and progress;

4. Identify the annual data that must be provided from grant recipients;

5. Define the application review and approval process;

6. Establish matching requirements deemed necessary;

7. Define the professional development and continuing education requirements for teachers, library media specialists, administrators, and staff of grant recipients;

8. Establish the conditions for renewal of a two (2) year grant; and

9. Specify other conditions necessary to implement the purposes of this section.

(b) The board shall require that a grant applicant provide assurances that the following principles will be met if the applicant's request for funding is approved:

1. A research-based comprehensive schoolwide reading program will be available;

2. Intervention services will supplement, not replace, regular classroom instruction;

3. Intervention services will be provided to struggling primary program readers within the school based upon ongoing assessment of their needs; and

4. A system for informing parents of struggling readers of the available family literacy services within the district will be established.

(4) In order to qualify for funding, the school council, or if none exists, the principal or the superintendent of schools, shall allocate matching funds required by grant recipients under subsection (3) of this section. Funding for professional development allocated to the school council under KRS 160.345 and for continuing education under KRS 158.070 may be used as part of the school's match.
(5) The Department of Education shall make available to schools:
   (a) Information concerning successful, evidence-based comprehensive reading programs, diagnostic tools for pre- and post-assessment, and intervention programs, from the Collaborative Center for Literacy Development created under KRS 164.0207;
   (b) Strategies for successfully implementing early reading programs, including professional development support and the identification of funding sources; and
   (c) A list of professional development providers offering teacher training related to reading that emphasizes the essential components for successful reading: phonemic awareness, phonics, fluency, vocabulary, comprehension, and connections between writing and reading acquisition and motivation to read.

(6) The Department of Education shall submit a report to the Interim Joint Committee on Education no later than September 1 of each year outlining the use of grant funds. The report shall also include comparisons of the overall costs and effectiveness of intervention programs. The annual report for an odd-numbered year shall include an estimate of the cost to expand the reading diagnostic and intervention grant program.

SECTION 6. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

(1) A literacy coaching fund is hereby created to train and support teachers and library media specialists to improve the reading skills of students in kindergarten through grade three (3) as set forth in subsection (5) of Section 2 of this Act. The Department of Education, upon the recommendation of the Read to Succeed Council, shall utilize the fund to create a literacy coaching program. The program shall:
   (a) Use data coaches to improve reading and literacy:
(b) Determine the effectiveness of intensive data-focused professional development; and

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

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

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

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

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

(1) The Read to Succeed Council is hereby created for the purpose of advising the Kentucky Board of Education and the Department of Education concerning the implementation and administration of universal screeners, reading diagnostic assessments, a statewide professional development program for early literacy, the read to succeed fund created in Section 6 of this Act, and the reading diagnostic and intervention fund created in Section 5 of this Act. The council shall be composed of fourteen members, including the commissioner of education or the commissioner's designee, the executive director of the Collaborative Center for Literacy Development, the president of the Council on Postsecondary Education or
president’s designee] and the following members, to be appointed by the Governor:

(a) Four (4) [elementary school][primary program] teachers with a specialty or background in reading and literacy **or reading intervention**;

(b) **One (1) elementary school parent** [Four (4) university or college professors with a specialty or background in reading and literacy representing universities];

(c) One (1) elementary school principal;

(d) One (1) **elementary special education teacher**[certified library media specialist]; [and]

(e) **One (1) postsecondary educator who trains and prepares elementary reading teachers**; [Three (3) individuals from the state at large with an interest in reading and literacy.]

(f) **One (1) speech-language pathologist**;

(g) **One (1) elementary librarian or certified media specialist**;

(h) **One (1) elementary reading intervention teacher**;

(i) **One (1) teacher with experience assisting children who are deaf or hearing-impaired**; and

(j) **One (1) private sector member with reading intervention experience.**

(2) Each member of the **council**[committee], other than the **commissioner of education or the commissioner’s designee**[members who serve by virtue of their position], shall serve for a term of three (3) years or until a successor is appointed, except that upon initial appointment, five (5) members shall serve a one (1) year term, four (4) members shall serve a two (2) year term, and four (4) members shall serve a three (3) year term.

(3) A majority of the full authorized membership shall constitute a quorum.

(4) The **council**[committee] shall elect, by majority vote, a chair, who shall be the
presiding officer of the council, preside at all meetings, and coordinate the functions and activities of the council. The chair shall be elected or reelected each calendar year.

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

(6) The council shall:

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

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

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

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

1. Costs and effectiveness of various reading intervention programs;

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

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

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

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

(1) The Collaborative Center for Literacy Development: Early Childhood through
Adulthood is created to make available professional development for educators in reliable, replicable evidence-based reading programs, and to promote literacy development, including cooperating with other entities that provide family literacy services. The center shall be responsible for:

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

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

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

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

(e) Providing professional development and coaching for early childhood educators and classroom teachers, including adult education teachers, implementing selected reliable, replicable evidence-based reading programs. The professional development shall utilize technology when appropriate;

(f) Developing and implementing a comprehensive research agenda evaluating
the} comprehensive reading programs and reading intervention programs [early reading models] implemented in accordance with Kentucky under KRS 158.792;

(g) Maintaining a demonstration and training site for early literacy located at each of the public universities;

(h) Assisting middle and high schools in the development of comprehensive adolescent reading plans and maintaining a repository of instructional materials or summary materials that identify comprehension best practices in the teaching of each subject area and a list of classroom-based diagnostic reading comprehension assessments that measure student progress in developing students' reading comprehension skills; and

(i) Evaluating the reading and literacy components of the model adult education programs funded under the adult education and literacy initiative fund created under KRS 151B.409.

(2) The center shall review national research and disseminate appropriate research abstracts, when appropriate, as well as conduct ongoing research of reading programs throughout the state. Research activities undertaken by the center shall consist of descriptive as well as empirical studies.

(a) The center may contract for research studies to be conducted on its behalf.

(b) The research agenda should, at a minimum, consider the impact of various reading and intervention programs:

1. In eliminating academic achievement gaps among students with differing characteristics, including subpopulations of students with disabilities, students with low socioeconomic status, students from racial minority groups, students with limited English proficiency, and students of different gender;

2. In schools with differing characteristics, such as urban versus rural
schools, poverty versus nonpoverty schools, schools with strong library
media center programs versus schools with weak library media center
programs, and schools in different geographic regions of the state;
3. In terms of their costs and effectiveness; and
4. In maintaining positive student progress over a sustained period of time.

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

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

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

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

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

1. Tuition reimbursement for successful completion of college or
university level courses, including on-line courses and seminars,
approved for this purpose by the Education Professional Standards
Board;

2. Stipends for participation in and successful completion of:
   a. College or university courses, including on-line courses and
      seminars, approved for this purpose by the Education Professional
      Standards Board;
   b. Teacher institutes developed for core content instructors by the
      Department of Education in compliance with KRS 156.095; and
   c. Other professional development programs approved by the
      Kentucky Department of Education, including professional
      development for teachers participating in grants awarded by the
      Middle School Mathematics and Science Scholars Program
      established under KRS 158.848;

3. Reimbursement for the purchase of materials required for professional
   development programs; and

4. Reimbursement for other approved professional development activities
   throughout the school year, including reimbursement for:
   a. Travel to and from professional development workshops; and
   b. Travel to and from other schools for the observation of, and
      consultation with, peer mentors; or

(b) The fund may be used to provide grants to local school districts to support
    staff participation in specific, statewide initiatives for the professional
    development of teachers and administrators in specific content areas as
    established by the Kentucky Department of Education and the Kentucky
    Board of Education under the provisions of subsections (4), (5), and (6) of this
    section and referenced in KRS 158.842.

(c) The fund may be used to provide grants to colleges and universities to plan
and develop statewide professional development institutes and other professional development services.

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

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

(4) The Department of Education shall:

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

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

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

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

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

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

(b) Provide training in the use of research-based and developmentally appropriate classroom-based screening, diagnostic, assessment, and intervention strategies;
(c) Provide instruction on teaching methods to effectively impart content knowledge to all students;
(d) Include intensive training institutes and workshops during the summer;
(e) Provide programs for the ongoing support of teacher participants throughout the year, which may include:
   1. A peer coaching or mentoring, and assessment program; and
   2. Planned activities, including:
      a. Follow-up workshops; and
      b. Support networks of teachers of the core disciplines using technologies, including but not limited to telephone, video, and online computer networks;
(f) Provide teacher participants with professional development credit toward renewal of certification under the provisions of KRS 161.095, relating to continuing education for teachers; and
(g) Provide teacher participants with the opportunity to obtain certificate endorsements or extensions in critical shortage areas, with priority given to mathematics and science through 2016, and in core content areas to their existing certifications through the TC-HQ process, established by the Education Professional Standards Board to meet the requirements of the No Child Left Behind Act of 2001, 20 U.S.C. sec. 6301 et seq.
(6) The Kentucky Board of Education shall specify through promulgation of administrative regulations:
   (a) The application and approval process for receipt of funds;
   (b) The requirements and process for the disbursal of funds; and
   (c) The number of each kind of approved course for which applicants may receive funds.
(7) Notwithstanding any other provisions to the contrary, a local school board may
advance the funds necessary for its teachers to participate in a college course or
professional development seminar or activity approved by the Kentucky Department
of Education and the Education Professional Standards Board under provisions of
this section and receive reimbursement from the department at the conclusion of the
activity or course by the teacher. If funds are advanced for the benefit of a teacher
under this subsection, but the teacher does not fulfill his or her obligation, the
teacher shall reimburse the school district for the funds expended by the district on
the teacher's behalf.

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

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

(a) The design of the statewide mathematics institutes to train mathematics
coaches and mentors shall be developed by the Committee for Mathematics
Achievement established in KRS 158.842. The committee shall provide
recommendations to the Kentucky Department of Education and the Kentucky
Board of Education in the preparation of administrative regulations that may
be promulgated by the board to implement the provisions of this subsection
relating to mathematics.
(b) The design of the professional development program to provide highly trained mathematics intervention teachers in the primary program shall be developed by the Center for Mathematics in collaboration with public and private institutions of postsecondary education.

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

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

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

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