

1 HB220  
2 216029-1  
3 By Representatives Collins, Baker, Holmes, Faust, Shiver,  
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5 Rich, Sorrell, Almond, Dismukes, Fincher, Stringer, Brown (C),  
6 Kitchens, Simpson, Moore (P), Clouse, McCutcheon, Ellis,  
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8 Ball  
9 RFD: Education Policy  
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SYNOPSIS: Under existing law, the Alabama Literacy Act implements steps to improve the reading proficiency of public school kindergarten through third grade students.

This bill would 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.

A BILL  
TO BE ENTITLED  
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.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

5 "§16-6G-2.

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

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

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

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

15 "(4) DYSLEXIA. A specific learning challenge or  
16 disability that is neurological in origin. It is characterized  
17 by difficulties with accurate or fluent, or both, word  
18 recognition and by poor spelling and decoding abilities, which  
19 typically result from a deficit in the phonological component  
20 of language that is often unexpected in relation to other  
21 cognitive abilities and the provision of effective classroom  
22 instruction.

23 "(5) ENCODING. The act and process of using  
24 knowledge of the relationships between sounds and letters to  
25 spell and write words.

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

1           "(7) PHONEMIC AWARENESS. The ability to hear,  
2 identify, and manipulate individual sounds. Phonemic awareness  
3 is an auditory activity.

4           "(8) PHONICS. The relationships between the letters  
5 of written language and the individual sounds of spoken  
6 language including syllable types, morphology of Greek and  
7 Latin roots, and multisyllabic words.

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

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

12          "~~(10)~~ (11) VOCABULARY. The body of written or oral  
13 language known to an individual.

14          "§16-6G-3.

15          "(a) The State Superintendent of Education shall  
16 convene a standing ~~task force~~ Literacy Task Force by December  
17 1, 2019, to provide recommendations for comprehensive core  
18 reading and reading intervention programs, a state continuum  
19 of teacher development for approved science of reading  
20 pursuant to subsection (e) of Section 16-6G-6, and an annual  
21 list of vetted and approved assessments that are valid and  
22 reliable reading screening, formative, and diagnostic  
23 assessment systems for selection and use by local education  
24 agencies. The task force shall meet in regular session at  
25 least twice a year and shall function independently. All  
26 appointing authorities shall coordinate their appointments so  
27 that diversity of gender, race, and geographical areas is

1 reflective of the makeup of this state. The membership of the  
2 task force shall include all of the following appointees, each  
3 of whom shall have at least three years of experience with  
4 scientifically based reading instruction:

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

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

9 "(3) Three Certified Academic Dyslexia Therapists,  
10 who have been certified for a minimum of three years,  
11 appointed by the Alabama Branch of the International Dyslexia  
12 Association.

13 "(4) Two public school principals appointed by the  
14 Executive Director of the Council for Leaders in Alabama  
15 Schools.

16 "(5) One local superintendent of education appointed  
17 by the Executive Director of the School Superintendents of  
18 Alabama.

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

21 "(7) One ~~Regional Education Lab~~ national expert in  
22 literacy member appointed by the State Superintendent of  
23 Education.

24 "(8) One early childhood educator appointed by the  
25 Secretary of the Alabama Department of Early Childhood  
26 Education.

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

3           "(10) Seven additional members, four appointed by  
4 the Governor and three by the State Superintendent of  
5 Education.

6           "(b) Each approved assessment system shall do all of  
7 the following:

8           "(1) Provide screening and diagnostic capabilities  
9 for monitoring student progress.

10          "(2) Measure, at a minimum, phonological awareness,  
11 oral language, the alphabetic principle, including letter  
12 naming, letter sound, and sound letter correspondences,  
13 decoding, encoding, accuracy, vocabulary, and comprehension.

14          "(3) Identify students who have a reading  
15 deficiency, including identifying students with  
16 characteristics of dyslexia.

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

21          "(1) The time required to conduct the assessments,  
22 with the intention of minimizing the impact on instructional  
23 time.

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

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

1           "§16-6G-4.

2           "(a) Funds appropriated by the Legislature in  
3 support of the Alabama Reading Initiative shall be allocated  
4 to support and implement, in accordance with this chapter, the  
5 following:

6           "(1) Local education agencies to support local  
7 reading specialists.

8           "(2) The Alabama Summer Achievement Program.

9           "(3) Regional literacy specialists.

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

12          "(5) Curricula to support student interventions.

13          "(6) State administration.

14          "(b) Funds dedicated to the Alabama Reading  
15 Initiative shall be expended on local and regional reading  
16 specialists, professional learning activities, and  
17 administrative activities that support all of the following  
18 activities for kindergarten through third grade students in  
19 public K-12 schools; continued funding shall be contingent on  
20 measurable performance growth, as determined by the ~~task force~~  
21 ~~established under subsection (a) of Section 16-6G-3~~ Alabama  
22 Committee on Grade Level Reading created pursuant to Section  
23 16-6G-7:

24          "(1) Administration and analysis of reading  
25 screening, formative, and diagnostic assessments to guide  
26 instruction.

1           "(2) Scientifically based reading instruction,  
2 multisensory language instruction, including oral language  
3 development, phonological awareness, phonics instruction that  
4 includes decoding and encoding, fluency, writing, vocabulary,  
5 and comprehension, and the Alabama course of study, English  
6 Language Arts.

7           "(3) Explicit and systematic instruction with more  
8 detailed explanations, more extensive opportunities for guided  
9 practice, and more opportunities for error correction and  
10 feedback.

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

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

23           "(1) Regional literacy specialists shall provide  
24 intensive support for elementary schools that are among the  
25 lowest performing five percent in reading of elementary  
26 schools. Each school among the lowest performing five percent  
27 performing in reading elementary schools shall be assigned a



1 regional literacy specialist who shall serve as a resource for  
2 professional development throughout the school to improve  
3 literacy instruction and student achievement. A regional  
4 literacy specialist who is assigned to a school shall  
5 primarily serve only that school.

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

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

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

12            "(3) An Alabama Reading Initiative regional literacy  
13 specialist shall have all of the following minimum  
14 qualifications:

15            "a. The required Alabama Professional Educator  
16 Certificate.

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

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

24            "d. A knowledge of scientifically based reading  
25 research, special expertise in quality reading instruction and  
26 intervention, dyslexia specific interventions, and data  
27 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.

26            "f. Excellent communication skills with outstanding  
27 presentation, interpersonal, and time management skills.

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

4                   "a. Collaborating with the principal to create a  
5 strategic plan for coaching.

6                   "b. Facilitating schoolwide professional development  
7 and study groups.

8                   "c. Modeling effective reading instructional  
9 strategies for teachers.

10                  "d. Coaching and mentoring teachers daily.

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

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

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

21                  "h. Monitoring the reading progress of all students  
22 a minimum of three times per year and making recommendations  
23 for adjustment of instruction according to student specific  
24 need.

25                  "(3) An Alabama Reading Initiative local reading  
26 specialist may not perform administrative functions such as

1 serving as an evaluator, substitute teacher, assessment  
2 coordinator, or school administrator.

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

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

19 "(2) The State Superintendent of Education shall  
20 develop an evidence-based accountability reporting system for  
21 the Alabama Reading Initiative that shall measure student  
22 growth and proficiency towards teacher professional learning  
23 goals and student performance on state-approved formative and  
24 summative assessments and shall specify the number of  
25 teachers, administrators, other personnel at each school and  
26 local education agency who have started or completed an

1 approved training program in the science of reading, and the  
2 name of the training program.

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

14 "§16-6G-5.

15 "(a) To ensure that public school students are able  
16 to read at or above grade level by the end of third grade,  
17 each local education agency shall offer a comprehensive core  
18 reading program to all students based on the science of  
19 reading which develops foundational reading skills. In  
20 addition, no school district may use any curriculum for public  
21 K-3 students that does not have instructional time included.  
22 Commencing with the 2022-2023 school year, elementary schools  
23 that are among the lowest performing five percent in reading  
24 proficiency shall purchase core reading programs that fully  
25 align to the science of reading and are recommended by the  
26 task force.

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

20           "(1) Provide explicit, direct instruction that is  
21 systematic, sequential, and cumulative in language  
22 development, phonological awareness, phonics, fluency,  
23 vocabulary, and comprehension, as applicable.

24           "(2) Provide daily targeted small group reading  
25 interventions based on student need in phonological awareness,  
26 phonics including decoding and encoding, sight words,  
27 vocabulary, or comprehension.

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

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

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

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

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

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

24           "(5) Strategies and resources for the parent or  
25 legal guardian to use at home to help the student succeed in  
26 reading.



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

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

12           "(d) Any K-3 student who exhibits a reading  
13 deficiency at any time, as provided in subsection (b), shall  
14 receive an individual reading improvement plan no later than  
15 30 days after the identification of the reading deficiency.

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

22           "(2) Each identified student shall receive intensive  
23 reading intervention until the student no longer has a  
24 deficiency in reading, as determined by a State Board of  
25 Education approved reading assessment.

26           "(3) Funds allocated to procuring curricula for  
27 student interventions pursuant to subdivision (5) of

1 subsection (a) of Section 16-6G-4 shall be divided, based on a  
2 per pupil allocation determined by the number of students of  
3 each local education agency who are not proficient on a state  
4 approved reading assessment during the prior academic year,  
5 and distributed by the State Superintendent of Education.

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

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

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

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

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

24 "(5) Summer reading camps may be held in conjunction  
25 with existing summer programs in the school district or in  
26 partnership with community-based summer programs, designated  
27 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.

25 "(3) The State Superintendent of Education shall  
26 provide guidelines for the administration of the Alabama

1 Summer Achievement Program, and shall oversee all of the  
2 following:

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

6 "b. The response to instruction process in the  
7 lowest performing five percent performing in reading  
8 elementary schools.

9 "c. The Alabama Reading Initiative regional literacy  
10 specialists and local reading specialists.

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

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

20 "f. Collaboration with the Alabama Reading  
21 Initiative state staff and the Alabama Department of Early  
22 Childhood Education for appropriate professional learning  
23 approved by the ~~State Department of Education~~ Alabama  
24 Committee on Grade Level Reading created pursuant to Section  
25 16-6G-7.

26 "g. The development of guidelines for identifying  
27 the characteristics of dyslexia.

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

16           "(1) An effective or highly effective teacher of  
17 reading as demonstrated by student reading performance data  
18 and teacher performance evaluations.

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

22           "a. Additional instructional time devoted to  
23 scientifically based and evidence based reading instruction  
24 and intervention.

25           "b. The use of evidence based reading strategies or  
26 programs, or both, that have been vetted and approved by the  
27 State Superintendent of Education and the task force

1 ~~established under subsection (a) of Section 16-6G-3~~, that have  
2 demonstrated proven results in accelerating student reading  
3 achievement within the same school year.

4 "c. Daily targeted small group reading intervention  
5 based on student need.

6 "d. Explicit and systematic instruction with more  
7 detailed explanations, more extensive opportunities for guided  
8 practice, and more opportunities for error correction and  
9 feedback.

10 "e. Frequent monitoring of the progress of the  
11 reading skills of each student throughout the school year and  
12 adjusting instruction according to student need.

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

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

19 "(h) Commencing with the ~~2021-2022~~ 2022-2023 school  
20 year, third grade students shall demonstrate sufficient  
21 reading skills for promotion to fourth grade. Students shall  
22 be provided all of the following options to demonstrate  
23 sufficient reading skills for promotion to fourth grade, and  
24 the State Superintendent of Education shall provide guidelines  
25 for the implementation of this subsection:

26 "(1) Scoring above the ~~lowest achievement level~~ cut  
27 score, as determined by rule of the State Board of Education,

1 on a board-approved assessment in reading as provided in  
2 Section 16-6G-3.

3 "(2) Earning an acceptable score on ~~an alternative a~~  
4 supplemental standardized reading assessment as determined and  
5 approved by the ~~State Superintendent of Education~~ State Board  
6 of Education.

7 "(3) Demonstrating mastery of third grade minimum  
8 essential state reading standards as evidenced by a student  
9 reading portfolio. The State Superintendent of Education and  
10 the task force ~~established under subsection (a) of Section~~  
11 ~~16-6G-3~~ shall establish criteria for minimum essential  
12 standards and the student reading portfolios and a definition  
13 of what constitutes mastery of all third grade state reading  
14 standards.

15 "(i) If a student does not demonstrate sufficient  
16 reading skills on one of the three options listed in  
17 subsection (h) and does not qualify for a good cause  
18 exemption, the student may not be promoted to fourth grade.  
19 Students with disabilities whose Individual Education Plan  
20 indicates that participation in the statewide assessment  
21 program is not appropriate, consistent with state law, are  
22 automatically exempt from the three options listed in  
23 subsection (h).

24 "(j) A local education agency may only exempt  
25 students from mandatory retention, as provided in subsection  
26 (i), for good cause. A student who is promoted to fourth grade  
27 with a good cause exemption shall continue to receive

1 intensive reading intervention that includes specific reading  
2 strategies prescribed in the individual reading improvement  
3 plan of the student until the deficiency is improved. The  
4 local education agency shall assist schools and teachers with  
5 the implementation of reading strategies that research has  
6 shown to be successful in improving reading among students  
7 with reading difficulties. Good cause exemptions shall be  
8 limited to the following:

9 ~~"(1) Students with disabilities whose Individual~~  
10 ~~Education Plan indicates that participation in the statewide~~  
11 ~~assessment program is not appropriate, consistent with state~~  
12 ~~law.~~

13 ~~"(2)~~ (1) Students identified as English language  
14 learners who have had less than ~~two~~ three years of instruction  
15 in English as a second language.

16 ~~"(3)~~ (2) Students with disabilities who participate  
17 in the statewide English language arts reading assessment and  
18 who have an Individual Education Plan or a Section 504 plan  
19 that reflects that the student has received intensive reading  
20 intervention for more than two years and who still  
21 demonstrates a deficiency in reading ~~and~~ or was previously  
22 retained in kindergarten, first grade, second grade, or third  
23 grade.

24 ~~"(4)~~ (3) Students who have received intensive reading  
25 intervention for two or more years and who still demonstrate a  
26 deficiency in reading and who were previously retained in  
27 kindergarten, first grade, or second grade, ~~or third grade~~ for



1 a total of two years. No student shall be retained more than  
2 once in the third grade.

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

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

9 "(1) Documentation shall be submitted to the school  
10 principal from the teacher of the student that indicates that  
11 the promotion of the student is appropriate. Documentation  
12 shall include a statement identifying which good cause  
13 exemption is requested, as well as the existing reading  
14 improvement plan or Individual Education Plan of the student,  
15 as applicable.

16 "(2) The school principal shall review the  
17 recommendation of the teacher, determine if the student meets  
18 one of the good cause exemptions, and shall make his or her  
19 determination in writing to the local superintendent of  
20 education. The local superintendent of education, in writing,  
21 shall approve or reject the recommendation of the school  
22 principal.

23 "(3) The local education agency shall assist schools  
24 under its jurisdiction in providing written notification to  
25 the parent of any student who is retained in third grade for  
26 not achieving the reading level required for promotion. Notice  
27 shall clearly state the reasons why the student is not

1 eligible for a good cause exemption and shall include a  
2 description of the proposed interventions and supports that  
3 shall be provided to the student to improve any identified  
4 area of reading deficiency during the retained year.

5 "(4) There shall be established at each school, as  
6 applicable, an intensive acceleration for any student retained  
7 in third grade. In addition to the criteria established in  
8 subdivisions (1) to (4), inclusive, of subsection (g), the  
9 intensive acceleration shall be taught by a highly effective  
10 teacher of reading who has received training in the science of  
11 reading and multisensory language instruction, as demonstrated  
12 by student reading performance data and teacher performance  
13 evaluations; shall have a reduced teacher-student ratio; and  
14 shall provide explicit and systematic reading instruction and  
15 intervention for the majority of student contact time each  
16 day.

17 "(m) Annually, on or before September 30, each local  
18 education agency shall report in writing to the State  
19 Superintendent of Education the following information on the  
20 previous school year:

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

24 "(2) By grade, the number and percentage of students  
25 screened for dyslexia characteristics, the number and  
26 percentage of students identified as demonstrating the  
27 characteristics of dyslexia and receiving dyslexia specific

1 intervention, and the name of the dyslexia specific  
2 intervention being provided.

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

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

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

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

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

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

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

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

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

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

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

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

1 Committee, the task force, and the Alabama Committee on Grade  
2 Level Reading created pursuant to Section 16-6G-7.

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

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

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