

House File 2229 - Introduced

HOUSE FILE 2229

BY RUFF

A BILL FOR

1 An Act relating to reading proficiency assessments and
2 intensive summer reading programs administered and provided
3 by school districts.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.7, subsection 31, paragraph a, Code
2 2016, is amended to read as follows:

3 a. ~~By July 1, 2013, adopt~~ Adopt by rule guidelines for
4 school district implementation of section 279.68, including
5 but not limited to basic levels of reading proficiency on
6 approved locally determined or statewide assessments and
7 identification of tools that school districts may use in
8 evaluating and reevaluating any student who may not be or who
9 is determined not to be ~~deficient~~ reading proficiently and is
10 persistently at risk in reading, including but not limited to
11 initial assessments and subsequent assessments, alternative
12 assessments, and portfolio reviews. The state board shall
13 adopt standards that provide a reasonable expectation that a
14 student's progress toward reading proficiency under section
15 279.68 is sufficient to master appropriate grade four level
16 reading skills prior to the student's promotion to grade four.

17 Sec. 2. Section 279.68, Code 2016, is amended to read as
18 follows:

19 **279.68 Student progression — ~~remedial~~ intensive reading**
20 **instruction — reporting requirements — promotion.**

21 1. ~~Reading deficiency and~~ proficiency, assessments, parental
22 notification, and promotion.

23 a. A school district shall assess all students enrolled
24 in kindergarten through grade three at the beginning of each
25 school year for their level of reading or reading readiness on
26 locally determined or statewide assessments, as provided in
27 section 256.7, subsection 31. A If a student is not reading
28 proficiently and is persistently at risk in reading, based
29 upon the assessments administered in accordance with this
30 paragraph, the school district shall provide intensive reading
31 instruction to any the student who ~~exhibits a substantial~~
32 ~~deficiency in reading, based upon the assessment or through~~
33 ~~teacher observations.~~ The student's reading proficiency shall
34 be periodically reassessed by locally determined or statewide
35 assessments including periodic universal screening and annual

1 standard-based assessments. The student shall continue to be
2 provided with intensive reading instruction until the student
3 is reading deficiency is remedied at grade level, as determined
4 by the student's consistently proficient performance on valid
5 and reliable measures of reading ability. For purposes of
6 this section, "persistently at risk" means the student has not
7 met the grade-level benchmark on two consecutive screening
8 assessments administered under this paragraph.

9 b. The parent or guardian of any student in kindergarten
10 through grade three who ~~exhibits a substantial deficiency in~~
11 is persistently at risk in reading, as described in paragraph
12 "a", shall be notified at least annually in writing and shall be
13 provided all of the following:

14 (1) ~~That the child has been identified as having a~~
15 ~~substantial deficiency in reading.~~

16 (2) (1) A description of the services currently provided to
17 the ~~child~~ student.

18 (3) (2) A description of the proposed supplemental
19 instructional services and supports that the school district
20 will provide to the ~~child~~ student that are designed to
21 remediate the identified ~~area of~~ areas in which the student is
22 persistently at risk in reading deficiency.

23 (4) (3) Strategies for parents and guardians to use in
24 helping the ~~child succeed in reading proficiency~~ student read
25 proficiently, including but not limited to the promotion of
26 parent-guided home reading.

27 (4) Regular updates regarding the student's progress
28 toward reaching or exceeding the targeted level of reading
29 proficiency.

30 c. Beginning May 1, 2017, unless the school district is
31 granted a waiver pursuant to subsection 2, paragraph "e", if the
32 ~~student's~~ student is persistently at risk in reading deficiency
33 ~~is not remedied by the end of grade three, as demonstrated by~~
34 ~~scoring on a locally determined or statewide assessment as~~
35 ~~provided in~~ section 256.7, subsection 31, the school district

1 shall notify the student's parent or guardian that the parent
 2 or guardian may enroll the student in an intensive summer
 3 reading program offered in accordance with [subsection 2](#),
 4 paragraph "e". If the parent or guardian does not enroll the
 5 student in the intensive summer reading program and the student
 6 is ineligible for the good cause exemption under subsection
 7 5, the student shall be retained in grade three pursuant to
 8 subsection 3. If the student is exempt from participating in
 9 an intensive summer reading program for good cause, pursuant
 10 to [subsection 5](#), or completes the intensive summer reading
 11 program but is not reading ~~proficient~~ proficiently upon
 12 completion of the program, the student may be promoted to grade
 13 four, but the school district shall continue to provide the
 14 student with intensive reading instruction until the student is
 15 ~~proficient in reading~~ proficiently as demonstrated by scoring
 16 on locally determined or statewide assessments administered
 17 under paragraph "a".

18 *2. Successful progression for early readers.* If funds
 19 are appropriated by the general assembly for purposes of
 20 implementing [this subsection](#), a school district shall do all
 21 of the following:

22 *a.* Provide students who are ~~identified as having a~~
 23 ~~substantial deficiency~~ persistently at risk in reading under
 24 [subsection 1](#), paragraph "a", with intensive instructional
 25 services and supports, free of charge, to remediate the
 26 identified areas of ~~reading deficiency~~ in which students are
 27 not proficient in reading, including a minimum of ninety
 28 minutes daily of scientific, research-based reading instruction
 29 and other strategies prescribed by the school district which
 30 may include but are not limited to the following:

- 31 (1) Small group instruction.
- 32 (2) Reduced teacher-student ratios.
- 33 (3) More frequent progress monitoring.
- 34 (4) Tutoring or mentoring.
- 35 (5) Extended school day, week, or year.

1 (6) Summer reading programs.

2 *b.* At regular intervals, apprise the parent or guardian of
3 academic and other progress being made by the student and give
4 the parent or guardian other useful information.

5 *c.* In addition to required reading enhancement and
6 acceleration strategies, provide parents of students who are
7 ~~identified as having a substantial deficiency~~ persistently at
8 risk in reading under ~~subsection 1, paragraph "a"~~, with a plan
9 outlined in a parental contract, including participation in
10 regular parent-guided home reading.

11 *d.* Establish a reading enhancement and acceleration
12 development initiative designed to offer intensive accelerated
13 reading instruction to each kindergarten through grade three
14 student who is ~~assessed as exhibiting a substantial deficiency~~
15 persistently at risk in reading. The initiative shall comply
16 with all of the following criteria:

17 (1) Be provided to all kindergarten through grade
18 three students who ~~exhibit a substantial deficiency in~~ are
19 persistently at risk in reading under ~~this section~~. The
20 assessment initiative shall measure phonemic awareness,
21 phonics, fluency, vocabulary, and comprehension.

22 (2) Be provided during regular school hours in addition to
23 the regular reading instruction.

24 (3) Provide a reading curriculum that meets guidelines
25 adopted pursuant to ~~section 256.7, subsection 31~~, and at a
26 minimum has the following specifications:

27 (a) Assists students ~~assessed as exhibiting a substantial~~
28 ~~deficiency in~~ who are persistently at risk in reading to
29 develop the skills to read at grade level. Assistance shall
30 include but not be limited to strategies that formally address
31 dyslexia, when appropriate. For purposes of this subparagraph
32 division (a), "dyslexia" means a specific and significant
33 impairment in the development of reading, including but not
34 limited to phonemic awareness, phonics, fluency, vocabulary,
35 and comprehension, that is not solely accounted for by

1 intellectual disability, sensory disability or impairment, or
2 lack of appropriate instruction.

3 (b) Provides skill development in phonemic awareness,
4 phonics, fluency, vocabulary, and comprehension.

5 (c) Includes a scientifically based and reliable
6 assessment.

7 (d) Provides initial and ongoing analysis of each student's
8 reading progress.

9 (e) Is implemented during regular school hours.

10 (f) Provides a curriculum in core academic subjects to
11 assist the student in maintaining or meeting proficiency levels
12 for the appropriate grade in all academic subjects.

13 e. Offer each summer, beginning in the summer of 2017,
14 unless the school district receives a waiver from this
15 requirement from the department of education for the summer of
16 2017, an intensive summer ~~literacy~~ reading program for students
17 ~~assessed as exhibiting a substantial deficiency in~~ who are
18 persistently at risk in reading. The program shall meet the
19 criteria and follow the guidelines established pursuant to
20 section 256.9, subsection 53, paragraph "c", subparagraph (1),
21 subparagraph division (g).

22 f. Report to the department of education the specific
23 intensive reading interventions and supports implemented by the
24 school district pursuant to [this section](#). The department shall
25 annually prescribe the components of required or requested
26 reports.

27 3. *Promotion to grade four.* In determining whether to
28 promote a student in grade three to grade four, a school
29 district shall place significant weight on any area in which
30 the student is persistently at risk in reading deficiency
31 ~~identified pursuant to [subsection 1](#), paragraph "a", that is~~
32 ~~not yet remediated.~~ The school district shall also weigh
33 the student's progress in other subject areas, as well as
34 the student's overall intellectual, physical, emotional, and
35 social development. A decision to retain a student in grade

1 three shall be made only after direct personal consultation
2 with the student's parent or guardian and after the formulation
3 of a specific plan of action to ~~remedy~~ increase the student's
4 reading ~~deficiency~~ skills until the student is reading at grade
5 level.

6 4. *Ensuring continuous improvement in reading proficiency.*

7 a. To ensure all children are reading proficiently by the
8 end of third grade, each school district shall address reading
9 proficiency as part of its comprehensive school improvement
10 plan, drawing upon information about ~~children~~ students from
11 assessments and reassessments conducted pursuant to subsection
12 1 and the prevalence of ~~deficiencies~~ areas in which students
13 are persistently at risk in reading identified by classroom,
14 elementary school, and other student characteristics. As part
15 of its comprehensive school improvement plan, each school
16 district shall review chronic early elementary absenteeism
17 for its impact on literacy development. If more than fifteen
18 percent of an attendance center's students are not ~~proficient~~
19 in reading proficiently and are persistently at risk in
20 reading by the end of third grade, the comprehensive school
21 improvement plan shall include strategies to reduce that
22 percentage, including school and community strategies to raise
23 the percentage of students who are ~~proficient in reading~~ at
24 grade level.

25 b. Each school district, subject to an appropriation of
26 funds by the general assembly, shall provide professional
27 development services to enhance the skills of elementary
28 teachers in responding to children's unique reading issues and
29 needs and to increase the use of evidence-based strategies.

30 5. *Good cause exemption.*

31 a. The school district shall exempt students from the
32 retention and intensive summer reading program requirements
33 of [subsection 1](#), paragraph "c", for good cause. Good cause
34 exemptions shall be limited to the following:

35 (1) Limited English proficient students who have had

1 less than two years of instruction in an English as a second
2 language program.

3 (2) Students requiring special education whose
4 individualized education program indicates that participation
5 in a locally determined or statewide assessment as provided in
6 section 256.7, subsection 31, is not appropriate, consistent
7 with the requirements of rules adopted by the state board of
8 education for the administration of [chapter 256B](#).

9 (3) Students who demonstrate an acceptable level of
10 performance on an alternative performance measure approved
11 pursuant to [section 256.7, subsection 31](#).

12 (4) Students who demonstrate mastery through a student
13 portfolio under alternative performance measures approved
14 pursuant to [section 256.7, subsection 31](#).

15 (5) Students who have received intensive remediation in
16 reading for two or more years but who are still demonstrate
17 a deficiency persistently at risk in reading and who were
18 previously retained in kindergarten, grade one, grade two,
19 or grade three. Intensive reading instruction for students
20 so promoted must include an altered instructional day that
21 includes specialized diagnostic information and specific
22 reading strategies for each student. The school district
23 shall assist attendance centers and teachers to implement
24 reading strategies that research has shown to be successful in
25 improving reading among low-performing readers.

26 b. Requests For students described in paragraph "a",
27 subparagraphs (3) and (4), a request for a good cause
28 exemptions exemption from the retention requirement of
29 subsection 1, paragraph "c", ~~for students described in~~
30 ~~paragraph "a", subparagraphs (3) and (4),~~ shall include
31 documentation from the student's teacher to the school
32 principal that indicates that the promotion of the student is
33 appropriate and is based upon the student's academic record.
34 Such documentation shall include but not be limited to the
35 individualized education program, if applicable, report card,

1 or student portfolio.

2

EXPLANATION

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The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

4

5 This bill provides that a student in kindergarten
6 through grade three who is not reading proficiently and is
7 persistently at risk in reading based on locally determined
8 or statewide assessments, must be provided intensive reading
9 instruction by the school district and must be reassessed for
10 reading proficiency using locally determined or statewide
11 assessments, including periodic universal screening and annual
12 standard-based assessments before the child is retained in
13 grade three under the provisions of Code section 279.68.

14 The bill also replaces references relating to a student's
15 "substantial deficiency in reading" with references to a
16 student who is "persistently at risk in reading", which
17 is defined to mean the student has not met the grade-level
18 benchmark on two consecutive screening assessments administered
19 in accordance with the Code provision, and makes related
20 changes as necessary. For consistency, the bill also replaces
21 one reference to "intensive summer literacy program" with
22 "intensive summer reading program", and replaces references to
23 "child" with "student".

24 Currently, the parent or guardian of such a student shall be
25 notified at least annually that the child has been identified
26 as having a substantial deficiency in reading, and shall be
27 given a description of the services currently provided to the
28 child, a description of the proposed supplemental instructional
29 services and supports that the school district will provide
30 to the child to remediate the identified area of reading
31 deficiency, and strategies for parents and guardians to use
32 in helping the child succeed in reading proficiency. The
33 bill strikes the requirement that the information be provided
34 annually, but adds that the school district must provide the
35 parent or guardian of a student who is not reading proficiently

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1 and who is persistently at risk in reading with regular updates
2 regarding the student's progress toward reaching or exceeding
3 the targeted level of reading proficiency.
4 The bill makes corresponding changes.