

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 693

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1614, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING READING INSTRUCTION AND INTERVENTION; AMENDING SEC-
3 TION 33-1615, IDAHO CODE, TO REVISE PROVISIONS REGARDING READING AS-
4 SESSMENTS; AMENDING SECTION 33-1616, IDAHO CODE, TO REVISE PROVISIONS
5 REGARDING LITERACY INTERVENTION; AND PROVIDING AN EFFECTIVE DATE.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 33-1614, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-1614. READING INSTRUCTION AND INTERVENTION. (1) It is the ultimate
11 goal of the legislature that every student read at or above grade level by the
12 end of grade 3. School districts shall offer a reading intervention program
13 pursuant to section 33-1616, Idaho Code, to each kindergarten through grade
14 3 student who exhibits a reading deficiency on ~~the statewide~~ a local read-
15 ing assessment pursuant to section 33-1615, Idaho Code, or who is identified
16 as having such deficiency in an evaluation by a teacher, to ensure students
17 can read at or above grade level at the end of grade 3. The reading interven-
18 tion program shall be provided in addition to core reading instruction that
19 is provided to all students in the general education classroom and must be in
20 alignment with the Idaho comprehensive literacy plan. The reading interven-
21 tion program shall:

22 (a) Be provided to all grade K-3 students identified with a reading
23 deficiency as determined by ~~the statewide~~ local reading assessments or
24 evaluation by a teacher;

25 (b) Provide intensive development in phonemic awareness, phonics,
26 fluency, vocabulary and text comprehension, as applicable to the grade
27 level and aligned with Idaho content standards; and

28 (c) Monitor the reading progress of each student's reading skills
29 throughout the school year and adjust instruction according to student
30 needs. Monitoring may ~~include both local and statewide~~ be done using
31 interim assessments.

32 (2) Reading Improvement Plan. Any student in kindergarten through
33 grade 3 who exhibits a deficiency in reading at any time based upon ~~the~~
34 ~~statewide~~ assessment or an evaluation shall receive an individual reading
35 improvement plan no later than thirty (30) days after the identification
36 of the reading deficiency. The reading improvement plan shall be cre-
37 ated by the teacher, the principal, other pertinent school personnel,
38 ~~including staff-assigned library duties if applicable,~~ and the parent(s) or
39 guardian(s) and shall describe the reading intervention services the stu-
40 dent will receive to remedy the reading deficit. Each student must receive
41 intensive reading intervention until the student is determined to be profi-
42 cient in reading ~~for their~~ at grade level.

1 (a) Having made a good faith effort, should the school be unable to en-
 2 gage the parent or guardian in the development of the student's reading
 3 improvement plan within fifteen (15) days of notifying the parent, the
 4 school may move forward with the creation of the student's reading im-
 5 provement plan without parental participation.

6 ~~(b) Any student who has been identified as not proficient through a lo-~~
 7 ~~cal literacy assessment may also be put on a reading improvement plan.~~

8 ~~(c)~~ Students who are on a reading improvement plan and have been identi-
 9 fied through the statewide a local reading assessment or an evaluation
 10 by a teacher to be at grade level may be transitioned off of the reading
 11 improvement plan. Schools must notify the parents or guardians in ad-
 12 vance of transitioning students off of their reading improvement plan.

13 (3) Parent Notification. The parent of any student in kindergarten
 14 through grade 3 who exhibits a deficiency in reading at any time during
 15 the school year must be notified in writing of the reading deficiency. The
 16 school district shall assist schools with providing written notification to
 17 the parent of any student who has not met grade-level proficiency.

18 (a) The initial notification must include the following:

19 (i) A statement that his or her student has been identified as
 20 having a deficiency in reading and a reading improvement plan will
 21 be established by the teacher, principal, other applicable school
 22 personnel and the parent (s) or guardian (s);

23 (ii) A description of the current services that are provided to
 24 the student; and

25 (iii) A description of the available reading intervention and sup-
 26 plemental instructional services and supports that could be pro-
 27 vided to the student that are designed to address the identified
 28 areas of reading deficiency.

29 (b) Following development of the plan, the parent will be provided
 30 with:

31 (i) A description of the reading intervention and supplemental
 32 instructional services and support that will be provided to the
 33 student that are designed to address the identified areas of read-
 34 ing deficiency; and

35 (ii) Strategies for parents to use at home in helping their stu-
 36 dent to succeed in reading.

37 (c) At the conclusion of each school year, or earlier if it has been
 38 determined that the student is proficient and is no longer in need of
 39 intervention, the parent or guardian will be updated on the student's
 40 progress, including any recommendation for placement.

41 (4) District Annual Reporting. Each school district shall report to
 42 the state department of education by October 1 of each year. The report shall
 43 contain the following information on the prior school year:

44 (a) By grade, the number and percentage of all students in grades K-3
 45 performing at the basic or below basic level on ~~local and statewide a lo-~~
 46 cal assessments in reading; and

47 (b) By grade, the number and percentage of all students in grades K-3
 48 performing at the proficient or ~~higher~~ advanced level on a local and
 49 statewide assessments in reading.

1 (5) Department Responsibilities. The state department of education
 2 shall annually compile the information required along with state-level sum-
 3 mary information and annually report such information to the state board of
 4 education, the public, the governor and the legislature. The department
 5 shall provide technical assistance as needed to aid school districts in im-
 6 plementing the provisions of this section.

7 (6) The state board of education may promulgate rules for the adminis-
 8 tration and implementation of this section.

9 SECTION 2. That Section 33-1615, Idaho Code, be, and the same is hereby
 10 amended to read as follows:

11 33-1615. READING ASSESSMENT. The state department of education shall
 12 be responsible for ~~administration~~ coordination of all assessment efforts
 13 ~~and shall train assessment personnel and report results.~~

14 (1) In continuing recognition of the critical importance of reading
 15 skills, all public school students in kindergarten and grades 1, 2 and 3
 16 shall have their reading skills assessed by a local assessment designed to
 17 measure a student's reading competency. For purposes of this ~~assessment~~
 18 section, the state board-approved research-based "Idaho Comprehensive Lit-
 19 eracy Plan" shall be the reference document. The kindergarten assessments
 20 shall include, but not be limited to, reading readiness, fluency and phono-
 21 logical awareness as recognized by Idaho content standards. Grades 1, 2
 22 and 3 shall test for fluency, comprehension and accuracy of the student's
 23 reading. The local reading assessment shall be by a single statewide test
 24 specified by the state board of education, and the state department of ed-
 25 ucation shall ensure that testing aligned with Idaho content standards.
 26 Assessment shall take place not less no fewer than two (2) times per year
 27 in the relevant grades to show student growth toward reading competency.
 28 Local reading assessments shall assist school personnel in developing the
 29 student's reading improvement plan and provide in-depth information about a
 30 student's instructional needs. Additional progress monitoring assessments
 31 may be administered to students who are identified for reading interventions
 32 as set forth in section 33-1616, Idaho Code. The ~~state K-3 assessment test~~
 33 results shall be reviewed by school personnel for the purpose of providing
 34 necessary interventions to sustain or improve the students' reading skills.
 35 Reports shall be submitted by the school districts in such a manner that it
 36 is possible to determine for each school building with kindergarten through
 37 grade 3 in each school district the percentage of students who are achiev-
 38 ing proficiency ~~on the reading assessment.~~ Results shall be maintained and
 39 compiled by the school district for inclusion in its continuous improvement
 40 plan and by the state department of education and shall be reported annually
 41 to the state board, legislature and governor and made available to the public
 42 in a consistent manner, by school and by district.

43 (2) The assessment scores and interventions recommended and imple-
 44 mented shall be maintained in the permanent record of each student.

45 (3) The administration of ~~the state K-3 assessments~~ is to be done in the
 46 local school districts by individuals chosen by the district ~~other than to~~
 47 maintain the integrity of the assessment process and should include the reg-
 48 ular classroom teacher. ~~All those who administer the assessments shall be~~
 49 ~~trained by the state department of education.~~

1 (4) ~~It is legislative intent that curricular materials utilized by~~
 2 ~~school districts for kindergarten through grade 3 shall align with the~~
 3 ~~"Idaho Comprehensive Literacy Plan."~~ At a minimum, local reading assess-
 4 ments must be:

5 (a) Scientifically based, with instruction based on research that ap-
 6 plies rigorous, systematic and objective procedures to obtain valid
 7 knowledge that is relevant to reading development, reading instruction
 8 and reading difficulties;

9 (b) Valid and reliable;

10 (c) Proven to effectively and accurately measure a student's reading
 11 skills in the areas of phonemic awareness, phonics, vocabulary develop-
 12 ment, fluency and reading comprehension in alignment with Idaho content
 13 standards; and

14 (d) In the case of a diagnostic assessment, proven to accurately iden-
 15 tify a student's reading skill deficiencies.

16 SECTION 3. That Section 33-1616, Idaho Code, be, and the same is hereby
 17 amended to read as follows:

18 33-1616. LITERACY INTERVENTION. (1) Each school district and public
 19 charter school shall establish an extended time literacy intervention pro-
 20 gram for students who are determined to exhibit a reading deficiency in an
 21 evaluation by a teacher or who score basic or below basic on the fall ~~reading~~
 22 ~~screening assessments or alternate reading screening assessment~~ local
 23 ~~screeener~~ in kindergarten through grade 3 and submit it to the state board of
 24 education.

25 (2) The program shall provide:

26 (a) Proven, effective research-based substantial intervention and
 27 shall include phonemic awareness, decoding intervention, vocabulary,
 28 comprehension and fluency as applicable to the student based on a forma-
 29 tive assessment designed to, at a minimum, identify such weaknesses;

30 (b) May include online or digital instructional materials or computer-
 31 assisted learning programs or library resources and must include parent
 32 input and be in alignment with the Idaho comprehensive literacy plan;

33 (c) A minimum of sixty (60) hours of supplemental instruction for stu-
 34 dents in kindergarten through grade 3 who score below basic on the local
 35 reading ~~screening~~ assessment; and

36 (d) A minimum of thirty (30) hours of supplemental instruction for stu-
 37 dents in kindergarten through grade 3 who score basic on the local read-
 38 ing ~~screening~~ assessment.

39 (3) Of the funds appropriated for the purpose of this section, no more
 40 than one hundred dollars (\$100) per student may be used for transportation
 41 costs.

42 (4) For the purpose of program reimbursement, the state department of
 43 education shall adopt reporting forms, establish reporting dates, and adopt
 44 such additional guidelines and standards as necessary to accomplish the pro-
 45 gram goals that every child will read fluently and comprehend printed text on
 46 grade level by the end of the third grade.

47 (5) To ensure students receive high-quality literacy instruction and
 48 intervention, the state department of education shall provide professional
 49 development to districts and schools on best practices supporting literacy

1 instruction as outlined in the state board of education approved "Idaho
2 Comprehensive Literacy Plan." Curricular materials utilized by school
3 districts for kindergarten through grade 3 shall align with the Idaho com-
4 prehensive literacy plan and the Idaho content standards. Intervention
5 program participation and effectiveness by school and district shall be pre-
6 sented annually to the state board, the legislature and the governor.

7 (6) At a minimum, digital instructional materials and computer-as-
8 sisted learning programs must:

9 (a) Meet the requirements in subsection (2) (a) of this section;

10 (b) Be evidence-based, with instruction based on reliable and trust-
11 worthy data;

12 (c) Have demonstrated a record of success in adequately increasing stu-
13 dents' reading competency;

14 (d) Provide initial and ongoing analysis of a student's progress toward
15 reading competency;

16 (e) Provide explicit instruction in the areas of phonemic awareness,
17 phonics, vocabulary, fluency and comprehension; and

18 (f) Align to the Idaho content standards.

19 (7) The state board of education shall promulgate rules implementing
20 the provisions of this section. ~~At a minimum, such rules shall include stu-~~
21 ~~dent trajectory growth to proficiency benchmarks and a timeline for reaching~~
22 ~~such benchmarks.~~

23 SECTION 4. This act shall be in full force and effect on and after July
24 1, 2019.