

1 HB220  
2 216029-4  
3 By Representatives Collins, Baker, Holmes, Faust, Shiver,  
4 Meadows, Robertson, Stadthagen, Brown (K), Wood (D), Kiel,  
5 Rich, Sorrell, Almond, Dismukes, Fincher, Stringer, Brown (C),  
6 Kitchens, Simpson, Moore (P), Clouse, McCutcheon, Ellis,  
7 Gaston, Ledbetter, Wood (R), Hanes, South, Lee, Sullivan and  
8 Ball  
9 RFD: Education Policy  
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ENROLLED, An Act,

Relating to the Alabama Literacy Act; to amend Sections 16-6G-2, 16-6G-3, 16-6G-4, and 16-6G-5, Code of Alabama 1975, to provide further for definitions, the membership and duties of the Literacy Task Force, the duties and functioning of the Alabama Committee on Grade Level Reading, and good cause exemptions from retention.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 16-6G-2, 16-6G-3, 16-6G-4, and 16-6G-5 of the Code of Alabama 1975, are amended to read as follows:

"§16-6G-2.

"For the purposes of this chapter, the following terms shall have the following meanings:

"(1) ALPHABETIC PRINCIPLE. The ability to accurately apply knowledge of the relationship between letters and sounds during the acts of encoding and decoding.

"(2) COMPREHENSION. The ability to read and process text and understand its meaning.

"(3) DECODING. The act of applying knowledge of the alphabetic principle to correctly pronounce written words.

"(4) DYSLEXIA. A specific learning challenge or disability that is neurological in origin. It is characterized by difficulties with accurate or fluent, or both, word

1 recognition and by poor spelling and decoding abilities, which  
 2 typically result from a deficit in the phonological component  
 3 of language that is often unexpected in relation to other  
 4 cognitive abilities and the provision of effective classroom  
 5 instruction.

6 "(5) ENCODING. The act and process of using  
 7 knowledge of the relationships between sounds and letters to  
 8 spell and write words.

9 "(6) FLUENCY. The ability to read with accuracy,  
 10 appropriate rate, and proper expression.

11 "(7) PHONEMIC AWARENESS. The ability to hear,  
 12 identify, and manipulate individual sounds. Phonemic awareness  
 13 is an auditory activity.

14 "(8) PHONICS. The relationships between the letters  
 15 of written language and the individual sounds of spoken  
 16 language including syllable types, morphology of Greek and  
 17 Latin roots, and multisyllabic words.

18 "(9) PHONOLOGICAL AWARENESS. The general  
 19 understanding of the sound structure of words and sentences.

20 "(10) TASK FORCE. The Literacy Task Force created  
 21 under Section 16-6G-3.

22 "~~(10)~~ (11) VOCABULARY. The body of written or oral  
 23 language known to an individual.

24 "§16-6G-3.

1           "(a) The State Superintendent of Education shall  
2 convene a standing ~~task force~~ Literacy Task Force by December  
3 1, 2019, to provide recommendations for comprehensive core  
4 reading and reading intervention programs, a state continuum  
5 of teacher development for approved science of reading  
6 pursuant to subsection (e) of Section 16-6G-6, and an annual  
7 list of vetted and approved assessments that are valid and  
8 reliable reading screening, formative, and diagnostic  
9 assessment systems for selection and use by local education  
10 agencies. The task force shall meet in regular session at  
11 least twice a year ~~and shall function independently~~. All  
12 appointing authorities shall coordinate their appointments so  
13 that diversity of gender, race, and geographical areas is  
14 reflective of the makeup of this state. The membership of the  
15 task force shall include all of the following appointees, each  
16 of whom shall have at least three years of experience with  
17 scientifically based reading instruction:

18           "(1) Two public K-12 teachers appointed by the  
19 Executive Director of the Alabama Education Association.

20           "(2) One public K-12 special education teacher  
21 appointed by the State Superintendent of Education.

22           "(3) Three Certified Academic Dyslexia Therapists,  
23 who have been certified for a minimum of three years,  
24 appointed by the Alabama Branch of the International Dyslexia  
25 Association.

1           "(4) Two public school principals appointed by the  
2 Executive Director of the Council for Leaders in Alabama  
3 Schools.

4           "(5) One local superintendent of education appointed  
5 by the Executive Director of the School Superintendents of  
6 Alabama.

7           "(6) One local board of education member appointed  
8 by the Alabama Association of School Boards.

9           "(7) One ~~Regional Education Lab~~ national expert in  
10 literacy member appointed by the State Superintendent of  
11 Education.

12           "(8) One early childhood educator appointed by the  
13 Secretary of the Alabama Department of Early Childhood  
14 Education.

15           "(9) One dean of a college of education appointed by  
16 the Alabama Commission on Higher Education.

17           "(10) Seven additional members, four appointed by  
18 the Governor and three by the State Superintendent of  
19 Education.

20           "(b) Each approved assessment system shall do all of  
21 the following:

22           "(1) Provide screening and diagnostic capabilities  
23 for monitoring student progress.

24           "(2) Measure, at a minimum, phonological awareness,  
25 oral language, the alphabetic principle, including letter

1 naming, letter sound, and sound letter correspondences,  
2 decoding, encoding, accuracy, vocabulary, and comprehension.

3 "(3) Identify students who have a reading  
4 deficiency, including identifying students with  
5 characteristics of dyslexia.

6 "(c) In determining which assessment systems to  
7 approve for use by local education agencies, the task force,  
8 at a minimum, shall also consider all of the following  
9 factors:

10 "(1) The time required to conduct the assessments,  
11 with the intention of minimizing the impact on instructional  
12 time.

13 "(2) The level of integration of assessment results  
14 with instructional support for teachers and students.

15 "(3) The timeliness in reporting assessment results  
16 to teachers, administrators, and parents.

17 "§16-6G-4.

18 "(a) Funds appropriated by the Legislature in  
19 support of the Alabama Reading Initiative shall be allocated  
20 to support and implement, in accordance with this chapter, the  
21 following:

22 "(1) Local education agencies to support local  
23 reading specialists.

24 "(2) The Alabama Summer Achievement Program.

25 "(3) Regional literacy specialists.

1           "(4) Preservice and inservice teacher professional  
2 learning activities for elementary school teachers in reading.

3           "(5) Curricula to support student interventions.

4           "(6) State administration.

5           "(b) Funds dedicated to the Alabama Reading  
6 Initiative shall be expended on local and regional reading  
7 specialists, professional learning activities, and  
8 administrative activities that support all of the following  
9 activities for kindergarten through third grade students in  
10 public K-12 schools; continued funding shall be contingent on  
11 measurable performance growth, as determined by the ~~task force~~  
12 ~~established under subsection (a) of Section 16-6G-3~~ Alabama  
13 Committee on Grade Level Reading created pursuant to Section  
14 16-6G-7:

15           "(1) Administration and analysis of reading  
16 screening, formative, and diagnostic assessments to guide  
17 instruction.

18           "(2) Scientifically based reading instruction,  
19 multisensory language instruction, including oral language  
20 development, phonological awareness, phonics instruction that  
21 includes decoding and encoding, fluency, writing, vocabulary,  
22 and comprehension, and the Alabama course of study, English  
23 Language Arts.

24           "(3) Explicit and systematic instruction with more  
25 detailed explanations, more extensive opportunities for guided

1 practice, and more opportunities for error correction and  
2 feedback.

3 "(4) Differentiated reading instruction and  
4 intensive intervention based on student need, including  
5 students exhibiting the characteristics of dyslexia.

6 "(c) Alabama Reading Initiative regional literacy  
7 specialists shall provide support to local education agencies  
8 through a gradual release model, whereby the regional reading  
9 specialist shall support a struggling school until that school  
10 has improved core instruction to the extent that it is no  
11 longer among the lowest performing five percent in reading of  
12 elementary schools in reading proficiency, as determined by  
13 annual results of the state summative assessment for federal  
14 and statewide accountability.

15 "(1) Regional literacy specialists shall provide  
16 intensive support for elementary schools that are among the  
17 lowest performing five percent in reading of elementary  
18 schools. Each school among the lowest performing five percent  
19 performing in reading elementary schools shall be assigned a  
20 regional literacy specialist who shall serve as a resource for  
21 professional development throughout the school to improve  
22 literacy instruction and student achievement. A regional  
23 literacy specialist who is assigned to a school shall  
24 primarily serve only that school.

1           "(2) Elementary schools that are not among the  
2 lowest performing five percent ~~performing~~ in reading schools  
3 shall receive limited literacy support from an Alabama Reading  
4 Initiative regional literacy specialist, who shall be assigned  
5 to multiple schools. All other regional literacy specialists  
6 shall be assigned to serve multiple elementary schools and  
7 shall provide ongoing professional development for teachers in  
8 analyzing students' reading data to impact instruction,  
9 administering and analyzing instructional assessments,  
10 differentiating instruction and intensive intervention, and  
11 monitoring the reading progress of all students a minimum of  
12 three times per year, and make instruction adjustment  
13 recommendations according to student specific need. Distance  
14 and need shall be considered by local superintendents of  
15 education when selecting the schools where a regional literacy  
16 specialist shall serve. There shall be two levels of limited  
17 literacy support provided by a regional literacy specialist.  
18 The local superintendent of education of a local education  
19 agency subject to this subdivision shall determine the level  
20 of limited support that each regional literacy specialist  
21 shall provide.

22           "a. Limited support 1. An Alabama Reading Initiative  
23 regional literacy specialist shall make monthly onsite visits  
24 to the school and shall monitor the reading progress of all

1 students a minimum of three times per year and adjust  
2 instruction according to student specific need.

3 "b. Limited support 2. An Alabama Reading Initiative  
4 regional literacy specialist shall make quarterly onsite  
5 visits to the school and shall monitor the reading progress of  
6 all students a minimum of three times per year and make  
7 instruction adjustment recommendations according to student  
8 specific need.

9 "(3) An Alabama Reading Initiative regional literacy  
10 specialist shall have all of the following minimum  
11 qualifications:

12 "a. The required Alabama Professional Educator  
13 Certificate.

14 b. A bachelor's degree and advanced coursework or  
15 professional development in the science of reading,  
16 multisensory language instruction, such as Language Essentials  
17 for Teachers of Reading and Spelling, or a comparable  
18 alternative training approved by the State Board of Education.

19 "c. A minimum of four years of experience as a  
20 successful elementary or literacy teacher.

21 "d. A knowledge of scientifically based reading  
22 research, special expertise in quality reading instruction and  
23 intervention, dyslexia specific interventions, and data  
24 analysis.

1            "e. A strong knowledge base in the science of  
2 learning to read and the science of early childhood education.

3            "f. Excellent communication skills with outstanding  
4 presentation, interpersonal, and time management skills.

5            "(d) An Alabama Reading Initiative local reading  
6 specialist shall be assigned to provide intensive, targeted  
7 professional development for elementary school teachers at one  
8 school.

9            "(1) An Alabama Reading Initiative local reading  
10 specialist shall have all of the following minimum  
11 qualifications:

12            "a. The required Alabama Professional Educator  
13 Certificate.

14            "b. A bachelor's degree and advanced coursework or  
15 professional development in the science of reading, such as  
16 multisensory language instruction, or comparable alternative  
17 training approved by the State Board of Education.

18            "c. A minimum of two years of experience as a  
19 successful elementary or literacy teacher.

20            "d. A knowledge of scientifically based reading  
21 research, special expertise in quality reading instruction and  
22 intervention, dyslexia specific interventions, and data  
23 analysis.

24            "e. A strong knowledge base in the science of  
25 learning to read and the science of early childhood education.

1            "f. Excellent communication skills with outstanding  
2 presentation, interpersonal, and time management skills.

3            (2) The duties and responsibilities of an Alabama  
4 Reading Initiative local reading specialist shall include all  
5 of the following:

6            "a. Collaborating with the principal to create a  
7 strategic plan for coaching.

8            "b. Facilitating schoolwide professional development  
9 and study groups.

10           "c. Modeling effective reading instructional  
11 strategies for teachers.

12           "d. Coaching and mentoring teachers daily.

13           "e. Facilitating data analysis discussions and  
14 supporting teachers by using data to differentiate instruction  
15 according to the needs of students.

16           "f. Fostering multiple areas of teacher professional  
17 learning, including exceptional student education and content  
18 area knowledge.

19           "g. Prioritizing time for those teachers,  
20 activities, and roles that will have the greatest impact on  
21 student reading achievement, such as coaching and mentoring in  
22 classrooms.

23           "h. Monitoring the reading progress of all students  
24 a minimum of three times per year and making recommendations

1 for adjustment of instruction according to student specific  
2 need.

3 "(3) An Alabama Reading Initiative local reading  
4 specialist may not perform administrative functions such as  
5 serving as an evaluator, substitute teacher, assessment  
6 coordinator, or school administrator.

7 "(e) The State Superintendent of Education and local  
8 education agencies shall monitor the implementation and  
9 effectiveness of the Alabama Reading Initiative regional  
10 literacy specialist and local reading specialist model, and  
11 the State Superintendent of Education and each local education  
12 agency being served by a regional literacy specialist or a  
13 local reading specialist shall maintain communication among  
14 the district, school administration, and the Alabama Reading  
15 Initiative state administration staff throughout the academic  
16 year.

17 "(1) The State Superintendent of Education, or his  
18 or her designee, shall certify that each Alabama Reading  
19 Initiative regional literacy specialist or local reading  
20 specialist satisfies the minimum qualifications provided by  
21 this chapter before coaches are hired with funds appropriated  
22 by the Legislature to support the Alabama Reading Initiative.

23 "(2) The State Superintendent of Education shall  
24 develop an evidence-based accountability reporting system for  
25 the Alabama Reading Initiative that shall measure student

1 growth and proficiency towards teacher professional learning  
2 goals and student performance on state-approved formative and  
3 summative assessments and shall specify the number of  
4 teachers, administrators, other personnel at each school and  
5 local education agency who have started or completed an  
6 approved training program in the science of reading, and the  
7 name of the training program.

8 "(3) The State Superintendent of Education shall  
9 submit a report to the Governor, the Lieutenant Governor, the  
10 Speaker of the House of Representatives, the President Pro  
11 Tempore of the Senate, ~~and~~ the Chairs of the House Ways and  
12 Means Education Committee, Senate Finance and Taxation  
13 Education Committee, House Education Policy Committee, ~~and~~  
14 Senate Education Policy Committee, the task force, and the  
15 Alabama Committee on Grade Level Reading created pursuant to  
16 Section 16-6G-7, no later than December 31, annually, on the  
17 status of teacher professional learning, student growth and  
18 proficiency against grade level standards in K-3 reading.

19 "§16-6G-5.

20 "(a) ~~To~~ Commencing with the 2022-2023 school year,  
21 to ensure that public school students are able to read at or  
22 above grade level by the end of third grade, each local  
23 education agency shall offer ~~a~~ an approved comprehensive core  
24 reading program to all students based on the science of  
25 reading which develops foundational reading skills. In

1 addition, no school district may use any curriculum for public  
2 K-3 students that does not have instructional time included.  
3 ~~Commencing with the 2022-2023 school year, elementary schools~~  
4 ~~that are among the lowest performing five percent in reading~~  
5 ~~proficiency shall purchase core reading programs that fully~~  
6 ~~align to the science of reading and are recommended by the~~  
7 ~~task force.~~

8 " (b) Based on the results of the reading assessment  
9 in Section 16-6G-3, each K-3 student who exhibits a reading  
10 deficiency, or the characteristics of dyslexia, shall be  
11 provided an appropriate reading intervention program to  
12 address his or her specific deficiencies. Additionally,  
13 students shall be evaluated after every grading period and, if  
14 a student is determined to have a reading deficiency, the  
15 school shall provide the student with additional tutorial  
16 support. ~~The State Superintendent of Education~~ task force  
17 shall ~~provide~~ recommend a list of vetted and approved  
18 comprehensive reading and intervention programs ~~with the~~  
19 ~~advice of the task force established under subsection (a) of~~  
20 ~~Section 16-6G-3~~. The intervention program shall be provided in  
21 addition to the comprehensive core reading instruction that is  
22 provided to all students in the general education classroom.  
23 Dyslexia specific intervention, as defined by rule of the  
24 State Board of Education, shall be provided to students who  
25 have the characteristics of dyslexia and all struggling

1 readers. The reading intervention program shall do all of the  
2 following:

3 "(1) Provide explicit, direct instruction that is  
4 systematic, sequential, and cumulative in language  
5 development, phonological awareness, phonics, fluency,  
6 vocabulary, and comprehension, as applicable.

7 "(2) Provide daily targeted small group reading  
8 interventions based on student need in phonological awareness,  
9 phonics including decoding and encoding, sight words,  
10 vocabulary, or comprehension.

11 "(3) Be implemented during regular school hours.

12 "(c) The parent or legal guardian of any K-3 student  
13 who exhibits a consistent deficiency in letter naming fluency,  
14 letter sound fluency, nonsense word reading, sight words, oral  
15 reading accuracy, vocabulary, or comprehension at any time  
16 during the school year shall be notified in writing no later  
17 than 15 school days after the identification. In addition to  
18 the requirement that the Literacy Task Force consider and  
19 minimize the impact on instructional time when recommending an  
20 assessment system for approval by the State Superintendent of  
21 Education pursuant to subsection (c) of Section 16-6G-3, the  
22 State Superintendent of Education and each local education  
23 agency shall minimize the impact on instructional time and  
24 teacher paperwork required to comply with the written

1 notification requirements of this subsection. The written  
2 notification shall include all of the following:

3 "(1) A statement that the student has been  
4 identified as having a deficiency in reading or exhibits the  
5 characteristics of dyslexia, and that a reading improvement  
6 plan shall be developed by the teacher, principal, other  
7 pertinent school personnel, and the parent or legal guardian.

8 "(2) A description of the current services that are  
9 provided to the student.

10 "(3) A description of the proposed evidence-based  
11 reading interventions and supplemental instructional services  
12 and supports that shall be proposed for discussion while  
13 establishing the student's reading improvement plan as  
14 provided in subsection (d).

15 "(4) Notification that the parent or legal guardian  
16 shall be informed in writing at least monthly of the progress  
17 of the student towards grade level reading.

18 "(5) Strategies and resources for the parent or  
19 legal guardian to use at home to help the student succeed in  
20 reading.

21 "(6) A statement that if the reading deficiency of  
22 the student is not addressed by the end of third grade, the  
23 student will not be promoted to fourth grade unless a good  
24 cause exemption is satisfied.

1           "(7) A statement that while the statewide reading  
2 assessment is the initial determinant for promotion, the  
3 assessment is not the sole determiner at the end of third  
4 grade. Additionally, students shall be provided with a  
5 test-based student portfolio option and ~~an alternative~~ a  
6 supplemental reading assessment option to demonstrate  
7 sufficient reading skills for promotion to fourth grade.

8           "(d) Any K-3 student who exhibits a reading  
9 deficiency at any time, as provided in subsection (b), shall  
10 receive an individual reading improvement plan no later than  
11 30 days after the identification of the reading deficiency.

12           "(1) The reading improvement plan shall be created  
13 by the teacher, principal, other pertinent school personnel,  
14 and the parent or legal guardian of the student, and shall  
15 describe the evidence-based reading intervention services,  
16 including dyslexia specific intervention services, that the  
17 student shall receive to improve the reading deficit.

18           "(2) Each identified student shall receive intensive  
19 reading intervention until the student no longer has a  
20 deficiency in reading, as determined by a State Board of  
21 Education approved reading assessment.

22           "(3) Funds allocated to procuring curricula for  
23 student interventions pursuant to subdivision (5) of  
24 subsection (a) of Section 16-6G-4 shall be divided, based on a  
25 per pupil allocation determined by the number of students of

1 each local education agency who are not proficient on a state  
2 approved reading assessment during the prior academic year,  
3 and distributed by the State Superintendent of Education.

4 "(e) Each local education agency shall provide  
5 summer reading camps to all K-3 students identified with a  
6 reading deficiency as described in subsection (b).

7 "(1) Summer reading camps shall be staffed with  
8 highly effective teachers of reading as demonstrated by  
9 student reading performance data, completion of multisensory  
10 structured language education, and teacher performance  
11 evaluations.

12 "(2) The highly effective teacher of reading shall  
13 provide direct, explicit, and systematic reading intervention  
14 services and supports to improve any identified area of  
15 reading deficiency.

16 "(3) Summer reading camps, at a minimum, shall  
17 include ~~70~~ at least 60 hours of time in scientifically based  
18 reading instruction and intervention.

19 "(4) A State Board of Education approved reading  
20 assessment system shall be administered at the beginning and  
21 end of the summer reading camp to measure student progress.

22 "(5) Summer reading camps may be held in conjunction  
23 with existing summer programs in the school district or in  
24 partnership with community-based summer programs, designated  
25 as effective by the State Superintendent of Education and the

1 task force ~~established under subsection (a) of Section~~  
2 ~~16-6G-3~~.

3 "(f) The Alabama Summer Achievement Program is  
4 established and shall be available to all K-3 students in  
5 public elementary schools that are among the lowest performing  
6 five percent in reading of elementary schools.

7 "(1) The program shall be administered and funded by  
8 the allocation provided in subdivision (2) of subsection (a)  
9 of Section 16-6G-4.

10 "(2) Funds allocated to the program in excess of the  
11 amount needed to fully fund summer programs in public  
12 elementary schools that are among the lowest performing five  
13 percent ~~performing~~ in reading schools shall be divided, based  
14 on a per pupil allocation, and distributed by the State  
15 Superintendent of Education, to support high quality summer  
16 camps at elementary schools that are not among the lowest  
17 performing five percent ~~performing~~ in reading elementary  
18 schools. The State Superintendent of Education shall award the  
19 funds to each local education agency based on the number of  
20 students who scored deficient, as determined by the task force  
21 ~~established under subsection (a) of Section 16-6G-3~~, on a  
22 state-approved reading assessment used to determine reading  
23 proficiency during the administration of the assessment during  
24 the preceding academic year.

1           "(3) The State Superintendent of Education shall  
2 provide guidelines for the administration of the Alabama  
3 Summer Achievement Program, and shall oversee all of the  
4 following:

5           "a. The administration of the Alabama Summer  
6 Achievement Program in the lowest performing five percent  
7 ~~performing~~ in reading elementary schools.

8           "b. The response to instruction process in the  
9 lowest performing five percent ~~performing~~ in reading  
10 elementary schools.

11           "c. The Alabama Reading Initiative regional literacy  
12 specialists and local reading specialists.

13           "d. All other aspects of implementation of this  
14 chapter including, but not limited to, collaboration among  
15 State Department of Education staff and the task force  
16 ~~established under subsection (a) of Section 16-6G-3~~ to improve  
17 the reading proficiency of public K-3 students and  
18 implementation of rules adopted by the State Board of  
19 Education.

20           "e. The implementation of rules adopted by the State  
21 Board of Education pertaining to dyslexia.

22           "f. Collaboration with the Alabama Reading  
23 Initiative state staff and the Alabama Department of Early  
24 Childhood Education for appropriate professional learning  
25 ~~approved~~ recommended by the ~~State Department of Education~~

1 Alabama Committee on Grade Level Reading created pursuant to  
2 Section 16-6G-7.

3 "g. The development of guidelines for identifying  
4 the characteristics of dyslexia.

5 "(g) Any incoming third grade student identified  
6 with a reading deficiency shall be provided more intensified  
7 reading interventions to improve his or her specific reading  
8 deficiency. Reading intervention services shall include  
9 effective instructional strategies to accelerate student  
10 progress. Each local education agency shall conduct a review  
11 of student reading improvement plans for all incoming third  
12 grade students identified with a reading deficiency. The  
13 review shall address additional supports and services, as  
14 described in this section, necessary to improve any identified  
15 area of reading deficiency. The local education agency shall  
16 provide all of the following services for third grade students  
17 identified with a reading deficiency, and those services may  
18 be funded with funds received through the allocation provided  
19 in subdivision (2) of subsection (a) of Section 16-6G-4:

20 "(1) An effective or highly effective teacher of  
21 reading as demonstrated by student reading performance data  
22 and teacher performance evaluations.

23 "(2) Reading intervention services and supports to  
24 improve any identified area of reading deficiency including,  
25 but not limited to, all of the following:

1           "a. Additional instructional time devoted to  
2 scientifically based and evidence based reading instruction  
3 and intervention.

4           "b. The use of evidence based reading strategies or  
5 programs, or both, that have been vetted and approved by the  
6 State Superintendent of Education and the task force  
7 ~~established under subsection (a) of Section 16-6G-3~~, that have  
8 demonstrated proven results in accelerating student reading  
9 achievement within the same school year.

10          "c. Daily targeted small group reading intervention  
11 based on student need.

12          "d. Explicit and systematic instruction with more  
13 detailed explanations, more extensive opportunities for guided  
14 practice, and more opportunities for error correction and  
15 feedback.

16          "e. Frequent monitoring of the progress of the  
17 reading skills of each student throughout the school year and  
18 adjusting instruction according to student need.

19          "(3) Before school or after school, or both,  
20 supplemental evidence-based reading intervention delivered by  
21 a teacher or tutor with specialized reading training.

22          "(4) A read at home plan, including participation in  
23 parent training workshops or regular parent guided home  
24 reading activities.

1           "(h) Commencing with the ~~2021-2022-2022-2023~~  
2 2021-2022 school year, third grade students shall demonstrate  
3 sufficient reading skills for promotion to fourth grade.  
4 Students shall be provided all of the following options to  
5 demonstrate sufficient reading skills for promotion to fourth  
6 grade, and the State Superintendent of Education shall provide  
7 guidelines for the implementation of this subsection:

8           "(1) Scoring above the ~~lowest achievement level~~ cut  
9 score, as determined by rule of the State Board of Education,  
10 on a board-approved assessment in reading as provided in  
11 Section 16-6G-3.

12           "(2) Earning an acceptable score on ~~an alternative a~~  
13 supplemental standardized reading assessment as determined and  
14 approved by the ~~State Superintendent of Education~~ State Board  
15 of Education.

16           "(3) Demonstrating mastery of third grade minimum  
17 essential state reading standards as evidenced by a student  
18 reading portfolio. The State Superintendent of Education and  
19 the task force ~~established under subsection (a) of Section~~  
20 ~~16-6G-3~~ shall establish criteria for minimum essential  
21 standards and the student reading portfolios and a definition  
22 of what constitutes mastery of all third grade state reading  
23 standards.

24           "(i) If a student does not demonstrate sufficient  
25 reading skills on one of the three options listed in

1 subsection (h) and does not qualify for a good cause  
2 exemption, the student may not be promoted to fourth grade.  
3 Students with disabilities whose Individual Individualized  
4 Education Plan indicates that participation in the statewide  
5 assessment program is not appropriate, consistent with state  
6 law, are automatically exempt from the three options listed in  
7 subsection (h). automatically exempt from demonstrating  
8 sufficient reading skills outlined in this chapter in order to  
9 achieve promotion.

10 "(j) A local education agency may only exempt  
11 students from mandatory retention, as provided in subsection  
12 (i), for good cause. A student who is promoted to fourth grade  
13 with a good cause exemption shall continue to receive  
14 intensive reading intervention that includes specific reading  
15 strategies prescribed in the individual reading improvement  
16 plan of the student until the deficiency is improved. The  
17 local education agency shall assist schools and teachers with  
18 the implementation of reading strategies that research has  
19 shown to be successful in improving reading among students  
20 with reading difficulties. Good cause exemptions shall be  
21 limited to the following:

22 ~~"(1) Students with disabilities whose Individual~~  
23 ~~Education Plan indicates that participation in the statewide~~  
24 ~~assessment program is not appropriate, consistent with state~~  
25 ~~law.~~

1           "~~(2)~~(1) Students identified as English language  
2 learners who have had less than ~~two~~ three years of instruction  
3 in English as a second language.

4           "~~(3)~~(2) Students with disabilities who participate  
5 in the statewide English language arts reading assessment and  
6 who have an Individual Education Plan or a Section 504 plan  
7 that reflects that the student has received intensive reading  
8 intervention for more than two years and who still  
9 demonstrates a deficiency in reading ~~and~~ or was previously  
10 retained in kindergarten, first grade, second grade, or third  
11 grade.

12           "~~(4)~~(3) Students who have received intensive reading  
13 intervention for two or more years and who still demonstrate a  
14 deficiency in reading and who were previously retained in  
15 kindergarten, first grade, or second grade, ~~or third grade~~ for  
16 a total of two years. No student shall be retained more than  
17 once in the third grade.

18           "(k) No student shall be retained more than twice in  
19 kindergarten through third grade.

20           "(l) A request to exempt a student from the  
21 mandatory retention requirement using one of the good cause  
22 exemptions listed in subsection (j) shall be made consistent  
23 with the following:

24           "(1) Documentation shall be submitted to the school  
25 principal from the teacher of the student that indicates that

1 the promotion of the student is appropriate. Documentation  
2 shall include a statement identifying which good cause  
3 exemption is requested, as well as the existing reading  
4 improvement plan or Individual Education Plan of the student,  
5 as applicable.

6 "(2) The school principal shall review the  
7 recommendation of the teacher, determine if the student meets  
8 one of the good cause exemptions, and shall make his or her  
9 determination in writing to the local superintendent of  
10 education. The local superintendent of education, in writing,  
11 shall approve or reject the recommendation of the school  
12 principal.

13 "(3) The local education agency shall assist schools  
14 under its jurisdiction in providing written notification to  
15 the parent of any student who is retained in third grade for  
16 not achieving the reading level required for promotion. Notice  
17 shall clearly state the reasons why the student is not  
18 eligible for a good cause exemption and shall include a  
19 description of the proposed interventions and supports that  
20 shall be provided to the student to improve any identified  
21 area of reading deficiency during the retained year.

22 "(4) There shall be established at each school, as  
23 applicable, an intensive acceleration for any student retained  
24 in third grade. In addition to the criteria established in  
25 subdivisions (1) to (4), inclusive, of subsection (g), the

1 intensive acceleration shall be taught by a highly effective  
2 teacher of reading who has received training in the science of  
3 reading and multisensory language instruction, as demonstrated  
4 by student reading performance data and teacher performance  
5 evaluations; shall have a reduced teacher-student ratio; and  
6 shall provide explicit and systematic reading instruction and  
7 intervention for the majority of student contact time each  
8 day.

9 "(m) Annually, on or before September 30, each local  
10 education agency shall report in writing to the State  
11 Superintendent of Education the following information on the  
12 previous school year:

13 "(1) By grade, the number and percentage of all K-3  
14 students identified with a reading deficiency on a State  
15 Department of Education approved reading assessment.

16 "(2) By grade, the number and percentage of students  
17 screened for dyslexia characteristics, the number and  
18 percentage of students identified as demonstrating the  
19 characteristics of dyslexia and receiving dyslexia specific  
20 intervention, and the name of the dyslexia specific  
21 intervention being provided.

22 "(3) By grade, the number and percentage of all K-3  
23 students performing on grade level or above on a State Board  
24 of Education approved reading assessment.

1           "(4) The total number and percentage of students  
2 starting third grade with a reading deficiency, which shall  
3 include the specific area of reading deficiency.

4           "(5) The total number and percentage of third grade  
5 students who started third grade with a reading deficiency but  
6 completed third grade on grade level as determined by the  
7 third grade state standardized assessment in reading.

8           "(6) By grade, the total number and percentage of  
9 eligible K-3 students who attended the Alabama Summer  
10 Achievement Program or other mandatory summer reading camp.

11           "(7) By grade, pre- and post-Alabama Summer  
12 Achievement Program reading assessment scores and other  
13 mandatory summer camp data.

14           "(8) By grade, the number and percentage of all  
15 students retained in grades K-3.

16           "(9) The total number and percentage of students in  
17 third grade who demonstrated sufficient reading skills for  
18 promotion on the alternative reading assessment.

19           "(10) The total number and percentage of students in  
20 third grade who were promoted for good cause, by each category  
21 of good cause specified in subsection (j).

22           "(11) In succeeding years, the performance of  
23 students promoted with a good cause on the state standardized  
24 assessment in reading.

1           "(12) By school, the number of teachers who are  
2 participating in or have completed professional development in  
3 the science of reading and who hold advanced certifications in  
4 those areas.

5           "(13) By school, the number of teachers who have  
6 completed training in dyslexia awareness, multisensory  
7 strategies, and satisfy the definition of a dyslexia  
8 interventionist as defined by rule of the State Board of  
9 Education.

10           "(n) The State Superintendent of Education shall  
11 establish a uniform format for local school systems to use in  
12 reporting the information required by subsection (m). The  
13 format shall be developed with input from local education  
14 agencies and shall be provided to each local education agency  
15 no later than 90 days before the annual due date. Annually, on  
16 or before December 1, the State Superintendent of Education  
17 shall compile the information received from the local  
18 education agencies into state level summary information and  
19 report the information to the State Board of Education, the  
20 public, the Governor, the Lieutenant Governor, the President  
21 Pro Tempore of the Senate, the Speaker of the House of  
22 Representatives, ~~and~~ the Chairs of the House Ways and Means  
23 Education Committee and Senate Finance and Taxation Education  
24 Committee, the task force, and the Alabama Committee on Grade  
25 Level Reading created pursuant to Section 16-6G-7.

1           "~~(1) The State Superintendent of Education and the~~  
 2 ~~task force established under subsection (a) of Section 16-6G-3~~  
 3 Alabama Committee on Grade Level Reading created pursuant to  
 4 Section 16-6G-7 shall ~~establish~~ recommend annual reading  
 5 growth and proficiency targets based on the information  
 6 required to be reported to the superintendent in subsection  
 7 (m).

8           "(2) Of the funds allocated to the Alabama Reading  
 9 Initiative pursuant to subdivision (6) of subsection (a) of  
 10 Section 16-6G-4 for state administration, the State  
 11 Superintendent of Education may allocate such sums as he or  
 12 she deems appropriate to establish an Alabama Reading  
 13 Initiative Incentive Program that shall distribute monetary  
 14 incentives to schools based on a formula, approved by the  
 15 State Superintendent of Education with the Alabama Committee  
 16 on Grade Level Reading created in Section 16-6G-7, that shall  
 17 factor the size and geography of the school, reading growth  
 18 and proficiency, and the composition of student subgroups."

19           Section 2. This act shall become effective  
 20 immediately following its passage and approval by the  
 21 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 23-FEB-22, as amended.

Jeff Woodard  
Clerk

Senate	05-APR-22	Amended and Passed
House	05-APR-22	Concurred in Senate Amendment