

SECOND REGULAR SESSION

HOUSE BILL NO. 2914

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS.

6330H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 161.097, 161.241, 167.268, 167.340, 167.645, and 186.080, RSMo, and to enact in lieu thereof five new sections relating to literacy of elementary school students.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 161.097, 161.241, 167.268, 167.340, 167.645, and 186.080, 2 RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 3 161.097, 161.241, 167.268, 167.340, and 167.645, to read as follows:

161.097. 1. The state board of education shall establish standards and procedures by 2 which it will evaluate all teacher training institutions in this state for the approval of teacher 3 education programs. The state board of education shall not require teacher training 4 institutions to meet national or regional accreditation as a part of its standards and procedures 5 in making those evaluations, but it may accept such accreditations in lieu of such approval if 6 standards and procedures set thereby are at least as stringent as those set by the board. The 7 state board of education's standards and procedures for evaluating teacher training institutions 8 shall equal or exceed those of national or regional accrediting associations.

2. There is hereby established within the department of elementary and secondary 10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as 11 "MABEP". The MABEP shall advise the state board of education and the coordinating board 12 for higher education regarding matters of mutual interest in the area of quality educator 13 preparation programs in Missouri. The advisory board shall include at least three active 14 elementary or secondary classroom teachers and at least three faculty members within 15 approved educator preparation programs. The classroom teacher members shall be selected

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 to represent various regions of the state and districts of different sizes. The faculty
17 representatives shall represent institutions from various regions of the state and sizes of
18 programs. The advisory board shall hold regular meetings that allow members to share needs
19 and concerns and plan strategies to enhance teacher preparation.

20 3. Upon approval by the state board of education of the teacher education program at
21 a particular teacher training institution, any person who graduates from that program, and
22 who meets other requirements which the state board of education shall prescribe by rule,
23 regulation and statute shall be granted a certificate or license to teach in the public schools of
24 this state. However, no such rule or regulation shall require that the program from which the
25 person graduates be accredited by any national or regional accreditation association.

26 4. The state board of education shall, in consultation with MABEP, align literacy and
27 reading instruction coursework for teacher education programs in early childhood,
28 kindergarten to fifth grade elementary teacher certification, middle school communication
29 arts, high school communication arts, and all reading and special education certificates to
30 include the following:

31 (1) Teacher candidates shall receive classroom and clinical training in:
32 (a) The core components of reading, including phonemic awareness, phonics, fluency,
33 comprehension, morphology, syntax, and vocabulary;
34 (b) Oral and written language development; and
35 (c) Identification of reading deficiencies, dyslexia, and other language difficulties;

36 **and**

37 (2) Teacher candidates shall also have training on:
38 (a) The selection and use of **high-quality** reading curricula and instructional
39 materials;
40 (b) The administration and interpretation of assessments; **and**
41 (c) How to translate assessment results into effective practice in the classroom
42 specific to the needs of students[; **and**
43 (d) ~~Additional best practices in the field of literacy instruction as recommended by~~
44 ~~the literacy advisory council pursuant to section 186.080].~~

45 5. Beginning July 1, 2027, the department of elementary and secondary
46 education shall annually review and publicly report on the compliance of educator
47 preparation programs with subsection 4 of this section. The review shall include an
48 evaluation of whether instruction is grounded in the components of evidence-based
49 reading instruction, such as phonological awareness, phonics, fluency, vocabulary,
50 comprehension, morphology, syntax, and semantics. Educator preparation programs
51 not in compliance with subsection 4 of this section shall not be approved to certify new
52 teachers.

53 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
54 created under the authority delegated in this section shall become effective only if it complies
55 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
56 This section and chapter 536 are nonseverable and if any of the powers vested with the
57 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
58 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
59 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid
60 and void.

161.241. 1. The state board of education, in collaboration with the coordinating
2 board for higher education ~~[and the commissioner's advisory council under section 186.080]~~,
3 shall develop a plan to establish a comprehensive system of services for reading instruction.

4 2. The state board of education shall establish and periodically update a statewide
5 literacy plan that supports high quality, evidence-based reading instruction for all students.

6 3. The state board of education shall create an office of literacy. The commissioner of
7 education shall coordinate staff with roles relating to literacy and align staff work around
8 supporting best practices in reading instruction.

9 4. The state board of education shall align literacy and reading instruction coursework
10 for teacher education programs as required under subsection 4 of section 161.097.

11 5. Subject to appropriation, the department of elementary and secondary education
12 shall recruit and employ quality teacher trainers with expertise in reading instruction and
13 provide opportunities for evidence-based professional development in reading instruction
14 available for all active teachers.

15 6. The department shall maintain and publish data on reading outcomes, provided that
16 the report shall not include individually identifiable student data.

17 7. The department shall publish criteria and examples to help districts and schools
18 select and use evidence-based reading curricula and instructional materials. Additionally, the
19 department shall publish a list of curricula that ensure instruction is explicit, systematic,
20 diagnostic, and based on phonological awareness, phonics, fluency, vocabulary,
21 comprehension, morphology, syntax, and semantics. This shall be a resource to districts.

22 8. The department shall provide online tools and training for **all** active teachers
23 **teaching in kindergarten through grade three** on evidence-based reading instruction.

24 9. There is hereby created in the state treasury the "Evidence-based Reading
25 Instruction Program Fund". The fund shall be administered by the department and used to
26 reimburse school districts and charter schools for efforts to improve student literacy,
27 including, but not limited to: initiatives that provide optional training and materials to
28 teachers regarding best practices in reading pedagogies; resources for parents and guardians
29 to assist them in teaching their children to read; funding for reading tutoring programs **inside**

30 **or outside of regular school hours; stipends for teachers who undergo additional training in**
31 **reading instruction, which may also count toward professional development requirements;**
32 **and funding for summer reading programs. The fund shall consist of moneys appropriated**
33 **annually by the general assembly from general revenue to such fund, any moneys paid into**
34 **the state treasury and required by law to be credited to such fund, and any gifts, bequests, or**
35 **donations to such fund. The fund shall be kept separate and apart from all other moneys in**
36 **the state treasury and shall be paid out by the state treasurer pursuant to chapter 33.**
37 **Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the**
38 **end of the biennium shall not be transferred to the credit of the general revenue fund. All**
39 **interest and moneys earned on the fund shall be credited to the fund.**

40 **10. Subject to appropriation, the department of elementary and secondary**
41 **education shall remit to each school district and charter school five hundred dollars for**
42 **each grade four student enrolled in such school district or charter school who exhibited**
43 **a substantial reading deficiency in any of grades kindergarten to grade three, or who**
44 **was identified as dyslexic, and who subsequently scores at the proficient level or higher**
45 **in reading on the annual summative English language arts assessment administered to**
46 **grade four students.**

167.268. 1. Each school district and charter school shall have on file a policy for
2 reading success plans. Each school district and charter school shall provide all parents and
3 guardians of students, including parents of students who are identified as having a **reading**
4 **deficiency or substantial reading deficiency [in reading] under [subsection 1] subsections 5**
5 **and 6 of section 167.645, with suggestions for regular parent-guided home reading.**

6 2. The department of elementary and secondary education shall develop guidelines to
7 assist districts and charter schools in formulating policies for reading success plans. Such
8 guidelines may include, but are not limited to, measures of reading proficiency, strategies for
9 addressing reading deficiencies, timelines for measuring pupil improvement in reading, and
10 information on screening of dyslexia. Such guidelines may also identify performance levels
11 for pupils identified as handicapped or severely handicapped and conditions under which
12 such pupils may be exempt from the provisions of this section and section 167.645.

13 3. Each school district and charter school shall provide intensive reading instruction
14 to students as provided in section 167.645.

167.340. 1. The provisions of sections 167.340 to 167.346 shall be known and may
2 be cited as the "Read to be Ready Program".

3 2. Beginning July 1, **[2000] 2027**, if a school district provides reading improvement
4 instruction for students in kindergarten through third grade who do not meet the **[district's]**
5 **state's objectives for reading as demonstrated by performance on the [district's chosen**
6 **methods of reading assessment] Missouri universal reading literacy assessment**

7 **established in section 167.645**, such students who receive reading improvement instruction
8 pursuant to this subsection may be counted for additional average daily attendance for state
9 school aid during their reading improvement instruction time if such time falls outside normal
10 school hours.

11 3. Reading improvement instruction **[may] shall** take the form of summer school~~[-]~~
12 ~~provided that the]~~. Such summer school instruction ~~[addresses]~~ shall address the reading
13 deficiency, additional hours of instruction, or such other methods as the district may select
14 including, but not limited to~~[-]~~:

- 15 (1) Smaller class sizes~~[-]~~; and
- 16 (2) Additional resources including:
 - 17 (a) Computers~~[-]~~;
 - 18 (b) Reading specialists~~[-]~~;
 - 19 (c) Teacher and administrator training~~[-]~~;
 - 20 (d) Tutoring~~[-]~~;
 - 21 (e) Phonics instruction; and
 - 22 (f) Use of parents and volunteers.

167.645. 1. (1) **The "Missouri Universal Reading Literacy Assessment"** is
2 hereby established as a uniform, universal, literacy-based reading assessment
3 administered to students in kindergarten through grade three in every school district
4 and charter school in the state. The literacy assessment shall score each student in one
5 of the following categories: "below basic", "basic", "grade-level", "proficient", or
6 "advanced". Proficiency benchmarks associated with these categories shall be
7 determined by the department of elementary and secondary education.

8 (2) Each school district and charter school shall assess all students enrolled in
9 kindergarten through grade three ~~[at the beginning and end of each school year]~~ for their level
10 of reading ~~[or reading readiness on state approved reading assessments]~~. Additionally, all
11 ~~school districts and charter schools shall assess any newly enrolled student in grades one~~
12 ~~through five for their level of reading or reading readiness on a reading assessment from the~~
13 ~~state approved list]~~ proficiency on the literacy assessment. Each school district and
14 charter school shall administer the literacy assessment during three annual
15 administration windows established by the department of elementary and secondary
16 education. The first such annual administration window shall occur within the first
17 twenty days of the school year, with the results of such literary assessment sent in a letter
18 to the student's parent, guardian, or other individual having control or custody of such
19 student within the first thirty days of the school year.

20 2. The department of elementary and secondary education shall provide the
21 literacy assessment at no cost to school districts and charter schools.

22 **3. The literacy assessment shall:**

23 **(1) Be appropriate for students in kindergarten through grade three;**
24 **(2) Be used to comply with the dyslexia screening requirements established in**
25 **section 167.950; and**

26 **(3) Screen for characteristics of dyslexia and reading deficiency and assess the**
27 **following skills as developmentally appropriate:**

28 **(a) Phonological and phonemic awareness;**
29 **(b) Sound-symbol recognition;**
30 **(c) Alphabet knowledge;**
31 **(d) Decoding;**
32 **(e) Rapid naming;**
33 **(f) Encoding; and**
34 **(g) Oral reading fluency.**

35 **4. Student results on the literacy assessment shall not be used to make decisions**
36 **concerning the accreditation classification of a public school or school district.**

37 **5. At the beginning of the school year, each school district and charter school shall**
38 **provide a reading success plan to any student who:**

39 **(1) Exhibits a reading deficiency or substantial reading deficiency [in reading which**
40 ~~creates a barrier to]~~ **that impedes the child's progress learning to read. The identification of**
41 **such deficiency may be based upon the most recent assessments [or teacher observation]; or**
42 **(2) Has been identified as being at risk of dyslexia in [the] a statewide dyslexia**
43 **screening or has a formal diagnosis of dyslexia.**

44 **6. (1) For the purposes of this section, a reading deficiency shall refer to a student**
45 **who scores "basic" on the literacy assessment, and a substantial reading deficiency shall**
46 **refer to a student who [is one or more grade level or levels behind in reading or reading**
47 ~~readiness]~~ **scores below "below basic" on the literacy assessment; provided that nothing in**
48 **this section shall be interpreted to prevent a school district or charter school from offering a**
49 **reading success plan to any student based on an assessment completed [at the start and end of**
50 ~~the school year]~~ **during the three administration windows or based on teacher observation.**

51 **(2) For any student entering the school district or charter school after the start of the**
52 **school year, such student shall be:**

53 **(a) Assessed within the first twenty school days after entering such school; and**
54 **(b) Provided a reading success plan in the event the student has been identified as**
55 **having a reading deficiency or substantial reading deficiency based on the student's most**
56 ~~recent assessment [or otherwise being identified through teacher observation. The student's~~
57 ~~reading proficiency shall be reassessed by reading assessments on the state-approved list].~~

58 The student shall continue to be provided with intensive reading instruction under a reading
59 success plan until the reading deficiency is remedied.

60 [2.] 7. The district or charter school shall notify the parent or guardian of any student
61 in kindergarten through grade three who exhibits a **reading deficiency or substantial reading**
62 deficiency [~~in reading~~], as described in [~~subsection 1~~] **subsections 5 and 6** of this section, at
63 least annually in writing **and within thirty days after identification of a reading deficiency**
64 **or a modification to services provided to the student for a reading deficiency**, and in an
65 appropriate, alternative manner for the parent or other guardian if necessary, of the following:

66 (1) That the child has been identified as having a **reading deficiency or substantial**
67 **reading deficiency** [~~in reading~~];

68 (2) A description of the services currently provided to the child;

69 (3) A description of the proposed supplemental instructional services and supports
70 that the school district will provide to the child that are designed to remediate the identified
71 area of reading deficiency. For students identified as being at risk of dyslexia or those that
72 have a diagnosis of dyslexia the district shall provide an explanation that the instruction that
73 will be used to teach the child reading shall be explicit, systematic, and diagnostic and based
74 on phonological awareness, phonics, fluency, vocabulary, comprehension, morphology,
75 syntax, and semantics;

76 (4) Strategies for parents and guardians to use in helping the child succeed in reading
77 proficiency, including but not limited to the promotion of parent-guided home reading;

78 (5) **That if the child has a substantial reading deficiency that is not corrected by**
79 **the end of grade three, the child shall not be promoted to grade four unless the child**
80 **qualifies for a good cause exemption under subsections 8 and 9 of this section.**

81 [3. If the] 8. A school district or charter school [~~provides~~] **providing** a summer
82 reading program under this section[, the district or charter school] shall notify the parent or
83 guardian of each student who exhibits a **reading deficiency or substantial reading** deficiency
84 [~~in reading of the opportunity to~~] **that the student is required to** attend the summer reading
85 program.

86 [4.] 9. (1) **Beginning in the 2027-28 school year and continuing in all subsequent**
87 **school years**, if a student has a substantial reading deficiency at the end of third grade[, the
88 student's parent or guardian and appropriate school staff shall discuss whether the student
89 should be retained in grade level, based on a consideration of all relevant factors, including
90 the reading deficiency, the student's progress in other subject areas, and the student's overall
91 intellectual, physical, emotional, and social development. A decision to promote or retain a
92 student with a substantial reading deficiency at the end of grade three shall be made only after
93 direct personal consultation with the student's parent or guardian and after the formulation of
94 a specific plan of action to remedy the student's reading deficiency] **as determined by the**

95 department of elementary and secondary education based upon such student's
96 performance on the literacy assessment, the student shall be retained in grade three
97 unless:

98 (a) Such student scores "basic" or higher on a retest opportunity under
99 subdivision (2) of this subsection; or

100 (b) Such student qualifies for a good cause exemption under subsections 10 and
101 11 of this section.

102 (2) A student retained under subdivision (1) of this subsection may be promoted
103 to grade four if the student successfully completes a state-approved summer reading
104 program and scores "basic" or higher on a retest opportunity through the literacy
105 assessment.

106 10. A student may be promoted to grade four despite scoring "below basic" on
107 the literacy assessment if the student has a good cause exemption. Good cause
108 exemptions shall be limited to the following:

109 (1) Students with disabilities who have an approved individualized education
110 program developed under the federal Individuals with Disabilities Education Act
111 (IDEA), 20 U.S.C. Section 1401 et seq., as amended, that indicates that participation in
112 the statewide assessment program is not appropriate, consistent with state and federal
113 law;

114 (2) Students with disabilities who participate in the statewide summative English
115 language arts assessment and who have either of the following plans reflecting that the
116 student has received intensive reading intervention for more than two years but still
117 demonstrates a substantial reading deficiency:

118 (a) An approved individualized education program developed under the federal
119 Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1401 et seq., as
120 amended; or

121 (b) A 504 plan created under Section 504 of the federal Rehabilitation Act of
122 1973, 29 U.S.C. Section 794, as amended;

123 (3) Students identified as English language learners who have had fewer than
124 two years of instruction in an English language learner program; and

125 (4) Students who have already been retained at least once in any of grades
126 kindergarten through grade three.

127 11. Requests for a good cause exemption shall be made in accordance with the
128 following requirements:

129 (1) Documentation shall be submitted from the student's teacher to the school
130 principal indicating that the promotion of the student is appropriate. Such
131 documentation shall consist only of the good cause exemption being requested and

132 the existing reading improvement plan or individualized education program, as
133 applicable; and

134 (2) The school principal shall review and discuss the recommendation with the
135 teacher and make the determination as to whether the student qualifies for one of the
136 good cause exemptions described in subsection 10 in this section. If the school principal
137 determines that the student is eligible for one of the good cause exemptions based on the
138 documentation provided, the school principal shall make such recommendation in
139 writing to the superintendent of the school district. The superintendent shall accept or
140 reject the school principal's recommendation in writing.

141 12. (1) The school district shall assist schools with providing written notification
142 to the parent or guardian of any student who is retained about the following:

143 (a) That such student has not met the reading level required for promotion;
144 (b) The reasons the student is not eligible for a good cause exemption; and
145 (c) That such student will be retained in grade three.

146 (2) The notification required under subdivision (1) of this subsection shall
147 include a description of the proposed interventions and supports that will be provided to
148 the child to remedy the identified area or areas of reading deficiency in the following
149 school year.

150 13. A student retained under subsection 7 of this section shall be provided
151 intensive reading intervention to remedy the student's specific reading deficiency. The
152 reading intervention services shall include effective instructional strategies to accelerate
153 student progress. Each school district shall conduct a review of student reading
154 improvement plans for all students retained in grade three. The review shall address
155 additional supports and services, as described in this subsection, needed to remedy each
156 identified area of reading deficiency.

157 14. A school district shall provide the following for a student retained under
158 subsection 7 of this section:

159 (1) A highly effective teacher of reading, as demonstrated by student reading
160 performance data and teacher performance evaluations;

161 (2) Reading intervention services and supports to correct each identified area of
162 reading deficiency including, but not limited to:

163 (a) More dedicated time than the previous school year in scientifically research-
164 based reading instruction and intervention;

165 (b) Use of reading strategies or programs, or both, that are scientifically
166 research-based and have proven results in accelerating student reading achievement
167 within the same school year;

168 (c) Daily targeted small group reading intervention based on student needs
169 including, but not limited to, explicit and systematic instruction with more detailed
170 explanations, more extensive opportunities for guided practice, and more opportunities
171 for error correction and feedback; and

172 (d) Frequently monitoring the reading progress of each student's reading skills
173 throughout the school year and adjusting instruction according to student needs;

174 (3) The option of a transitional instructional setting. Such setting shall
175 specifically be designed to produce learning gains sufficient to meet grade four
176 performance standards in all other core academic areas while continuing to correct each
177 area of reading deficiency;

178 (4) Before or after school, or both, supplemental research-based reading
179 intervention delivered by a teacher or tutor with specialized reading training; and

180 (5) A "Read at Home" plan outlined in a parental contract including, but not
181 limited to, participation in parent training workshops or regular parent-guided home
182 reading activities, or both, that are aligned to scientifically based reading research.

183 15. Each school district shall establish at each school, where applicable, an
184 intensive acceleration class for any student retained in grade three under subsection 7 of
185 this section who was previously retained in kindergarten, grade one, or grade two. The
186 intensive acceleration class shall include criteria established in subsection 14 of this
187 section and:

188 (1) Have a reduced teacher-student ratio; and

189 (2) Provide explicit, systematic, sequential, and cumulative reading instruction
190 and intervention for the majority of student contact time each day.

191 [§-] 16. Each school district or charter school shall do all of the following:

192 (1) Provide students who are identified as having a **reading deficiency or** substantial
193 **reading deficiency** [~~in reading~~] under ~~[subsection 1]~~ **subsections 5 and 6** of this section, have
194 been identified as being at risk of dyslexia in the statewide dyslexia screening, or have a
195 formal diagnosis of dyslexia with intensive instructional services and supports specified in a
196 reading success plan, as appropriate according to student need, free of charge, to remediate
197 the identified areas of reading deficiency, including additional scientific, evidence-based
198 reading instruction and other strategies prescribed by the school district or charter school
199 which may include but are not limited to the following:

200 (a) Small group or individual instruction;

201 (b) Reduced teacher-student ratios;

202 (c) More frequent progress monitoring;

203 (d) Tutoring or mentoring;

204 (e) Extended school day, week, or year; and

205 (f) Summer reading programs;

206 (2) For any student with a formal diagnosis of dyslexia or for a student who was
207 found to be at risk of dyslexia in the statewide dyslexia screening, the school district or
208 charter school shall provide evidence-based reading instruction that addresses phonology,
209 sound-symbol association, syllable instruction, morphology, syntax, and semantics provided
210 through systematic, cumulative, explicit, and diagnostic methods;

211 (3) At regular intervals, but no less than four times per year in a manner that reflects
212 progress through each school term, notify the parent or guardian of academic and other
213 progress being made by the student and give the parent or guardian other useful information;

214 (4) In addition to required reading enhancement and acceleration strategies, provide
215 all parents of students, including parents of students who are identified as having a **reading**
216 **deficiency or** substantial **reading** deficiency ~~[in reading]~~ under ~~[subsection 1]~~ **subsections 5**
217 **and 6** of this section, with a plan that includes suggestions for regular parent-guided home
218 reading.

219 **[6.] 17.** Each school district and charter school shall ensure that intensive reading
220 instruction through a reading development initiative shall be provided to each kindergarten
221 through grade ~~[five]~~ **three** student who is assessed as exhibiting a **reading deficiency or**
222 substantial **reading** deficiency ~~[in reading]~~. In addition to the requirements otherwise
223 provided, such instruction shall also comply with all of the following criteria:

224 (1) Be provided to all kindergarten through grade ~~[five]~~ **three** students who exhibit a
225 **reading deficiency or** substantial **reading** deficiency ~~[in reading]~~ under this section. The
226 assessments shall measure phonemic awareness, phonics, fluency, vocabulary, and
227 comprehension;

228 (2) Be provided during regular school hours;

229 (3) Provide a reading curriculum that meets the requirements of section 170.014, and
230 at a minimum has the following specifications:

231 (a) Assists students assessed as exhibiting a **reading deficiency or** substantial
232 **reading** deficiency ~~[in reading]~~ to develop the skills to read at grade level;

233 (b) Provides skill development in phonemic awareness, phonics, fluency, vocabulary,
234 and comprehension;

235 (c) Includes a scientifically based and reliable assessment;

236 (d) Provides initial and ongoing analysis of each student's reading progress; and

237 (e) Provides a curriculum in core academic subjects to assist the student in
238 maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.

239 **[7.] 18.** School districts and charter schools shall report to the department the specific
240 intensive reading interventions and supports implemented by the school district or charter
241 school pursuant to this section as well as the reading assessment data collected for grades

242 kindergarten through ~~five~~ **three**. The department shall annually prescribe the components
243 of required or requested reports.

244 **[8.] 19.** (1) Each school district and charter school shall address reading proficiency
245 as part of its comprehensive school improvement plan, drawing upon information about
246 children from assessments conducted pursuant to subsection 1 of this section and the
247 prevalence of deficiencies identified by classroom, elementary school, and other student
248 characteristics. As part of its comprehensive school improvement plan or contract, each
249 school district or charter school shall review chronic early elementary absenteeism for its
250 impact on literacy development. If more than fifteen percent of an attendance center's
251 students are not at grade level in reading by the end of third grade, the comprehensive school
252 improvement plan or contract shall include strategies to reduce that percentage, including
253 school and community strategies to raise the percentage of students who are proficient in
254 reading.

255 (2) Each school district and charter school shall provide professional development
256 services to enhance the skills of elementary teachers in responding to children's unique
257 reading issues and needs and to increase the use of evidence-based strategies.

258 **20. Each district school board shall, by October first of each year, report in**
259 **writing to the department of elementary and secondary education the following**
260 **information regarding the immediately preceding school year:**

261 (1) **The school board's policies and procedures regarding student retention and**
262 **promotion;**

263 (2) **By grade level, the number and percentage of all students in grades**
264 **kindergarten through three with reading deficiencies or substantial reading deficiencies;**

265 (3) **By grade level, the number and percentage of all students retained in grades**
266 **kindergarten to three due to substantial reading deficiencies; and**

267 (4) **The total number and percentage of students in grade three who were**
268 **promoted with good cause exemptions, delineated by each category of good cause**
269 **exemption specified in subsections 5 and 6 of this section.**

270 **21. Each public school shall make available to the public the title and author of**
271 **all reading curriculum materials adopted for each grade and the recommended reading**
272 **level for such materials.**

2 ~~[186.080. 1. The commissioner of education shall establish a literacy~~
3 ~~advisory council. The council shall consist of no more than twenty members,~~
4 ~~appointed by the commissioner, and shall include members representing the~~
5 ~~following stakeholder groups:~~

6 (1) ~~School boards;~~
7 (2) ~~Charter schools;~~
8 (3) ~~School superintendents;~~

(4) Elementary and secondary building principals;

(5) At least three teachers, including at least two teachers with expertise in reading instruction;

(6) At least two special education educators;

(7) At least two parents of elementary and secondary school age pupils who have struggled with literacy proficiency;

(8) At least two community members who have struggled with literacy proficiency or supported others who have struggled with literacy proficiency, at least one of whom shall be a high school student;

(9) One member from a dyslexia advocacy group;

(10) Faculty members of institutions of higher education with approved teacher preparation programs;

(11) Professionals with expertise in reading instruction, reading interventions, and how students learn to read including one certified academic language therapist; and

(12) Professionals with expertise in educational assessment data analysis.

2. The council shall meet at least twice per year to review best practices in literacy instruction and related policy provisions. The department shall provide necessary staff and resources for the work of the advisory council.

3. The council shall periodically provide recommendations to the commissioner and the state board of education regarding any identified improvements to literacy instruction and policy for students. The recommendations may include recommendations for changes to state law, and the commissioner shall furnish any such recommendations to the joint committee on education.

4. The council recommendations shall:

(1) Advise the department of elementary and secondary education on how to implement and maintain the statewide literacy plan required under section 161.241 and advise the department, school districts, and charter schools on ways to inform and engage parents and other community members about the literacy plan;

(2) Provide advice as to what services the department should provide to school districts and charter schools to support implementation of the plan and on staffing levels and resources needed at the department to support the statewide effort to improve literacy;

(3) Provide advice regarding the statewide plan for collecting literacy related data that informs:

(a) Literacy instructional practices;

(b) Teacher professional development in the field of literacy;

(c) What proficiencies and skills should be measured through literacy assessments and how those assessments are incorporated into local assessment plans; and

(d) How to identify school progress in achieving literacy outcomes, including closing literacy gaps for students from historically underserved populations;

55 (4) ~~Recommend best practices for tiered literacy instruction within a~~
56 ~~multitiered system of supports to best improve and sustain literacy proficiency;~~
57 (5) ~~Review literacy assessments and outcomes and provide ongoing~~
58 ~~advice as to how to continuously improve those outcomes and sustain~~
59 ~~improvement; and~~

60 (6) ~~Provide a means for members of the public to provide input and~~
61 ~~ask questions concerning literacy issues.]~~

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