

**HOUSE BILL NO. 361**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES LEDOUX, Vazquez**

**Introduced: 2/24/16**

**Referred: Education, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring the establishment of a reading program in school districts for grades**  
2 **kindergarten through three; providing for student retention in grade one; and providing**  
3 **for a report on the reading program and on student retention."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 SHORT TITLE. This Act may be known as the Learn to Read - Read to Learn Act.

8 \* **Sec. 2.** AS 14.03.120 is amended by adding a new subsection to read:

9 (h) To the extent allowable under state and federal privacy laws, each district  
10 shall annually publish on the Internet and report to the board information from the  
11 previous school year regarding

12 (1) overall student progress under each aspect of the program  
13 established under AS 14.30.760;

14 (2) school board policies and procedures on student retention and

1 promotion;

2 (3) the number and percentage of students retained in grades one  
3 through 10, by grade level;

4 (4) the total number and percentage of students promoted for good  
5 cause, by each category, under AS 14.30.760(d);

6 (5) revisions, if any, to school board policies on student retention and  
7 promotion from the previous school year.

8 \* **Sec. 3.** AS 14.30 is amended by adding new sections to read:

9 **Article 14. District Reading Program.**

10 **Sec. 14.30.760. District reading program.** (a) In addition to other state and  
11 local programs established to address significant reading deficiencies of students, each  
12 district shall establish a reading program for students in grades kindergarten through  
13 three consistent with this section.

14 (b) A district reading program shall provide for

15 (1) assessments of students in grades kindergarten through two, and  
16 grade three students as required under regulations adopted by the department, within  
17 the first 30 days of the school year, including valid and reliable screening and  
18 diagnostic assessments to identify significant reading deficiencies; the assessments  
19 required under this paragraph must include

20 (A) a universal screening tool that measures phonological and  
21 phonemic awareness, sound symbol recognition, alphabet knowledge,  
22 decoding skills, rapid naming skills, and encoding skills; and

23 (B) for students who score in the lowest 20 percent on the  
24 universal screening tool, a nationally standardized screening assessment that  
25 measures basic psychological processes involved in reading; a district shall  
26 administer the nationally standardized screening assessment to a student under  
27 this subparagraph to identify deficits in phonological awareness and rapid  
28 automatic naming and share the results of the nationally standardized screening  
29 assessment with the student's teacher to assist in planning an intensive  
30 intervention, if required under (c)(1) of this section;

31 (2) participation in statewide assessments;

1 (3) elimination of social promotion of students to the next grade level  
 2 based on age or other nonacademic factors; in this paragraph, "social promotion"  
 3 means the practice of promoting a student to the next grade level despite the inability  
 4 of the student to meet standards established for that grade level by the department;

5 (4) retention of students in grade one who fail to meet the minimum  
 6 reading standards established by the state board for performance on a universal  
 7 screening tool or nationally standardized screening assessment, except for good cause  
 8 shown under (d) of this section; however,

9 (A) if a student is identified as not meeting the minimum  
 10 reading standards, the school shall hold a conference with the student's teacher,  
 11 the student's parent or guardian, and the school principal during the last 45  
 12 days of the school year to discuss retention of the student in grade one; and

13 (B) a student may not be retained in grade one for more than  
 14 one school year under the program;

15 (5) to the extent feasible, an optional transitional grade for a student  
 16 retained in grade one under the program that combines intensive reading instruction as  
 17 described in (c)(1) of this section with grade two core subjects;

18 (6) as early as possible, regular written notifications to a parent or  
 19 guardian of a student in grades kindergarten through three who is identified as having  
 20 a significant reading deficiency describing

21 (A) the nature of the reading deficiency;

22 (B) the current educational services provided to the student;

23 (C) supplemental instructional services and remedial support of  
 24 the reading deficiency proposed to be provided to the student;

25 (D) for the parent or guardian of a student in kindergarten or  
 26 grade one, the requirement to retain the student in grade one if the reading  
 27 deficiency is not sufficiently remediated, except for good cause as provided in  
 28 (d) of this section;

29 (E) strategies for the parent or guardian to use to help the child  
 30 succeed that include provision for

31 (i) supplemental tutoring using research-based reading

1 strategies;

2 (ii) a home reading plan in the context of a parent or

3 guardian contract that includes participation in parent training

4 workshops and regular parent-guided reading at home;

5 (iii) an assigned mentor in reading;

6 (7) a monitoring plan established for each student who is identified as

7 having a significant reading deficiency.

8 (c) For a student who is retained in grade one under the program established in

9 this section, a district shall provide

10 (1) intensive interventions, during regular school hours, in reading

11 literacy designed to ameliorate the student's specific reading deficiency, including

12 (A) instructional strategies that are employed daily for at least

13 90 minutes each day; the strategies must be based on scientific reading

14 research and include

15 (i) small group instruction;

16 (ii) reduced pupil-teacher ratios;

17 (iii) frequent monitoring for progress;

18 (iv) tutoring and mentoring;

19 (v) opportunities in reading that incorporate grade two

20 core subjects to the extent feasible;

21 (vi) intensive language and vocabulary instruction that

22 may involve a speech and language therapist;

23 (B) participation by the student in a summer reading camp in

24 the district;

25 (C) appropriate teaching methodologies necessary to assist the

26 student in progressing to the next grade level in reading; the methodologies

27 under this subparagraph shall be selected by a highly effective teacher in the

28 district, as determined by the superintendent based on teacher evaluations;

29 (D) extended school days, weeks, or years;

30 (2) review of the student's progress in completing a monitoring plan

31 established for the student;

- 1 (3) assessment of the student's needs for additional services;
- 2 (4) instruction in developing a reading portfolio;
- 3 (5) an accelerated reading class for retained students with the lowest
- 4 scores on standards-based assessments in language arts; the accelerated reading class
- 5 shall be designed to help each student achieve an improvement of at least two grade
- 6 levels in reading;
- 7 (6) annual progress reports submitted to the department;
- 8 (7) a home reading plan that involves the student's parent or guardian.

9 (d) A district may exempt a student from mandatory retention under (b)(4) of

10 this section for good cause if the parent or guardian of the student requests the

11 exemption, receives a recommendation for the exemption from the student's teacher

12 and principal, and provides documentation demonstrating that the student

13 (1) has limited English proficiency after completing not more than two

14 years of instruction in a limited English proficiency program;

15 (2) has a disability and an individual education plan under

16 AS 14.30.278 that exempts the student from participation in statewide standards-based

17 assessments and meets other requirements established by law;

18 (3) has an individualized education program under AS 14.30.278 that

19 resulted in at least two years of intensive remediation in reading, was retained at least

20 once in grades kindergarten or one, and is promoted using additional resources that

21 include specialized diagnostic information, altered instructional days, and

22 individualized reading strategies;

23 (4) has received intensive remediation in reading for at least two years

24 that included an altered instructional day, specialized diagnostic testing, and strategies

25 based on scientific reading research to improve reading skills and was retained at least

26 twice in grades kindergarten or one; or

27 (5) has successfully completed an alternative assessment in reading

28 approved by the district.

29 (e) In this section,

30 (1) "scientific reading research" means research that

31 (A) applies rigorous, systematic, and objective procedures to

1 obtain valid knowledge relevant to reading development, reading instruction,  
2 and reading difficulties;

3 (B) uses systematic empirical methods based on observation or  
4 experiments;

5 (C) involves rigorous data analysis that is adequate to test the  
6 stated hypothesis and justify the general conclusions drawn by the researchers;

7 (D) relies on measurements or observational methods that can  
8 be verified by other researchers;

9 (E) has been accepted by a peer-reviewed journal or approved  
10 by a panel of independent experts through a comparably rigorous, systematic,  
11 objective, and scientific review; and

12 (F) tests elements of essential components of reading  
13 instruction;

14 (2) "significant reading deficiency" means that a student does not meet  
15 the minimum skill levels for reading competency in the areas of phonemic awareness,  
16 phonics, vocabulary development, and reading fluency, including verbal skills and  
17 reading comprehension, under standards established by the state board for the student's  
18 grade level.

19 **Sec. 14.30.770. Temporary waiver of district reading program**  
20 **requirement.** The department may provide a temporary waiver to a district of a  
21 reading program required under AS 14.30.760 for a period not to exceed three years if  
22 the district demonstrates to the satisfaction of the department that the district is taking  
23 necessary steps toward establishing and implementing the reading program. The  
24 department may extend a temporary waiver granted under this section if the district  
25 can demonstrate that full implementation of a district reading program was delayed by  
26 an extreme circumstance over which the district had no control.

27 **Sec. 14.30.780. Audit of district reading program.** The department shall  
28 provide an audit of each district reading program to determine consistency with the  
29 standards established under AS 14.30.760. The department shall perform the audit  
30 seven years after full implementation of the program or 10 years after the first year of  
31 implementation of the program, whichever is sooner.

1                   **Sec. 14.30.790. Definition.** In AS 14.30.760 - 14.30.790, "district" has the  
2 meaning given in AS 14.17.990.