



NATIONAL CONFERENCE  
of STATE LEGISLATURES

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## 2013-2014 SELECT ENACTED LEGISLATION PRE-KINDERGARTEN THROUGH THIRD-GRADE LITERACY

Examples of enacted legislation from 2013 and 2014 cover several areas pertaining to prekindergarten through third grades. Bills pertaining to screening assessments used to gauge school readiness were developed in Arkansas, Delaware, North Carolina, Pennsylvania, South Carolina, Texas, Washington and Wisconsin. Third-grade promotion/retention policies were enacted in Arizona, Ohio, Oklahoma and West Virginia. Professional development requirements, especially in relation to students with reading disabilities, were enacted in Hawaii, Iowa and New Jersey. Bills focusing on specific interventions for struggling readers were passed in Arizona, Massachusetts, Mississippi and Virginia. Aligning standards and creating comprehensive curricula were the focus of bills in Connecticut, Florida, Minnesota, South Carolina and Utah. In addition, funding for programming new initiatives and their evaluations were enacted in Illinois, Louisiana, Massachusetts, Mississippi, North Carolina, Ohio, Oklahoma, Oregon and Utah. From selected 2013 and 2014 enacted legislation, 35 bills are identified and described below.

State/ Jurisdiction	Bill Number	Associated Bills	Author	Year	Summary
Alaska	4 AAC 06.713			2013	Regards early literacy screening in grades kindergarten, first, second and third to ensure that all students are gaining the fundamental reading skills that are essential for building strong literacy skills through graduation. Screening helps to identify or predict students who may be a risk for poor learning outcomes before students fall significantly behind and remediation is needed. These brief, skill-specific assessments provide teachers with the information they need

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					to provide targeted instruction to students.
Arizona	H 2367		Coleman	2014	Requires that a pupil not be promoted from the third grade if the pupil's score on the reading portion of the Arizona instrument to measure standards test, or a successor test, demonstrates that the pupil's reading falls far below the third-grade level.
Arizona	S 1488		Biggs	2014	Relates to a K-6 technology-based language development and literacy intervention pilot program, including instruction individualized to teach each pupil the following five strands of literacy: phonics, phonemic awareness, vocabulary, comprehension and fluency.
Connecticut	S 1097		Joint Committee on Education	2013	Requires the Department of Education to develop a coordinated statewide reading plan for students in kindergarten to grade three, inclusive, that contains strategies and frameworks that are research-driven to produce effective reading instruction and improvement in student performance; requires reading instruction be aligned with the standards adopted by the State Board of Education.
Delaware	H 334		Scott	2014	The State Department of Education shall adopt rules and regulations to implement a common statewide readiness tool that will review a child's readiness for learning when they enter kindergarten. The readiness tool shall serve as the basis for an objective readiness review conducted by the child's teacher or other members of the child's school team. The readiness tool shall review, but not be limited to, language and literacy development.
Florida	S 1514	H 5101	Senate Appropriations Committee	2014	The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12; the intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; and explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary and comprehension, with

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					more extensive opportunities for guided practice, error correction and feedback.
Hawaii	SCR 120		Tokuda	2013	Requires the State Board of Education to evaluate the implementation of a plan to promote comprehensive support for students with dyslexia and other literacy challenges. Evaluates professional development available to educators to support students with dyslexia or other literacy challenges; the funding required to create licensed literacy specialist positions statewide and establish targeted complex area resources to strengthen comprehensive student support systems, including data-based decision making.
Illinois	HR 20		McAsey	2013	Supports the goals of the Illinois Reads program and urges citizens throughout the state to become involved as Reads Ambassadors to support the Reading Council's efforts to promote literacy among all citizens, regardless of age.
Iowa	SF 2319		Senate Education Committee	2014	Relates to improving student literacy skills, including addressing dyslexia and providing teacher assistance; requires the Iowa Reading Resource Center to provide for development and dissemination of professional development strategies and materials to support teacher effectiveness in student literacy development; and requires the center to collaborate and coordinate with the area education agencies to develop and offer to school districts at no cost professional development services.
Louisiana	H 954		Leger	2014	Relates to the Cecil J. Picard LA 4 Early Childhood Program; appropriates funds to each public school system that applies for such funding for the purposes of providing a program for early childhood development and enrichment activity classes; provides eligibility criteria for the LA 4 program; relates to the cost of participation; provides rules and regulations; and relates to at-risk students.
Massachusetts	H 3538		Report of Conference Committee	2013	Relates to literacy and early literacy programs; requires these programs to provide ongoing evaluation of outcomes and that programs receiving funding through this item shall document the

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					outcomes; also contains appropriations.
Massachusetts	H 3984		Joint Committee on Education	2014	Pertains to implementation of research-based early literacy programs and interventions for struggling readers.
Minnesota	H 2397		Mariani	2014	Requires school readiness programs to assess children's language skills to improve program planning and implementation, promote kindergarten readiness, and ensure teachers are knowledgeable in native and English language development programs. Also known as the LEAPS (Learning for English Academic Proficiency and Success) Act.
Mississippi	S 2347		Hill	2013	Establishes the Literacy Based Promotion Act to improve kindergarten and first- through third-grade public school students' reading skills so that every student completing third -grade reads at or above grade level; requires school districts to provide intensive reading instruction and intervention to students exhibiting a substantial deficiency in reading in kindergarten and grades one through three; prohibits promotion of students who exhibit reading deficiency that is not remedied before the end of third grade.
Mississippi	S 2395		Wiggins	2013	Authorizes and directs the State Department of Education to implement a prekindergarten program on a phased-in basis; transfers the duties and responsibilities of the Department of Human Services relative to the Early Learning Collaborative Act to the State Department of Education; to re-designate the prekindergarten program as the Early Learning Collaborative Act of 2013; to commit funding of the Early learning collaborative; and provide an income tax credit for contributions to prekindergarten programs.
Mississippi	S 2572		Tollison	2014	Beginning with the 2014-2015 school year, the Mississippi Department of Education shall conduct a pilot program with willing "C" level or low-performing districts and/or schools in a geographically concise region. The pilot shall focus on the use of data coaches to improve reading and literacy, to determine the effectiveness of intense data-focused professional development, provide expert support in literacy and early reading instruction; but it shall not necessarily be limited to literacy.

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New Jersey	AB 3606		Albano	2013	The Department of Education shall provide professional development opportunities related to reading disabilities, including dyslexia, to school district personnel in grades kindergarten through three. Requires teachers to annually complete at least two hours of professional development instruction on screening, intervention, accommodation, and use of technology for students with reading disabilities.
North Carolina	H 230		Malone	2014	Clarifies provisions of the Read to Achieve Act. The kindergarten entry assessment shall address the five essential domains of school readiness—language and literacy development, cognition and general knowledge, approaches toward learning, physical well-being and motor development—and social and emotional development and yield both qualitative and quantitative data in each of these domains.
North Carolina	S 402		Brunstetter	2013	Pertains to the North Carolina Partnership for Children Inc. All funded activities shall include assisting child care facilities with improving quality, including helping one-, two- and three-star rated facilities increase their star ratings and implementing prekindergarten programs. State funding for local partnerships shall also be used for evidence-based or evidence-informed programs for children from birth to age 5 that increase children's literacy.
Ohio	H 487		Brenner	2014	Relates to third-grade reading and retention; clarifies that all students will take the grade three Ohio Achievement Assessment (OAA) in the fall, and only those students who do not pass the grade three reading OAA will take it again in the spring. The reading guarantee will be based on the current reading assessment, not new assessments scheduled to be administered for the first time in the spring of 2015.
Ohio	S 21		Lehner	2013	The Department of Education annually shall collect, analyze and publish data regarding reading achievement in schools and progress in assisting all students to become proficient readers. Beginning on Jan. 31, 2015, and on the 31st day of each January thereafter, the department shall report these findings, in accordance with § 101.68 of

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					the Revised Code, to the governor, the General Assembly, and the state board of education. The report shall include, but not be limited to, the following: the progress of all students who were on a reading intervention plan at any time during grades kindergarten through four while enrolled in the state's public school system.
Oklahoma	H 2497		Casey	2014	Relates to school assessment data; directs the State Department of Education to conduct a study of reading instruction and assessment data and data relating to students found not to be reading at the appropriate level; allows the department to contract with a higher education institution or other entity or consultant to assist with the study; specifies information to be gathered for the study; requires the department to issue annual reports of aggregated data.
Oklahoma	H 2625		Henke	2014	Relates to schools; relates to the Reading Sufficiency Act; changes obsolete language; modifies mandatory third-grade retention requirements; requires agreement of certain team of people to retain a student; allows promotion upon agreement of certain team of people or determination of good cause exemption; requires certain reading instruction for retained students and students otherwise promoted; and modifies process for determining a good cause exemption.
Oregon	H 3232		House Education Committee	2013	The Oregon Education Investment Board shall establish the Oregon Early Reading Program to: improve the readiness of children preparing to enter kindergarten; improve the reading proficiency of students by the time the students complete the third grade; expands the amount of time spent reading, adult support, the availability of reading materials, cultural relevance and the level of enjoyment that literacy brings; and provide differentiated instruction to assist students with reading in early grades.
Pennsylvania	H 198		Neilson	2014	Amends the Public School Code of 1949, providing for a Dyslexia Screening and Early Literacy Intervention Pilot Program to provide evidence-based early screening and multitier support systems, using

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					evidence-based intervention services for students with potential risk factors for early reading deficiencies and dyslexia, such as low phonemic awareness, low letter and symbol naming and inability to remember sequences. Provides for how school districts shall be selected for the program; requires an evaluation of early reading assistance programs.
South Carolina	H 3428		Allison	2014	Relates to the First Steps to School Readiness Initiative; requires the First Steps board of trustees to develop a long-range initiative and strategy for school readiness; provides for a statewide assessment of student school readiness; provides for the Early Childhood Advisory Council; provides that First Steps shall ensure the compliance of Babynet with federal maintenance of effort requirements; provides for data collection and performance audits; provides for public information and local partnerships.
South Carolina	S 516		Peeler	2014	Establishes the South Carolina Read to Succeed Office to implement a comprehensive, statewide plan to improve reading achievement in prekindergarten through grade 12. Requires schools to provide intensive in-class and supplemental reading for students in prekindergarten through grade three who are not demonstrating reading proficiency.
Texas	S 172		Carona	2013	Relating to diagnosing the reading development and comprehension of public school kindergarten students; the commissioner shall include on the list at least two multidimensional assessment tools, including a reading instrument and test at least three developmental skills, including literacy, or test at least two developmental skills, other than literacy, that are to be administered in conjunction with a separate reading instrument.
Utah	H 96		Hughes	2014	Creates the school readiness restricted account. Appropriates \$3 million to the restricted account that will be used to repay private investors, on condition that the program meets performance outcomes such as third-grade reading proficiency and decreased

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					special education in at-risk students. Requires an independent evaluation of the program.
Utah	S 104		Osmond	2014	Provides for assistance to educators and parents in teaching reading; requires a reading clinic to instruct teachers how to use of technology and blended learning to provide individualized reading instruction and reading remediation; provides for student access for reading remediation and instruction services through distance learning technology; and appropriates funds.
Utah	S 260		Urquhart	2013	Amends provisions related to public school early education programs; requires the State Board of Education to develop uniform standards for acceptable growth goals that a school district or charter school adopts in its K-3 Reading Improvement Program plan; provides what such reading program money may be used for; and amends provisions related to the program.
Virginia	H 2068	S 1171 (Blevins)	LeMunyon	2013	Relates to public schools; relates to early intervention services for reading and mathematics; adds kindergarten and grades one and two to the requirement that local school divisions provide early intervention services to students in grade three who demonstrate deficiencies on diagnostic reading tests. Local school divisions shall report the results of the diagnostic tests to the Department of Education annually; each student who receives early intervention reading services will be assessed again at the end of that school year.
Virginia	H 2144		Landes	2013	The Board of Education shall grant a two-year waiver from the science or history and social science standards of learning assessment requirement, or both, for third-grade students of a public elementary school that had an adjusted pass rate of less than 75 percent on the standards of learning reading assessments administered during the previous school year; applies for a waiver in the form and by the deadline prescribed by the board pursuant to regulation and hires a full-time reading specialist to work with the third-grade students and teachers in the school; and develops a system to monitor the academic



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					progress of all third-grade students in the subject area in which the assessment waiver is sought.
Washington	S 5946		Rivers	2014	Relates to schools and to the support of reading and early literacy, responsibilities of school districts related thereto, a requirement that screening assessments be used annually, certain professional development partnerships, report card requirements, reduction of disruptive behaviors, expenditure of funds from the learning assistance program, supports for certain at-risk students, student data, suspensions and expulsions, an educator support program and funding for online courses.
West Virginia	H 4618		Perry	2014	Requires development of a comprehensive, systemic approach to close the reading achievement gap by third grade, which targets school readiness, the attendance gap, summer learning loss and a transformative intervention framework for student and learning supports. Provides that students in grades kindergarten through three who are recommended by the student assistance team or the students' classroom teacher for additional assistance in one or more of the key standards of English Language Arts, including reading, speaking and listening, writing or language, may be required to attend an extended-year early literacy instructional support program as a condition for promotion.
Wisconsin	Act 20 - Sections 1755 and 9134(3i)		Kooyenga	2013	Beginning in the 2013-14 school year and using an assessment selected by the Department of Public Instruction, public school districts and independent charter schools are required to assess pupils' reading readiness in four-year-old kindergarten through first grade. Beginning in the 2014-15 school year, the mandate expands again to include pupils in second grade. In the 2014-15 school year, the Department of Public Instruction shall conduct a pilot oral vocabulary assessment for pupils enrolled in second grade in public and charter schools.

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This legislative tracker is made possible by the generous support of the [Heising-Simons Foundation](#)