

ACT #2019- 523

1 HB388
2 200613-3
3 By Representatives Collins and Baker
4 RFD: Education Policy
5 First Read: 09-APR-19



1
2 ENROLLED, An Act,

3 Relating to public education; to establish the
4 Alabama Literacy Act; to implement steps to improve the
5 reading proficiency of public school kindergarten to third
6 grade students and ensure that those students are able to read
7 at or above grade level by the end of the third grade by
8 monitoring the progression of each student from one grade to
9 another, in part, by his or her proficiency in reading.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. This act shall be known and may be cited
12 as the Alabama Literacy Act.

13 Section 2. For the purposes of this act, the
14 following terms shall have the following meanings:

15 (1) ALPHABETIC PRINCIPLE. The ability to accurately
16 apply knowledge of the relationship between letters and sounds
17 during the acts of encoding and decoding.

18 (2) COMPREHENSION. The ability to read and process
19 text and understand its meaning.

20 (3) DECODING. The act of applying knowledge of the
21 alphabetic principle to correctly pronounce written words.

22 (4) DYSLEXIA. A specific learning challenge that is
23 neurological in origin. It is characterized by difficulties
24 with accurate or fluent, or both, word recognition and by poor
25 spelling and decoding abilities, which typically result from a

1 deficit in the phonological component of language that is
2 often unexpected in relation to other cognitive abilities and
3 the provision of effective classroom instruction.

4 (5) ENCODING. The act and process of using knowledge
5 of the relationships between sounds and letters to spell and
6 write words.

7 (6) FLUENCY. The ability to read with accuracy,
8 appropriate rate, and proper expression.

9 (7) PHONEMIC AWARENESS. The ability to hear,
10 identify, and manipulate individual sounds. Phonemic awareness
11 is an auditory activity.

12 (8) PHONICS. The relationships between the letters
13 of written language and the individual sounds of spoken
14 language including syllable types, morphology of Greek and
15 Latin roots, and multisyllabic words.

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

18 (10) VOCABULARY. The body of written or oral
19 language known to an individual.

20 Section 3. (a) The State Superintendent of Education
21 shall convene a standing task force, within three months after
22 the effective date of this act, to provide recommendations for
23 comprehensive core reading and reading intervention programs,
24 a state continuum of teacher development for approved science
25 of reading pursuant to subsection (e) of Section 6, and an

1 annual list of vetted and approved assessments which are valid
2 and reliable reading screening, formative, and diagnostic
3 assessment systems for selection and use by local education
4 agencies. The task force shall meet in regular session at
5 least twice a year. All appointing authorities shall
6 coordinate their appointments so that diversity of gender,
7 race, and geographical areas is reflective of the makeup of
8 this state. The membership of the task force shall include all
9 of the following appointees, each of whom shall have at least
10 three years of experience with scientifically based reading
11 instruction:

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

14 (2) One public K-12 special education teacher
15 appointed by the State Superintendent of Education.

16 (3) ~~One~~ Three Certified Academic Dyslexia Therapist,
17 who has been so certified for a minimum of three years,
18 appointed by the Alabama branch of the International Dyslexia
19 Association.

20 (4) Two public school principals appointed by the
21 Executive Director of the Council for Leaders in Alabama
22 Schools.

23 (5) One local superintendent of education appointed
24 by the Executive Director of the School Superintendents of
25 Alabama.

1 (6) One local board of education member appointed by
2 the Alabama Association of School Boards.

3 (7) One Regional Education Lab member appointed by
4 the State Superintendent of Education.

5 (8) One early childhood educator appointed by the
6 Secretary of the Alabama Department of Early Childhood
7 Education.

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

10 (b) Each approved assessment system shall do all of
11 the following:

12 (1) Provide screening and diagnostic capabilities
13 for monitoring student progress.

14 (2) Measure, at a minimum, phonological awareness,
15 the alphabetic principle, decoding, encoding, accuracy,
16 vocabulary, and comprehension.

17 (3) Identify students who have a reading deficiency,
18 including identifying students with characteristics of
19 dyslexia.

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

1 (1) The time required to conduct the assessments,
2 with the intention of minimizing the impact on instructional
3 time.

4 (2) The level of integration of assessment results
5 with instructional support for teachers and students.

6 (3) The timeliness in reporting assessment results
7 to teachers, administrators, and parents.

8 Section 4. (a) Funds appropriated by the Legislature
9 in support of the Alabama Reading Initiative shall be
10 allocated to support the following:

11 (1) Local education agencies to support local
12 reading specialists.

13 (2) The Alabama Summer Achievement Program.

14 (3) Regional literacy specialists.

15 (4) Preservice and inservice teacher professional
16 learning activities for elementary school teachers in reading.

17 (5) Curricula to support student interventions.

18 (6) State administration.

19 (b) Funds dedicated to the Alabama Reading
20 Initiative shall be expended on local and regional reading
21 specialists, professional learning activities, and
22 administrative activities that support all of the following
23 activities for kindergarten through third grade students in
24 public K-12 schools; continued funding shall be contingent on

measurable performance growth, as determined by the task force established under subsection (a) of Section 3:

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

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

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

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

(c) Alabama Reading Initiative regional literacy specialists shall provide support to local education agencies through a gradual release model, whereby the regional reading specialist shall support a struggling school until that school has improved core instruction to the extent that it is no longer among the lowest five percent of elementary schools in reading proficiency, as determined by annual results of the

1 state summative assessment for federal and statewide
2 accountability.

3 (1) Regional literacy specialists shall provide
4 intensive support for elementary schools that are among the
5 lowest performing five percent of elementary schools. Each
6 school among the lowest five percent performing elementary
7 schools shall be assigned a regional literacy specialist who
8 shall serve as a resource for professional development
9 throughout the school to improve literacy instruction and
10 student achievement. A regional literacy specialist who is
11 assigned to a school shall primarily serve only that school.

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

1 selecting the schools where a regional literacy specialist
2 shall serve. There shall be two levels of limited literacy
3 support provided by a regional literacy specialist. The local
4 superintendent of education of a local education agency
5 subject to this subdivision shall determine the level of
6 limited support that each regional literacy specialist shall
7 provide.

8 a. Limited support 1. An Alabama Reading Initiative
9 regional literacy specialist shall make monthly onsite visits
10 to the school and shall monitor the reading progress of all
11 students a minimum of three times per year and adjust
12 instruction according to student specific need.

13 b. Limited support 2. An Alabama Reading Initiative
14 regional literacy specialist shall make quarterly onsite
15 visits to the school and shall monitor the reading progress of
16 all students a minimum of three times per year and make
17 instruction adjustment recommendations according to student
18 specific need.

19 (3) An Alabama Reading Initiative regional literacy
20 specialist shall have all of the following minimum
21 qualifications:

22 a. The required Alabama Professional Educator
23 Certificate.

24 b. A bachelor's degree and advanced coursework or
25 professional development in the science of reading,

1 multisensory language instruction, such as Language Essentials
2 for Teachers of Reading and Spelling, or a comparable
3 alternative training approved by the State Board of Education.

4 c. A minimum of four years of experience as a
5 successful elementary or literacy teacher.

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

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

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

14 (d) An Alabama Reading Initiative local reading
15 specialist shall be assigned to provide intensive, targeted
16 professional development for elementary school teachers at one
17 school.

18 (1) An Alabama Reading Initiative local reading
19 specialist shall have all of the following minimum
20 qualifications:

21 a. The required Alabama Professional Educator
22 Certificate.

23 b. A bachelor's degree and advanced coursework or
24 professional development in the science of reading, such as

1 multisensory language instruction, or comparable alternative
2 training approved by the State Board of Education.

3 c. A minimum of two years of experience as a
4 successful elementary or literacy teacher.

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

9 e. A strong knowledge base in the science of
10 learning to read and the science of early childhood education.

11 f. Excellent communication skills with outstanding
12 presentation, interpersonal, and time management skills.

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

16 a. Collaborating with the principal to create a
17 strategic plan for coaching.

18 b. Facilitating schoolwide professional development
19 and study groups.

20 c. Modeling effective reading instructional
21 strategies for teachers.

22 d. Coaching and mentoring teachers daily.

23 e. Facilitating data analysis discussions and
24 support teachers by using data to differentiate instruction
25 according to the needs of students.

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

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

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

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

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

1 (1) The State Superintendent of Education, or his or
2 her designee, shall certify that each Alabama Reading
3 Initiative regional literacy specialist or local reading
4 specialist satisfies the minimum qualifications provided by
5 this act before coaches are hired with funds appropriated by
6 the Legislature to support the Alabama Reading Initiative.

7 (2) The State Superintendent of Education shall
8 develop an evidence-based accountability reporting system for
9 the Alabama Reading Initiative that shall measure student
10 growth and proficiency towards teacher professional learning
11 goals and student performance on state approved formative and
12 summative assessments.

13 (3) The State Superintendent of Education shall
14 submit a report to the Governor, the Lieutenant Governor, the
15 Speaker of the House of Representatives, the President Pro
16 Tempore of the Senate, and the Chairs of the House Ways and
17 Means Education Committee, Senate Finance and Taxation
18 Education Committee, House Education Policy Committee, and
19 Senate Education Policy Committee, no later than December 31,
20 annually, on the status of teacher professional learning,
21 student growth and proficiency against grade level standards
22 in K-3 reading.

23 Section 5. (a) To ensure that public school students
24 are able to read at or above grade level by the end of third
25 grade, each local education agency shall offer a comprehensive

1 core reading program to all students based on the science of
2 ~~reading which develops foundational reading skills. reading~~
3 which develops foundational reading skills. In addition, no
4 school district may use any curriculum for public K-3 students
5 that does not have instructional time included

6 ~~In addition, no school district may apply for or~~
7 ~~receive any grant to be used for any public school K-3 student~~
8 ~~curriculum that does not have instructional time included.~~

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

1 characteristics of dyslexia and all struggling readers. The
2 reading intervention program shall do all of the following:

3 (1) Provide explicit, direct instruction that is
4 systematic, sequential, and cumulative in language
5 development, phonological awareness, phonics, fluency,
6 vocabulary, and comprehension, as applicable.

7 (2) Provide daily targeted small group reading
8 interventions based on student need in phonological awareness,
9 phonics including decoding and encoding, sight words,
10 vocabulary, or comprehension.

11 (3) Be implemented during regular school hours.

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

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

24 (2) A description of the current services that are
25 provided to the student.

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

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

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

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

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

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

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

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

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

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

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

23 (1) Summer reading camps shall be staffed with
24 highly effective teachers of reading as demonstrated by
25 student reading performance data, completion of multisensory

1 structured language education, and teacher performance
2 evaluations.

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

7 (3) Summer reading camps, at a minimum, shall
8 include 70 hours of time in scientifically based reading
9 instruction and intervention.

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

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

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

22 (1) The program shall be administered and funded by
23 the allocation provided in subdivision (2) of subsection (a)
24 of Section 4.

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

15 (3) The State Superintendent of Education shall
16 provide guidelines for the administration of the Alabama
17 Summer Achievement Program, and shall oversee all of the
18 following:

19 a. The administration of the Alabama Summer
20 Achievement Program in the lowest five percent performing
21 elementary schools.

22 b. The response to instruction process in the lowest
23 five percent performing elementary schools.

24 c. The Alabama Reading Initiative regional literacy
25 specialists and local reading specialists.

1 d. All other aspects of implementation of this act
2 including, but not limited to, collaboration among State
3 Department of Education staff and the task force established
4 under subsection (a) of Section 3 to improve the reading
5 proficiency of public K-3 students and implementation of rules
6 adopted by the State Board of Education.

7 e. The implementation of rules adopted by the State
8 Board of Education pertaining to dyslexia.

9 f. Collaboration with the Alabama Reading Initiative
10 state staff and the Alabama Department of Early Childhood
11 Education for appropriate professional learning approved by
12 the State Department of Education.

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

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

1 provide all of the following services for third grade students
2 identified with a reading deficiency, and those services may
3 be funded with funds received through the allocation provided
4 in subdivision (2) of subsection (a) of Section 4:

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

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

11 a. Additional instructional time devoted to
12 scientifically based and evidence based reading instruction
13 and intervention.

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

20 c. Daily targeted small group reading intervention
21 based on student need.

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

1 e. Frequent monitoring of the progress of the
2 reading skills of each student throughout the school year and
3 adjusting instruction according to student need.

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

7 (4) A read at home plan, including participation in
8 parent training workshops or regular parent guided home
9 reading activities.

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

17 (1) Scoring above the lowest achievement level, as
18 determined by rule of the State Board of Education, on a board
19 approved assessment in reading as provided in Section 3.

20 (2) Earning an acceptable score on an alternative
21 standardized reading assessment as determined and approved by
22 the State Superintendent of Education.

23 (3) Demonstrating mastery of ~~all third grade~~ third
24 grade minimum essential state reading standards as evidenced
25 by a student reading portfolio. The State Superintendent of

1 Education and the task force established under subsection (a)
2 of Section 3 shall establish criteria for ~~the~~ minimum
3 essential standards and the student reading portfolios and a
4 definition of what constitutes mastery of all third grade
5 state reading standards.

6 (i) If a student does not demonstrate sufficient
7 reading skills on one of the three options listed in
8 subsection (h) and does not qualify for a good cause
9 exemption, the student may not be promoted to fourth grade.

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

22 (1) Students with disabilities whose Individual
23 Education Plan indicates that participation in the statewide
24 assessment program is not appropriate, consistent with state
25 law.

(2) Students identified as English language learners who have had less than two years of instruction in English as a second language.

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

(4) Students who have received intensive reading intervention for two or more years and who still demonstrate a deficiency in reading and who were previously retained in kindergarten, first grade, second grade, or third grade for a total of two years.

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

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

(1) Documentation shall be submitted to the school principal from the teacher of the student that indicates that the promotion of the student is appropriate. Documentation

1 shall include a statement identifying which good cause
2 exemption is requested, as well as the existing reading
3 improvement plan or Individual Education Plan of the student,
4 as applicable.

5 (2) The school principal shall review the
6 recommendation of the teacher, determine if the student meets
7 one of the good cause exemptions, and shall make his or her
8 determination in writing to the local superintendent of
9 education. The local superintendent of education, in writing,
10 shall approve or reject the recommendation of the school
11 principal.

12 (3) The local education agency shall assist schools
13 under its jurisdiction in providing written notification to
14 the parent of any student who is retained in third grade for
15 not achieving the reading level required for promotion. Notice
16 shall clearly state the reasons why the student is not
17 eligible for a good cause exemption and shall include a
18 description of the proposed interventions and supports that
19 shall be provided to the student to improve any identified
20 area of reading deficiency during the retained year.

21 (4) There shall be established at each school, as
22 applicable, an intensive acceleration for any student retained
23 in third grade. In addition to the criteria established in
24 subdivisions (1) to (4), inclusive, of subsection (g), the
25 intensive acceleration shall be taught by a highly effective

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

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

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

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

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

1 (4) The total number and percentage of students
2 starting third grade with a reading deficiency, which shall
3 include the specific area of reading deficiency.

4 (5) The total number and percentage of third grade
5 students who started third grade with a reading deficiency but
6 completed third grade on grade level as determined by the
7 third grade state standardized assessment in reading.

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

11 (7) By grade, pre and post Alabama Summer
12 Achievement Program reading assessment scores and other
13 mandatory summer camp data.

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

16 (9) The total number and percentage of students in
17 third grade who demonstrated sufficient reading skills for
18 promotion on the alternative reading assessment.

19 (10) The total number and percentage of students in
20 third grade who were promoted for good cause, by each category
21 of good cause specified in subsection (j).

22 (11) In succeeding years, the performance of
23 students promoted with a good cause on the state standardized
24 assessment in reading.

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

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

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

1 (1) The State Superintendent of Education and the
2 task force established under subsection (a) of Section 3 shall
3 establish annual reading growth and proficiency targets based
4 on the information required to be reported to the
5 superintendent in subsection (m).

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

17 Section 6. (a) The State Superintendent of Education
18 shall develop, and the State Board of Education shall approve,
19 a dyslexia therapist certification endorsement on or before
20 December 31, 2019.

21 (1) K-12 and Early Childhood teachers who have
22 completed an International Multisensory Structured Language
23 Education Council endorsed training course and have received a
24 passing score on the Academic Language Therapy Association's
25 Certified Academic Language Therapy assessment, or the

1 International Dyslexia Association's Knowledge and Practice
2 Examination of Effective Reading Instruction, and who hold a
3 valid Professional Educator Certificate shall be eligible for
4 a dyslexia therapist endorsement.

5 (2) Teacher preparation programs at public colleges
6 and universities in the state shall offer dyslexia therapy
7 teacher preparation courses that are approved by the
8 International Multisensory Structured Language Education
9 Council or the International Dyslexia Association.
10 Multi-institutional consortia or affiliations to assure access
11 to these courses is acceptable.

12 (3) Subject to appropriations from the Legislature,
13 the State Superintendent of Education and the Alabama
14 Commission on Higher Education shall develop and approve a
15 dyslexia therapist endorsement incentive, which shall be
16 available to teachers who attain the dyslexia therapist
17 endorsement, ~~with direct student contact~~. The State
18 Superintendent of Education shall construct parameters for
19 earning the dyslexia therapist endorsement incentive.

20 (b) All teacher preparation programs authorized to
21 prepare students for state licensure shall seek accreditation
22 by the council or association for the accreditation of
23 educator preparation on or before December 31, 2020.

24 (c) The State Department of Education shall provide
25 to public and private universities, on an annual basis, the

1 information required for those institutions to comply with
2 council for the accreditation of educator preparation standard
3 four requirements for accreditation. The Alabama Commission on
4 Higher Education shall convene the public university deans of
5 education to facilitate the development of a format for the
6 data needed for accreditation compliance, and work with the
7 State Superintendent of Education to establish effective and
8 timely reporting processes.

9 (d) As a requirement of initial licensure, beginning
10 with the 2020-2021 school year, candidates for initial
11 elementary certification shall receive a passing score, as
12 determined by the State Board of Education, which shall base
13 its determination on the national score average during the
14 preceding academic year, on ~~the Foundations of Reading a~~
15 foundational reading assessment for entry level teachers of
16 reading. Beginning with the graduating class of 2021, teachers
17 seeking an initial ~~elementary certification who have passed~~
18 ~~the EdTPA and Foundations of Reading Assessment may no longer~~
19 ~~be required to pass the Praxis 5204 Teaching Reading~~
20 ~~assessment.~~ elementary certification who have passed the EdTPA
21 and a foundational reading assessment may no longer be
22 required to pass an additional reading assessment.

23 (e) Beginning with the 2020-2021 academic year,
24 public teacher preparation programs leading to the attainment
25 of an initial elementary teaching certification shall require

1 no less than nine credit hours of reading or literacy
2 coursework, or both, based on the science of learning to read,
3 including multisensory strategies in foundation reading
4 skills. The nine credit hours of reading or literacy
5 coursework shall be incorporated within the current credit
6 hours currently approved for the degree program and not
7 require additional credit hours for graduation.

8 (f) The standing task force created by Section 3,
9 state public teacher preparation programs, and regional
10 professional development inservice centers shall work together
11 in establishing a state continuum of teacher development for
12 approved science of reading that will reflect levels of
13 literacy teacher development from preservice, reading
14 specialist, to instructional leadership. The State
15 Superintendent of Education and the regional inservice centers
16 shall provide preservice and inservice elementary teachers
17 with all of the following professional learning activities:

18 (1) Mentoring and shadowing with master teachers
19 selected by Alabama Reading Initiative regional literacy
20 specialists and local reading specialists.

21 (2) Job embedded, classroom-based coaching in the
22 teaching of reading for the first five years of a teacher's
23 career.

24 (3) Curricula and resources in all of the following
25 reading content areas:

- a. Oral language development.
- b. Phonemic awareness.
- c. Phonics.
- d. Fluency.
- e. Vocabulary.
- f. Writing.
- g. Comprehension.

Section 7. (a) The State Superintendent of Education shall establish the Alabama Committee on Grade Level Reading. The committee shall consist of three members appointed from each State Board of Education district. The Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate shall each appoint one member from each district. The appointing authorities shall coordinate their appointments so that diversity of gender, race, and geographical areas is reflective of the makeup of this state.

(b) Each member of the committee shall be a parent or legal guardian of a state K-12 public school student, a practicing teacher, a retired teacher, or employed in the field of education.

(c) On or before June 30, 2020, the committee shall revise the 2011 Alabama Action Plan for Literacy Birth Through Grade 12 in consultation with the Campaign for Grade Level Reading group, which shall be presented to the Governor, the

1 State Superintendent of Education, the State Board of
2 Education, and the Chairs of the House Education Policy
3 Committee and the Senate Education Policy Committee.

4 (d) The committee shall provide recommendations to
5 the Governor, the Lieutenant Governor, and the Chairs of the
6 House Education Policy Committee and the Senate Education
7 Policy Committee on implementing this act and shall provide
8 standing oversight over the quality of professional learning
9 and program quality. The committee shall provide
10 recommendations to the State Superintendent of Education, the
11 Governor, the Lieutenant Governor, and the Chairs of the House
12 Education Policy Committee and the Senate Education Policy
13 Committee on adopting innovative strategies and programming to
14 improve the effectiveness of this act.

15 (e) Each member of the committee shall receive the
16 same travel expense allowance as is paid to state employees
17 for travel in the service of the committee, subject to
18 available appropriations.

19 Section 8. The State Superintendent of Education
20 shall provide technical assistance to local education agencies
21 in complying with this act. The State Board of Education shall
22 adopt rules as necessary to implement and enforce this act.

23 Section 9. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

1

2

3

Mac McCutchan

4

Speaker of the House of Representatives

5

[Signature]

6

President and Presiding Officer of the Senate

7

House of Representatives

8

I hereby certify that the within Act originated in
and was passed by the House 15-MAY-19, as amended.

9

10

11

12

13

Jeff Woodard
Clerk

14

15

Senate

30-MAY-19

Amended and Passed

16

House

30-MAY-19

Concurred in Sen-
ate Amendment

17

APPROVED 6-10-19TIME 2:27

Kay Ivey
GOVERNOR

Alabama Secretary Of State

Act Num....: 2019-523
Bill Num....: H-388

Recv'd 06/10/19 04:21p SLF

ENGROSSED

House Bill

2177

NSOR

First

SPONSORS

HOUSE ACTION

I HEREBY CERTIFY THAT THE
RESOLUTION AS REQUIRED IN
SECTION C OF ACT NO. 81-889
WAS ADOPTED AND IS ATTACHED
TO THE BILL, H.B. 379

YEAS 75 NAYS 13

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

SENATE ACTION

DATE:

20__

RD 1 RFD

This Bill was referred to the Standing
Committee of the Senate on July

and was acted upon by such Committee in
session and is by order of the Committee
returned therefrom with a favorable report
w/amend(s) _____ w/sub _____ by a vote of

yeas 10 nays 0 abstain 0

this 29 day of July 2019

Quetta A., Chairperson

DATE:

20__

RF

RD 2 CAL

DATE:

20__

RE-REFERRED

RE-COMMITTED

Committee _____

I hereby certify that the Resolution as
required in Section C of Act No. 81-889
was adopted and is attached to the Bill,
HB 379

YEAS 27

NAYS 0