

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 587

TO AMEND PROVISIONS OF TITLE 6 OF THE ARKANSAS CODE CONCERNING READING
PROFICIENCY OF PUBLIC SCHOOL STUDENTS.

Amendment No. 1 to Senate Bill No. 587

Amend Senate Bill No. 587 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 15, is amended to add an additional subchapter to read as follows:

Subchapter 29 – Reading Proficiency

6-15-2901. Intent.

It is the intent of the General Assembly that:

(1) Each student's progression from one grade to another be determined, in part, upon proficiency in reading;

(2) Policies of a board of directors of a public school district facilitate reading instruction and intervention services to address student reading needs;

(3) Each student and his or her parent be informed of that student's reading progress; and

(4) Each student should read at or above grade level by grade three (3).

6-15-2902. Reading intervention program.

(a) A public school district shall offer a reading intervention program to each student in kindergarten through grade three (K-3) who exhibits a reading deficiency to ensure the student can read at or above grade level by the end of grade three (3).

(b) The reading intervention program shall be provided in addition to core reading instruction that is given to all students in the general education classroom.

(c) The reading intervention program shall:

(1) Be provided to all students in kindergarten through grade three (K-3) identified as having a reading deficiency as determined by local or statewide screening assessments administered within the first thirty (30) days of school;

(2) Provide explicit and systematic instruction in phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable;



(3) Monitor the reading progress of each student's reading skills throughout the school year and adjust instruction according to student needs; and

(4) Be implemented during regular school hours.

6-15-2903. Reading improvement plan.

(a) A student in kindergarten through grade three (K-3) who exhibits a reading deficiency, based upon local or statewide screening assessments, shall receive an individual reading improvement plan no later than thirty (30) days after the identification of the reading deficiency.

(b) The reading improvement plan shall:

(1) Be created by the student's teacher, principal, parent, and any other pertinent school personnel; and

(2) Describe the research-based reading intervention services the student will receive to remedy the student's reading deficiency.

(c) A student under subsection (a) of this section shall receive intensive reading intervention under the reading improvement plan until the student no longer has a reading deficiency.

6-15-2904. Parent notification.

(a) A public school district shall notify in writing the parent of a student in kindergarten through grade three (K-3) who exhibits at any time during the school year a reading deficiency no later than fifteen (15) days after the identification of the reading deficiency.

(b) The written notification under subsection (a) of this section shall include:

(1) A statement that the student has been identified as having a reading deficiency and that a reading improvement plan will be developed by the student's teacher, principal, parent, and any other pertinent school personnel;

(2) A description of the current services that are provided to the student;

(3) A description of the proposed research-based reading interventions and supplemental instructional services and supports that will be provided to the student that are designed to remedy the identified areas of reading deficiency;

(4) Notification that the parent will be informed in writing of the student's progress in reading at grade level on at least a quarterly basis;

(5) Strategies for parents to use at home to help the student succeed in reading;

(6) A statement that if the student's reading deficiency is not corrected by the end of grade three (3), the child will not be promoted to grade four (4) unless a good cause exemption under § 6-15-2907 is met;

(7) A statement that while the statewide reading assessment is the initial determinate for promotion, it is not the sole determiner at the end of grade three (3); and

(8) A statement that students are provided with a test-based student portfolio option and an alternative reading assessment option to demonstrate sufficient reading skills for promotion to grade four (4).

6-15-2905. Summer reading camp.

(a) A public school district shall provide summer reading camps to all students in grade three (3) who scored at the lowest achievement level on the grade three (3) statewide reading assessment.

(b) A summer reading camp shall:

(1) Be staffed with highly effective teachers of reading as demonstrated by student reading performance data and teacher performance evaluations; and

(2) Include, at a minimum, seventy (70) hours of instructional time in reading.

(c) The highly effective teacher of reading shall provide explicit and systematic reading intervention services and supports to correct the identified areas of reading deficiency of the students in the summer reading camp.

(d) If funding is available, a school district shall extend summer reading camp to students in grade one (1) and grade two (2) who are identified as having a reading deficiency.

6-15-2906. Elimination of social promotion – Parental notification.

(a) Beginning with the 2018-2019 school year, a student in grade three (3) shall demonstrate sufficient reading skills for promotion to grade four (4).

(b) A student shall be provided the following options to demonstrate sufficient reading skills for promotion to grade four (4):

(1) Scoring above the lowest achievement level on the grade three (3) statewide English language arts assessment;

(2) Earning an acceptable score on an alternative standardized reading assessment as determined and approved by the State Board of Education; and

(3) Demonstrating mastery of all grade three (3) state reading standards as evidenced through a student reading portfolio.

(c) The state board shall establish the criteria for the student reading portfolio and to define mastery of all grade three (3) state reading standards.

(d)(1) The student shall be retained in grade three (3) if the student does not:

(A) Demonstrate sufficient reading skills on one (1) of the options under subsection (b) of this section; and

(B) Qualify for a good cause exemption under § 6-15-2907.

(2) A student shall be retained two (2) times in grade three (3) under this section.

(e) A public school district shall assist schools with providing written notification to the parent of any student who is retained.

(f) The notice under subsection (e) of this section shall provide:

(1) That the student has not met the reading level required for promotion;

(2) The reasons the student is not eligible for a good cause exemption;

(3) That the student will be retained in grade three (3); and

(4) A description of the proposed interventions and supports that will be provided to the student to remedy the identified areas of reading deficiency in the retained year.

6-15-2907. Good cause exemptions.

(a) A public school district shall only exempt students from mandatory retention under § 6-15-2906 for good cause.

(b) A student who is promoted to grade four (4) with a good cause exemption shall continue to receive intensive reading intervention that includes specific reading strategies prescribed in the student's individual reading improvement plan until the reading deficiency is remedied.

(c) A public school district shall assist schools and teachers with the implementation of evidence-based reading strategies.

(d) A public school district shall only grant a good cause exemption to the following:

(1) A student with disabilities who is exempt from the statewide assessment program in accordance with the student's individualized education program;

(2) A student with disabilities who participates in the statewide reading assessment and who has an individualized education program or a Section 504 plan that reflects that the student:

(A) Has received intensive reading intervention for more than two (2) years but still demonstrates a reading deficiency; and

(B) Was previously retained in kindergarten, grade one (1), grade two (2), or grade three (3);

(3) A student identified as an English learner who has had less than two (2) years of instruction in an English learner program; and

(4) A student who:

(A) Has received intensive reading intervention for two (2) or more years but still demonstrates a reading deficiency; and

(B) Was previously retained in kindergarten, grade one (1), grade two (2), or grade three (3) for a total of two (2) years.

(e) Requests to exempt students from the mandatory retention requirement using a good cause exemption under this section shall be made as follows:

(1)(A) Documentation shall be submitted from the student's teacher to the school principal that indicates that the promotion of the student is appropriate.

(B) The documentation shall consist only of the good cause exemption being requested and the existing reading improvement plan or individualized education program, as applicable; and

(2) The school principal shall review and discuss the recommendation with the teacher and make the determination as to whether the student meets a good cause exemption;

(3) If the school principal determines that the student meets a good cause exemption based on the documentation provided, the school principal shall make the recommendation in writing to the public school district superintendent; and

(4) The public school district superintendent shall accept or reject the school principal's recommendation in writing.

6-15-2908. Successful progression of retained students.

(a) Beginning with the 2018-2019 school year, a student retained under § 6-15-2906 shall be provided the following:

(1) A highly effective teacher of reading as demonstrated by student reading performance data and teacher performance evaluations;

(2) Intensive reading intervention services and supports to correct the identified area of reading deficiency, including without limitation:

(A) More dedicated time than the previous school year in scientifically research-based reading instruction and intervention;

(B) Use of reading strategies and programs that are scientifically research-based and have proven results in accelerating student reading achievement within the same school year;

(C) Daily targeted small group reading intervention based on student needs;

(D) Explicit and systematic instruction with more:

(i) Detailed explanations;

(ii) Extensive opportunities for guided practice;

and

(iii) Opportunities for error correction and

feedback;

(E) Frequent monitoring of the reading progress of the student's reading skills throughout the school year; and

(F) Adjusted instruction according to student needs;

(3)(A) The option of a transitional instructional setting.

(B) The transitional instructional setting under subdivision (a)(3)(A) of this section shall specifically be designed to produce learning gains sufficient to meet grade four (4) performance standards in all other core academic areas while continuing to correct the areas of reading deficiency;

(4) Before and after school supplemental research-based reading intervention delivered by a teacher or tutor with specialized reading training; and

(5) A Read at Home plan outlined in a parental contract, including participation in parent training workshops and regular parent-guided home reading activities.

(b)(1) A public school district shall conduct a review of student reading improvement plans for all students retained in grade three (3).

(2) The review shall address additional supports and services under subsection (a) of this section needed to remedy the identified areas of reading deficiency.

6-15-2909. Intensive acceleration class.

(a) A public school district shall establish at each school, where applicable, an intensive acceleration class for a student retained in grade three (3) who was previously retained in kindergarten, grade one (1), or grade two (2).

(b) The intensive acceleration class shall include criteria established under § 6-15-2908 and:

(1) Have a reduced teacher-student ratio; and

(2) Provide explicit and systematic reading instruction and intervention for the majority of student contact time each day.

6-15-2910. Annual reporting.

A public school district shall annually report in writing to the Department of Education by September 1 of each year the following information on the prior school year:

(1) The public school district's policies and procedures on student retention and promotion;

(2) By grade, the number and percentage of all students in grades kindergarten through three (K-3) performing below grade level on local or statewide assessments;

(3) By grade, the number and percentage of all students retained in kindergarten through grade three (K-3);

(4) The total number and percentage of students in grade three (3) who demonstrated sufficient reading skills for promotion on the test-based student portfolio;

(5) The total number and percentage of students in grade three (3) who demonstrated sufficient reading skills for promotion on the alternative reading assessment;

(6) The total number and percentage of students in grade three (3) who were promoted under a good cause exemption by each category under § 6-15-2907; and

(7) In succeeding years, the performance of students promoted under a good cause exemption on the statewide reading assessment.

6-15-2911. Department of Education responsibilities.

(a)(1) The Department of Education shall develop a uniform format for public school districts to report the information required under this subchapter.

(2) The uniform format shall be:

(A) Developed with input from public school districts; and

(B) Provided to each public school district no later than

June 1 of each year.

(b) The department shall annually compile the information required along with state-level summary information and report the information by October 1 of each year to the:

(1) State Board of Education;

(2) Governor;

(3) President Pro Tempore of the Senate;

(4) Speaker of the House of Representatives; and

(5) Public by publishing the information on the website of the department.

(c) The department shall provide technical assistance to aid public school districts in implementing this subchapter.

6-15-2912. Rules.

The State Board of Education shall promulgate rules to implement and enforce this subchapter."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator A. Clark
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Secretary