

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1268

5 By: Representative Barker
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT CONCERNING SCHOOL-LEVEL IMPROVEMENT PLANS AND
10 THE RIGHT TO READ ACT; TO REQUIRE THAT A PUBLIC
11 SCHOOL INCLUDE IN ITS ANNUAL SCHOOL-LEVEL IMPROVEMENT
12 PLAN A LITERACY PLAN; TO REQUIRE THAT THE CURRICULUM,
13 PROFESSIONAL DEVELOPMENT, AND GRADUATE STUDIES
14 RECOMMENDATIONS FOR A PUBLIC SCHOOL DISTRICT AND
15 OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL BE IN
16 ACCORDANCE WITH THE SCIENCE OF READING; TO REQUIRE
17 THAT THE DEPARTMENT OF EDUCATION CREATE AN APPROVED
18 LIST OF CURRICULUM PROGRAMS THAT ARE SUPPORTED BY THE
19 SCIENCE OF READING; AND FOR OTHER PURPOSES.
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Subtitle

22 TO REQUIRE SCHOOL-LEVEL IMPROVEMENT,
23 PROFESSIONAL DEVELOPMENT, CURRICULUM, AND
24 GRADUATE STUDIES PLANS TO BE IN
25 ACCORDANCE WITH THE SCIENCE OF READING.
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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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31 SECTION 1. DO NOT CODIFY. Legislative findings.

32 The General Assembly finds that:

33 (1) The Right to Read Act, § 6-17-429, addresses the science of
34 reading for current educators and those in an undergraduate teaching program;

35 (2) If educators do not have an understanding of scientific
36 reading instruction, many students will not receive the reading instruction



1 necessary to read at grade level;

2 (3) The percentage of Arkansas students in grade three (3) who
3 were "ready" or "exceeding" in reading on the 2018 ACT Aspire test was
4 thirty-eight percent (38%);

5 (4) Dyslexia programs in Arkansas should be aligned to
6 structured literacy as outlined by the International Dyslexia Association;
7 and

8 (5) Educators throughout the state are in the process of
9 completing the appropriate professional development requirements with respect
10 to the science of reading and structured literacy, but public school
11 districts have not provided those teachers with the necessary materials and
12 resources to implement the methods required by science of reading and
13 structured literacy programs in their classrooms.

14
15 SECTION 2. Arkansas Code § 6-15-2914(b), concerning the annual
16 submission of school-level improvement plans, is amended to read as follows:

17 (b)(1)(A) Beginning on May 1, 2018, and by May 1 annually thereafter,
18 a public school shall submit to its public school district a school-level
19 improvement plan for approval by the public school district and public school
20 district board of directors for implementation in the following school year.

21 (B)(i) A public school district and an open-enrollment
22 public charter school shall include a literacy plan in the annual school-
23 level improvement plan required under subdivision (b)(1)(A) of this section.

24 (ii) The literacy plan required under subdivision
25 (b)(1)(B)(i) of this section shall include without limitation a curriculum
26 program and a professional development program that are:

27 (a) Aligned with the literacy needs of the
28 public school district; and

29 (b) Based on the science of reading as defined
30 by § 6-17-429(k)(1).

31 (2) School-level improvement plans shall be posted on the public
32 school district's website by August 1 of each year.

33
34 SECTION 3. Arkansas Code § 6-17-429(c), concerning the professional
35 development requirements under the Right to Read Act, is amended to read as
36 follows:

1 (c)(1) Beginning with the 2018-2019 school year, a public school
 2 district and an open-enrollment public charter school shall provide the
 3 following professional development in scientific reading instruction:

4 (A) For teachers licensed at the elementary level in
 5 kindergarten through grade six (K-6), teachers with a special education
 6 license in kindergarten through grade twelve (K-12), and teachers licensed as
 7 reading specialists in kindergarten through grade twelve (K-12), professional
 8 development for one (1) of the prescribed pathways to obtaining a proficiency
 9 credential in knowledge and practices in scientific reading instruction; and

10 (B) For teachers licensed at a level other than the
 11 elementary level in kindergarten through grade six (K-6), teachers with a
 12 special education license in kindergarten through grade twelve (K-12), and
 13 teachers licensed as reading specialists in kindergarten through grade twelve
 14 (K-12), professional development for one (1) of the prescribed pathways to
 15 obtaining an awareness credential in knowledge and practices in scientific
 16 reading instruction.

17 (2) Beginning with the 2020-2021 school year, a public school or
 18 open-enrollment public charter school that does not provide the professional
 19 development under subdivision (c)(1) of this section shall:

20 (A) Be placed in probationary status; and

21 (B) Provide notice to parents that the public school
 22 district has not met the requirements of this section.

23
 24 SECTION 4. Arkansas Code § 6-17-429(e)-(g), concerning educator
 25 preparation and professional development programs required under the Right to
 26 Read Act, are amended to read as follows:

27 (e) A provider of a state-approved educator preparation program,
 28 graduate program, or alternative preparation program shall include in its
 29 annual report to the Department of Education a description of the provider's
 30 program to prepare educators to teach reading using scientific reading
 31 instruction.

32 (f) By the beginning of the 2020-2021 school year, the department
 33 shall identify and create an approved list of materials, resources, and
 34 curriculum programs for public school districts and open-enrollment public
 35 charter schools that are supported by the science of reading and based on
 36 instruction that is explicit, systematic, cumulative, and diagnostic,

1 including without limitation:

2 (1) Dyslexia programs that are evidence-based and:

3 (A) Aligned to structured literacy; or

4 (B) Grounded in the Orton-Gillingham methodology;

5 (2) Evidence-based reading intervention programs; and

6 (3) Evidence-based reading programs that are grounded in the
 7 science of reading.

8 (g)(1) By the beginning of the 2021-2022 school year, any public
 9 school district and open-enrollment public charter school purchasing a
 10 curriculum program shall choose a curriculum program from the department's
 11 approved list of curriculum programs created under subsection (f) of this
 12 section.

13 (2) A public school district or open-enrollment public charter
 14 school that chooses to purchase a curriculum program that is not from the
 15 department's approved list of curriculum programs shall submit the following
 16 to the department for approval of the alternative curriculum program:

17 (A) A rationale for choosing the alternative curriculum
 18 program; and

19 (B) Evidence-based research regarding the alternative
 20 curriculum program.

21 (h) By the beginning of the 2019-2020 school year, a public school
 22 district and an open-enrollment public charter school shall establish a
 23 professional development program as required by § 6-15-2914(b)(1)(B) that
 24 shall:

25 (1) Include without limitation instruction based on the science
 26 of reading; and

27 (2) Be provided on an annual basis after the professional
 28 development required under subdivision (c)(1) of this section is complete.

29 ~~(f)(i)(1)(A)~~ A public school district or an open-enrollment public
 30 charter school that employs an educator in violation of this section or that
 31 does not provide the professional development as required under this section
 32 shall be in violation of the Standards for Accreditation of Arkansas Public
 33 Schools and School Districts and may be placed in probationary status by the
 34 department.

35 (B) A public school district or an open-enrollment public
 36 charter school placed in probationary status under subdivision ~~(f)(1)(A)~~

1 (i)(1)(A) of this section shall send written notification to the parents of
 2 the students in the public school district of the reason for being placed in
 3 probationary status.

4 (2) A provider of a state-approved educator preparation program,
 5 graduate program, or alternative preparation program that does not comply
 6 with the requirements of this section may be subject to penalties up to and
 7 including having the provider's approval status revoked.

8 ~~(g)(j)(1)~~ The department ~~is vested with the authority to and~~ shall
 9 enforce:

10 (1) Enforce this section; and

11 (2) ~~The department shall promulgate~~ Promulgate rules to
 12 implement this section.

13 (k) As used in this section:

14 (1) "Science of reading" means the study of the relationship
 15 between cognitive science and educational outcomes; and

16 (2) "Structured literacy" means an approach by which licensed
 17 personnel teach reading in an explicit, systematic, cumulative, and
 18 diagnostic manner.

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