

**HB**

**197**

<TARGET><BILL>HB 197</BILL><SUBJECT>HB  
197</SUBJECT><COMM>HFIN28</COMM></TARGET>

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: CSHB 197(EDC)  
Fiscal Note Number: 1  
(H) Publish Date: 4/11/14

Identifier: HB197CS(EDC)-EED-SSA-04-09-14  
Title: LITERACY PROGRAM  
Sponsor: LEDOUX  
Requester: House Finance Committee

Department: Department of Education and Early Development  
Appropriation: Teaching and Learning Support  
Allocation: Student and School Achievement  
OMB Component Number: 2796

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>								
Personal Services	107.0		110.2	113.5	116.9	120.4	124.0	
Travel								
Services	9.5		9.5	9.5	9.5	9.5	9.5	
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>116.5</b>	<b>0.0</b>	<b>119.7</b>	<b>123.0</b>	<b>126.4</b>	<b>129.9</b>	<b>133.5</b>	

**Fund Source (Operating Only)**

1004 Gen Fund	116.5		119.7	123.0	126.4	129.9	133.5
<b>Total</b>	<b>116.5</b>	<b>0.0</b>	<b>119.7</b>	<b>123.0</b>	<b>126.4</b>	<b>129.9</b>	<b>133.5</b>

**Positions**

Full-time	1.0		1.0	1.0	1.0	1.0	1.0
Part-time							
Temporary							

Change in Revenues							

**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**  
If yes, by what date are the regulations to be adopted, amended or repealed? **12/31/14**

**Why this fiscal note differs from previous version:**

Updated to reflect additions of 14.30.761 and 14.30.762 in the CS.

Prepared By: <u>Susan McCauley, Director</u>	Phone: <u>(907)465-2857</u>
Division: <u>Division of Teaching &amp; Learning Support</u>	Date: <u>04/09/2014 11:38 AM</u>
Approved By: <u>Mike Hanley</u>	Date: <u>04/09/14</u>
Agency: <u>Commissioner</u>	

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. CSHB 197(EDC)

**Analysis**

Sections 1, 2 and 3, up to page 5, line 13, prescribe the responsibilities for school districts in establishing and implementing a district reading program. These requirements do not have fiscal implications for the department.

Section 3, page 5, line 13, adds a Sec. 14.30.761; Temporary waiver of district reading program requirement and Sec. 14.30.762; Audit of district reading program. These sections require the department to establish a waiver and audit/monitoring process. The waiver process permits the department to provide a temporary waiver to a school district for the reading program requirements for a period not to exceed three years if the district demonstrates that it is taking necessary steps toward establishing and implementing the requirements, or if meeting the requirements was delayed by an extreme circumstance. The audit process requires the department to audit each district to determine consistency of program development and implementation with the requirements prescribed by the proposed legislation. The audit is to take place seven years after full implementation of the district reading program or ten years after the first year of implementation or the district reading program.

In order to establish a waiver and auditing process, and to provide district technical assistance for the development and implementation of a district reading program, one full-time Education Specialist II position would be needed, with salaries and benefits, \$107.0.

Included in the projection is department chargebacks at \$9.5 per employee.

# ALASKA STATE LEGISLATURE

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**REPRESENTATIVE GABRIELLE LEDOUX**  
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## Sponsor Statement

### House Bill 197

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

### Learn to Read - Read to Learn Act

Alaska school districts currently engage in the practice of social promotion. This means that children, regardless of academic abilities are passed from grade to grade simply to keep them with their peers. However, each year, many of them have failed to learn basic literacy skills in the developmentally critical grades. Rather than addressing these problems, a social promotion simply moves these students to the next grade level. This is especially destructive for children in the early grades. Learning to read does not get easier with age. As a result, illiterate 3<sup>rd</sup> graders move on to become illiterate 4<sup>th</sup> graders, and then 5<sup>th</sup> and 6<sup>th</sup> and 7<sup>th</sup> graders. Third grade is the year that students transition from "learning to read" to "reading to learn." Imagine a 5<sup>th</sup> grader, reading on a 2<sup>nd</sup> grade level, sitting in a science class. These students will not grasp the vocabulary and scientific concepts described in the textbooks because they cannot read – literally. Grade level material keeps increasing year after year, but these students cannot keep up because they cannot read. These students have been described as disruptive, restless and bored. They often do not finish school, let alone go on to college. We must take steps to change this outcome.

HB 197 clearly lays out that students in grade 3 who fail to meet the minimum reading requirements established by the department will be retained except for good cause. It establishes a reading literacy program for students in Kindergarten through grade 3. HB 197 requires regular assessments of students and eliminates social promotion. A student that is retained in third grade will have intensive interventions including; small group instruction, reduced pupil-teacher ratio, frequent monitoring, tutoring, transitional classes, incorporation of 4<sup>th</sup> grade core subjects, and intensive language and vocabulary instruction.

Alaska spends more per capita on education than almost any other state. Our 4<sup>th</sup> grade reading scores are amongst the lowest in the nation. We must take action to rectify this situation. We cannot continue with more of the status quo. HB 197 will ensure that Alaska's students have the literacy skills needed to be successful in life. I strongly believe that this will make a difference for our state and in the lives of young Alaskans. I request your support for House Bill 197.



# LEGISLATIVE RESEARCH SERVICES

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## Research Brief

TO: Representative Gabrielle LeDoux  
FROM: Patricia Young, Manager  
DATE: February 20, 2014  
RE: Student Retention Rate, Anchorage School District  
*LRS Report 14.263*

*You wished to know the number of students held back, or retained, during the past several years in the Anchorage School District.*

Ed Graff, superintendent of the Anchorage School District, provided the following information on the number of district students held back during each of the following five academic years.<sup>1</sup>

Number of Anchorage School District Students Held Back, by Grade and Year					
Grade Level	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Kindergarten	111	101	108	94	112
1	53	42	46	41	49
2	13	22	16	26	19
3	12	9	15	12	14
4	9	15	6	11	12
5	9	8	11	12	7
6	13	13	9	9	8
7	14	5	11	3	7
8	19	5	3	2	6
9	9	9	4	6	9
10	10	13	10	8	7
11	33	20	16	21	14
12	*	*	*	*	*
<b>Totals</b>	<b>305</b>	<b>262</b>	<b>255</b>	<b>245</b>	<b>264</b>

Notes: \* Fifth year seniors are not considered students who were held back.

Source: Ed Graff, superintendent, Anchorage School District, 907.742.4312.

We note that over the course of these five years, the district has averaged a student population of 48,563 per year.<sup>2</sup> The average retention rate of 266 students per year equates to approximately 0.05 percent of the student population being held back each year.

We hope this is helpful. If you have questions or need additional information, please let us know.

<sup>1</sup> Ed Graff, superintendent, Anchorage School District, can be reached at 907.742.4312.

<sup>2</sup> We base this average on the average daily membership (ADM) counts by year as reported the Department of Education and Early Development on their website at <http://education.alaska.gov/stats/QuickFacts/ADM.pdf>.



### Third Grade Literacy-Based Promotion Policy

In 2002, Florida's third grade literacy-based promotion policy was signed into law by Governor Jeb Bush. Simply, Florida requires students to demonstrate their ability to read before entering 4th grade. Florida educators now retain students who cannot read and provide intensive instruction until they can read well enough to be successful in the fourth grade and beyond, where the rigors of reading in the content areas increase.

Under the policy, a third grade student scoring at the lowest level on the statewide reading assessment must be retained in the 3rd grade, unless the student is eligible for a good cause exemption. There are two performance-based good cause exemptions and four status-based good cause exemptions.

- **Performance-based** include demonstrating reading proficiency, through meeting expectations as established by the State Board of Education, on an alternative standardized reading test or through a test-based student portfolio.
- **Status-based:**
  - English language learners who have had less than two years of instruction in an English for Speakers of Other Languages (ESOL) program
  - Students with disabilities whose Individual Educational Plan (IEP) shows that it is not appropriate for them to take the statewide reading assessment
  - Students with disabilities who take the statewide reading assessment and whose IEP or 504 Plan states that they have received intensive intervention in reading for more than two years but who still show a deficiency in reading and who were previously retained in kindergarten through grade 3
  - Students who have received intensive intervention in reading for two or more years but who still have a deficiency in reading and who have already been retained in kindergarten through grade 3 for a total of two years

**Prevention of Third Grade Retention:** The 2002 law also requires schools to notify any parent whose child is a struggling reader in grades K-3, including what kinds of interventions their child will receive to address their reading difficulties, and that their child may be retained in 3rd grade if the student continues to struggle in reading. The school must develop individual progress plans for any K-3 student with a reading deficiency, and provide intensive literacy instruction that is different from what the child has already received. This intensive instruction must be provided to all K-3 students at risk of retention as identified by the district or statewide assessment system.

**Students retained must be provided more intensive interventions** using effective instructional strategies to improve the student's specific reading deficiency. The district is required to:

- Provide summer reading camps
- Provide a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction
- Provide students with a highly-effective teacher as determined by student performance data and performance evaluations
- Provide written notification to the parent that his/her child has not met promotion requirements, and the reasons the child is not eligible for a good cause exemption. The notification must also describe the proposed interventions that will be provided
- Provide parents the option of a mentor, supplemental tutoring, or a "Read at Home" plan including participation in parent workshops and regular parent-guided home reading, and
- Implement a policy for the midyear promotion for any student who can demonstrate mastery of third grade skills and beginning of the year fourth grade skills and ready to be promoted to 4th grade.

**Results:** Since the start of literacy-based promotion, reading scores for all Florida students, but especially for low-income and minority students have soared. Since 2001-2002, the number of Florida 3rd graders scoring at the lowest level has *declined by 41 percent*. The percentage of African-American and Hispanic students scoring at the lowest level has *declined by 37 percent and 46 percent* respectively.



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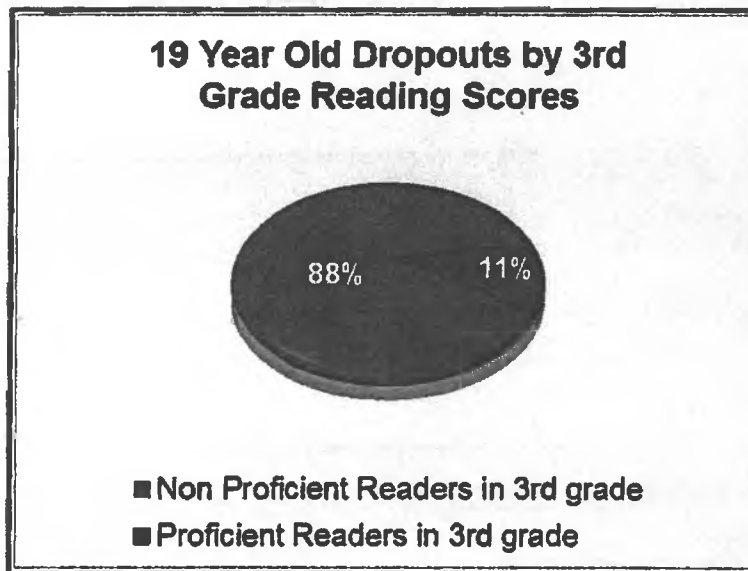
**Florida's Education Revolution**  
*Reading for Learning*

**PREVENTING A CRISIS: READING TO GRADUATE**

If you are concerned about poor graduation rates, you might be a decade too late to do anything about it. According to a recent study by the Annie E. Casey Foundation, literacy in third grade – yes, third grade – may affect the chances that a student will graduate from high school.

Based on an analysis of reading scores and graduation rates of 3,975 students over ten years, students who could not read by the end of the third grade were four times more likely to drop out of high school. In fact, 88 percent of students who failed to earn a high school diploma were struggling readers in third grade.<sup>1</sup>

**Figure 1: Using Third Grade Reading Scores to Predict Dropout Rates**



Reading may also be the key to closing the achievement gap. The analysis found that

<sup>1</sup> Hernandez, Donald J. 2011. *How Third-Grade Reading Skills and Poverty Influence High School Graduation*. Publication of the Annie E. Casey Foundation, available on the internet at <http://www.aecf.org/~media/Pubs/Topics/Education/Other/DoubleJeopardyHowThirdGradeReadingSkillsandPoverty/DoubleJeopardyReport040511FINAL.pdf>.

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differences in reading achievement explain differences in graduation rates between students of different races and ethnicities. For example, poor Black and Hispanic who are struggling readers are about 8 times more likely than proficient readers to drop out of high school. Conversely, proficient third grade readers of all races – White, African American and Hispanic – graduate at similar rates. Eighty-nine percent of economically disadvantaged students in the study, who achieved proficient reading skills by the 3<sup>rd</sup> grade, graduated.

The societal impacts and costs of low graduation rates are profound. Researchers have found a strong association between dropping out of high school and lower lifetime income, higher use of public assistance and higher incarceration rates. Estimates on the total lifetime cost to society for each new cohort of dropouts accumulate into hundreds of billions of dollars.<sup>2</sup>

### **PROMOTING ILLITERACY: THE HARMFUL IMPACTS OF PREVAILING POLICY**

Each year, millions of children, including a disproportionately high number of low-income and minority children, fail to learn basic literacy skills in the developmentally critical grades. Rather than addressing these problems head on, standard practice involves simply socially promoting students to the next grade. Our collective failure to reform this shameful practice preserves a system of schooling that routinely gives the least to the students who start with the greatest needs. For students, the impact lasts a lifetime.

The prevailing practice of social promotion proves especially destructive for children in the early grades. Learning to read does not get easier with age. As a result, illiterate 3<sup>rd</sup> graders move on to become illiterate 4<sup>th</sup> graders, and then 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> graders.

Third grade is the year that students transition from “learning to read” to “reading to learn.” Imagine a 5<sup>th</sup> grader, reading on a 1<sup>st</sup> grade level, sitting in a science class. These students will not grasp the vocabulary and scientific concepts described in their textbook because they cannot read - literally. Grade level material keeps increasing year after year, but these students cannot keep up because they *cannot read*.

“Disruptive,” “bored,” and “restless” are among the common adjectives used to describe illiterate middle school students, long since aged out of their literacy acquisition window. Let down by the system, these students often do not finish school, let alone go on to college. Many may wonder why they attend school at all. Students begin dropping out of school in large numbers in the 8<sup>th</sup> grade.

### **FLORIDA’S FIGHT TO END ILLITERACY: LITERACY-BASED PROMOTION**

Florida placed a command focus on reading in the primary grades (K-3) even before the data confirmed the critical importance of developing literacy skills in the those years. In 1999, Florida lawmakers enacted a suite of reforms aimed at substantially improving student achievement. Believing more needed to be done to end the blight of illiteracy, Florida

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<sup>2</sup> Alliance for Excellent Education. 2007. The High Cost of High School Dropouts, What the Nation Pays for Inadequate High Schools. Alliance for Excellent Education Issue Brief, available on the internet at <http://www.all4ed.org/files/archive/publications/HighCost.pdf>.

policymakers in 2002 took bold steps to make reading proficiency a requirement of third grade; however, Florida did not implement the usual retain and repeat model, as you will see below.

Florida requires students to demonstrate their ability to read before entering fourth grade, which means that in Florida, reading instruction, and intervention if needed, begins on day one of Kindergarten. Florida educators catch struggling readers early and provide intensive instruction until they can read well enough to be successful in the fourth grade and beyond.

Florida uses the Florida Comprehensive Assessment Test (FCAT) to measure student progress in relation to state academic standards. The FCAT uses five achievement levels to describe academic performance. The lowest of these five levels, achievement level 1, equates to "functional illiteracy." The Florida literacy-based promotion policy sets a minimum literacy expectation for 3<sup>rd</sup> grade students. Students receive at least two more chances to demonstrate literacy through earning a "proficient" score on an a standardized alternative assessment or through a portfolio of student work indicating that they have met the standards measured by FCAT. Under the policy, a third grade student scoring achievement level 1 on the Reading FCAT must repeat the 3<sup>rd</sup> grade, unless the student is eligible for a good cause exemption.<sup>3</sup>

The 2002 Florida statute requires school officials to notify parents of literacy deficiencies, the actions taken to remediate the deficiency, and the possibility of retention. The law requires schools to develop individual intervention plans for students in danger of retention, and to provide intensive literacy instruction that is different from what was previously provided. Obviously, just doing more of the same will not achieve results.<sup>4</sup> Florida's approach to retention was not simply to send struggling readers through another year of third grade, hoping that this time, it would "stick." The law requires a completely different course of instruction for those students. And this is what makes Florida's policy different from other failed retention policies.

During the debate over the law, some argued that the reading or retention policy would be cruel to some children. Ironically, the statistical analysis reveals that the cruelty of the policy, if any, falls upon those promoted without literacy skills. These students continue to fall behind. In a recent *Wall Street Journal* article discussing other states that are introducing legislation based on Florida's policy, Kyla Burr, a third grade teacher in Tampa, Florida says, "Holding back a child is not an easy decision. But the alternative is you just move them ahead, hope for the best

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<sup>3</sup> The good cause exemptions for the Florida retention policy are: 1. Students with Limited English Proficiency (LEP) who have less than two years of instruction in English for Speakers of Other Languages (ESOL) program. 2. Students with disabilities for whom participation in the statewide assessment program is not appropriate. 3. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment. 4. Students who demonstrate, through a student portfolio, that they are reading on grade level (based on mastery of the Sunshine State Standards). 5. Students with disabilities who were previously retained in grades K-3, and have received intensive remediation in reading for more than two years. 6. Students who were previously retained in grades K-3 for a total of two or more years, and have received intensive remediation in reading for two or more years.

<sup>4</sup> Office of Program Policy Analysis and Government Accountability. 2006. *Third Grade Retention Policy Leading to Better Student Performance Statewide*. Available online at <http://www.opaga.state.fl.us/MonitorDocs/Reports/pdf/0666rpt.pdf>, page 2.

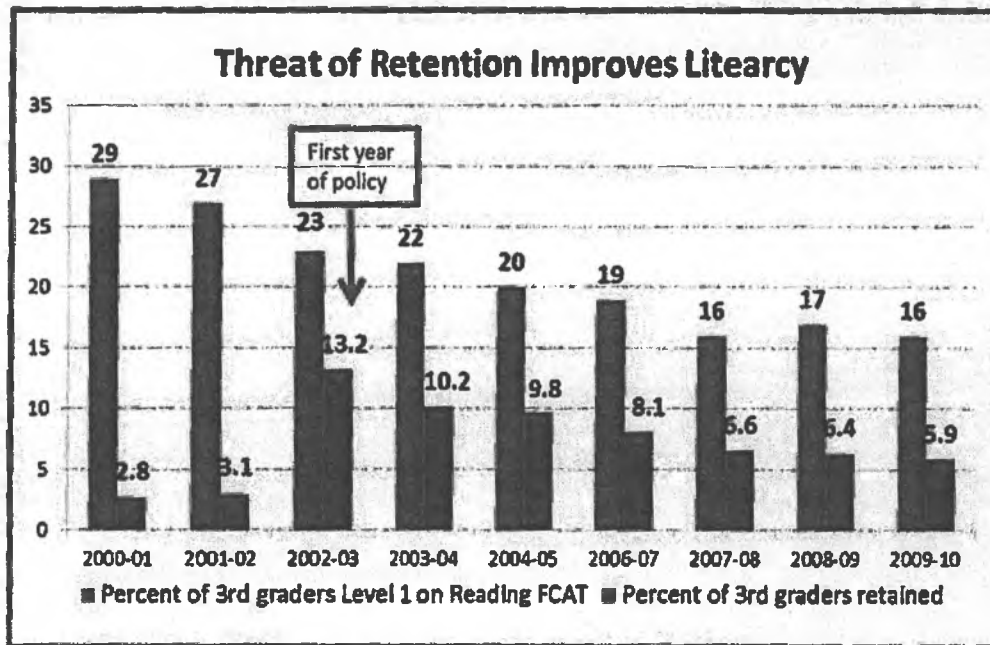
and then watch them struggle in fourth grade."<sup>5</sup>

### READING TO LEARN: THE IMPACT OF FLORIDA'S READING POLICY

Since the advent of literacy-based promotion, reading scores for all Florida students, but especially for low-income and minority students have soared. When Florida ended social promotion, retention skyrocketed to more than 13 percent. Talk about a tough year. Sadly, a 13 percent retention rate caused more outrage than a 29 percent illiteracy rate.

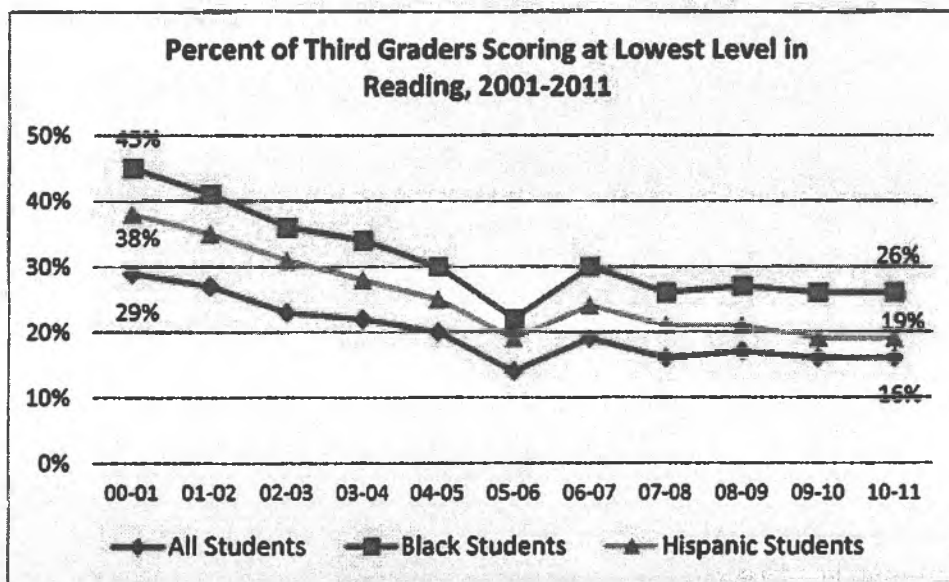
After that initial shock, elementary schools placed a command focus on reading. The result: illiteracy is on the decline. Since 2000-2001, (see Figure 2) the number of Florida 3<sup>rd</sup> graders scoring at the lowest achievement level has *declined by 45 percent*. The percentage of African-American and Hispanic students scoring at the lowest level has *declined by 42 percent and 50 percent respectively*.

Figure 2: A Command Focus on Reading



<sup>5</sup> "Bill Prods Schools to Hold Back Third-Graders, Stephanie Banchemo, The Wall Street Journal, February 13, 2012, <http://online.wsj.com/article/SB10001424052970203920204577197341228039310.html>

**Figure 3: Command Focus on Reading: Demographic Impact.**<sup>6</sup>

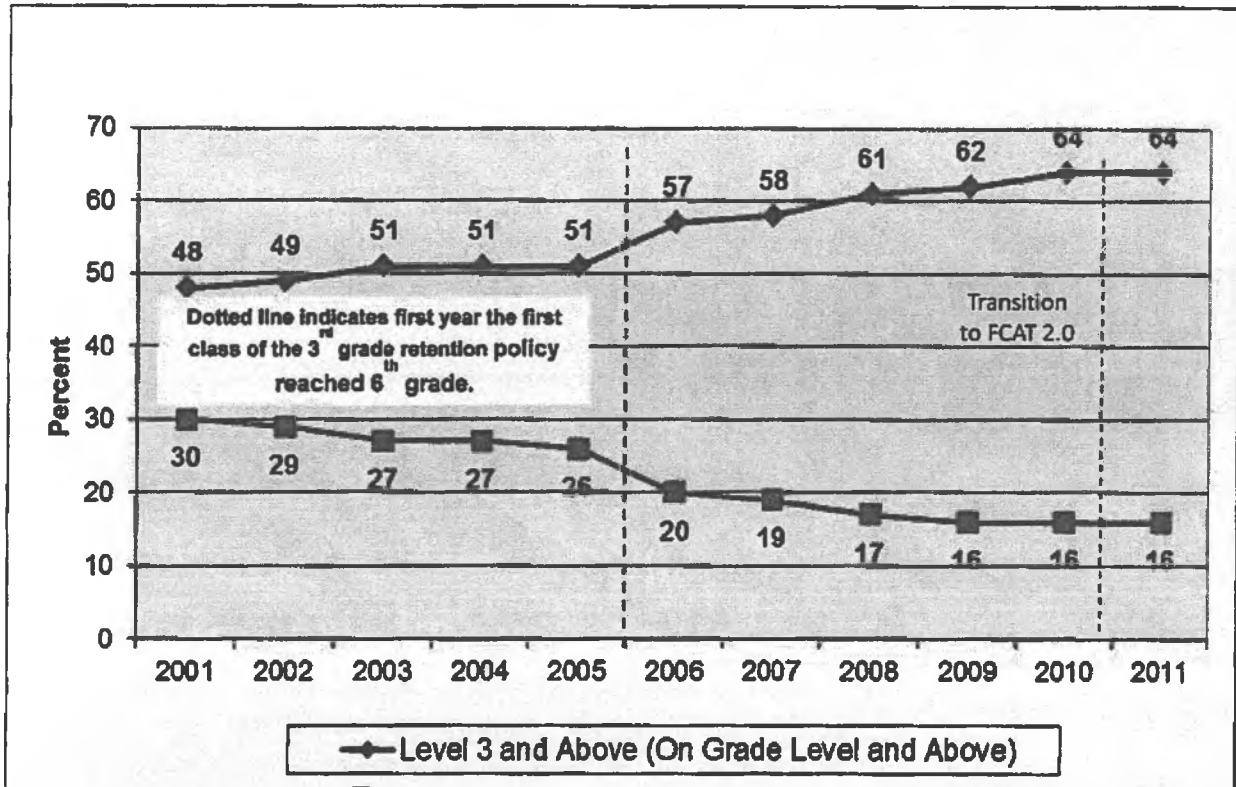


The benefits of literacy-based promotion became crystal clear when students under the policy entered middle school. The percentage of middle school students scoring at FCAT achievement level 1 on reading declined from 30 percent in 2001 to 16 percent in 2010. The percentage of Florida middle school students scoring at grade level or above (FCAT achievement levels 3, 4 or 5) increased from 48 percent to 64 percent during that same period. (Figure 4) One finds the same pattern in the high school FCAT data, with the percentage of 9<sup>th</sup> and 10<sup>th</sup> graders scoring at the lowest level on reading falling from 39 percent in 2002 to 26% in 2010<sup>7</sup>.

<sup>6</sup> Note that for Figures 3 and 4, in 2011, Florida transitioned to a new, more rigorous version of the FCAT, called FCAT 2.0. Through an percentile equating process, the 2011 scores remained the same as the 2010 scores.

<sup>7</sup> Note that the Florida Department of Education found technical problems with the 2005-06 FCAT, ultimately resulting in the Department invalidating the results for that school year. Whether or not these glitches explain the large and temporary drop in FCAT 1 reading scores during that school year (see Figure 2) is not clear, but the overall trend in the data remains unchanged.

**Figure 4: Impact of Policy in Middle School, FCAT Reading, Grades 6, 7 and 8**



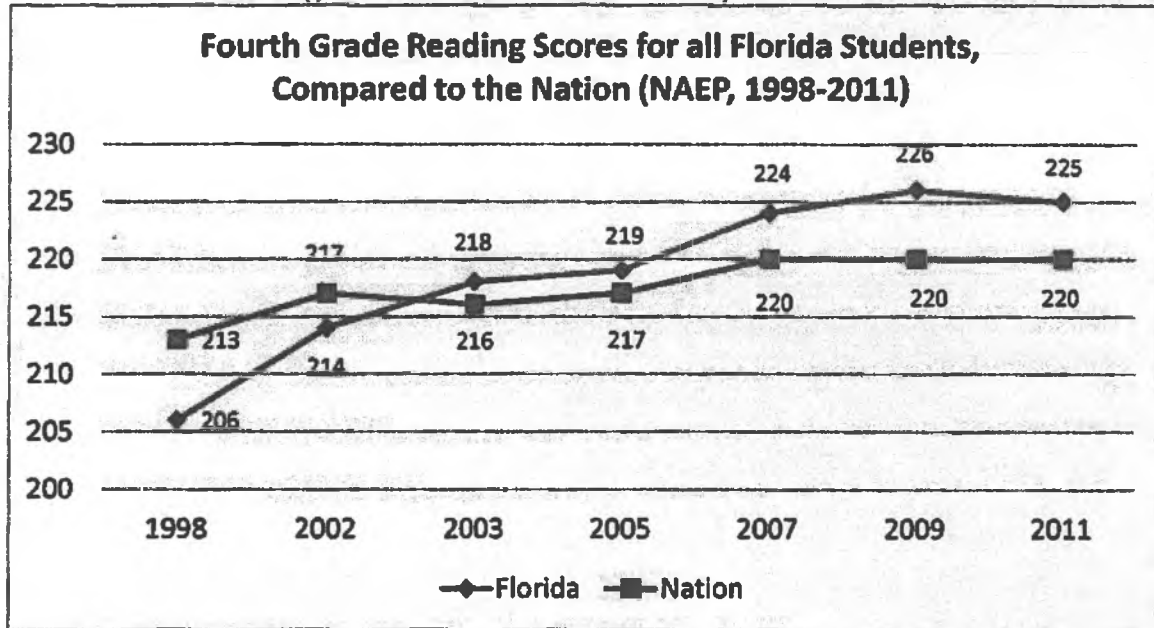
Scholars at the Manhattan Institute studied the impact of the literacy-based promotion policy on student test scores. The statisticians carefully compared the academic progress of students retained under the policy to two very similar groups of students: those who avoided retention by narrowly scoring over FCAT achievement level 1 on reading, and students who scored low enough for retention but received a good cause exemption. One year after retention, the retained students scored higher than the comparison groups. After two years, the advantage of the retained students had grown larger, equaling approximately 5.6 additional months of reading instruction over the comparison group students. Florida's retention policy proved to be a successful intervention for these students.<sup>8</sup> Preliminary results of a follow-up study show that the first cohort of retained students continued to out-perform those promoted to fourth grade in reading, math and science even after six years.

<sup>8</sup> Greene, Jay P. and Marcus A. Winters. 2006. *Getting Farther Ahead by Staying Behind: A Second-Year Evaluation of Florida's Policy to end Social Promotion*. Manhattan Institute Civic Report No. 49, available on the internet at [http://www.manhattan-institute.org/html/cr\\_49.htm](http://www.manhattan-institute.org/html/cr_49.htm).

Florida's surging scores on the National Assessment of Educational Progress (NAEP) (Figure 5) serve as a source of external validation for these gains. Critics of Florida's policy claim that the leap in NAEP scores the first year after the policy were due to all the struggling third graders were retained. On the one hand, that certainly bears out what the research says – that reading by third grade is critical to success in 4<sup>th</sup> grade. But consider that for that claim to be valid, the greatest impact of the policy would be in the first NAEP testing year after implementation. But even a cursory examination of the scores shows that the gains continue – because the policy drove good reading instruction and intervention into grades K-2, ensuring that 4<sup>th</sup> graders were better prepared to succeed on NAEP. Florida's 4th grade scores have continued to rise even after actual retentions have fallen by more than half since the first year of the policy because more students are learning to read correctly in the first place.

However, the 2011 NAEP reading scores show that leadership at all levels – from the Governor's office to the principal of a school – is critical in ensuring continued success. Even a brief lack of focus on reform can stall success.

**Figure 5: Florida Gains on NAEP, 1998-2011**



#### **COST-BENEFIT OF RETENTION**

Many people often assume that Florida's literacy-based promotion policy must have entailed massive expense. This, however, is not the case. In the first year of the policy (2002-03) Florida retained more than 27,000 students in 3<sup>rd</sup> grade, but the Digest of Education Statistics reveals that spending per pupil in the state only increased by \$112 per pupil in inflation adjusted dollars- from \$7,935 in 2001-02 to \$8,047 in 2002-03.<sup>9</sup> This increase is well within the normal range of year-to-year variation, and in fact falls below the normal inflation rate.

<sup>9</sup> See United States Department of Education *Digest of Education Statistics*, Table 168 online at [http://nces.ed.gov/programs/digest/d09/tables/dt09\\_186.asp?referrer=list](http://nces.ed.gov/programs/digest/d09/tables/dt09_186.asp?referrer=list).

Such a result seems counter-intuitive but the reasons for the lack of a major fiscal impact follow: schools have a capacity to adapt to changes. On staffing, imagine an elementary school in the first year of the policy with the statewide average of 27 percent of 3<sup>rd</sup> graders retained. The school had far more 3<sup>rd</sup> graders than expected, *but also fewer 4<sup>th</sup> graders*. From a staffing perspective, the common-sense solution for many was to shift one or more teachers from a 4<sup>th</sup> grade assignment to a 3<sup>rd</sup> grade assignment.<sup>10</sup>

The literacy-based promotion policy forced schools to organize themselves around the hugely critical goal of ensuring effective reading instruction. Schools focused greater amounts of time and effort on reading, and encouraged parental involvement. Schools intensified reading instruction in grades K-3 as part of an overall focus on literacy and teachers intervened in earlier grades to ensure student stayed on track to achieve reading success.

The policy also created a significant incentive for greater involvement by parents. Recommendations to read to children 30 minutes a day carry greater force with the retention policy in place. Just Read, Florida!, Governor Bush's state-wide reading initiative, provided training to parents around the state, sharing 20-minute strategies parents could do at home to support the instruction happening at school. The retention policy provides an important nudge to parents to focus on helping their children learn to read.

Florida enacted these strategies using grant money from the United States Department of Education that was available to all 50 states and by examining federal and state funding streams to identify any funds that could be re-prioritized or repurposed. Through this thoughtful approach, the state was able to fund more than 90% of the needed instruction and intervention to ensure students were reading well enough to be successful in third grade. Less than 10% of the funds used that first year of implementation were new state money. With per-student funding levels below the national average, the Florida success rested upon making better use of existing funding and maximizing the effectiveness of federal dollars.

Florida's success with the use of federal reading funds may have been unique because state lawmakers leveraged those funds rather than simply dispersing them to districts and hoping for the best. And in 2004, the state created a protected reading allocation by earmarking a portion of the Florida Education Finance Program for school districts to develop K-12 literacy plans. To receive that allocation, the Florida Department of Education must approve the district plan annually.

The statute requires that district reading plans include evidence that

- Leadership at the district and school level guides and supports the initiative.
- Data analysis will drive all decision-making.
- Professional development is systemic and job embedded, through reading coaches, and is targeted at individual teacher needs as determined by analysis of student performance data.

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<sup>10</sup> With the advent of mid-year promotions, some students will no longer spend an additional year in school despite having been "retained."

- Measurable student achievement goals are established and clearly described.
- Appropriate research-based instructional materials and strategies are used to address specific student needs.

The effort allows districts to vary their plans according to local needs and capacity, but the district strategies ultimately must draw upon the latest scientific literacy instruction research.

#### **A NATIONAL MOVEMENT: LITERACY-BASED PROMOTION**

Florida is no longer alone in successfully implementing retention policies. Former New York City Schools Chancellor Joel Klein's team studied the Florida policy, and implemented a retention strategy for New York City schools. The RAND Corporation conducted a formal study of the New York City policy. This careful study not only identified statistically significant academic gains associated with the policy, it also measured the psychological impact on retained students. The RAND team found:

- The emphasis on early identification of struggling students and on providing them extra learning opportunities was a critical factor in the success of the city's policy.
- The policy and supportive services had positive effects on student performance in the 5th grade that continued into the 7th grade.

Retention had no negative effects on students' sense of school belonging or confidence in mathematics and reading. Retained students reported a greater sense of school belonging than at-risk promoted and not-at-risk students, even four years after the retention decision.

Florida's retention success has inspired lawmakers in Arizona, Indiana, and Oklahoma to pass laws to emulate the practice in addition to other elements of Florida's comprehensive approach to reform. Americans broadly support the concept of equality of opportunity for all. Only an urgently serious approach to literacy truly squares with this deeply held value. Florida radically improved the literacy skills of their children. Lawmakers and educators in your state can as well.

#### **LITERACY AS A RESPONSIBILITY FOR STUDENTS, PARENTS AND SCHOOLS**

Florida's policy recognizes the overwhelming importance of literacy acquisition by creating accountability for educators, parents and students alike. Social promotion sets students up for failure rather than success. Florida's literacy-based promotion policy served as a vital piece of an overall strategy that improved Florida's national test scores from among the worst to among the best within the span of a decade. Florida's reforms have narrowed achievement gaps by moving all students forward, but doing the most for the students who start with the least.

## **FREQUENTLY ASKED QUESTIONS**

### **What challenges did Florida face implementing the third grade promotion policy?**

A major challenge when implementing the third grade promotion policy was clear communication on the specifics of the policy and effectively communicating that the policy was an opportunity for a struggling reader to get the assistance he or she needed to become a proficient reader.

Providing and defining good cause exemption options to the policy was also challenging. Providing an open hearing and laying out the good cause exemptions clearly is critical to the acceptance of the policy. In addition, having clear expectations on the student portfolio of work option is critical.

Establishing a strong state and district professional development program, including reading coaches to mentor teachers to teach reading effectively, was also important to the policy's success. Florida provided professional development on research-based reading instruction including data-based decision making for district and school administrators, reading coaches, and teachers. Florida also provided resources, such as parent workshops, that included student activities and support to parents about how they can support reading at home in the evenings. The strategy of working with parents showed that the state was committed to do something for their children to help them become successful, not just working with teachers and relying on the education system, but also the parents themselves, to change the culture to ensure student success.

### **Is retention "cruel to children"?**

The status-quo is cruel to children. Educators who retain children and teach them how to read are doing them an enormous favor. The RAND Corporation's study of the New York City retention policy found positive psychological benefits for retained students.

### **How does Florida measure early reading proficiency?**

Florida initially provided several options to measure early reading proficiency. The Early Reading Diagnostic Assessment K-3 (ERDA) and the Diagnostic Assessments of Reading K-12 (DAR) were available through the Florida Department of Education's Office of Assessment and School Performance free of charge for the school district's lowest-performing 15 percent of all K-12 students. A developmental screener, the Florida Kindergarten Readiness Screener, which originally included the Early Childhood Observation System (ECHOS) and Dynamic Indicators of Basic Early Literacy Skills (DIBELS) and now updated to include the Florida Assessment of Instruction in Reading (FAIR), provides schools with a tool for assessing early literacy. FAIR was also provided free of charge to districts to provide reading data to support teachers with making informed instructional decisions based on student needs, to monitor the progress of all K-12 students identified with a reading difficulty, and to predict end of the year outcome performance. These assessments focus on phonemic awareness, phonics, fluency, vocabulary,

and comprehension and identify areas in which the student is struggling.

### **How much does a literacy-based promotion policy in third grade cost?**

Implementing a literacy-based promotion policy in third grade will not incur additional costs on the state. The federal government requires all states to have a statewide standards-based assessment in third grade. Educators use this assessment to determine if students have acquired the necessary reading skills to advance to 4th grade. However, states should consider investing or leveraging existing resources to provide reading coaches who can assist teachers to learn the science of teaching reading.

### **What was the fiscal impact of this policy in Florida?**

The amount of funding spent on ensuring kids know how to read, even if it takes them an extra year, is by far made up for in less costs remediating them for the next nine years in the K-12 system, if we are lucky, or as dropouts. Primary grades are the least expensive options to remediate students and the most realistic time to make it happen. An ounce of prevention is worth a pound of cure.

Any cost incurred with a test-based promotion policy should be regarded as an investment in child literacy, not a by-product of retention. Retention has been tried in other states before as a policy to address illiteracy and failed, as have efforts to fund literacy efforts without test-based assurance of its effectiveness. It was the unique combination of retention coupled with effective interventions that define Florida's policy and ensured its success. The key to the financial viability of this policy is making better use of existing local, state and federal funds. With a national average level of spending of \$10,000 per child per year, a typical American student has had \$40,000 invested by taxpayers by the time they reach the end of the 3<sup>rd</sup> grade. Taxpayers provide that money to *educate* rather than merely babysit the child. A child's future hangs precariously in the balance during the early grades, and we must fiercely pursue the maximum bang for every buck invested whether or not you decide to dedicate additional state funds for literacy interventions.

### **How do elementary schools deal with the extra students from a facility standpoint?**

There are no extra students. The retention policy results in greater numbers of 3<sup>rd</sup> graders, but smaller numbers of 4<sup>th</sup> graders. Policy implementation sometimes involved changing a teacher assignment from 4<sup>th</sup> grade to 3<sup>rd</sup> grade.

### **What about studies that show in other states that retention "does not work"?**

Florida's model is very different. Researchers have subjected the Florida policy to two rigorous statistical evaluations and found both times that the policy helped retained students to gain literacy skills. As noted, educators and lawmakers have tried and failed with retention policies around the country previously. Florida's was different in that it targeted K-3, and that it only used objective data as the basis for retention. The Sunshine state also had an appropriate balance

of good cause exemptions only students who could benefit found themselves included in the policy.

Retention itself is not the goal here, it's strong instruction and intervention coupled with the test-based promotion that makes it a successful combination. In addition to Florida data demonstrating increases in proficiency on the statewide-standardized assessment and the National Assessment for Educational Progress (NAEP), several research studies (listed in detail in the following question's answer) provide evidence that Florida's policy is working.

**A third grade promotion policy may help temporarily, but where is the long-term evidence? Does retention cause students to drop out?**

The first class of retained students in Florida has not yet graduated high school. Evidence of the policy's impact on high school graduation and dropout rates will first be available in 2013 for third graders retained for the first time under the policy in 2003.

Reading proficiency in Florida, at every grade level and all subgroups (white, black, Hispanic, students with disabilities, etc.) has steadily been increasing over the last decade. Florida's graduation rates have been consistently increasing and they are at the highest rate ever. Likewise, Florida's dropout rates have been consistently decreasing and are at the lowest rate ever.

Research conducted on Florida's retention policy by the Manhattan Institute in three separate studies has shown there are statistically significant positive effects of the policy over time. Their currently published findings studied the program for the first three years of implementation and the preliminary results of their follow up study show that those positive effects continue, even six years after the retention year.

**Why can't we just fund literacy efforts without a retention policy?**

A literacy program or policy is not enough because it does not provide the necessary pressure for the adults in the system to help kids that are not proficient. A literacy policy needs to be student-focused with specific help for students that are not proficient, like non-promotion to the next higher grade, coupled with literacy strategies. Florida did not just retain students for the sake of retention -- the state implemented improved professional development for teachers and principals in the research on reading and put reading coaches in place, among a number of other interventions to truly change what was happening in the public schools. Policymakers need a test-based promotion policy like Florida has to ensure teachers and students have the accountability for learning and mastery that children need to succeed.

**Could a third grade progression policy jeopardize federal funds?**

Not if districts observe the strict rules around supplanting (where the state is currently funding an initiative then federal funding comes into the state). For example, Florida's policy requires that students retained at 3<sup>rd</sup> grade receive supplementary learning experiences such as a summer reading camp. Districts will have to think creatively about their funding sources for some

activities, but it is not an insurmountable dilemma and has not resulted in Florida losing any federal funds.

**Does the Florida policy retain students for demonstrating deficiencies in all of the subjects or only in reading?**

The Florida policy bases promotion and retention decisions solely on reading. In Florida, as is typical in most states, performance on the reading statewide assessment is highly correlated with performance on the math assessment. Also, reading is the foundational skill students need to be able to learn all subject area content.

**Do the interventions associated with this policy require new funding sources or can we provide them with reallocations of existing dollars?**

Both. A large portion of funding in Florida, previous to this policy, was typically used for summer school and post-failure remediation. Lawmakers reallocated these funds and allowed them to be used for "preventative care." Florida lawmakers also focused the federal Title I Title II and IDEA funds on ensuring students can read. In addition, the timing of the implementation coincided relatively well with the infusion of Reading First funds from USDE, which was used to hire reading coaches to mentor teachers, and implement other aspects of quality reading instruction: professional development, research-based curriculum, and assessment driven instruction.

**Does the state mandate which instructional and support services are to be utilized as interventions?**

No, the state does not mandate specific services, but, the services selected by the district must be consistent with scientifically based reading research. The Florida Center for Reading Research (FCRR) [www.fcrr.org](http://www.fcrr.org) has extraordinary information about the materials that educators use to provide these services. Additionally, Florida has a statewide textbook adoption cycle that requires districts to select scientifically-based reading research (SBRR) materials consistent with research and Florida's literacy-based promotion policy. The adopted programs can be found at [http://www.fldoe.org/bii/instruct\\_mat/pdf/adopted.pdf](http://www.fldoe.org/bii/instruct_mat/pdf/adopted.pdf).

**What is the timeline for notifying students of retention?**

The statewide assessment is administered in April; results are back to the school and parents before the end of the school year in May. Students cannot retake the statewide assessment to meet the third grade promotion policy. Instead, students may demonstrate proficiency on an approved alternate measure like SAT10 or through a student portfolio.

**If a student moves into the school district from out-of-state at the beginning of 4<sup>th</sup> grade (or any grade after 3<sup>rd</sup>), must that student meet the third grade promotion requirements?**

No. In addition, the third grade promotion policy does not apply to students not enrolled in public school for third grade.

**How does the state ensure consistency in student portfolios to demonstrate a consistent standard across districts?**

The state has a comprehensive framework for what needs to be included in a student portfolio. Having a consistent policy statewide has alleviated the concern about students leaving one district for another because the portfolio is rumored to be easier.

State guidance to districts on the portfolio option requires that the contents:

- Be selected by the student's teacher;
- Be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;
- Be an organized collection of evidence of the student's mastery of the state reading standards and benchmarks assessed by the Grade 3 FCAT 2.0 Reading assessment;
- Be signed by the teacher and the principal as an accurate assessment of the required reading skills.

**In small, rural schools where there may only be one third grade teacher, what happens to retained students?**

In cases where there is only one third-grade classroom, staff changes may need to occur. It is imperative that teachers collaborate and use school support to provide a strategy to ensure these students receive intensive interventions. Schools should consider using an online blended model to ensure students receive instruction from the most effective teacher.

**Is there a specific curriculum for the retained students?**

Retention alone will not solve the problem of teaching students to read; these students will require differentiated curriculum and instruction. Florida knows that doing the same thing for another year will not produce different results. This is why Florida and the U.S. Department of Education provided funding for Scientifically Based Reading Research (SBRR), so we know what is effective to help struggling readers. Educators must provide retained students additional intensive instructional time using SBRR materials/programs more frequent progress monitoring, and more targeted instruction based on student needs to accelerate progress. Please visit <http://info.fldoe.org/docushare/dsweb/Get/Document-6117/dps-2011-86.pdf> for all of the information.

## Third Grade Reading Policies

By *Stephanie Rose*  
August 2012

In 2012, 14 states passed legislation geared toward improving 3rd-grade literacy through identification, intervention, and/or retention initiatives. Today, a total of 32 states and the District of Columbia have policies in statute aimed at improving 3rd-grade reading proficiency. The majority of these states require early assessment and intervention, often as early as kindergarten. Fourteen states and the District of Columbia require retention of students on the basis of reading proficiency, most which require assessment and remediation for students in all K-3 grades.

This paper identifies statutory provisions regarding identification of, intervention for, and retention of struggling readers in the P-3 grades. A state-by-state policy summary is included in Appendix A. For examples of statutory language, see Appendix B. Examples of notable changes made this year are included in Appendix C. Note: for state responses to improving 3rd-grade reading proficiency, see the March 2012 ECS report *Third Grade Literacy Policies: Identification, Intervention, Retention*. For recent trends in reading/literacy policy activity, see the *ECS State Policy Database*.

The following states require identification of, intervention for, and/or retention of struggling readers in the P-3 grades:

Identification		
#	States	What's Required
32 + DC	AZ, AR, CA, CO, CT, DE, DC, FL, GA, ID, IA, KY, LA, MD, MN, MO, NM, NY, NC, ND, OH, OK, RI, SC, TN, TX, UT, VT, VA, WA, WV, WI, WY	Reading assessment or diagnosis of reading deficiency in at least one grade, P-3. The assessments are a mix of state-mandated and locally determined approaches, with most states administering a criterion-referenced reading test in grade 3.
2	AZ, FL	<ul style="list-style-type: none"> <li>• Annual reading assessments for students in:               <ul style="list-style-type: none"> <li>• Pre-K-3</li> </ul> </li> </ul>
17 + DC	AR, CO, CT, DC, GA, IA, LA, KY, MN, NC, NM, ND, OK, TX, UT, WA <sup>1</sup> , WI, WY	<ul style="list-style-type: none"> <li>• Grades K-3</li> </ul>
3	ID, OH, SC	<ul style="list-style-type: none"> <li>• Grades 1-3</li> </ul>
1	CA	<ul style="list-style-type: none"> <li>• Grades 2-3</li> </ul>
9	DE, MD, MO, NY, RI, TN, VT, VA, WV	<ul style="list-style-type: none"> <li>• Grade 3</li> </ul>
2	NY, RI	Screening of students prior to, or upon, their first entry to school

1. Washington currently has a voluntary pilot program for 2nd-grade reading assessments. As the state phases in full-day kindergarten, districts are instructed to use the state's Kindergarten Inventory of Developing Skills.

Intervention				
#	States		What's Required	
29 + DC	AZ, AR, CA, CO, CT, DE, DC, FL, GA, ID, IA, KY, LA, MD, MN, MO, NM, NY, NC, ND, OH, OK, RI, TN, TX, UT, VA, WV, WI, WY		Districts offer some type of intervention or remediation for struggling readers in a P-3 grade. Some states require specific interventions, while others let districts choose from a list of suggested interventions.	
21 + DC	AZ, AR, CA, CO, CT, DE, DC, FL, GA, IA, MN, MO, NY, NC, OH, OK, TX, UT, VT, VA, WA, WI		Parental notification of a student's reading deficiency, interventions in place, and (if applicable) the possibility a student may be retained.	
19 + DC	AZ, AR, CO, CT, DC, FL, GA, ID, IA, KY, LA, MN, NY, NC, ND, OK, RI, TX, WI, WY		<b>Interventions provided for struggling readers in:</b>	
2	OH, UT		• Grades K-3	
1	CA		• Grades 1-3	
6	DE, MD, MO, TN, VA, WV		• Grades 2-3	
			• Grade 3	
#	Require	#	Recommend	Type of Intervention
15	AR, CO, CT, FL, IA, KY, MD, NC, OH, OK, RI, TX, VT, WV, WI	3	GA, MN, VA	Supplemental instruction during regular school hours
6	AZ, CT, FL, IA, MO, NC	11 + DC	CA, CO, DE, DC, MN, ND, OH, OK, TX, UT, VA, WV	Summer school
5	AZ, ID, MD, NC, WV	13 + DC	CA, CT, DE, DC, FL, IA, MN, NC, NM, OH, OK, TX, UT, VA	Instruction outside of regular school hours, including after school and Saturday school
11	AR, CO, CT, DE, FL, MO, NM, NC, OH, OK, WY	0		Academic improvement plans (AIPs) for struggling readers
4	AZ, CO, DE, OH	DC	DC	Parents are involved in choosing an intervention strategy or developing an AIP
5	CO, IA, NC, OH, UT	6	AZ, CT, FL, OK, VT, WV	Information, support, and/or strategies for parents to work with students at home (a "home reading program," HRP)
1	NC	11 + DC	CT, DE, DC, FL, IA, MN, NC, ND, OH, OK, UT, VA	Individual or group tutoring
8	AR, CO, FL, KY, NC, NY, OK, UT	2 + DC	DC, GA, IA	Instruction tailored specifically to students' deficiencies/needs
1	AZ	3	OK, UT, VA	Online or computer-based instruction
2	CT, ND	2	OK, VA	Involvement of a reading specialist
3	AZ, NC, FL	1 + DC	DC, OH	Assignment to a different teacher if retained

Retention		
#	States	What's Required
14 + DC	AZ, AR, CA, CT, DE, DC, FL, GA, IA, MD, MO, NC, OH, OK, TN	Third grade students must be proficient in reading, attain a specific score on a state-wide reading exam, or otherwise meet a defined literacy benchmark in order to be promoted to 4th grade.
7	AR, CT, DE, IA, MD, TN, WV	Retention permitted only if a student does not participate in an intervention before starting 4th grade, such as mandatory summer school.
2	OK, MO	Allow teachers to make retention contingent upon participating in an intervention, but do not require it.
1	OH	Permits a student to be promoted to 4th grade if he/she receives remediation in the 4th grade.
1	CT	Permits retention of students in 1st, 2nd, and 3rd grade.
1	CA	Makes reading proficiency the primary basis for retention in both 2nd and 3rd grades
1	MO	Requires second year of retention (in 4th grade) if the student is reading below 3rd-grade level after completing 4th grade and summer school.
1	CO	For 3rd-grade students with <i>significant</i> reading deficiencies, parents, teachers, and other personnel must meet and consider retention as an intervention strategy and determine whether the student should advance to 4th grade. The decision is subject to approval by the district superintendent, who can require that a student be retained.
1	WV	Allows students to be retained in grades 3 and 8 if they are identified for additional academic help and fail to attend summer school.
1	TX	Students in grades 5 and 8 must be retained if they do not perform satisfactorily on statewide reading or mathematics exams. State statute <i>previously</i> required that 3rd-grade students be retained if they did not perform satisfactorily on the 3rd-grade reading exam.
Exemptions from Retention		
#	State	States Exempt Students Who:
8	CT, DE, FL, IA, NC, OH, OK, TX	Are deemed proficient on the basis of an alternative assessment or portfolio of student work, or whose principal and reading teacher agree are prepared for the next grade
11	AZ, AR, CO, FL, IA, MD, MO, NC, OK, TN, WV	Receive special education services, have disabilities, are intellectually limited, or have been assigned an Individualized Education Plan (IEP)
7	AZ, CO, FL, IA, MO, NC, OK	Are English Language Learners (ELL) or have limited English proficiency. States often clarify that this exemption applies to students with less than two years of instruction in an ELL program.
5	DE, CO, IA, MD, MO	Have previously been retained solely on the basis of a reading deficiency
3	FL, NC, OK	Have been retained twice solely on the basis of a reading deficiency
4	CA, CT, OH, OK	Receive a principal or teacher recommendation
1	GA	Receive a parental appeal, which is reviewed by a placement committee and includes indicators of academic achievement

**Appendix A: State Policies Dealing with Identification, Intervention, and Retention of P-3 Students based on Literacy Assessments**

**I. Identification of Struggling Readers**

	Statute	P-3 Grades Tested <sup>1</sup>	State or Local Assessment <sup>2</sup>	Assessment Timing
Arizona	<u>S.B. 1259 (2012), §15-201, §15-704</u>	Pre-K-3	State	Ongoing
Arkansas	<u>§6-15-2009, §6-15-433</u>	K-3	Local: K-2 State: 3	-
California	<u>§48970.5, §50642.5</u>	2-3	State	Annual
Colorado	<u>H.B. 12-1238 (2012), §22-7-504</u>	K-3	Local	Ongoing
Connecticut <sup>3</sup>	<u>S.B. 458 (2012), §10-221b, §10-265a, §10-265d</u>	K-3	State or Local	Ongoing
Delaware	<u>§14.1-§151, §14.1-§153</u>	3 <sup>4</sup>	State	Twice a year
District of Columbia	<u>§19-0648 (2012), §38-1803.11, §38-1803.21, §16-5-2200.9</u>	K-3	Local	Annual
Florida	<u>H.B. 5101 (2012), §1008.25</u>	Pre-K-3	Local: Pre-K-3 State: 3	At least annually
Georgia	<u>§20-2-153, §20-2-283</u>	K-3	Local: K-2 State: 3	-
Idaho	<u>§33-1614, §33-1615</u>	1,2,3	State	Twice a year
Iowa	<u>§6-2284 (2012)</u>	K-3	Local or State	Beginning of year
Kentucky	<u>H.B. 69 (2012), §158.791, §158.840</u>	K-3	Local	-
Louisiana	<u>LAC 28:GV.52307</u>	K-3	Local	-
Maryland	<u>§7-202</u>	3	Local	-
Minnesota	<u>§120B.12, §120B.30</u>	K-3	Local: K-2 State: 3	By end of year
Missouri	<u>§167.645, §162.1100</u>	3	Local	End of year
New Mexico	<u>§22-13-1, §22-13-1.3, §22-20-4</u>	K-3	Local: K-2 State: 3	Ongoing
New York	<u>CR 117.3, §3208, §3602-e, §3211-a</u>	Pre-K-3 <sup>5</sup>	Local: K-2 State: 3	Ongoing

	Statute	P-3 Grades Tested	State or Local Assessment	Assessment Timing
North Carolina	<u>H.B. 950 (2012),</u> <u>§115C-105.41, §115C-81.2, §115C-105.27,</u> <u>§115C-174.11</u>	K-3	State	Annual
North Dakota	<u>§15.1-07, §15.1-21-08</u>	K-3	Local: K-2 State: 3	Twice a year <sup>6</sup>
Ohio	<u>S.B. 316 (2012),</u> <u>§3313.608,</u> <u>§3301.0710</u>	K-3	State	Beginning of year
Oklahoma <sup>7</sup>	<u>H.B. 2516 (2012), §70-1210, §08C-476,</u> <u>§710.508F</u>	K-3	Local: K-2 State: 3	Ongoing
Rhode Island	<u>§16-67-2</u>	K-3 <sup>8</sup>	Local: K-2 State: 3	-
South Carolina	<u>§59-18-310</u>	1-3	Local: 1,2 State: 3	Ongoing
Tennessee	<u>S.B. 2156 (2012), §49-6-3115, §49-6-6002,</u> <u>§49-6-702</u>	3 <sup>9</sup>	State	Annual
Texas	<u>§28.006, §28.0241</u>	K-3	Local: K-2 State: 3	-
Utah	<u>§53A-1-606.5-7, §53A-17a-150</u>	K-3	State	Beginning, middle, end
Vermont	<u>16 V.S.A. §2903, 16 V.S.A. §164</u>	3	State	-
Virginia <sup>10</sup>	<u>H.B. 1181 (2012),</u> <u>§22.1-253.13:1</u>	3	State	-
Washington	<u>§28A-300-310,</u> <u>§28A-300-350,</u> <u>§28A-150-015</u>	K, 2 <sup>11</sup>	State	-
West Virginia	<u>§18-2E-10</u>	3	Local	Ongoing <sup>12</sup>
Wisconsin	<u>S.B. 461 (2012),</u> <u>§118.016, §121.02</u>	K-3	Local: K-2 State: 3	Annual
Wyoming	<u>S.F. 52 (2012), §21-3-401</u>	K-3	Local	Annual

Note: "-" = Not specified.

1. Many states test reading after grade 3. Only the assessments through grade 3 are included here.
2. Many states with local assessments require districts to pick from a state-developed list of approved assessments or mandate that local assessments must be approved by the state.
3. Specific identification, intervention and retention policies are laid out in statute for priority school districts only. S.B. 453 requires that an intensive reading program be piloted in five elementary schools for the 2013-14 school year.
4. Delaware H.B. 317 (2012) requires the state to adopt a kindergarten readiness assessment by 2015 that includes a language and literacy development component.

5. New York requires diagnostic screening of all new entrants and students with low test scores. Pra-K providers are required to administer an assessment of the development of language.
6. In North Dakota, schools must administer interim assessments for students in grades 2-10.
7. Oklahoma passed numerous bills in 2012 pertaining to reading assessments and interventions, including S.B. 1565, H.B. 2511, and H.B. 2676.
8. In Rhode Island, all districts that provide elementary education are required to screen all children prior to, or upon, their first entry to school to determine their level of educational readiness. Third graders take the New England Common Assessment Program (NECAP).
9. Tennessee statute prohibits state-mandated tests earlier than grade 3, except for when the 1st- and 2nd-grade tests provided for in Acts 1997, ch. 434, § 7 are available.
10. Virginia statute requires local school boards to implement early identification, diagnosis, and assistance for students with reading problems and provide instructional strategies that benefit the development of reading skills for all students.
11. As Washington phases in Full-Day Kindergarten, districts are instructed to use the state's Kindergarten Inventory of Developing Skills. The state superintendent is to develop 2nd-grade assessments and passages for districts to choose from to assess oral reading accuracy and fluency skills. Washington currently has a voluntary pilot program for 2nd-grade reading assessments.
12. West Virginia requires every school to establish a student assistance team that reviews student academic needs that have persisted despite being addressed by instruction and intervention.

## II. Interventions for Struggling Readers

### Interventions include:

AIP: Assignment to an Academic Improvement Program  
 HRP: Implementation of a Home Reading Program  
 OS: Instruction outside of school hours including after school and Saturday school instruction  
 RS: Involvement of a Reading Specialist  
 SS: Summer School or summer reading program  
 TI: Instruction tailored specifically to students' deficiencies/needs  
 DT: Assignment to a different teacher  
 OI: Online or computer-based instruction  
 SI: Supplemental Instruction (during school hours)  
 T: Individual or group tutoring

	Statute	Grades Intervention Provided	Required Interventions	Suggested Interventions	Notification of Parent / Guardian
Arizona	<u>S.B. 1258 (2012), §15-701, §15-704</u>	K-3	Choose one: SS, OS, OI, DT	HRP	Yes
Arkansas	<u>§6-15-2009, §6-15-433</u>	K-12	AIP, SI, TI	-	Yes
California	<u>§48070.5, §60842.6</u>	2-5, 6-8		SS, OS	Yes
Colorado	<u>H.B. 12-1238 (2012), §22-7-504</u>	K-3	AIP, SI, TI, HRP	SS	Yes
Connecticut <sup>1</sup>	<u>S.B. 458 (2012), §10-223a, §10-265a, §10-265i</u>	K-3	AIP, RS, SI, SS	T, OS, HRP	Yes
Delaware	<u>§14.1-§151, §14.1-§153</u>	3	AIP <sup>2</sup>	SS, OS, T	Yes
District of Columbia	<u>B19-0648 (2012), §38-1203.1, §38-1803.21, Rule 9-E-200-9</u>	K-12	-	T, OS, SS, TI, DT	Yes
Florida	<u>HB 5101 (2012), §1008.25</u>	K-5 <sup>3</sup>	AIP, SI, TI, DT, SS <sup>4</sup>	HRP, OS, T <sup>4</sup>	Yes
Georgia	<u>§70-2-153, §70-2-243</u>	Yes		SI, TI	Yes
Idaho	<u>§33-1614, §33-1615</u>	K-3	OS	-	-
Iowa	<u>§F.2284 (2012)</u>	K-3	HRP, SI, SS	OS, T, TI	Yes
Kentucky	<u>H.B. 69 (2012), §158.791, §158.840</u>	K-3	SI, TI	-	-
Louisiana	<u>LAC 28:XXV §2402</u>	K-3			
Maryland	<u>§7-202</u>	3	SI	-	-
Minnesota	<u>§120B.12, §120B.30</u>	K-3		SI, SS, OS, T	Yes

	Statute	Grades Intervention Provided	Required Interventions	Suggested Interventions	Notification of Parent/Guardian
Missouri	<u>§167.645, §162.1100</u>	3	AIP, OS, SS	-	Yes
New Mexico	<u>§22-13-1, §22-13-1.3, §22-20-4</u>		AIP	OS	
New York	<u>CR 117.3, §3208, §3602-e, §3211-a</u>	K-12	TI	-	Yes
North Carolina	<u>P.B. 350 (2010), §145C-105.41, §115C-41.2, §115C-105.27, §115C-174.17</u>	K-8	AIP, HRP <sup>9</sup> , DT, SI, SS, TI	OS, T	Yes
North Dakota	<u>§15.1-07, §15.1-21-08</u>	K-3	Performance Strategist <sup>8</sup>	T, SS (K-8)	-
Ohio	<u>S.B. 316 (2012), §3313.608, §3301.0710</u>	K-4	AIP, SI, HRP <sup>9</sup>	DT, OS, SS, T	Yes
Oklahoma <sup>20</sup>	<u>H.B. 2516 (2012), §70-1210.508C, §70-1210.508E</u>	K-3	AIP, SI, TI	OS, SS, T, OI, HRP, RS	Yes
Rhode Island	<u>§16-67-2</u>	K-12	SI	-	
South Carolina	<u>§59-18-310</u>	-	-	-	-
Tennessee	<u>S.B. 2156 (2012), §49-6-3115, §49-6-6007, §49-6-702</u>	3	Locally Determined		
Texas	<u>§28.006, §28.0211</u>	K-8	SI	OS, SS	Yes
Utah	<u>§53A-1-606.5, 7, §53A-1-606.50</u>	K-3	TI, HRP	T, OS, SS, OI	Yes
Vermont	<u>16 V.S.A. §2903, 16 V.S.A. §164</u>	4-12	SI	HRP	Yes
Virginia <sup>21</sup>	<u>H.B. 1181 (2012), §22.4-293.16-1</u>	K-8	Locally Determined	RS, TI, OI, SI, OS, SS	Yes
Washington	<u>§28A.300.310, §28A.300.320, §28A.150.315</u>	-	-	-	Yes
West Virginia	<u>§18-2B-10</u>	3-8	SI, OS	SS, HRP	
Wisconsin	<u>S.B. 461 (2012), §118.016, §121.02</u>	K-4	SI	-	Yes
Wyoming	<u>§E.52 (2012), §21-4-481</u>	K-3	AIP		

Note: "-" = Not specified.

1. Specific identification, intervention and retention policies are laid out in statute for priority school districts only. S.B. 453 requires that an intensive reading program be piloted in five elementary schools for the 2013-14 school year.
2. Delaware specifies that a student's AIP must be developed with input from a parent or guardian.
3. Florida HB 5101 also provides for additional reading instruction for students in grades K-12 in each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment.
4. In Florida, 3<sup>rd</sup> grade students who score below the cutoff on the state reading exam (FCAT) are required to attend their district's summer reading camp (SS). If the student can demonstrate proficiency upon completion of camp, he/she may be promoted to 4<sup>th</sup> grade. FL statute §1011.62(9)(c)(5) permits funding for summer reading camps for all K-2 students who demonstrate a reading deficiency, as well as students in grades 3-5 who score at Level 1 on FCAT Reading in each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment.
5. Florida statute §1008.25(7)(b) requires and recommends intensive interventions for students who are retained in the third grade including assistance to parents of retained students (HRP), assignment to a high-performing teacher (DT), a mentor or tutor with specialized reading training (T) and tutoring outside of school hours (OS).
6. North Carolina requires parents of retained students to be provided with a plan for reading at home, including participation in shared and guided reading workshops for the parent or guardian, and outlined in a parental or guardian contract.
7. North Carolina requires 3rd grade students who do not demonstrate reading proficiency to attend a summer reading camp. Students who do not demonstrate reading proficiency after completion of camp will be retained.
8. North Dakota requires school districts to employ one performance strategist for every 400 students in grades K-3, whose duties include tutoring students and providing instructional coaching to teachers.
9. Ohio specifies that parents of 3rd-grade students must be involved in choosing an intervention strategy.
10. Oklahoma passed numerous bills in 2012 pertaining to reading assessments and interventions including S.B. 1565, H.B. 2511, and H.B. 2676.
11. Virginia statute requires local school boards to implement early identification, diagnosis, and assistance for students with reading problems, and provide instructional strategies that benefit the development of reading skills for all students.

### III. Reading-Based Retention

	Statute	Require Recommend or Allow	Grades Students are Retained	May be Promoted if Participate in Intervention	Promotion based on Alternative Assessment /Portfolios?	Exemptions Included <sup>1</sup>
Arizona	<u>S.B. 1258 (2012)</u> <u>§15-701, §15-704</u>	Require	3	No	No	ELL, Special Education
Arkansas	<u>§6-15-2009, §6-15-433</u>	Require	3	Yes	No	Special Education
California	<u>§49070.5, §60602.3</u>	Require	2, 3	Yes	-	Teacher Rec.
Colorado	<u>H.B. 12-1238 (2012), §22-7-504</u>	Recommend <sup>2</sup>	3	No	No	2x, ELL, Special Education
Connecticut <sup>3</sup>	<u>S.P. 498 (2012)</u> <u>§10-221h, §10-265a, §10-265i</u>	Require	1, 2, 3	Yes	Yes	Principal rec <sup>2</sup>
Delaware	<u>§14.1-§151, §14.1-§153</u>	Require	3	Yes	Yes <sup>5</sup>	2x
District of Columbia	<u>§13-0648 (2012)</u> <u>§36-1803.11, §36-1803.21, Rules 5-12200.9</u>	Require	3 <sup>6</sup>	-	-	-
Florida	<u>H.B. 5101 (2012), §1008.25</u>	Require	3	No	Yes	2x, ELL, Special Education
Georgia	<u>§20-2-143, §20-2-143</u>	Require	3	No	No	Parent Appeal
Idaho	<u>§33-1614, §33-1615</u>	-	-	-	-	-
Iowa	<u>S.F. 2284 (2012)</u>	Require	3	Yes	Yes	2x, ELL, Special Education
Kentucky	<u>H.B. 69 (2012), §158.791, §158.840</u>	-	-	-	-	-
Louisiana	<u>LAC 28:GV.5730V</u>	-	-	-	-	-
Maryland	<u>§7-202</u>	Require	3	Yes	-	2x, Special Education
Minnesota	<u>§120B.12, §120B.30</u>	-	-	-	-	-
Missouri	<u>§167.645, §162.1100</u>	Require	3, 4	Allowed in grade 3 only	No	2x, ELL, Special Education
New Mexico	<u>§22-1B-1, §22-1B-1-3, §22-7C-4</u>	-	-	-	-	-
New York	<u>CR 117.3, §3208, §3602-e, §3211-a</u>	-	-	-	-	-

	Statute	Require, Recommend or Allow	Grades Students are Retained	May be Promoted if Participate in Intervention	Promotion based on Alternative Assessment /Portfolios?	Exemptions Included
North Carolina	<u>H.B. 950 (2012), 6115C-105.41, 5115C-81.2, 5115C-105.27, 5115C-174.11</u>	Require	3	No	Yes	3x, ELL, Disabilities
North Dakota	<u>§15-1-07, §15-1-23-08</u>					
Ohio	<u>S.B. 316 (2012), §3313.608, §3301.0710</u>	Require	3	Yes <sup>7</sup>	Yes	2x, ELL, Special Education
Oklahoma	<u>H.B. 2516 (2012), §70-1210.508C, §70-1210.508E</u>	Require	3	Allowed <sup>1</sup>	Yes	3x, ELL, Principal Ref, Special Education
Rhode Island	<u>§16-67-2</u>	-	-	-	-	-
South Carolina	<u>§59-18-310</u>					
Tennessee	<u>§ B. 2156 (2012), §49-6-3115, §49-6-6002, §49-6-702</u>	Require	Grades 3 & 8	Yes	-	Special Education
Texas	<u>§28.006-§28.0211</u>	Require	Grades 5 & 8	Yes	Yes	Parental Appeal
Utah	<u>§53A-1-605.5-7, §53A-17a-150</u>	-	-	-	-	-
Vermont	<u>16 V.S.A. §2903.16, V.S.A. §164</u>					
Virginia	<u>H.B. 1181 (2012), §22.1-253.13:1</u>	-	-	-	-	-
Washington	<u>§28A-300-310, §28A-300-320, §28A-1-0-115</u>					
West Virginia	<u>18-2E-10</u>	Allow	Grades 3 & 8	Yes	-	Special Education
Wisconsin	<u>S.B. 451 (2012), §118.015, §121.02</u>					
Wyoming	<u>S.F. 52 (2012), §21-3-401</u>	-	-	-	-	-

Note: "-" = Not specified.

1. Exemptions from retention policies include:

- a. 2x – students may not be retained twice solely on the basis of a reading deficiency, so students who have been previously retained in grade may not be retained again (some states specify that the student must have been held back due to a reading deficiency).

- b. 3x – students who have been previously held back two times may not be retained three times solely on the basis of a reading deficiency (some states specify that the student must have been held back due to a reading deficiency).
  - c. ELL – students with limited English proficiency or who are English Language Learners are exempt from retention. This provision often applies only to students who have had less than two years of instruction in English.
  - d. Parental Appeal – students may be promoted if parents appeal the retention decision and a placement committee finds the student's academic achievement sufficient for promotion.
  - e. Principal Rec. – students may be promoted based upon a recommendation from their principal.
  - f. Special Education – students who are assigned to Special Education or receive Special Education services, who have an Individualized Education Plan (IEP), have a disability, or are Intellectually limited are not subject to retention.
  - g. Teacher Rec. – students may be promoted based upon a recommendation from their teacher.
2. Colorado H.B. 12-1238 requires that, for any student with a significant reading deficiency at the end of 3rd grade, the parent, the student's teacher, and other personnel of the local education provider are required to meet and consider retention as an intervention strategy and determine whether the student is able to maintain adequate academic progress at the next grade level.
  3. Specific identification, intervention and retention policies are laid out in statute for priority school districts only. S.B. 453 requires that an intensive reading program be piloted in five elementary schools for the 2013-14 school year.
  4. The superintendent of schools may exempt an individual student from having to attend summer school in order to be promoted, upon the recommendation of the school principal, based on the student's progress with the student's personal reading plan.
  5. A student may advance to the next grade level without attending summer school if an academic review committee determines that the student has demonstrated proficient performance using evidence from other indicators.
  6. The Superintendent must establish promotion gates for mathematics, reading, and writing, for not less than one grade level from kindergarten through grade 4, including at least grade 4.
  7. Ohio statute specifies that a 3rd-grade child without a passing score on the state reading assessment may be retained in 3rd grade, promoted to 4th grade based on principal/reading teacher agreement that the student is prepared, or promoted to 4th grade with intensive intervention services (in grade 4). S.B. 316 changes the state's policy such that, beginning in 2013, no student with a failing score may be promoted unless he or she demonstrates proficiency on an alternate assessment, or is a limited English proficient student or child with a disability.
  8. Oklahoma's 2012 House Bill 2516 changed the retention provision such that a teacher may recommend promotion contingent upon a student's participation in intervention, but does not have to.

**Appendix B: Sample Statutory Language from some of the more established/comprehensive 3rd-grade reading policies**

**Identification**

- Arizona – §15-701
  - “The state board of education shall ... provide for universal screening of pupils in preschool programs, kindergarten programs and grades one through three that is designed to identify pupils who have reading deficiencies.”
- Arizona – §15-704
  - “Each school district or charter school that provides instruction in kindergarten programs and grades one through three shall select and administer screening, ongoing diagnostic and classroom based instructional reading assessments, including a motivational assessment, as defined by the state board of education, to monitor student progress. Each school shall use the diagnostic information to plan appropriate and effective intervention.”

**Intervention**

- Oklahoma – H.B. 2516 (2012)
  - “Beginning with the 2011-2012 school year, each school district shall establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of third-grade students by offering intensive accelerated reading instruction to third-grade students who failed to meet standards for promotion to fourth grade and to kindergarten through third-grade students who are exhibiting a reading deficiency. The READ Initiative shall:
    1. Be provided to all kindergarten through third-grade students at risk of retention as identified by the assessments administered pursuant to the Reading Sufficiency Act. The assessment used shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;
    2. Be provided during regular school hours in addition to the regular reading instruction; and
    3. Provide a state-approved reading curriculum that, at a minimum, meets the following specifications:
      - Assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level,
      - Provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension,
      - Provides scientifically a scientific-research-based and reliable assessment,
      - Provides initial and ongoing analysis of the reading progress of each student,
      - Is implemented during regular school hours,
      - Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects,
      - Establishes at each school, where applicable, an Intensive Acceleration Class for retained third-grade students who subsequently score at the unsatisfactory level on the reading portion of the statewide criterion-referenced tests. The focus of the Intensive Acceleration Class shall be to increase the reading level of a child at least two grade levels in one (1) school year.”
  - “Any student who is assessed and found not to be reading at the appropriate grade level shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level reading skills. Beginning with students entering the first grade in the 2011-2012 school

year, the program of reading instruction shall include provisions of the READ Initiative adopted by the school district ... The program of reading instruction ... shall align with the PASS, shall include provisions of the READ Initiative adopted by the school district ... beginning with students entering the first grade in the 2011-2012 school year and may include, but is not limited to:

1. Sufficient additional in-school instructional time for the acquisition of phonological awareness, phonics, spelling, reading fluency, vocabulary, and comprehension
  2. If necessary, tutorial instruction after regular school hours, on Saturdays and during summer
  3. Assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills including, but not limited to, phonological awareness, phonics, spelling, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.
  4. The program of reading instruction shall continue until the student is determined by the results of approved reading assessments to be reading on grade level."
- o "Beginning with the 2011-2012 school year, each school district shall ... Provide to students *who have been retained* ... with intensive interventions in reading, intensive instructional services and supports to remediate the identified areas of reading deficiency, including a minimum of ninety (90) minutes of daily, uninterrupted, scientific-research-based reading instruction. Retained students shall be provided other strategies prescribed by the school district, which may include, but are not limited to:
    1. Small group instruction,
    2. Reduced teacher-student ratios,
    3. More frequent progress monitoring,
    4. Tutoring or mentoring,
    5. Transition classes containing third- and fourth-grade students,
    6. Extended school day, week, or year, and
    7. Summer reading academies"
  - o "In addition to required reading enhancement and acceleration strategies, provide students who are retained with at least one of the following instructional options:
    1. Supplemental tutoring in scientific-research-based reading services in addition to the regular reading block, including tutoring before or after school,
    2. A parent-guided "Read at Home" assistance plan, as developed by the State Department of Education, the purpose of which is to encourage regular parent-guided home reading, or
    3. A mentor or tutor with specialized reading training"
  - o "School districts may approve an option for students who are unable to attend a summer academy. The optional program may include, but is not limited to, an approved private provider of instruction, approved computer- or Internet-based instruction, or an approved program of reading instruction monitored by the parent or guardian. School districts shall not be required to pay for the optional program, but shall clearly communicate to the parent or guardian the expectations of the program and any costs that may be involved."

#### Retention

- Georgia – 520-2-283
  - o "No student shall be promoted, except as provided in this section, to:
    1. The fourth grade program to which the student would otherwise be assigned if the student does not achieve grade level as defined by the Office of Student Achievement ... on the third grade criterion-referenced reading assessment ... and meet the promotional standards and

criteria established by the State Board of Education and by the local school board for the school that the student attends."

**Exemptions from Retention**

- Florida – §1008.25
  - "The district school board may only exempt students from mandatory retention ... for good cause. Good cause exemptions shall be limited to the following:
    1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.
    2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of State Board of Education rule.
    3. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education.
    4. Students who demonstrate, through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the Sunshine State Standards in reading equal to at least a Level 2 performance on the FCAT.
    5. Students with disabilities who participate in the FCAT and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive remediation in reading for more than 2 years but still demonstrates a deficiency in reading and was previously retained in kindergarten, grade 1, grade 2, or grade 3.
    6. Students who have received intensive remediation in reading for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive reading instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers."

## Appendix C: Notable 2012 Policy Changes

- Iowa created a new section in their Early Childhood Literacy statutes to require school districts to assess all students in K-3 for reading or reading readiness, and provide intensive reading instruction to any student who exhibits a substantial deficiency. S.F. 2284 also requires that students must be retained in 3<sup>rd</sup> grade if their reading deficiencies are not remedied unless they attend an intensive summer reading institute.
- Connecticut's S.B. 458 requires all certified teachers and administrators working in K-3 to take a state board-approved reading instruction practice exam, and teachers with a comprehensive special education or remedial reading and language arts endorsement to pass the exam starting July 1, 2013. Connecticut will also establish a professional development program in reading instruction and identify mentor teachers who will train teachers in reading instruction.
- Colorado added a number of provisions related to reading, including one requiring a student's parent, teacher and other school personnel to meet to decide whether a student should advance to 4th grade despite having a significant reading deficiency. Arizona now requires that a student's parent or guardian choose a remediation strategy for their child if he/she is deficient in reading.
- Oklahoma revised its 3rd-grade reading retention policy to allow principals to promote students with reading deficiencies to 4th grade based on alternative assessments or a portfolio of student work. Conversely, Arizona removed a similar provision from its statutes, such that a 3rd-grade student may no longer be exempt from retention on the basis of an alternative assessment, having been previously retained twice in grade or a parental request for exemption.
- Other notable changes to current reading statutes were passed in Florida, Kentucky, North Carolina, Ohio, Tennessee, Virginia, Washington, D.C., Wisconsin, and Wyoming.

*Stephanie Rose, Policy Analyst, with the ECS Information Clearinghouse, updated this report. She can be reached at [srose@ecs.org](mailto:srose@ecs.org).*

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Equipping Education Leaders, Advancing Ideas

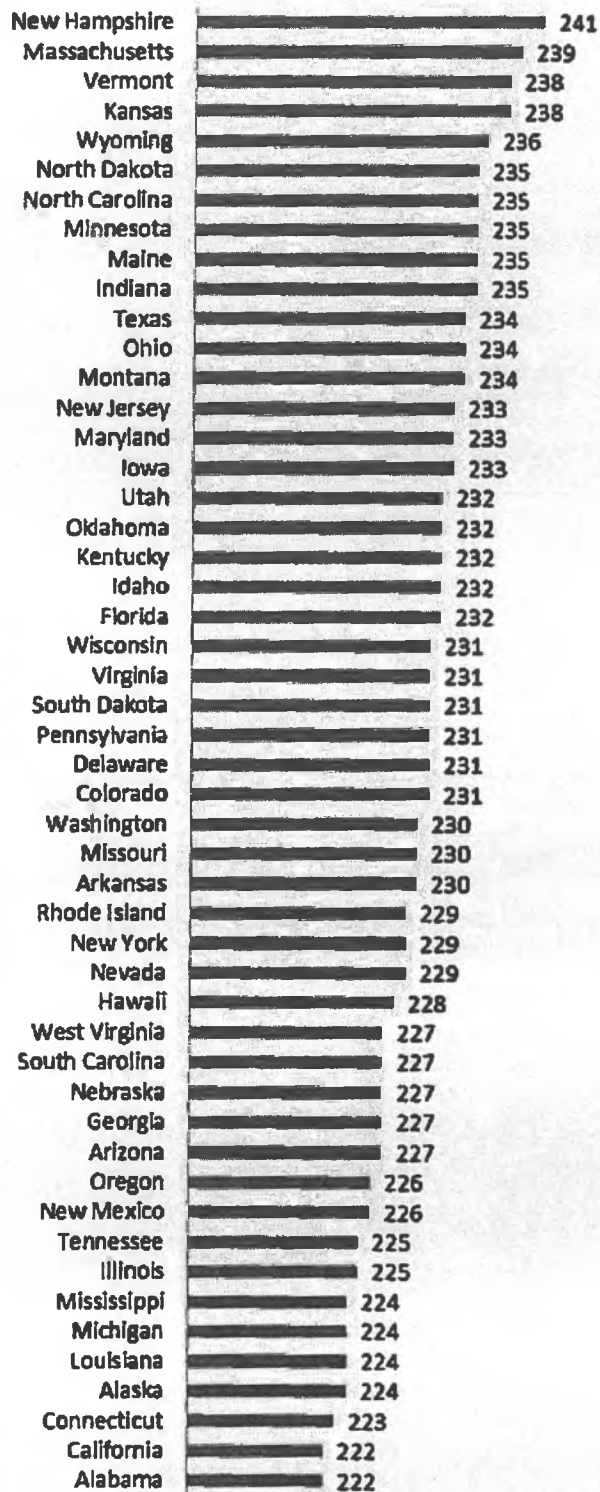
# **A STATE AT RISK**

*The Urgent Need for K-12 Education Reform in Alaska*

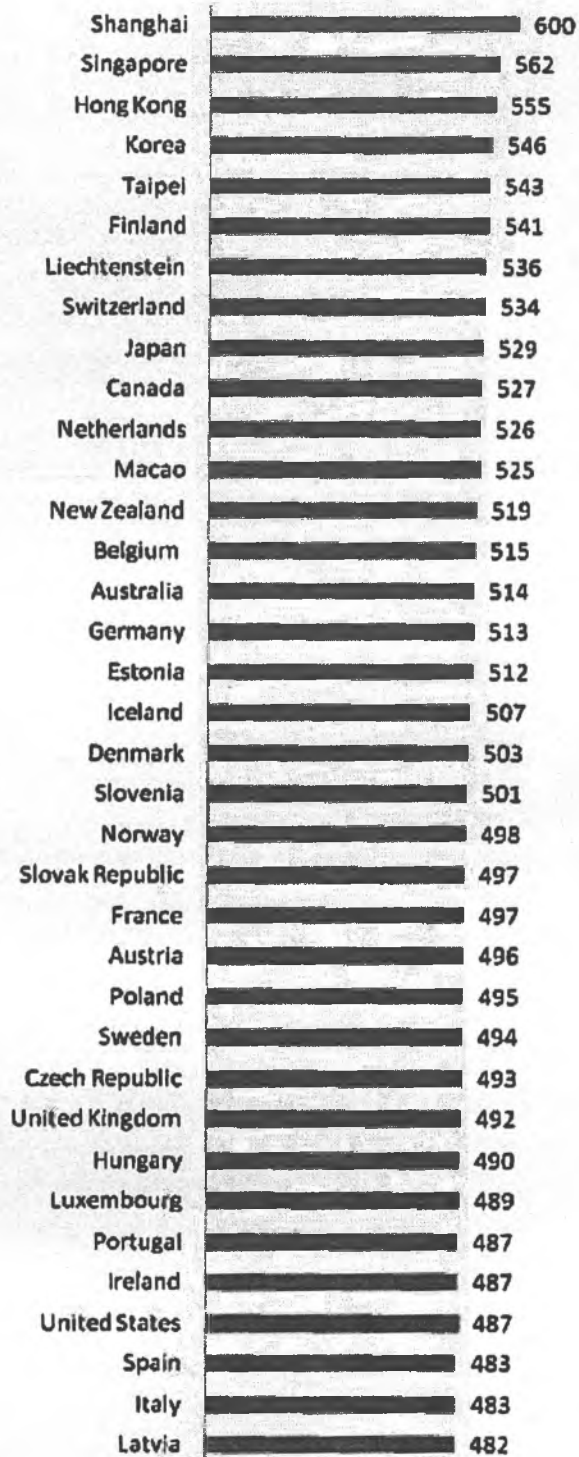


**Bob Griffin**  
Alaska Policy Forum  
Education Research Fellow

**National Math Rankings**  
4th Grade, Low Income, 2011 NAEP



**International Math Rankings**  
Math Scores, 2010 PISA



## A State at Risk

Despite the fact that Alaska contributes more state and local dollars to K-12 education than any other state on a per capita basis, Alaskan kids from all walks of life continue to fall further behind the rest of the country and the rest of the world in achieving good educational outcomes. Alaska's children are just as bright as kids in any state or in any other country in the world. Unfortunately, they have been let down by an education system that hasn't allowed them to live up to their full potential.

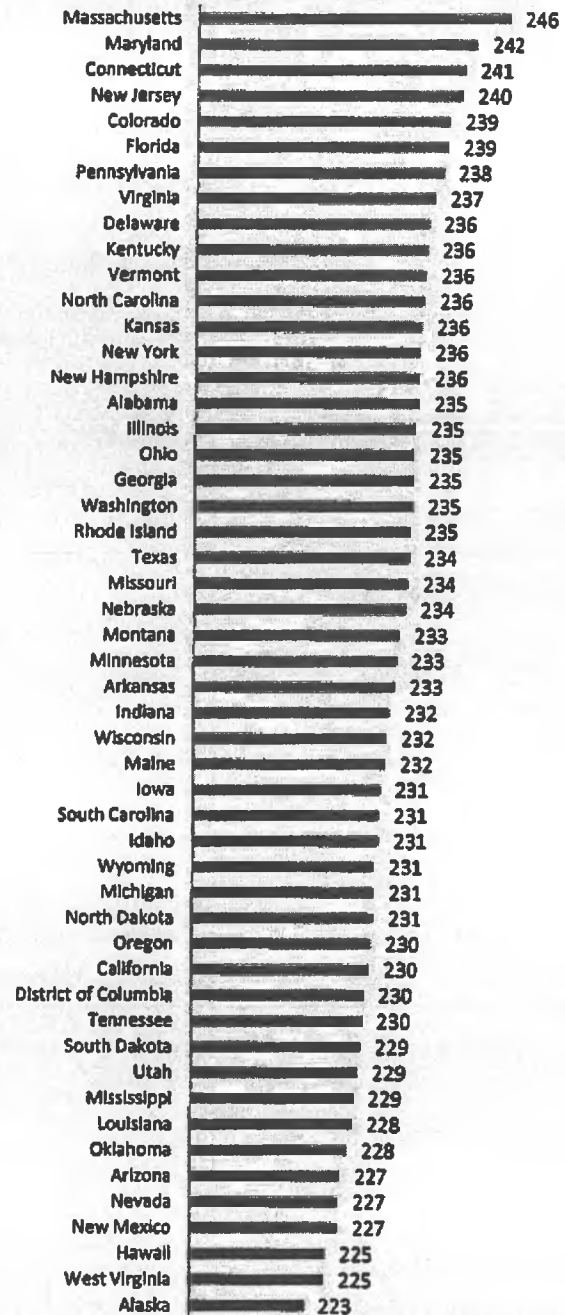
This paper will compare the condition of K-12 education in Alaska relative to other states, highlighting the urgent need for education reform in Alaska. Student achievement in this paper is approached from the perspective of the student's family economic situation. Though data are available comparing students on the basis of ethnic identification, *for the purpose of this paper, the assumption is made that the brightness of a child's mind and their ability to learn, is not closely linked to their ethnicity.*



### Low Achievement-- Not Just Our Low Income Kids

The bar charts on this page compare reading achievement specifically for upper and middle income students to illustrate that Alaska's K-12 education woes are not limited to impoverished villages and inner cities. The most recent data from the U.S. Department of Education's National Assessment of Education Progress (NAEP) clearly show that our significant problems in Alaska K-12 education include our upper and middle income kids as well.

### Upper and Middle Income 4th Grade Reading, 2011 NAEP



*Even Alaska's rich kids are doing poorly. Often the misconception is promoted that our low performance on national testing is exclusively attributable to schools in impoverished rural and urban areas.*

**What Defines Low or Upper-Middle Income and Why is That Important?**

The dividing line for determining if a child comes from a low or upper-middle income situation, is whether not their family qualifies for the U.S. Department of Agriculture's Child Nutrition Program, commonly refer to as the "Free or Reduced Lunch" (FRL) program.

FRL thresholds are based on 185% the official poverty rate. In Alaska, the threshold for FRL is 25% higher than the lower-48.

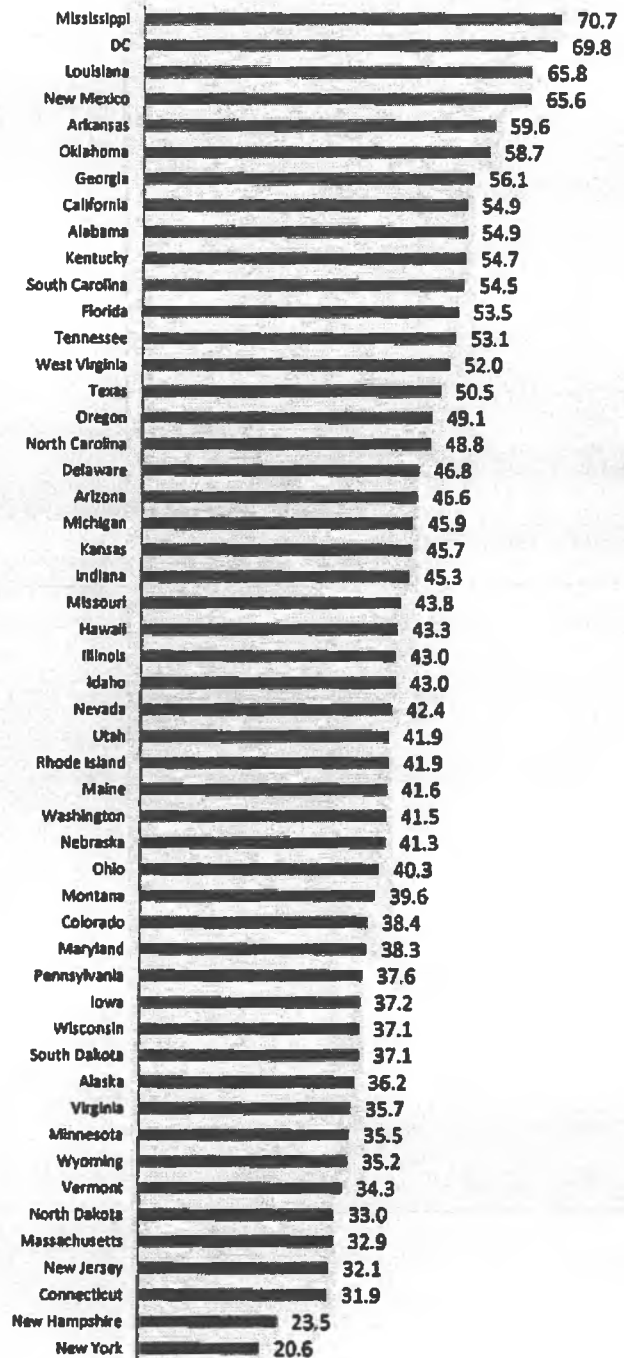


The Free and Reduced Lunch rate is important because low income is one of the key predictors of low academic achievement. In most states, low income kids lag 2-3 grade levels behind the academic achievement of their upper-middle income contemporaries. This is commonly referred to as the "achievement gap".

Alaska currently has an unusually large achievement gap between rich and poor students in most NAEP testing. Fortunately, poverty is not always an absolute predictor of low academic performance. Some shining examples of programs that have had great success despite crippling poverty are starting emerge. Programs like: The DC Opportunity Scholarship Program; The Milwaukee Parental Choice Program; American Indian Public Charter Schools; KIPP Academy; Rocketship Charter Schools and Carpe Diem are quickly dispelling the notion that poor kids are doomed to academic failure.

Though the challenges of low income levels in Alaska are very real bar chart on this page shows that Alaska's low-income student burden is significantly less than the average among the other states. (source: National Center for Education Statistics)

**Percentage of Student Who Qualify for Free or Reduced Lunch (FRL) 2011**



*Though the academic challenges of low income levels in Alaska are very real, the bar chart on above shows that Alaska's burden is significantly lower than the average among the other states and the District of Columbia.*

### The Bad News - 4th Grade Reading

According to the 2011 NAEP data, Alaska is at the bottom or near the bottom in 4th grade reading in nearly every way the data can be sliced. This is very troubling because of the great importance early childhood literacy has on future academic success.

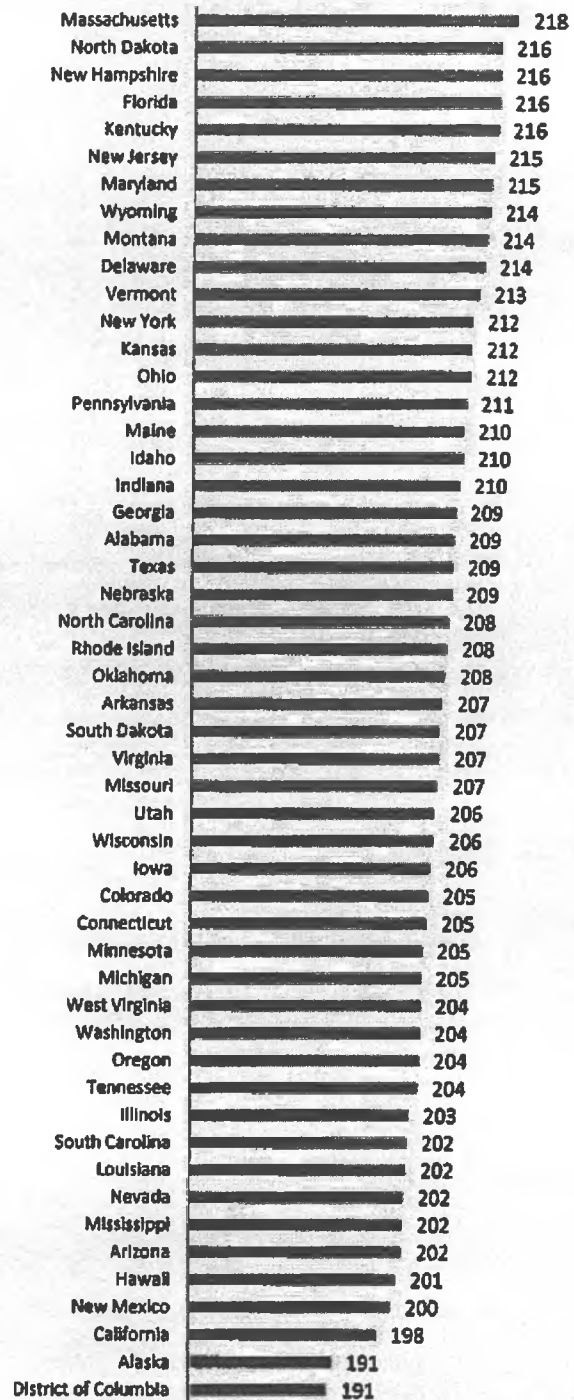


A common adage in education is that in kindergarten through third grade children "learn to read" so that they will be prepared to "read to learn" in later years. In a recent study by the Annie E. Casey Foundation, *Early Warning, Why Reading by the End of Third Grade Matters*, researchers note that children that have not learned to read to by third grade have a 75% chance of being poor readers in high school and subsequently a much higher chance of dropping out. In 2011 only 25% of 4th-graders in Alaska were "proficient" or above in reading by national standards. The figure was 13% for kids from low income families. Children who fail to learn to read by third grade can recover and catch-up later but it is a very painful and resource intensive process.

#### Bar Chart Interpretation

This paper uses bar charts to visually tell the story of where Alaska stacks up against other states in NAEP testing. Included in the bar charts are the raw scores attained by each state. It has been observed that kids progressing normally will add approximately 10 points to their NAEP test scores with every year of learning. As an example, in the bar chart on this page low-income Alaskan kids lag behind low-income kids Massachusetts by 27 points. In other words, *Alaskan low income 4th graders were almost three grade levels behind Massachusetts -- at age nine.*

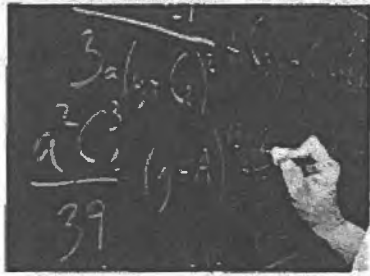
Low Income Students  
4th Grade Reading 2011 NAEP



*In 2011 only 25% of 4th-graders in Alaska were "proficient" or above in reading by national standards. The figure was 13% for kids from low income Alaska families*

**The Good News - 8th Grade Math**

**28th In the US - Alaska's High Point**



Alaska is not a bottom tier performer in all of the four main categories of NAEP testing. Our 8th graders were 28th in the nation in math for upper and middle income kids. Unfortunately, our mediocre ranking as Alaska's academic zenith, in a country that was ranked 33rd in 2010 for PISA math scores, is not much of a cause for celebration.

**Alaska 2011 NAEP Testing**

**UPPER and MIDDLE Income Rankings**

4th Grade Reading	50 <sup>th</sup> out of 50
4th Grade Math	44 <sup>th</sup> out of 50
8th Grade Reading	34 <sup>th</sup> out of 50
8th Grade Math*	28 <sup>th</sup> out of 50

\*Alaska's highest ranking out of the four primary measurements of the 2011 NAEP



**Alaska 2011 NAEP Testing**

**LOW Income Rankings**

4th Grade Reading	50 <sup>th</sup> out of 50
4th Grade Math	47 <sup>th</sup> out of 50
8th Grade Reading	49 <sup>th</sup> out of 50
8th Grade Math	32 <sup>nd</sup> out of 50

**K-12 Education Spending Per Capita  
State and Local Spending**

Table H-8, 2012 NEA Rankings and Estimates



### ***The Florida Example***

Though Alaska's NAEP scores have seen a slight improvement between 2003 and 2011, most states are seeing much more rapid progress.

Student growth has been especially dramatic in states like Florida that have aggressively embraced K-12 school reforms like: Expanded School Choice; scholarships for disabled students to attend private schools of their choosing; 3rd grade literacy requirements; simplified charter school authorizations; alternative teaching certifications allowing tradesmen and other professionals to teach their crafts in public schools without formal teaching certificates and an easy to understand A-F grading system to help parents easily identify the effectiveness of their schools.

Despite Alaska's rapid increases in K-12 budget growth at the state and local level, our increase in the four primary measurements of NAEP was only 6 points between 2003 and 2011. Florida saw a 25 points growth during the same period with very little budget growth.

Because of the way that Florida structured its reforms, low income students, and students with disabilities saw the most rapid academic gains.



***In 2011, low income Hispanic students in Florida scored higher in 4th grade reading than the average Alaskan 4th grader – from all ethnic and economic backgrounds. Florida achieved this while spending about half as much per student as Alaska.***



### ***Conclusion***

#### ***Education Reform - Why not Alaska?***

There's an urgent need for change. It's clear that Alaska's kids can't endure the status quo of our K-12 education system much longer.

Our schools are the best equipped and funded in the nation. Our kids are just as bright as anywhere else and our educators and parents are just as dedicated. Still, our state education system has let our kids down in epic fashion.

With our abundant resources and relatively low poverty, there are very few excuses for having a school system that produces among one of the largest achievement gaps between rich and poor while simultaneously posting some of the worst results for affluent kids anywhere.

There are plentiful examples of proven school reforms that are sweeping the nation and are producing dramatic improvements. Yet, we here in Alaska continue to employ an increasingly more expensive and dated version of the same K-12 education system that offers very little hope of improvement.

Of the priorities for government, there are very few that are more important than preparing the next the next generation with the skills to sustain and improve the achievements of those who came before. Without significant change soon, Alaska will fail in this most fundamental task of educating our kids. Leaving us with: -- *A State at Risk*.

**K-12 Education Spending Per Capita  
State and Local Spending 2008-09**

Table H-8, 2012 NEA Rankings and Estimates

Alaska	\$3,294
Wyoming	\$3,028
New Jersey	\$2,828
New York	\$2,754
Connecticut	\$2,385
Vermont	\$2,293
Rhode Island	\$2,059
Maryland	\$2,055
Delaware	\$1,998
Minnesota	\$1,998
Massachusetts	\$1,941
Texas	\$1,936
New Mexico	\$1,936
Kansas	\$1,927
Illinois	\$1,920
Pennsylvania	\$1,911
New Hampshire	\$1,911
Nebraska	\$1,907
Georgia	\$1,895
UNITED STATES	\$1,881
California	\$1,874
Ohio	\$1,869
Virginia	\$1,852
Wisconsin	\$1,843
Hawaii	\$1,814
Michigan	\$1,811
Iowa	\$1,804
South Carolina	\$1,795
Louisiana	\$1,772
Washington	\$1,768
Maine	\$1,757
Oregon	\$1,681
Alabama	\$1,667
North Dakota	\$1,655
Missouri	\$1,652
Arkansas	\$1,643
Colorado	\$1,635
Montana	\$1,635
Nevada	\$1,621
Indiana	\$1,605
West Virginia	\$1,593
Oklahoma	\$1,588
North Carolina	\$1,553
Utah	\$1,548
Mississippi	\$1,518
Florida	\$1,517
South Dakota	\$1,488
Kentucky	\$1,462
Arizona	\$1,378
Tennessee	\$1,337
Idaho	\$1,303

**4th Grade Reading Scores 2011  
Upper and Middle Income**

US Dept of Education, NAEP

Massachusetts	246
Maryland	242
Connecticut	241
New Jersey	240
Colorado	239
Florida	239
Pennsylvania	238
Virginia	237
Delaware	236
Kentucky	236
Vermont	236
North Carolina	236
Kansas	236
New York	236
New Hampshire	236
Alabama	235
Illinois	235
Ohio	235
Georgia	235
Washington	235
Rhode Island	235
Texas	234
Missouri	234
Nebraska	234
Montana	233
Minnesota	233
Arkansas	233
Indiana	232
Wisconsin	232
Maine	232
Iowa	231
South Carolina	231
Idaho	231
Wyoming	231
Michigan	231
North Dakota	231
Oregon	230
California	230
District of Columbia	230
Tennessee	230
South Dakota	229
Utah	229
Mississippi	229
Louisiana	228
Oklahoma	228
Arizona	227
Nevada	227
New Mexico	227
Hawaii	225
West Virginia	225
Alaska	223

## K-12 Education Spending Per Capita State and Local Spending

Table H-8, 2012 NEA Rankings and Estimates

Alaska	\$3,294
Wyoming	\$3,028
New Jersey	\$2,828
New York	\$2,754
Connecticut	\$2,385
Vermont	\$2,293
Rhode Island	\$2,059
Maryland	\$2,055
Delaware	\$1,998
Minnesota	\$1,998
Massachusetts	\$1,941
Texas	\$1,936
New Mexico	\$1,936
Kansas	\$1,927
Illinois	\$1,920
Pennsylvania	\$1,911
New Hampshire	\$1,911
Nebraska	\$1,907
Georgia	\$1,895
UNITED STATES	\$1,881
California	\$1,874
Ohio	\$1,869
Virginia	\$1,852
Wisconsin	\$1,843
Hawaii	\$1,814
Michigan	\$1,811
Iowa	\$1,804
South Carolina	\$1,795
Louisiana	\$1,772
Washington	\$1,768
Maine	\$1,757
Oregon	\$1,681
Alabama	\$1,667
North Dakota	\$1,655
Missouri	\$1,652
Arkansas	\$1,643
Colorado	\$1,635
Montana	\$1,635
Nevada	\$1,621
Indiana	\$1,605
West Virginia	\$1,593
Oklahoma	\$1,588
North Carolina	\$1,553
Utah	\$1,548
Mississippi	\$1,518
Florida	\$1,517
South Dakota	\$1,488
Kentucky	\$1,462
Arizona	\$1,378
Tennessee	\$1,337
Idaho	\$1,303

## 4th Grade Reading 2011 NAEP Low Income

US Department of Education

Massachusetts	218
North Dakota	216
New Hampshire	216
Florida	216
Kentucky	216
New Jersey	215
Maryland	215
Wyoming	214
Montana	214
Delaware	214
Vermont	213
New York	212
Kansas	212
Ohio	212
Pennsylvania	211
Maine	210
Idaho	210
Indiana	210
Georgia	209
Alabama	209
Texas	209
Nebraska	209
North Carolina	208
Rhode Island	208
Oklahoma	208
Arkansas	207
South Dakota	207
Virginia	207
Missouri	207
Utah	206
Wisconsin	206
Iowa	206
Colorado	205
Connecticut	205
Minnesota	205
Michigan	205
West Virginia	204
Washington	204
Oregon	204
Tennessee	204
Illinois	203
South Carolina	202
Louisiana	202
Nevada	202
Mississippi	202
Arizona	202
Hawaii	201
New Mexico	200
California	198
Alaska	191
District of Columbia	191



## Suggested Parental Support Activities

Encourage letter recognition at every opportunity - During stories or while driving.

Work with your child to break words into individual sounds (/c/.../a/.../t/).

Encourage your child to write letters and words and read what he/she has written.

Playing with words - Rhyming games, singing songs, and orally breaking words into syllables.

Read and have conversations about books with your child daily for at least **20 minutes**. Have your child read to you once he/she has become an independent reader.

Practice retelling stories with your child. Make-up stories to develop your child's vocabulary, creativity, comprehension, and language development.

Have a variety of books available for your child or visit your local library.

Model good reading habits.

## IDAHO STATUTE

Idaho Statute 33-1614 requires K-3 students in Idaho to be assessed as they develop critical reading skills. The purpose of the assessment, the Idaho Reading Indicator (IRI), is to indicate which children are most likely going to be at-risk of failure with skills that are prerequisite for being successful readers throughout life. As is written in the statute, "the state K-3 assessment test results shall be reviewed by school personnel for the purpose of providing necessary interventions to sustain or improve the students' reading skills."

## IRI Skills Tested

### KINDERGARTEN

- |  |  |
|--|--|
| <input type="checkbox"/> Fall                  | <input type="checkbox"/> Spring                |
| <input type="checkbox"/> Letter Naming Fluency | <input type="checkbox"/> Letter Sound Fluency  |
| <input type="checkbox"/> Letter Sound Fluency  | <input type="checkbox"/> Letter Naming Fluency |

### 1ST GRADE

- |   |   |
|---|---|
| <input type="checkbox"/> Fall                 | <input type="checkbox"/> Spring               |
| <input type="checkbox"/> Letter Sound Fluency | <input type="checkbox"/> Reading CBM          |
| <input type="checkbox"/> Reading CBM          | <input type="checkbox"/> Letter Sound Fluency |

### 2ND AND 3RD GRADE

- |                                      |                                      |
|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Fall        | <input type="checkbox"/> Spring      |
| <input type="checkbox"/> Reading CBM | <input type="checkbox"/> Reading CBM |



**For more information, please contact:**  
 Stephanie Lee  
 IRI Program Specialist  
 (208) 332-6903  
 SLee@sde.idaho.gov



## IDAHO READING INDICATOR (IRI) PARENT INFORMATION



Stephanie Lee  
 IRI Program Specialist  
 (208) 332-6903  
 SLee@sde.idaho.gov

## Dear Parents:

The Idaho Reading Initiative, enacted by the Idaho Legislature, was designed to ensure that all children in the State of Idaho will master the skills they need to become successful readers. It is our goal at the State Department of Education to work with you, your child's school, teacher, and school administrators to promote his/her reading success!

Your child's teacher and school are the best resources for information relating to your child's academic success.

**For questions or assistance regarding the IRI, contact:**  
Stephanie Lee  
IRI Program Specialist  
SLee@sde.idaho.gov

## Idaho Reading Indicator

### What is it?

The IRI is a screening assessment given to Idaho students in grades K-3, at least twice a year, fall and spring.

The most critical skills used to predict future reading success are tested, by trained proctors, at each grade level.

### What does it mean?

The IRI is a screening tool used to identify students' basic reading skills. It provides an early warning identifying students who might be "at risk" for reading difficulty.

## Scoring

**Benchmark or a 3:** reading skills at or above grade level

**Strategic or a 2:** reading skills near grade level

**Intensive or a 1:** reading skills below grade level

## Yearly Subtests

### Kindergarten

**FALL IRI SCORE BASED ON:**

**Letter Naming Fluency (LNF)** - Naming the correct case letter

**Letter Sound Fluency (LSF)** - Sounding out the correct letter

**LNF Skill Level (Goal) = 11**  
(LSF assessed as a baseline measure)

**SPRING IRI SCORE BASED ON:**

**Letter Naming Fluency (LNF)** - Naming the correct upper and lower case letter

**Letter Sound Fluency (LSF)** - Sounding out the correct upper or lower case letter

**LSF Skill Level (Goal) = 30**  
(LNF assessed as a baseline measure)

### First Grade

**FALL IRI SCORE BASED ON:**

**Letter Sound Fluency (LSF)** - Sounding out the correct upper or lower case letter

**Reading Curriculum-Based Measures (R-CBM)** Students read three similar passages, which are the same passages for each assessment. The median (middle) score from the three passages is the score that is recorded.

**LSF Skill Level (Goal) = 31**  
(R-CBM assessed as a baseline measure)

**SPRING IRI SCORE BASED ON:**

**Letter Sound Fluency (LSF)** - is also given in the spring as another measurement of student growth

**Reading Curriculum-Based Measures (R-CBM)** - is the indicator used to determine the spring score

**RCBM Skill Level (Goal) = 53**  
(LSF assessed as a baseline measure)

### Second Grade

**FALL AND SPRING IRI SCORE BASED ON:**

**Reading Curriculum-Based Measures (R-CBM)** Students read three similar passages, which are the same passages for each assessment. The median (middle) score from the three passages is the score that is recorded.

**Fall RCBM Skill Level (Goal) = 54**  
**Spring RCBM Skill Level (Goal) = 92**

### Third Grade

**FALL AND SPRING IRI SCORE BASED ON:**

**Reading Curriculum-Based Measures (R-CBM)** Students read three similar passages, which are the same passages for each assessment. The median (middle) score from the three passages is the score that is recorded.

**Fall RCBM Skill Level (Goal) = 77**  
**Spring RCBM Skill Level (Goal) = 110**

# Ending Social Promotion in New York City Public Schools Without Leaving Children Behind

RAND RESEARCH AREAS  
 CHILDREN AND FAMILIES  
 EDUCATION AND THE ARTS  
 ENERGY AND ENVIRONMENT  
 HEALTH AND HEALTH CARE  
 INFRASTRUCTURE AND TRANSPORTATION  
 INTERNATIONAL AFFAIRS  
 LAW AND BUSINESS  
 NATIONAL SECURITY  
 POPULATION AND AGING  
 PUBLIC SAFETY  
 SCIENCE AND TECHNOLOGY  
 TERRORISM AND HOMELAND SECURITY

Educators struggle with how best to handle students whose academic performance does not reflect readiness for the next grade by the end of the school year. While retaining these students in grade gives them an additional year to master the knowledge and skills for that grade, critics point out that the practice disproportionately affects low-income and minority children and is associated with low self-esteem, problem behaviors, and an increased risk of dropping out of school. However, promoting students who do not meet academic standards—also known as “social promotion”—puts students at a disadvantage by advancing them to a grade for which they are not prepared.

As part of an ambitious reform initiative, the New York City Department of Education (NYCDOE), the largest school district in the country, implemented a new promotion and retention policy for students in grade 3 during the 2003–2004 school year. The policy was extended to grade 5 in 2004–2005, grade 7 in 2005–2006, and grade 8 in 2008–2009. Under the policy, general education students in these grades are required to score at or above Level 2 on a four-level performance scale on the state English language arts and mathematics assessments in order to be promoted to the next grade. Performance at or above Level 3 is considered “proficient” under the No Child Left Behind Act and is a higher standard than the promotion benchmark.

NYCDOE’s policy is noteworthy in that it emphasizes identifying struggling students early; providing them with support services, such as additional instructional time; and continuously monitoring their progress. Under the policy, at-risk students are identified—based on their performance on the previous year’s assessments, teacher recommendations, or being previously retained in grade—and scheduled to receive support services in and outside of school. Students who do not pass

## Abstract

RAND researchers examined New York City’s test-based grade promotion and retention policy, focusing on 5th-grade students. The findings show that the support services provided under the policy helped students meet promotion criteria and that, overall, few students were retained. Furthermore, those who were retained did not report negative socio-emotional effects. Some of the positive effects from the support services continued into later grades, leading the researchers to recommend a continued emphasis on early identification and support of at-risk students, as well as continued monitoring of the longer-term effects of retention.

the spring assessments are enrolled in summer school. The policy also offers students multiple opportunities to meet promotion criteria.

From March 2006 through August 2009, RAND researchers analyzed the impact of NYCDOE’s policy on student outcomes, focusing on three cohorts of 5th-grade students held to the policy and one pre-policy comparison cohort. Using interviews, case studies, student surveys, and demographic and test score data, the researchers examined the implementation of NYCDOE’s grade promotion and retention policy and its impact on student academic and socioemotional outcomes over time.

## Few Students Were Retained Under the Policy

Overall, approximately 75 percent, or 60,000, 5th-grade students were held to the promotion policy in each of the three cohorts. About 20 percent of those students were categorized as need-

This product is part of the RAND Corporation research brief series. RAND research briefs present policy-oriented summaries of published, peer-reviewed documents.

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ing services upon entering the 5th grade. At the beginning of the year, more students needed services in English language arts than in mathematics, but by the end of the year, students were more likely to be retained for failing to meet promotion criteria in mathematics. Few students were retained under the policy, and the percentage of retained students dropped over time, from 2–3 percent in the first two cohorts to 1 percent in the third cohort (about 600 students out of approximately 58,000 students).

### **Supports Provided Under the Policy Helped Students Meet Promotion Standards**

The study found that the policy had positive effects on the achievement of in-need students during the 5th-grade year. The effects were stronger in English language arts than in mathematics. However, for the small group of students entering 5th grade with the lowest scores on the state assessments, additional promotion policy services during the school year had little effect on performance. More frequent attendance at Saturday classes and summer school was associated with greater improvements in mathematics performance.

### **The Positive Effects of the Policy Continued into Later Grades**

The study's findings showed that components of the promotion policy had positive effects for students that lasted into the 6th and 7th grades, including small, positive effects from early identification and intervention; small, positive effects from summer school; and moderate, positive effects from an additional year of instruction due to retention.

### **Retained Students Did Not Report Negative Socioemotional Effects**

The responses to student surveys indicated that retention did not have negative effects on students' sense of school belonging or confidence in mathematics and reading, even three years after being retained in grade. While this is counterintuitive, it is consistent with some prior studies.

### **School Staff Tended to Be Positive About the Policy**

In surveys and interviews, principals and teachers were positive about many aspects of the promotion policy; the majority agreed that the policy helped focus their schools'

instructional efforts and made parents more aware of their children's progress. However, the majority of respondents thought that the promotion policy relied too heavily on state assessment scores and, interestingly, that the policy made it more difficult to retain students who would benefit from being retained but had passed the test.

### **Several Policy Recommendations Emerge from the Findings**

The study's findings led to the following recommendations for policymakers and administrators. While targeted to New York City, these recommendations may also apply to other districts and states considering or implementing test-based promotion policies.

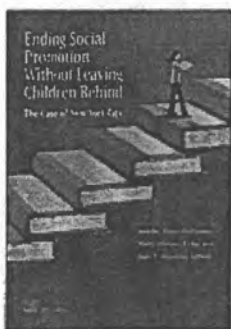
*Continue early identification of students and provision of academic intervention services.* The findings suggest that early identification and support services helped students meet promotion standards and improved student achievement in future grades. One-on-one tutoring was particularly helpful and should be continued and expanded when possible.

*Consider the expected duration and participation when designing Saturday programs.* The researchers found that attending at least seven sessions was associated with improved performance in mathematics. Thus, principals need to consider expected student attendance and program length before investing in such programs.

*Continue to encourage struggling students to attend summer school.* Summer school attendance appeared to have a positive relationship with student achievement, particularly in mathematics, and summer school may also have a positive impact on future achievement in grades 6 and 7.

*Analyze student-level data to evaluate the effectiveness of specific interventions provided to struggling students.* The study highlighted several instructional strategies that can help low-performing students. It is important to systematically collect and analyze data to determine each strategy's effectiveness.

*Continue to monitor the longer-term effects of retention on students.* Two of the most important questions are whether the short-term positive effects of the policy persist over the longer term and whether the policy is cost-effective, compared with alternatives. This study could not answer those questions, but they remain important topics for New York City to address in the future. ■



This research brief describes work conducted within RAND Education and documented in *Ending Social Promotion Without Leaving Children Behind: The Case of New York City*, Jennifer Sloan McCombs, Sheila Nataraj Kirby, and Louis T. Mariano, eds., MG-894-NYCDOE [available at <http://www.rand.org/pubs/monographs/MG894>], 2009, 308 pp., \$37, ISBN: 978-0-8330-4778-6. This research brief was written by Jennifer Li. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors. RAND® is a registered trademark.

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SCIENCE AND TECHNOLOGY  
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HOMELAND SECURITY  
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INFRASTRUCTURE  
WORKFORCE AND WORKPLACE

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## **Anchorage School District**

5530 E. Northern Lights Blvd.  
Anchorage, Alaska 99504-3135  
(907) 742-4000

March 3, 2013

Senator Gary Stevens  
State Capitol, Room 429  
Juneau, AK 99801-1182

Dear Senator Stevens,

I am writing to express the support of the Anchorage School District for the intent of Senate Bill 57 to increase support for K-12 education in Alaska.

### Section 3 – Notice of Non-Retention of Tenured Employees

ASD is especially supportive of Section 3 which would move the notice of non-retention of tenured employees from March 16<sup>th</sup> to May 15<sup>th</sup>.

ASD develops a balanced budget every year by matching staffing levels and expenditures to projected revenues. Projected revenues are developed based on highly likely revenues which typically include the state K-12 education foundation formula. ASD has not built its budget on what *might* be forthcoming from the legislative process that typically concludes in April. As a result, the district has had to issue notices of non-retention in March based on early revenue projections, only to rescind them in May based on the incremental funding that ultimately emerges from the Legislative process. ASD believes that employees are better served by limiting notice of non-retention to those employees who are highly likely not to be retained – a determination made much more certain after revenues from the legislative process can be reliably taken into account by the middle of May.

### Section 1 – DEED Promotion of Early Literacy

The Anchorage School District supports the promotion of early literacy to parents of students enrolled in kindergarten through third grade. ASD currently promotes early literacy through a variety of activities, including direct promotion of reading at parent meetings, family nights, literacy nights, parental referrals and the well-known "Battle of the Books" program.

While ASD understands and appreciates that not all districts provide this level of support and promotion of early literacy and that the Department of Education and Early Development may be well suited to support and promote early literacy in those districts, we are concerned that section 1 as currently written does not limit the Department to providing support where it may be needed. To avoid excessive duplication of efforts, ASD would like to encourage consideration of limiting DEED's literacy promotion mandate to those districts not currently engaged in those activities.

Section 2 - 100% of CPI for Transportation

Section 2 would increase the annual escalation in per pupil transportation program for school districts from roughly 60% of inflation under current law to 100% of the Anchorage consumer price index.

ASD remains concerned that operating expenses are increasing for transportation and other areas without additional funding, despite our strong efforts to curb unreasonable growth. We also recognize that the governor and the legislature may have to restrain spending growth to enable the state to save for years when oil revenue is smaller and that downward adjustments in statutory formulas may be necessary as oil revenues decline. In addition, it is noted that when state oil revenues declined in the 1980s, the transportation program increased and support for direct instruction declined. Increasing the transportation reimbursement rate to 100% of CPI now, while holding the base student allocation at 0% of CPI, may not yield results that are much different.

ASD would like to encourage collective consideration of how the state and school districts can work together to exercise fiscal restraint across all support functions in order to sustain direct classroom instruction over the long term. Along those lines, supporters of education may wish to consider targeting additional transportation support toward initiatives that also expand school choice and improve access for all students to high quality instruction within our existing schools.

Sincerely,



Jim Browder, Ed.D.  
Superintendent



## FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

520 Fifth Avenue Fairbanks, Alaska 99701-4756 (907) 452-2000

www.k12northstar.org



February 22, 2013

Senator Stevens  
State Capitol Room 429  
Juneau, AK 99801

Senator Stevens:

The Fairbanks North Star Borough School District is supportive of Senate Bill 57. This bill provides for Early Literacy information to be disseminated to parents and guardians of students enrolled in kindergarten through grade three. Providing parents with the tools necessary to assist their child in learning to read is a positive step in preparing for success in school.

Section 2 of the bill calls for a change in the inflator from 1.5 percent to the Anchorage Consumer Price Index (CPI). This will match our Transportation Contract Agreement and will fully fund pupil transportation. This too, is a positive move as it keeps our district from using operating dollars for pupil transportation.

Section 3 changes the effective date for employers' notification of nonretention or layoff to tenured teachers from March 16 to May 15. Currently, school districts are forced to make early decisions and often adopt a conservative approach to notify teachers without having budget information from the state or borough. This bill would enable districts to have a more accurate budget picture and eliminate the need to impact teachers unnecessarily.

We appreciate your introduction of this bill.

Respectfully,

Pete Lewis  
Superintendent of Schools

cc: FNSB Board of Education

**SALLY SADDLER**

**PO Box 21356  
Juneau, Alaska  
99802.1356**

**Email: [sak@eci.net](mailto:sak@eci.net)  
Phone: 907.723.2114**

20 February 2013

The Honorable Gary Stevens  
Alaska State Senate  
Alaska State Capitol, Room 429  
Juneau, Alaska 99801.1182

Dear Senator Stevens:

I write in support of SB57 School Literacy, Transportation and Teacher Notices. I am a member of the Juneau School Board and am currently serving my fifth year in this capacity. The opinions in this letter are my own, as our board has not yet had an opportunity to meet and take a position on this legislation.

Thank you for introducing this bill, which contains several low-cost provisions to help improve the work we do in the Juneau Schools.

Our board understands the importance of having students able to enter school ready to learn.


Section 1 of this bill directly addresses our indicator of success that all students enter school ready to learn. We realize that up to third grade students *learn to read*. After that they *read to learn*. Anything that can be done to support parental and community understanding of the importance of early literacy is a winner in my opinion. Further, it can have the effect of saving schools the cost of remedial literacy at later grades.

Section 2 of the bill will address an anticipated shortfall in our pupil transportation account given the current statutory inflation adjustment is fixed at 1.5%. Changing the adjustment to the Anchorage CPI is aligned with our pupil transportation contract.

Section 3 aligns the date for notifying teachers of non-retention to a date after which districts have received the final state budget allocation from the legislature. This means we don't have to over issue lay-off notices while estimating what the legislature will actually fund. While it may be perceived as controversial by some unions, I believe it actually has the potential to minimize unnecessary reductions and disruptions of people's livelihoods. The section 5 effective date ensures no current contract would be retroactively subjected to this provision.

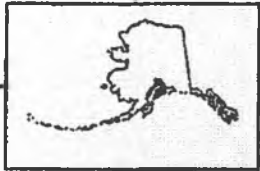
Thank you for the opportunity to comment on this legislation.

Sincerely,



Sally Saddler

Cc: Members of the Juneau School Board



## KENAI PENINSULA BOROUGH SCHOOL DISTRICT

### Office of Superintendent

Dr. Steve Atwater, Superintendent of Schools  
148 North Binkley Street Soldotna, Alaska 99669-7553  
Phone (907) 714-8888 Fax (907) 262-9132

February 18, 2013

Senator Gary Stevens  
State Capitol Room 429  
Juneau, AK 99801

Dear Senator Stevens:

I am writing on behalf of the Kenai Peninsula Borough School District (KPBSD) to support Senate Bill 57 as introduced. I will address each of the bill's three sections and offer reasons for my support.

Section I proposes to revise AS 14.03 by requiring the Department of Education and Early Development to provide parents of students in kindergarten through third grade with information on early literacy acquisition including strategies for intervention. KPBSD is pleased to see this new layer of parental support. As you know, academic success hinges on literacy acquisition; this amendment will help to ensure that this is the case for all of Alaska's children.

Section II of the bill amends AS 14.09.010 to annually adjust the per student amount for student transportation by the amount of change to the Consumer Price Index. This is a welcome and necessary addition for KPBSD.

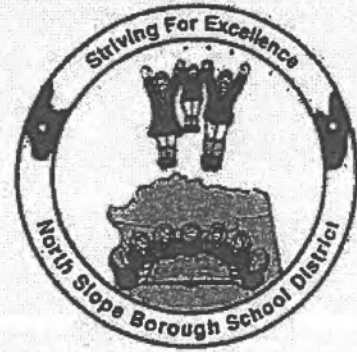
Section III of the bill amends AS 14.20.140 by extending the date of tenured teacher contract notification from March 15, to May 15. This change will provide KPBSD more time to react to a shortfall in revenue. Further, it will allow the district to extend its period of teacher evaluation. Finally, it should be noted that the change in date does not preclude the district from offering a contract to a tenured teacher prior to May 15. I suspect that the majority of such contracts would not be held until May.

Please let me know if I can provide more information on why KPBSD supports SB 57. I view the proposed changes as positive for KPBSD and for all Alaska districts.

Sincerely,

Steve Atwater, Ph.D.  
Superintendent of Schools

# NORTH SLOPE BOROUGH SCHOOL DISTRICT



## Nunamit Wolves Amaut

Nunamit School  
P.O. Box 21029  
Anaktuvuk Pass, Alaska 99721  
(907) 881-3228  
FAX (907) 661-6215

## Aiqasuk Eagles Tinmiapattich

Meads River School  
P.O. Box 91030  
Aiqasuk, Alaska 99791  
(907) 633-6315  
FAX (907) 633-6215

## Barrow Whalers Aqvlastuafti

Barrow High School  
P.O. Box 980  
Barrow, Alaska 99723  
(907) 852-8950  
FAX (907) 852-8889

## HMS Wolves Amaut

Eben Hopson, Sr., Memorial Middle School  
P.O. Box 509  
Barrow, Alaska 99723  
(907) 852-3880  
FAX (907) 852-7794

## Arctic Foxes Titiannat

Fred Ipalook Elementary School  
P.O. Box 480  
Barrow, Alaska 99723  
(907) 852-4711  
FAX (907) 852-4713

## Kita Snowy Owls Ukallivch

Kita Learning Community  
P.O. Box 169  
Barrow, Alaska 99723  
(907) 852-9877  
FAX (907) 852-4334

## Kaveoook Rams Innaivch

Harold Kaveoook School  
P.O. Box 20  
Kaktovik, Alaska 99747  
(907) 640-6626  
FAX (907) 640-6718

## Nulagut Trappers Naniqtaqtuati

Trapper School  
P.O. Box 89167  
Nulagut, Alaska 99789  
(907) 480-6712  
FAX (907) 480-6621

## Tikiqqa Harpooners Kapuati

Tikiqqa School  
P.O. Box 148  
Point Hope, Alaska 99786  
(907) 368-2662/2663  
FAX (907) 368-2770

## Kali Qavvittich

Kali School  
P.O. Box 59077  
Point Lay, Alaska 99759  
(907) 833-2311  
FAX (907) 833-2315

## Alak Huskies Qimuktii

Alak School  
P.O. Box 10  
Wainwright, Alaska 99782  
(907) 763-2541  
FAX (907) 763-2585

February 20, 2013

The Honorable Gary Stevens  
Alaska State Senate  
Alaska State Capitol  
Room 429  
Juneau, AK 99801

Dear Senator Stevens,

We are writing today to strongly support SB57 as introduced in the Senate last week. The first section requiring the provision of information to kindergarten through grade three parents is straightforward.

The second section, which will set the Anchorage CPI as the adjustment for Pupil transportation reimbursement is vitally important to sustaining safe pupil transportation here in the arctic. We want to thank you personally, Senator Stevens, for keeping instructional funds in the classroom by fixing the Pupil Transportation Reimbursement Program.

The third section simply moves the notice of non-retention of tenure from March 16<sup>th</sup> to May 15, which improves our ability to complete the current school year yet deal with personnel issues. Concomitantly, Section 5 is the applicability section that applies to section three because the change in statute cannot break current contractual agreements, and thus we support it as well.

Please do not hesitate to contact me with any questions you have in regards to the North Slope Borough School District. Thank you.

Sincerely,

Peggy Cowan  
Superintendent

Cc: Senator Donald Olson  
Representative Benjamin Nageak  
Representative Lynn Gattis

Letter No. 13-136

Box 169 Barrow, Alaska 99723 (907) 852-5311 Fax (907) 852-9503

Letter in support of HB 197 Learn to Read; Read to Learn

As a longtime advocate for improving public education, HB 197 is the number one priority for legislation that I'm supporting in Juneau this year. Early childhood literacy is at crisis proportions in Alaska. In the 2013 NAEP test scores for low-income kids we dropped to 51st (behind low-income kids in DC) in 4th grade reading. Our upper and middle income kids are not doing much better. In 2013 they dropped to 49th in NAEP testing when we were 44th just 10 years ago.

I have attended dozens of K-12 education conferences all over the US and I have not come across a more effective method of improving student outcomes than legislation setting the standards for minimum 3rd grade literacy.

Large quantities of research indicate that when kids do not attain basic literacy by age 9 or 10 they are unlikely to catch-up later. Social promotion of illiterate students at the critical transition of using reading skills to learn is not doing any favors to those children.

Nearly identical legislation is already in effect in a dozen states and it has been producing fantastic results. Florida, was the first to try this legislation back in 2002. In the 2003 NAEP testing Florida was 28th in low-income 4th grade reading. By 2013 they were 1st.

According to 2013 NAEP test scores, low income Hispanic 4th graders in Florida read at a higher comprehension level than the average Alaskan 4th grader.

It's interesting to note that according to the latest NEA publication, *Rankings and Estimates*, Alaska was 1st in per capita K-12 funding in 2010 and Florida was 48th.

Our kids are bright;  
Our teachers are dedicated;  
Our parents are loving;  
There's no reason we can't do better.

Bob Griffin

Anchorage School District  
Budget Advisory Commission  
Chairman

Quinn Kendall J.D.  
Director of Government Relations  
Mobile: 314-288-9300  
Email: Quinn@digitallearningalliance.org  
1725 I Street, NW, Suite 300. Washington D.C. 20006

February 14, 2014

Dear Members of the Alaska Legislature:

On behalf of the Digital Learning Alliance, we write in support of HB 197: Requiring the establishment of reading program in school districts for grades kindergarten through three.

Digital Learning Alliance is a national non-profit organization that works to improve economic growth across America by advocating for personalized education through the use of digital learning technologies. We accomplish this mission as we empower legislators and education players with technology solutions in pre-K-12, higher education, and adult learning, resulting in the skilled workforce of the future.

A recent report from the National Assessment for Education Statistics stated that **37% of 4<sup>th</sup> grades cannot read at grade level.** This epidemic causes for states to fall behind in producing a competent and educated workforce. A recent study by the National Conference of State Legislatures stated that **for every \$1 spent on education yields \$8 in return on investment (ROI).** Based off of this information we commend Representative LeDoux for taking the necessary precautions to ensure students are equipped with essential skills .

The Alaska Legislature should approve this legislation and likewise, continue to develop proactive measures to pave the way for the implementation of quality digital education solutions. The Digital Learning Alliance stands ready to work with you to develop a proposal that best protects Alaska's students.

All our best,

Quinn Kendall,  
Director of Government Relations; J.D.

1725 I Street, NW, Suite 300 • Washington, DC 20006- 314-288-9300 • [www.DigitalLearningAlliance.org](http://www.DigitalLearningAlliance.org)

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Bob Griffin

Anchorage School District  
Budget Advisory Commission  
Chairman

April 3, 2014

To Whom It May Concern,

I am writing to support HB197 – the Learn to Read, Read to Learn bill. As a teacher with the Anchorage School District for 22 years I know the importance of literacy for a student's success in all academic settings and in life. I also over my 22 years know that ASD has made literacy a focus and implemented policies for identifying students who were not reading at grade level followed by intervention plans for supporting students to learn to read. But ASD does also allow social promotion which many times allows students that do not have the reading skills to be successful in the next grade to advance anyway (hoping for the best - that interventions, time, maturity, *something* will make it work )

Research shows us that there is a definite correlation between the ability to read by 3<sup>rd</sup> grade and reducing high school drop out rates and improving student achievement on reading tests.

I support HB197 as it addresses a problem head on. It is very disconcerting that our schools are amongst the highest funded in the Nation and our kids are just as bright as anywhere else and our educators and parents are just as dedicated and yet we are at the bottom for achievement (4<sup>th</sup> grade NAEP scores 2011 )

Literacy is a responsibility for students, parents, schools and government. We need to make a commitment to take a stand for the importance of literacy and to raise the accountability for that responsibility.

HB197 provides a policy that guides the following factors:  
**Identification** of students who are not reading at grade level,  
**Communication** - Parental Communication on literacy acquisition/strategies for intervention and support activities.  
**Training** for all "Stakeholders" parents, teachers, students – provide intervention training and involvement for research based best practice  
**Intervention** practices (recommended and/or required that involves teacher, student, family and school district to create a plan for the student),

**Retention** - the accountability piece –This is one part of the bill that will provide incentive for greater parental involvement. And the bill is modeled after other (ie. Florida) successful reading programs which provides for “good cause exemptions” so that only students that will benefit from the policy will be included.) Please note: retention is not the goal, student academic success and literacy is the goal.

I have cut and pasted paragraphs that are compelling that were part of the files to support the bill.

Retention itself is not the goal here, it's strong instruction and intervention coupled with the test-based promotion that makes it a successful combination. In addition to Florida data

**PROMOTING ILLITERACY: THE HARMFUL IMPACTS OF PREVAILING POLICY**

Each year, millions of children, including a disproportionately high number of low-income and minority children, fail to learn basic literacy skills in the developmentally critical grades. Rather than addressing these problems head on, standard practice involves simply socially promoting students to the next grade. Our collective failure to reform this shameful practice preserves a system of schooling that routinely gives the least to the students who start with the greatest needs. For students, the impact lasts a lifetime.

The prevailing practice of social promotion proves especially destructive for children in the early grades. Learning to read does not get easier with age. As a result, illiterate 3<sup>rd</sup> graders move on to become illiterate 4<sup>th</sup> graders, and then 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> graders.

“Education Reform – Why not Alaska ?  
There are plentiful examples of proven school reforms that are sweeping the nation and are producing dramatic improvements.” Bob Griffin

**Our students deserve no less. Please support HB197.**

**Thank you,**  
**Lynnette Sullivan**  
ASD K-12 EdTech Coach, K-6 teacher

April 13, 2014

Dear House Finance Committee Members,

As a teacher of early primary children for nearly a quarter of a century, I feel compelled to **speak out against HB 197**. My goal as a teacher is to help build a more literate, thinking and compassionate citizenship in Alaska. I have spent most of my adult life trying to teach children to think, speak, write and read all in the context of where we live, challenges we have, and content we need to learn. I have been a life long learner trying to keep up with current research in ways to best teach literacy so that I can meet the diverse needs of all my students.

I am committed to improving student literacy, especially in the critical early years. In order to ensure the success of all students by the third grade our state would be better served to rigorously support early prevention of school failure rather than focusing on retention. Support of quality preschool and early literacy programs could do much to pave a way to success for children. I also believe no classrooms K-3 in our state should have more than 20 students *especially* in Title I schools. I have taught 29-30 students this year in 1<sup>st</sup> grade in a Title I school. It has been stressful on the students and myself. Curriculum is hard to implement when we spend so much time on classroom management. My time is pulled so many ways each and every day that I cannot give enough attention to all who need extra help to succeed. The single most effective strategy to get kids reading and writing by the 3<sup>rd</sup> grade is to lower the class size and provide students with the help they need early in their school career. If a child comes to school from a home that does not have books, magazine, newspapers, and never has been on "mother's knee" being read to in his/ her early life... he/she is already at a disadvantage of being on grade level in reading by 3<sup>rd</sup> grade. Certified reading specialists at each elementary school could help improve reading instruction on the early grades.

I have talked at length with Rep. LeDoux and Senator Stevens when I came to Juneau in late March. My appreciation is sincere for their interest in early primary reading success. I do feel this is an area that is often overlooked because high stakes testing does not take place in K-2 so resources are more likely provided for those grades that are tested. However, retention most times is not appropriate if a child has learning disabilities. I would like to explore Senator Steven's ideas on tutoring programs for early prevention of school failure rather than waiting for the failure that comes from neglecting the needs of early primary kids. Retention is punitive and usually not effective. Let's invest in PREVENTION of early school failure by early intervention and support of at risk learners.

Thank-you,

Christine Pearsall Villano

2142 Bridgewater Drive

Fairbanks, Alaska 99709