

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/15/17

A Bill

SENATE BILL 587

5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF TITLE 6 OF THE ARKANSAS
9 CODE CONCERNING READING PROFICIENCY OF PUBLIC SCHOOL
10 STUDENTS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13
14 TO AMEND PROVISIONS OF TITLE 6 OF THE
15 ARKANSAS CODE CONCERNING READING
16 PROFICIENCY OF PUBLIC SCHOOL STUDENTS.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

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

Subchapter 29 – Reading Proficiency

6-15-2901. Intent.

It is the intent of the General Assembly that:

26
27 (1) Each student's progression from one grade to another be
28 determined, in part, upon proficiency in reading;

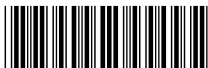
29 (2) Policies of a board of directors of a public school district
30 facilitate reading instruction and intervention services to address student
31 reading needs;

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

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

6-15-2902. Reading intervention program.

36
37 (a) A public school district shall offer a reading intervention
38 program to each student in kindergarten through grade three (K-3) who
39 exhibits a reading deficiency to ensure the student can read at or above
40 grade level by the end of grade three (3).
41



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

4 (c) The reading intervention program shall:

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

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

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

14 (4) Be implemented during regular school hours.

15
16 6-15-2903. Reading improvement plan.

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

21 (b) The reading improvement plan shall:

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

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

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

29
30 6-15-2904. Parent notification.

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

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

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

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

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

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

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

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

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

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

10
11 6-15-2905. Summer reading camp.

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

15 (b) A summer reading camp shall:

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

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

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

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

28
29 6-15-2906. Elimination of social promotion – Parental notification.

30 (a) Beginning with the 2018-2019 school year, a student in grade three
31 (3) shall demonstrate sufficient reading skills for promotion to grade four
32 (4).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24
25 6-15-2907. Good cause exemptions.

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

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

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

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

36 (1) A student with disabilities who is exempt from the statewide

1 assessment program in accordance with the student's individualized education
2 program;

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

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

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

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

12 (4) A student who:

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

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

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

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

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

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

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

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

35
36 6-15-2908. Successful progression of retained students.

1 (a) Beginning with the 2018-2019 school year, a student retained under
2 § 6-15-2906 shall be provided the following:

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

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

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

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

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

15 (D) Explicit and systematic instruction with more:

16 (i) Detailed explanations;

17 (ii) Extensive opportunities for guided practice;

18 and

19 (iii) Opportunities for error correction and
20 feedback;

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

23 (F) Adjusted instruction according to student needs;

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

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

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

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

36 (b)(1) A public school district shall conduct a review of student

1 reading improvement plans for all students retained in grade three (3).

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

5
6 6-15-2909. Intensive acceleration class.

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

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

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

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

16
17 6-15-2910. Annual reporting.

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

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

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

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

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

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

34 (6) The total number and percentage of students in grade three
35 (3) who were promoted under a good cause exemption by each category under §
36 6-15-2907; and

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

3
4 6-15-2911. Department of Education responsibilities.

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

8 (2) The uniform format shall be:

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

10 (B) Provided to each public school district no later than
11 June 1 of each year.

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

15 (1) State Board of Education;

16 (2) Governor;

17 (3) President Pro Tempore of the Senate;

18 (4) Speaker of the House of Representatives; and

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

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

23
24 6-15-2912. Rules.

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

27
28 /s/A. Clark
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