

CHAPTER 15. CURRICULUM AND INSTRUCTION
SUBCHAPTER 27. READING SUFFICIENCY ACT

210:15-27-1. Reading Sufficiency Act [AMENDED]

(a) ~~No later than September 30, 1998, each~~ Each public school district will ~~submit~~ develop a district reading sufficiency plan that includes a plan for each site, ~~to the State Department of Education for approval.~~ The district reading plan will become a part of each district's Comprehensive Local Education Plan and must be updated annually as part of the requirements for receiving accreditation.

(b) Each school district and each school site shall submit to the State Department of Education the information to be used for the required Reading Sufficiency Act ~~annual~~ Annual Reading Report Card. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(c) Each school district will submit to the State Department of Education, the number of students in kindergarten, first, second and third grades found to be in need of remediation in reading based on screening instruments approved by the State Board of Education. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(d) Pursuant to the Reading Sufficiency Act, each school district shall submit to the State Department of Education its annual improvement goals necessary to progress from the baseline established September 1, 2005, to achieving the reading goal by July 1, 2008. These improvement goals shall be submitted to the State Board of Education. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(e) Contingent on the availability of appropriated funds, the State Department of Education ~~will~~ may award up to ~~\$150~~ \$150.00 to public school districts for each currently enrolled first, second, and third grade student who is found to be in need of remediation in reading.

(f) Reading sufficiency funds allocated under this section (e) must be used ~~only~~ for expenses relating to individual and small group tutoring, purchase ~~of and~~ and/or development of instructional training in the use of screening assessment measures, summer school programs, ~~and~~ Saturday school programs, and any other reading program or professional development training contemplated as necessary by the districts to perform the goals of the Reading Sufficiency Act for students in the first, second, and third grades who have been identified by the elementary site as in need of a program of reading instruction.

(g) Each school district with one or more school sites identified for School Improvement shall submit its district reading sufficiency plan to the State Board of Education. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(h) The district reading sufficiency plan shall be submitted to the State Board of Education if the district has any schools that are not achieving the annual improvement goals as outlined in the Reading Sufficiency Act. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(i) Contingent on the availability of appropriated funds, the State Department of Education ~~will~~ may award up to ~~\$400~~ \$400.00 to public school districts for each eligible currently enrolled student who is found not to be reading at grade level and who subsequently participates in a summer academy reading program pursuant to the Reading Sufficiency Act.

(j) Each district will submit the number of eligible students who may participate in an approved summer academy reading program based on results from an approved assessment as outlined in the Reading Sufficiency Act. Submission date to be determined by the ~~School Improvement Division~~ Office of Instruction of the State Department of Education.

(k) Reading Sufficiency funds allocated from the student count in (j) ~~must~~ may be used for expenses relating to any approved summer academy reading programs for participating eligible students.

(l) Summer academy reading programs for students shall be courses that:

- (1) provide at least four (4) weeks of tutoring a half (1/2) day each day for four days,

- (2) ~~incorporate the content of a reading program administered by the Oklahoma Commission for Teacher Preparation or a scientifically based reading program administered and approved by the State Board of Education that meets the criteria set forth in the Reading Sufficiency Act.~~
- (3) ~~are taught by teachers who have successfully completed a professional development-institute or program in reading administered by the Oklahoma Commission for Teacher Preparation or a scientifically based reading professional development program administered by the State Board of Education as prescribed by the statutory provisions of the Reading Sufficiency Act.~~
- (4) ~~include only eligible students not reading at grade level based on results from an assessment approved by the State Board of Education.~~
- (m) ~~Superintendents of districts offering summer academy reading programs will sign and submit an assurance statement that their reading program program(s) has met meet the requirements in (k) of the Reading Sufficiency Act prior to receipt of funding.~~

210:15-27-2 Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion [NEW]

- (a) Beginning with the 2013-2014 school year, students who score at the Unsatisfactory level on the Reading portion of the Grade 3 criterion-referenced test(s) may only be promoted to grade four if the student qualifies for a good cause or other statutory exemption pursuant to 70 O.S. § 1210.508C.
- (b) Good cause exemptions shall be limited to the six (6) statutory exemptions outlined in 70 O.S. 508C, Section (K).
 - (1) Completion of transitional grades shall be considered a previous retention for purposes of 70 O.S. § 508C, Section (K). A transitional grade consists of subject area curriculum selected from two consecutive grade levels to provide differentiated instruction needed for a student to master appropriate skills required for promotion.
 - (2) Students with disabilities who are assessed with alternate achievement standards (AA-AAS) under the Oklahoma School Testing Program (OSTP) with the Oklahoma Alternative Assessment Program (OAAP) qualify for the good cause exemption pursuant to 70 O.S. § 1210.508C(K)(2).
- (c) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment may be granted a good cause exemption for promotion to the fourth grade. To promote a student using an alternative standardized reading assessment, the following criteria shall apply:
 - (1) The following are approved alternative standardized reading assessments that may be used to justify a good cause promotion pursuant to 70 O.S. § 1210.508C(K)(3). The listed score constitutes an acceptable level of performance, and the student must score at or above the following percentiles:

<u>(A) Stanford Achievement Test, Tenth Edition, (SAT 10)</u>	<u>45th Percentile</u>
<u>(B) Iowa Test of Basic Skills (ITBS) Complete Battery Form A, C or E, Level 9, Reading Comprehension</u>	<u>45th Percentile</u>
<u>(C) Iowa Test of Basic Skills (ITBS) Core Battery, Form A, C, or E, Level 9, Reading Comprehension</u>	<u>45th Percentile</u>
<u>(D) Terranova, Third Edition Complete Battery Level 13, Reading</u>	<u>45th Percentile</u>
 - (2) Alternative standardized reading assessments may only be administered following the administration of the Reading portion of the Grade 3 criterion-referenced test(s). The spring test form of the exam shall be administered.

(3) An approved alternative standardized reading assessment may be administered at any time prior to the start of the next academic year, if there are at least thirty calendar (30) days between administrations and different test forms are administered.

(d) To promote a student using a student portfolio as a good cause exemption there must be evidence that demonstrates the student's mastery of state standards beyond the retention level and that the student is reading on grade level or higher. To promote a student through the use of a student portfolio, the following criteria shall apply:

(1) The portfolio shall evidence demonstration of the student's mastery of the Oklahoma state standards in reading equal to grade level performance on the Reading portion of the Grade 3 criterion-referenced test(s). Such evidence shall be documented through an organized collection of work representing the student's mastery of such standards.

(2) A student portfolio created to serve as the basis for a good cause exemption must meet the following criteria:

(A) Consist only of grade-level work selected by the student's Reading teacher;

(B) Be an accurate representation of the student's reading achievement level, and only include work that has been independently produced in the third grade by the student in the classroom of the student's Reading teacher;

(C) Include clear evidence that the standards assessed by the Reading portion of the Grade 3 criterion-referenced test(s) have been met. Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of:

(i) Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards; or

(ii) Teacher-prepared assessments.

(D) Each standard and objective assessed by the Grade 3 Reading portion of the criterion-referenced test(s) must include a minimum of four (4) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required.

(E) Be signed by the student's Reading teacher and the principal of the school, both attesting that the portfolio is an accurate assessment of the student's reading achievement level and that the student possesses required reading skills to be promoted to fourth grade.

(e) To promote a student under 70 O.S. § 1210.508C (L), the student's teacher shall compile a student portfolio which demonstrates that the student should be exempted from the academic requirements of the Oklahoma Reading Sufficiency Act. The student portfolio shall indicate that promotion is appropriate based on the record of the student, as documented by a student portfolio.

(1) An exemption based on the record of the student shall exist only if the student has been evaluated for special education services and received a borderline deficiency Full Scale IQ or General Intellectual Ability (GIA) score of seventy (70) to seventy-nine (79) on an intellectual assessment listed in sub-section (1)(B).

(A) Student portfolios compiled pursuant to section (e) of this rule shall contain documentation of the intellectual assessment administered to the student and the respective score report. The intellectual assessment must be administered by a licensed psychologist, certified school psychologist, or certified psychometrist.

(B) The following intellectual assessments may be administered to justify an exemption under this section:

(i) WISC-IV

(ii) Stanford-Binet V

(iii) Woodcock Johnson III Normative Update

(C) An intellectual assessment may only be used to justify this exemption if administered in the current or previous school year of the Grade 3 criterion-referenced test administration. Prior intellectual assessments may not be relied upon as justification for this exemption.

(D) The standard error of measurement (SEM) shall not be considered for purposes of this section.

(2) The student portfolio shall be compiled by the student's Reading teacher and submitted to the school principal for approval. The portfolio shall be signed by the student's Reading teacher and the principal of the school, both attesting that the student meets the requirements of this section.

(3) The student's Reading teacher, in consultation with the school principal, shall determine whether the student qualifies for an exemption pursuant to this rule.

(f) Any student promoted on the basis of a good cause exemption listed in 70 O.S. 508C, Section (K), or exempted from academic requirements pursuant to sub-section (e) of this rule should continue to receive intensive reading instruction and intensive instructional services and supports through the continued implementation of an Academic Progress Plan (APP) to remedy the reading deficiency.

(g) Documentation shall be maintained in the student record of any student promoted on the basis of a good cause exemption listed in 70 O.S. 508C, Section (K), or student exemptions granted pursuant to sub-section (e) of this rule. Documentation shall include the student's criterion-referenced test score, and any documentation relied upon to grant a good cause exemption or exemption pursuant to sub-section (e) of this rule.

210:15-27-3 Standards for Mid-Year Promotion of Retained Third Graders [NEW]

(a) District school boards of education shall adopt and implement a policy for the mid-year promotion of any student retained in third grade due to a reading deficiency as required by 70 O.S. § 1210.508C. Such mid-year promotions of retained third grade students must occur during the first semester of the academic year, and must occur prior to November 1 of that academic year.

(b) To be eligible for mid-year promotion, a student must demonstrate by reasonable expectation that he or she:

(1) Is a successful and independent reader as demonstrated by reading at or above grade level;

(2) Has progressed sufficiently to master appropriate fourth grade reading skills; and

(3) Has met any additional requirements, such as satisfactory achievement in other curriculum areas, as determined by the policies of the district school board.

(c) Standards that provide a reasonable expectation that the student has met the requirements of section (b) of this rule include demonstrating a level of proficiency required to score above the Unsatisfactory level on the Grade 3 criterion referenced test(s) and mastery of reading skills, consistent with the month of promotion to fourth grade, as presented in the scope and sequence of the school district's core reading program. Evidence of demonstrated mastery shall be shown by the following:

(1) Successful completion of portfolio elements that meet state criteria in subsection (d) of this rule; or

(2) Satisfactory performance on a subsequent alternative standardized assessment as specified in section (e) of this rule.

(d) To promote a student mid-year using a student portfolio as provided for in paragraph (c)(1) of this rule, there must be evidence of the student demonstrating a level of proficiency required to score above the Unsatisfactory level on the Oklahoma state standards as assessed by the Reading portion of the Grade 3 criterion-referenced test(s), and mastery of the Oklahoma state standards as assessed by the Reading portion of the Grade 4 criterion-referenced test(s), as specified in section (b) of this rule. The student portfolio must meet the following requirements:

(1) Consist only of work selected by the student's Reading teacher;

(2) Be an accurate representation of the student's reading achievement level, and only include work that has been independently produced by the student in the classroom of the student's Reading teacher;

(3) Include evidence demonstrating a level of proficiency required to score above the Unsatisfactory level on the standards assessed by the Reading portion of the Grade 3 criterion-referenced test(s) by meeting all requirements set forth in 210:15-27-2(d);

(4) Include evidence of beginning mastery of fourth grade state standards that are assessed by the Grade 4 Reading portion of the criterion-referenced test(s). Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of:

(A) Chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards; or

(B) Teacher-prepared assessments;

(5) Each standard and objective assessed by the Grade 4 Reading portion of the criterion-referenced test(s) must include a minimum of three (3) work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required; and

(6) Be signed by the Reading teacher and the principal of the school, both attesting that the portfolio is an accurate assessment of the student's ability and that the student possesses the required reading skills to be promoted to fourth grade.

(e) To promote a student mid-year using an alternative standardized assessment as provided for in subsection (c)(2) of this rule, there must be evidence that the student scored at or above grade level on the reading portion of an alternative standardized reading assessment listed in OAC 210:15-27-2(c)(1), as demonstrated by standard scores or percentiles consistent with the month of promotion to the fourth grade.

(f) The Academic Progress Plan (APP) for any retained third grade student who has been promoted mid-year to fourth grade must continue to be implemented for the entire academic year.

(g) A mid-year promotion shall only occur upon agreement of the parent or legal guardian of the student, and the principal of the school. Such decision should be made in consultation with the student's third and fourth grade teachers.