

1 HB220  
2 216029-3  
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  
10 First Read: 02-FEB-22

1 ENGROSSED

2  
3  
4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
7

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 "§16-6G-2.

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

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

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

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

1           "(4) DYSLEXIA. A specific learning challenge or  
2           disability that is neurological in origin. It is characterized  
3           by difficulties with accurate or fluent, or both, word  
4           recognition and by poor spelling and decoding abilities, which  
5           typically result from a deficit in the phonological component  
6           of language that is often unexpected in relation to other  
7           cognitive abilities and the provision of effective classroom  
8           instruction.

9           "(5) ENCODING. The act and process of using  
10          knowledge of the relationships between sounds and letters to  
11          spell and write words.

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

14          "(7) PHONEMIC AWARENESS. The ability to hear,  
15          identify, and manipulate individual sounds. Phonemic awareness  
16          is an auditory activity.

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

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

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

25          "~~(10)~~ (11) VOCABULARY. The body of written or oral  
26          language known to an individual.

27          "§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  
26 naming, letter sound, and sound letter correspondences,  
27 decoding, encoding, accuracy, vocabulary, and comprehension.

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

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

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

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

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

15           "§16-6G-4.

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

20           "(1) Local education agencies to support local  
21 reading specialists.

22           "(2) The Alabama Summer Achievement Program.

23           "(3) Regional literacy specialists.

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

26           "(5) Curricula to support student interventions.

27           "(6) State administration.

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

11           "(1) Administration and analysis of reading  
12 screening, formative, and diagnostic assessments to guide  
13 instruction.

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

20           "(3) Explicit and systematic instruction with more  
21 detailed explanations, more extensive opportunities for guided  
22 practice, and more opportunities for error correction and  
23 feedback.

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

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

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

20           "(2) Elementary schools that are not among the  
21 lowest performing five percent ~~performing~~ in reading schools  
22 shall receive limited literacy support from an Alabama Reading  
23 Initiative regional literacy specialist, who shall be assigned  
24 to multiple schools. All other regional literacy specialists  
25 shall be assigned to serve multiple elementary schools and  
26 shall provide ongoing professional development for teachers in  
27 analyzing students' reading data to impact instruction,



1 administering and analyzing instructional assessments,  
2 differentiating instruction and intensive intervention, and  
3 monitoring the reading progress of all students a minimum of  
4 three times per year, and make instruction adjustment  
5 recommendations according to student specific need. Distance  
6 and need shall be considered by local superintendents of  
7 education when selecting the schools where a regional literacy  
8 specialist shall serve. There shall be two levels of limited  
9 literacy support provided by a regional literacy specialist.  
10 The local superintendent of education of a local education  
11 agency subject to this subdivision shall determine the level  
12 of limited support that each regional literacy specialist  
13 shall provide.

14 "a. Limited support 1. An Alabama Reading Initiative  
15 regional literacy specialist shall make monthly onsite visits  
16 to the school and shall monitor the reading progress of all  
17 students a minimum of three times per year and adjust  
18 instruction according to student specific need.

19 "b. Limited support 2. An Alabama Reading Initiative  
20 regional literacy specialist shall make quarterly onsite  
21 visits to the school and shall monitor the reading progress of  
22 all students a minimum of three times per year and make  
23 instruction adjustment recommendations according to student  
24 specific need.

25 "(3) An Alabama Reading Initiative regional literacy  
26 specialist shall have all of the following minimum  
27 qualifications:

1           "a. The required Alabama Professional Educator  
2 Certificate.

3           b. A bachelor's degree and advanced coursework or  
4 professional development in the science of reading,  
5 multisensory language instruction, such as Language Essentials  
6 for Teachers of Reading and Spelling, or a comparable  
7 alternative training approved by the State Board of Education.

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

10          "d. A knowledge of scientifically based reading  
11 research, special expertise in quality reading instruction and  
12 intervention, dyslexia specific interventions, and data  
13 analysis.

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

16          "f. Excellent communication skills with outstanding  
17 presentation, interpersonal, and time management skills.

18          "(d) An Alabama Reading Initiative local reading  
19 specialist shall be assigned to provide intensive, targeted  
20 professional development for elementary school teachers at one  
21 school.

22          "(1) An Alabama Reading Initiative local reading  
23 specialist shall have all of the following minimum  
24 qualifications:

25           "a. The required Alabama Professional Educator  
26 Certificate.

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

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

7            "d. A knowledge of scientifically based reading  
8 research, special expertise in quality reading instruction and  
9 intervention, dyslexia specific interventions, and data  
10 analysis.

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

13           "f. Excellent communication skills with outstanding  
14 presentation, interpersonal, and time management skills.

15           (2) The duties and responsibilities of an Alabama  
16 Reading Initiative local reading specialist shall include all  
17 of the following:

18           "a. Collaborating with the principal to create a  
19 strategic plan for coaching.

20           "b. Facilitating schoolwide professional development  
21 and study groups.

22           "c. Modeling effective reading instructional  
23 strategies for teachers.

24           "d. Coaching and mentoring teachers daily.

25           "e. Facilitating data analysis discussions and  
26 supporting teachers by using data to differentiate instruction  
27 according to the needs of students.

1            "f. Fostering multiple areas of teacher professional  
2 learning, including exceptional student education and content  
3 area knowledge.

4            "g. Prioritizing time for those teachers,  
5 activities, and roles that will have the greatest impact on  
6 student reading achievement, such as coaching and mentoring in  
7 classrooms.

8            "h. Monitoring the reading progress of all students  
9 a minimum of three times per year and making recommendations  
10 for adjustment of instruction according to student specific  
11 need.

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

16            "(e) The State Superintendent of Education and local  
17 education agencies shall monitor the implementation and  
18 effectiveness of the Alabama Reading Initiative regional  
19 literacy specialist and local reading specialist model, and  
20 the State Superintendent of Education and each local education  
21 agency being served by a regional literacy specialist or a  
22 local reading specialist shall maintain communication among  
23 the district, school administration, and the Alabama Reading  
24 Initiative state administration staff throughout the academic  
25 year.

26            "(1) The State Superintendent of Education, or his  
27 or her designee, shall certify that each Alabama Reading

1 Initiative regional literacy specialist or local reading  
2 specialist satisfies the minimum qualifications provided by  
3 this chapter before coaches are hired with funds appropriated  
4 by the Legislature to support the Alabama Reading Initiative.

5 "(2) The State Superintendent of Education shall  
6 develop an evidence-based accountability reporting system for  
7 the Alabama Reading Initiative that shall measure student  
8 growth and proficiency towards teacher professional learning  
9 goals and student performance on state-approved formative and  
10 summative assessments and shall specify the number of  
11 teachers, administrators, other personnel at each school and  
12 local education agency who have started or completed an  
13 approved training program in the science of reading, and the  
14 name of the training program.

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

26 "§16-6G-5.

1           "(a) ~~To~~ Commencing with the 2022-2023 school year,  
2 to ensure that public school students are able to read at or  
3 above grade level by the end of third grade, each local  
4 education agency shall offer ~~a~~ an approved comprehensive core  
5 reading program to all students based on the science of  
6 reading which develops foundational reading skills. In  
7 addition, no school district may use any curriculum for public  
8 K-3 students that does not have instructional time included.  
9 ~~Commencing with the 2022-2023 school year, elementary schools~~  
10 ~~that are among the lowest performing five percent in reading~~  
11 ~~proficiency shall purchase core reading programs that fully~~  
12 ~~align to the science of reading and are recommended by the~~  
13 ~~task force.~~

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

1 provided to all students in the general education classroom.  
2 Dyslexia specific intervention, as defined by rule of the  
3 State Board of Education, shall be provided to students who  
4 have the characteristics of dyslexia and all struggling  
5 readers. The reading intervention program shall do all of the  
6 following:

7 "(1) Provide explicit, direct instruction that is  
8 systematic, sequential, and cumulative in language  
9 development, phonological awareness, phonics, fluency,  
10 vocabulary, and comprehension, as applicable.

11 "(2) Provide daily targeted small group reading  
12 interventions based on student need in phonological awareness,  
13 phonics including decoding and encoding, sight words,  
14 vocabulary, or comprehension.

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

16 "(c) The parent or legal guardian of any K-3 student  
17 who exhibits a consistent deficiency in letter naming fluency,  
18 letter sound fluency, nonsense word reading, sight words, oral  
19 reading accuracy, vocabulary, or comprehension at any time  
20 during the school year shall be notified in writing no later  
21 than 15 school days after the identification. The written  
22 notification shall include all of the following:

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

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

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

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

11           "(5) Strategies and resources for the parent or  
12 legal guardian to use at home to help the student succeed in  
13 reading.

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

18           "(7) A statement that while the statewide reading  
19 assessment is the initial determinant for promotion, the  
20 assessment is not the sole determiner at the end of third  
21 grade. Additionally, students shall be provided with a  
22 test-based student portfolio option and ~~an alternative a~~  
23 supplemental reading assessment option to demonstrate  
24 sufficient reading skills for promotion to fourth grade.

25           "(d) Any K-3 student who exhibits a reading  
26 deficiency at any time, as provided in subsection (b), shall



1 receive an individual reading improvement plan no later than  
2 30 days after the identification of the reading deficiency.

3 "(1) The reading improvement plan shall be created  
4 by the teacher, principal, other pertinent school personnel,  
5 and the parent or legal guardian of the student, and shall  
6 describe the evidence-based reading intervention services,  
7 including dyslexia specific intervention services, that the  
8 student shall receive to improve the reading deficit.

9 "(2) Each identified student shall receive intensive  
10 reading intervention until the student no longer has a  
11 deficiency in reading, as determined by a State Board of  
12 Education approved reading assessment.

13 "(3) Funds allocated to procuring curricula for  
14 student interventions pursuant to subdivision (5) of  
15 subsection (a) of Section 16-6G-4 shall be divided, based on a  
16 per pupil allocation determined by the number of students of  
17 each local education agency who are not proficient on a state  
18 approved reading assessment during the prior academic year,  
19 and distributed by the State Superintendent of Education.

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

23 "(1) Summer reading camps shall be staffed with  
24 highly effective teachers of reading as demonstrated by  
25 student reading performance data, completion of multisensory  
26 structured language education, and teacher performance  
27 evaluations.

1           "(2) The highly effective teacher of reading shall  
2 provide direct, explicit, and systematic reading intervention  
3 services and supports to improve any identified area of  
4 reading deficiency.

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

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

11           "(5) Summer reading camps may be held in conjunction  
12 with existing summer programs in the school district or in  
13 partnership with community-based summer programs, designated  
14 as effective by the State Superintendent of Education and the  
15 task force ~~established under subsection (a) of Section~~  
16 ~~16-6G-3~~.

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

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

24           "(2) Funds allocated to the program in excess of the  
25 amount needed to fully fund summer programs in public  
26 elementary schools that are among the lowest performing five  
27 percent ~~performing~~ in reading schools shall be divided, based

1 on a per pupil allocation, and distributed by the State  
2 Superintendent of Education, to support high quality summer  
3 camps at elementary schools that are not among the lowest  
4 performing five percent ~~performing~~ in reading elementary  
5 schools. The State Superintendent of Education shall award the  
6 funds to each local education agency based on the number of  
7 students who scored deficient, as determined by the task force  
8 ~~established under subsection (a) of Section 16-6G-3~~, on a  
9 state-approved reading assessment used to determine reading  
10 proficiency during the administration of the assessment during  
11 the preceding academic year.

12 "(3) The State Superintendent of Education shall  
13 provide guidelines for the administration of the Alabama  
14 Summer Achievement Program, and shall oversee all of the  
15 following:

16 "a. The administration of the Alabama Summer  
17 Achievement Program in the lowest performing five percent  
18 ~~performing~~ in reading elementary schools.

19 "b. The response to instruction process in the  
20 lowest performing five percent ~~performing~~ in reading  
21 elementary schools.

22 "c. The Alabama Reading Initiative regional literacy  
23 specialists and local reading specialists.

24 "d. All other aspects of implementation of this  
25 chapter including, but not limited to, collaboration among  
26 State Department of Education staff and the task force  
27 ~~established under subsection (a) of Section 16-6G-3~~ to improve

1 the reading proficiency of public K-3 students and  
2 implementation of rules adopted by the State Board of  
3 Education.

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

6 "f. Collaboration with the Alabama Reading  
7 Initiative state staff and the Alabama Department of Early  
8 Childhood Education for appropriate professional learning  
9 ~~approved recommended~~ by the ~~State Department of Education~~  
10 Alabama Committee on Grade Level Reading created pursuant to  
11 Section 16-6G-7.

12 "g. The development of guidelines for identifying  
13 the characteristics of dyslexia.

14 "(g) Any incoming third grade student identified  
15 with a reading deficiency shall be provided more intensified  
16 reading interventions to improve his or her specific reading  
17 deficiency. Reading intervention services shall include  
18 effective instructional strategies to accelerate student  
19 progress. Each local education agency shall conduct a review  
20 of student reading improvement plans for all incoming third  
21 grade students identified with a reading deficiency. The  
22 review shall address additional supports and services, as  
23 described in this section, necessary to improve any identified  
24 area of reading deficiency. The local education agency shall  
25 provide all of the following services for third grade students  
26 identified with a reading deficiency, and those services may

1 be funded with funds received through the allocation provided  
2 in subdivision (2) of subsection (a) of Section 16-6G-4:

3 "(1) An effective or highly effective teacher of  
4 reading as demonstrated by student reading performance data  
5 and teacher performance evaluations.

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

9 "a. Additional instructional time devoted to  
10 scientifically based and evidence based reading instruction  
11 and intervention.

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

18 "c. Daily targeted small group reading intervention  
19 based on student need.

20 "d. Explicit and systematic instruction with more  
21 detailed explanations, more extensive opportunities for guided  
22 practice, and more opportunities for error correction and  
23 feedback.

24 "e. Frequent monitoring of the progress of the  
25 reading skills of each student throughout the school year and  
26 adjusting instruction according to student need.

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

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

7           "(h) Commencing with the ~~2021-2022-2022-2023~~  
8 2021-2022 school year, third grade students shall demonstrate  
9 sufficient reading skills for promotion to fourth grade.  
10 Students shall be provided all of the following options to  
11 demonstrate sufficient reading skills for promotion to fourth  
12 grade, and the State Superintendent of Education shall provide  
13 guidelines for the implementation of this subsection:

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

18           "(2) Earning an acceptable score on ~~an alternative a~~  
19 supplemental standardized reading assessment as determined and  
20 approved by the ~~State Superintendent of Education~~ State Board  
21 of Education.

22           "(3) Demonstrating mastery of third grade minimum  
23 essential state reading standards as evidenced by a student  
24 reading portfolio. The State Superintendent of Education and  
25 the task force ~~established under subsection (a) of Section~~  
26 ~~16-6G-3~~ shall establish criteria for minimum essential  
27 standards and the student reading portfolios and a definition

1 of what constitutes mastery of all third grade state reading  
2 standards.

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

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

26 ~~"(1) Students with disabilities whose Individual~~  
27 ~~Education Plan indicates that participation in the statewide~~

1 ~~assessment program is not appropriate, consistent with state~~  
2 ~~law.~~

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

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

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

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

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

26           "(1) Documentation shall be submitted to the school  
27 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  
26 intensive acceleration shall be taught by a highly effective  
27 teacher of reading who has received training in the science of

1 reading and multisensory language instruction, as demonstrated  
2 by student reading performance data and teacher performance  
3 evaluations; shall have a reduced teacher-student ratio; and  
4 shall provide explicit and systematic reading instruction and  
5 intervention for the majority of student contact time each  
6 day.

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

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

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

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

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

26 "(5) The total number and percentage of third grade  
27 students who started third grade with a reading deficiency but

1 completed third grade on grade level as determined by the  
2 third grade state standardized assessment in reading.

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

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

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

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

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

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

20 "(12) By school, the number of teachers who are  
21 participating in or have completed professional development in  
22 the science of reading and who hold advanced certifications in  
23 those areas.

24 "(13) By school, the number of teachers who have  
25 completed training in dyslexia awareness, multisensory  
26 strategies, and satisfy the definition of a dyslexia

1 interventionist as defined by rule of the State Board of  
2 Education.

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

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

26 "(2) Of the funds allocated to the Alabama Reading  
27 Initiative pursuant to subdivision (6) of subsection (a) of

1 Section 16-6G-4 for state administration, the State  
2 Superintendent of Education may allocate such sums as he or  
3 she deems appropriate to establish an Alabama Reading  
4 Initiative Incentive Program that shall distribute monetary  
5 incentives to schools based on a formula, approved by the  
6 State Superintendent of Education with the Alabama Committee  
7 on Grade Level Reading created in Section 16-6G-7, that shall  
8 factor the size and geography of the school, reading growth  
9 and proficiency, and the composition of student subgroups."

10 Section 2. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Education Policy  
..... 02-FEB-22

Read for the second time and placed  
on the calendar 1 amendment ..... 09-FEB-22

Read for the third time and passed  
as amended..... 23-FEB-22

Yeas 103, Nays 0, Abstains 0

Jeff Woodard  
Clerk