

HOUSE BILL NO. 108

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES LEDOUX, Revak

Introduced: 3/25/19

Referred: Education, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the establishment of a reading program in school districts for grades**
2 **kindergarten through three; providing for student retention in grade one; and providing**
3 **for a report on the reading program and on student retention."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 SHORT TITLE. This Act may be known as the Learn to Read - Read to Learn Act.

8 * **Sec. 2.** AS 14.03.120 is amended by adding a new subsection to read:

9 (h) To the extent allowable under state and federal privacy laws, each district
10 shall annually publish on the district's Internet website and report to the board
11 information from the previous school year regarding

12 (1) overall student progress under each aspect of the program
13 established under AS 14.30.760;

14 (2) school board policies and procedures on student retention and

1 promotion;

2 (3) the number and percentage of students retained in grades one
3 through 10, by grade level;

4 (4) the total number and percentage of students promoted for good
5 cause, by each category, under AS 14.30.760(d);

6 (5) revisions, if any, to school board policies on student retention and
7 promotion from the previous school year.

8 * **Sec. 3.** AS 14.30 is amended by adding new sections to read:

9 **Article 15. District Reading Program.**

10 **Sec. 14.30.760. District reading program.** (a) In addition to other state and
11 local programs established to address significant reading deficiencies of students, each
12 district shall establish a reading program for students in grades kindergarten through
13 three consistent with this section.

14 (b) A district reading program must provide for

15 (1) assessments, including valid and reliable screening and diagnostic
16 assessments to identify significant reading deficiencies, of students in grades
17 kindergarten through two, and grade three students as required under regulations
18 adopted by the department, within the first 30 days of the school year; the assessments
19 required under this paragraph must include

20 (A) a universal screening tool that measures phonological and
21 phonemic awareness, sound symbol recognition, alphabet knowledge,
22 decoding skills, rapid naming skills, and encoding skills; and

23 (B) for students who score in the lowest 20 percent on the
24 universal screening tool, a nationally standardized screening assessment that
25 measures basic psychological processes involved in reading; a district shall
26 administer the nationally standardized screening assessment to a student under
27 this subparagraph to identify deficits in phonological awareness and rapid
28 automatic naming and, within seven days of receiving the results, share the
29 results of the nationally standardized screening assessment with the student's
30 teacher to assist in planning an intensive intervention if required under (c)(1)
31 of this section and with a parent or guardian of the student;

1 (2) participation in statewide assessments;

2 (3) elimination of social promotion of students to the next grade level
3 based on age or other nonacademic factors; in this paragraph, "social promotion"
4 means the practice of promoting a student to the next grade level despite the inability
5 of the student to meet standards established for that grade level by the department;

6 (4) retention of students in grade one who fail to meet the minimum
7 reading standards established by the state board for performance on a universal
8 screening tool or nationally standardized screening assessment, except for good cause
9 shown under (d) of this section; however,

10 (A) if a student is identified as not meeting the minimum
11 reading standards, the school shall hold a conference with the student's teacher,
12 the student's parent or guardian, and the school principal during the last 45
13 days of the school year to discuss retention of the student in grade one; and

14 (B) a student may not be retained in grade one for more than
15 one school year under the program;

16 (5) to the extent feasible, an optional transitional grade for a student
17 retained in grade one under the program that combines intensive reading instruction as
18 described in (c)(1) of this section with grade two core subjects;

19 (6) within four weeks after the district receives results of the universal
20 screening tool or nationally standardized screening assessment, regular written
21 notifications to a parent or guardian of a student in grades kindergarten through three
22 who is identified as having a significant reading deficiency describing

23 (A) the nature of the reading deficiency;

24 (B) the current educational services provided to the student;

25 (C) supplemental instructional services and remedial support of
26 the reading deficiency proposed to be provided to the student;

27 (D) for the parent or guardian of a student in kindergarten or
28 grade one, the requirement to retain the student in grade one if the reading
29 deficiency is not sufficiently remediated, except for good cause as provided in
30 (d) of this section;

31 (E) strategies for the parent or guardian to use to help the child

1 succeed that include provision for

2 (i) supplemental tutoring using research-based reading
3 strategies;

4 (ii) a home reading plan in the context of a parent or
5 guardian contract that includes participation in parent training
6 workshops and regular parent-guided reading at home;

7 (iii) an assigned mentor in reading;

8 (7) a monitoring plan established for each student who is identified as
9 having a significant reading deficiency.

10 (c) For a student who is retained in grade one under the program established in
11 this section, a district shall, beginning as early as possible, provide

12 (1) intensive interventions, during regular school hours, in reading
13 literacy designed to ameliorate the student's specific reading deficiency, including

14 (A) instructional strategies that are employed daily for at least
15 90 minutes each day; the strategies must be based on scientific reading
16 research and include

17 (i) small group instruction;

18 (ii) reduced pupil-teacher ratios;

19 (iii) frequent monitoring for progress;

20 (iv) tutoring and mentoring;

21 (v) opportunities in reading that incorporate grade two
22 core subjects;

23 (vi) intensive language and vocabulary instruction that
24 may involve a speech and language therapist;

25 (B) participation by the student in a summer reading camp in
26 the district;

27 (C) appropriate teaching methodologies necessary to assist the
28 student in progressing to the next grade level in reading; the methodologies
29 under this subparagraph shall be selected by a highly effective teacher in the
30 district, as determined by the superintendent based on teacher evaluations;

31 (D) extended school days, weeks, or years;

1 (2) review of the student's progress in completing a monitoring plan
2 established for the student;

3 (3) assessment of the student's needs for additional services;

4 (4) instruction in developing a reading portfolio;

5 (5) an accelerated reading class for retained students with the lowest
6 scores on standards-based assessments in language arts; the accelerated reading class
7 shall be designed to help each student achieve an improvement of at least two grade
8 levels in reading;

9 (6) an annual progress report submitted to the department;

10 (7) a home reading plan that involves the student's parent or guardian.

11 (d) A district may exempt a student from mandatory retention under (b)(4) of
12 this section for good cause if the parent or guardian of the student requests the
13 exemption, receives a recommendation for the exemption from the student's teacher
14 and principal, and provides documentation demonstrating that the student has

15 (1) limited English proficiency after completing not more than two
16 years of instruction in a limited English proficiency program;

17 (2) a disability and an individualized education plan under
18 AS 14.30.278 that exempts the student from participation in statewide standards-based
19 assessments and meets other requirements established by law;

20 (3) an individualized education program under AS 14.30.278 that
21 resulted in at least two years of intensive remediation in reading, was retained at least
22 once in grades kindergarten or one, and is promoted using additional resources that
23 include specialized diagnostic information, altered instructional days, and
24 individualized reading strategies;

25 (4) received intensive remediation in reading for at least two years that
26 included an altered instructional day, specialized diagnostic testing, and strategies
27 based on scientific reading research to improve reading skills and was retained at least
28 twice in grades kindergarten or one; or

29 (5) successfully completed an alternative assessment in reading
30 approved by the district.

31 (e) In this section,

1 (1) "scientific reading research" means research that

2 (A) applies rigorous, systematic, and objective procedures to
3 obtain valid knowledge relevant to reading development, reading instruction,
4 and reading difficulties;

5 (B) uses systematic empirical methods based on observation or
6 experiments;

7 (C) involves rigorous data analysis that is adequate to test the
8 stated hypothesis and justify the general conclusions drawn by the researchers;

9 (D) relies on measurements or observational methods that can
10 be verified by other researchers;

11 (E) has been accepted by a peer-reviewed journal or approved
12 by a panel of independent experts through a comparably rigorous, systematic,
13 objective, and scientific review; and

14 (F) tests elements of essential components of reading
15 instruction;

16 (2) "significant reading deficiency" means that a student does not meet
17 the minimum skill levels for reading competency in the areas of phonemic awareness,
18 phonics, vocabulary development, and reading fluency, including verbal skills and
19 reading comprehension, under standards established by the state board for the student's
20 grade level.

21 **Sec. 14.30.770. Temporary waiver of district reading program**
22 **requirement.** The department may provide a temporary waiver to a district of a
23 reading program required under AS 14.30.760 for a period not to exceed three years if
24 the district demonstrates to the satisfaction of the department that the district is taking
25 necessary steps toward establishing and implementing the reading program. The
26 department may extend a temporary waiver granted under this section if the district
27 can demonstrate that full implementation of a district reading program was delayed by
28 an extreme circumstance over which the district had no control.

29 **Sec. 14.30.780. Audit of district reading program.** The department shall
30 provide an audit of each district reading program to determine consistency with the
31 standards established under AS 14.30.760. The department shall perform the audit

1 seven years after full implementation of the program or 10 years after the first year of
2 implementation of the program, whichever is sooner.

3 **Sec. 14.30.790. Definition.** In AS 14.30.760 - 14.30.790, "district" has the
4 meaning given in AS 14.17.990.