

SENATE SUBSTITUTE
 FOR
 SENATE COMMITTEE SUBSTITUTE
 FOR
 SENATE BILLS NOS. 681 & 662
 AN ACT

To repeal sections 161.097, 167.268, 167.640, 167.645, and 170.014, RSMo, and to enact in lieu thereof eight new sections relating to educational outcomes.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 161.097, 167.268, 167.640, 167.645, and 170.014, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 161.097, 161.214, 161.241, 167.268, 167.640, 167.645, 170.014, and 186.080, to read as follows:

161.097. 1. The state board of education shall establish standards and procedures by which it will evaluate all teacher training institutions in this state for the approval of teacher education programs. The state board of education shall not require teacher training institutions to meet national or regional accreditation as a part of its standards and procedures in making those evaluations, but it may accept such accreditations in lieu of such approval if standards and procedures set thereby are at least as stringent as those set by the board. The state board of education's standards and procedures for evaluating teacher training institutions shall equal or exceed those of national or regional accrediting associations.

2. There is hereby established within the department of elementary and secondary education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as

17 "MABEP". The MABEP shall advise the state board of
18 education and the coordinating board for higher education
19 regarding matters of mutual interest in the area of quality
20 educator preparation programs in Missouri. The advisory
21 board shall include at least three active elementary or
22 secondary classroom teachers and at least three faculty
23 members within approved educator preparation programs. The
24 classroom teacher members shall be selected to represent
25 various regions of the state and districts of different
26 sizes. The faculty representatives shall represent
27 institutions from various regions of the state and sizes of
28 program. The advisory board shall hold regular meetings
29 that allow members to share needs and concerns and plan
30 strategies to enhance teacher preparation.

31 3. Upon approval by the state board of education of
32 the teacher education program at a particular teacher
33 training institution, any person who graduates from that
34 program, and who meets other requirements which the state
35 board of education shall prescribe by rule, regulation and
36 statute shall be granted a certificate or license to teach
37 in the public schools of this state. However, no such rule
38 or regulation shall require that the program from which the
39 person graduates be accredited by any national or regional
40 accreditation association.

41 4. The state board of education shall, in consultation
42 with MABEP, align literacy and reading instruction
43 coursework for teacher education programs in early
44 childhood, kindergarten to fifth grade elementary teacher
45 certification, middle school communication arts, high school
46 communication arts, and all reading and special education
47 certificates to include the following:

48 (1) Teacher candidates shall receive classroom and
49 clinical training in:

50 (a) The core components of reading, including phonemic
51 awareness, phonics, fluency, comprehension, morphology,
52 syntax, and vocabulary;

53 (b) Oral and written language development; and

54 (c) Identification of reading deficiencies, dyslexia,
55 and other language difficulties;

56 (2) Teacher candidates shall also have training on:

57 (a) The selection and use of reading curricula and
58 instructional materials;

59 (b) The administration and interpretation of
60 assessments;

61 (c) How to translate assessment results into effective
62 practice in the classroom specific to the needs of students;
63 and

64 (d) Additional best practices in the field of literacy
65 instruction as recommended by the literacy advisory council
66 pursuant to section 186.080.

67 5. Any rule or portion of a rule, as that term is
68 defined in section 536.010, that is created under the
69 authority delegated in this section shall become effective
70 only if it complies with and is subject to all of the
71 provisions of chapter 536 and, if applicable, section
72 536.028. This section and chapter 536 are nonseverable and
73 if any of the powers vested with the general assembly
74 pursuant to chapter 536 to review, to delay the effective
75 date, or to disapprove and annul a rule are subsequently
76 held unconstitutional, then the grant of rulemaking
77 authority and any rule proposed or adopted after August 28,
78 2014, shall be invalid and void.

161.214. 1. For purposes of this section, the
2 following terms shall mean:

3 (1) "Board", the state board of education;

4 (2) "Department", the department of elementary and
5 secondary education;

6 (3) "School innovation team", a group of natural
7 persons officially authorized by:

8 (a) A single elementary or secondary school;

9 (b) A group of two or more elementary or secondary
10 schools within the same school district that share common
11 interests, such as geographical location or educational
12 focus, or that sequentially serve classes of students as
13 they progress through elementary and secondary education;

14 (c) A group of two or more elementary or secondary
15 schools not within the same school district that share
16 common interests, such as geographical location or
17 educational focus, or that sequentially serve classes of
18 students as they progress through elementary and secondary
19 education;

20 (d) A single school district; or

21 (e) A group of two or more school districts that share
22 common interests, such as geographical location or
23 educational focus, or that sequentially serve classes of
24 students as they progress through elementary and secondary
25 education;

26 (4) "School innovation waiver", a waiver granted by
27 the board to a single school, group of schools, single
28 school district, or group of school districts pursuant to
29 this section, in which the school, group of schools, school
30 district, or group of school districts is exempt from a
31 specific requirement imposed by chapter 160, chapter 161,
32 chapter 162, chapter 167, chapter 170, or chapter 171, or
33 any regulations promulgated thereunder by the board or the
34 department. Any school innovation waiver granted to a
35 school district or group of school districts shall be
36 applicable to every elementary and secondary school within

37 the school district or group of school districts unless the
38 plan specifically provides otherwise.

39 2. Any school innovation team seeking a school
40 innovation waiver may submit a plan to the board for one or
41 more of the following purposes:

42 (1) Improving student readiness for employment, higher
43 education, vocational training, technical training, or any
44 other form of career and job training;

45 (2) Increasing the compensation of teachers; or

46 (3) Improving the recruitment, retention, training,
47 preparation, or professional development of teachers.

48 3. Any plan for a school innovation waiver shall:

49 (1) Identify the specific provision of law for which a
50 waiver is being requested and provide an explanation for why
51 the specific provision of law inhibits the ability of the
52 school or school district to accomplish the goal stated in
53 the plan;

54 (2) Demonstrate that the intent of the specific
55 provision of law can be addressed in a more effective,
56 efficient or economical manner and that the waiver or
57 modification is necessary to implement the plan;

58 (3) Include measurable annual performance targets and
59 goals for the implementation of the plan;

60 (4) Specify the innovations to be pursued in meeting
61 one or more of the goals listed in subsection 2 of this
62 section;

63 (5) Demonstrate parental, school employee, and
64 community and business support for, and engagement with, the
65 plan; and

66 (6) Be approved by at least the minimum number of
67 people required to be on the school innovation team prior to
68 submitting the plan for approval.

69 4. (1) In evaluating a plan submitted by a school
70 innovation team under subsection 2 of this section, the
71 board shall consider whether the plan will:

72 (a) Improve the preparation, counseling, and overall
73 readiness of students for postsecondary life;

74 (b) Increase teacher salaries in a financially
75 sustainable and prudent manner; or

76 (c) Increase the attractiveness of the teaching
77 profession for prospective teachers and active teachers
78 alike.

79 (2) The board may approve any plan submitted under
80 subsection 2 of this section if it determines that:

81 (a) The plan successfully demonstrates the ability to
82 address the intent of the provision of law to be waived in a
83 more effective, efficient or economical manner;

84 (b) The waivers or modifications are demonstrated to
85 be necessary to stimulate improved student readiness for
86 postsecondary life, increase teacher salaries, or increase
87 the attractiveness of the teaching profession for
88 prospective teachers and active teachers;

89 (c) The plan has demonstrated sufficient participation
90 from among the teachers, principals, superintendent,
91 faculty, school board, parents, and the community at large;
92 and

93 (d) The plan is based upon sound educational
94 practices, does not endanger the health and safety of
95 students or staff, and does not compromise equal opportunity
96 for learning.

97 (3) The board may propose modifications to the plan in
98 cooperation with the school innovation team.

99 5. Any waiver granted under this section shall be
100 effective for a period of no longer than three school years
101 beginning the school year following the school year in which

102 the waiver is approved. Any waiver may be renewed. No more
103 than one school innovation waiver shall be in effect with
104 respect to any one elementary or secondary school at one
105 time.

106 6. This section shall not be construed to allow the
107 state board of education to authorize the waiver of any
108 statutory requirements relating to teacher certification,
109 teacher tenure, or any requirement imposed by federal law.

110 7. The board may promulgate rules implementing the
111 provisions of this section. Any rule or portion of a rule,
112 as that term is defined in section 536.010, that is created
113 under the authority delegated in this section shall become
114 effective only if it complies with and is subject to all of
115 the provisions of chapter 536 and, if applicable, section
116 536.028. This section and chapter 536 are nonseverable and
117 if any of the powers vested with the general assembly
118 pursuant to chapter 536 to review, to delay the effective
119 date, or to disapprove and annul a rule are subsequently
120 held unconstitutional, then the grant of rulemaking
121 authority and any rule proposed or adopted after August 28,
122 2022, shall be invalid and void.

161.241. 1. The state board of education, in
2 collaboration with the coordinating board for higher
3 education and the commissioner's advisory council under
4 section 186.080, shall develop a plan to establish a
5 comprehensive system of services for reading instruction.

6 2. The state board of education shall establish and
7 periodically update a statewide literacy plan that supports
8 high quality, evidence-based reading instruction for all
9 students.

10 3. The state board of education shall create an office
11 of literacy. The commissioner of education shall coordinate

12 staff with roles relating to literacy and align staff work
13 around supporting best practices in reading instruction.

14 4. The state board of education shall align literacy
15 and reading instruction coursework for teacher education
16 programs as required under subsection 4 of section 161.097.

17 5. Subject to appropriation, the department of
18 elementary and secondary education shall recruit and employ
19 quality teacher trainers with expertise in reading
20 instruction and provide opportunities for evidence-based
21 professional development in reading instruction available
22 for all active teachers.

23 6. The department shall maintain and publish data on
24 reading outcomes, provided that the report shall not include
25 individually identifiable student data.

26 7. The department shall publish criteria and examples
27 to help districts and schools select and use evidence-based
28 reading curricula and instructional materials.
29 Additionally, the department shall publish a list of
30 curricula that ensure instruction is explicit, systematic,
31 diagnostic and based on phonological awareness, phonics,
32 fluency, vocabulary, comprehension, morphology, syntax, and
33 semantics. This shall be a resource to districts.

34 8. The department shall provide online tools and
35 training for active teachers on evidence-based reading
36 instruction.

37 9. There is hereby created in the state treasury the
38 "Evidence-based Reading Instruction Program Fund". The fund
39 shall be administered by the department and used to
40 reimburse school districts and charter schools for efforts
41 to improve student literacy, including, but not limited to:
42 initiatives that provide optional training and materials to
43 teachers regarding best practices in reading pedagogies;
44 resources for parents and guardians to assist them in

45 teaching their children to read; funding for reading
46 tutoring programs outside of regular school hours; stipends
47 for teachers who undergo additional training in reading
48 instruction, which may also count toward professional
49 development requirements; and funding for summer reading
50 programs. The fund shall consist of moneys appropriated
51 annually by the general assembly from general revenue to
52 such fund, any moneys paid into the state treasury and
53 required by law to be credited to such fund and any gifts,
54 bequests or donations to such fund. The fund shall be kept
55 separate and apart from all other moneys in the state
56 treasury and shall be paid out by the state treasurer
57 pursuant to chapter 33. Notwithstanding the provisions of
58 section 33.080 to the contrary, moneys in the fund at the
59 end of the biennium shall not be transferred to the credit
60 of the general revenue fund. All interest and moneys earned
61 on the fund shall be credited to the fund.

167.268. 1. Each [local] school district and charter
2 school shall have on file a policy for reading
3 [intervention] success plans [for any pupils of the district
4 in grades kindergarten through three pursuant to the
5 provisions of this section. Such plans shall identify
6 strategies to be followed by the district teachers to raise
7 a pupil identified as reading below grade level by
8 recognized methods to reading at grade level by the end of
9 the third grade. Recognized methods of identification may
10 include but need not be limited to the scores of the pupil
11 obtained through any established standardized testing
12 program currently administered by the district, observations
13 of classroom teachers, and documented classroom
14 performance]. Each school district and charter school
15 shall provide all parents and guardians of students,
16 including parents of students who are identified as having a

17 substantial deficiency in reading under subsection 1 of
18 section 167.645, with suggestions for regular parent-guided
19 home reading.

20 2. [The state board of education] The department of
21 elementary and secondary education shall develop guidelines
22 to assist districts and charter schools in formulating
23 policies for reading [intervention] success plans. Such
24 guidelines may include, but are not limited to, measures of
25 reading proficiency, strategies for addressing reading
26 deficiencies, timelines for measuring pupil improvement in
27 reading, and information on screening [for and treatment] of
28 [auditory] dyslexia[, and information on the Lindamood
29 Auditory Conceptualization Test and the Auditory
30 Discrimination in Depth Program]. Such guidelines may also
31 identify performance levels for pupils identified as
32 handicapped or severely handicapped and conditions under
33 which such pupils [are] may be exempt from the provisions of
34 this section and section 167.645.

35 3. [Each local school district enrolling a pupil
36 identified as reading below grade level shall develop an
37 individual plan of reading intervention for such pupil. The
38 individual pupil's plan may include individual or group
39 reading development activities. The plan may be developed
40 after consultation with the pupil's parent or legal
41 guardian] Each school district and charter school shall
42 provide intensive reading instruction to students as
43 provided in section 167.645.

167.640. 1. School districts [may] shall adopt a
2 policy with regard to student promotion which may require
3 remediation as a condition of promotion to the next grade
4 level for any student identified by the district as failing
5 to master skills and competencies established for that
6 particular grade level by the district board of education.

7 School districts may also require parents or guardians of
8 such students to commit to conduct home-based tutorial
9 activities with their children or, in the case of a student
10 with disabilities eligible for services pursuant to sections
11 162.670 to 162.1000, the individual education plan shall
12 determine the nature of parental involvement consistent with
13 the requirements for a free, appropriate public education.

14 2. Such remediation shall recognize that different
15 students learn differently and shall employ methods designed
16 to help these students achieve at high levels. Such
17 remediation may include, but shall not necessarily be
18 limited to, a mandatory summer school program focused on the
19 areas of deficiency or other such activities conducted by
20 the school district outside of the regular school day.
21 Decisions concerning the instruction of a child who receives
22 special educational services pursuant to sections 162.670 to
23 162.1000 shall be made in accordance with the child's
24 individualized education plan.

25 3. School districts providing remediation pursuant to
26 this section or section 167.245 outside of the traditional
27 school day may count extra hours of instruction in the
28 calculation of average daily attendance as defined in
29 section 163.011.

167.645. 1. [For purposes of this section, the
2 following terms mean:

3 (1) "Reading assessment", a recognized method of
4 judging a student's reading ability, with results expressed
5 as reading at a particular grade level. The term reading
6 assessment shall include, but is not limited to, standard
7 checklists designed for use as a student reads out loud,
8 paper-and-pencil tests promulgated by nationally recognized
9 organizations and other recognized methods of determining a
10 student's reading accuracy, expression, fluency and

11 comprehension in order to make a determination of the
12 student's grade-level reading ability. Assessments which do
13 not give a grade-level result may be used in combination
14 with other assessments to reach a grade-level
15 determination. Districts are encouraged but not required to
16 select assessment methods identified pursuant to section
17 167.346. Districts are also encouraged to use multiple
18 methods of assessment;

19 (2) "Summer school", for reading instruction purposes,
20 a minimum of forty hours of reading instruction and
21 practice. A school district may arrange the hours and days
22 of instruction to coordinate with its regular program of
23 summer school.

24 2. For purposes of this section, methods of reading
25 assessment shall be determined by each school district.
26 Unless a student has been determined in the current school
27 year to be reading at grade level or above, each school
28 district shall administer a reading assessment or set of
29 assessments to each student within forty-five days of the
30 end of the third-grade year, except that the provisions of
31 this subsection shall not apply to students receiving
32 special education services under an individualized education
33 plan pursuant to sections 162.670 to 162.999, to students
34 receiving services pursuant to Section 504 of the
35 Rehabilitation Act of 1973 whose services plan includes an
36 element addressing reading or to students determined to have
37 limited English proficiency or to students who have been
38 determined, prior to the beginning of any school year, to
39 have a cognitive ability insufficient to meet the reading
40 requirement set out in this section, provided that districts
41 shall provide reading improvement plans for students
42 determined to have such insufficient cognitive ability. The
43 assessment required by this subsection shall also be

44 required for students who enter a school district in grades
45 four, five or six unless such student has been determined in
46 the current school year to be reading at grade level or
47 above.

48 3. Beginning with school year 2002-03, for each
49 student whose third-grade reading assessment determines that
50 such student is reading below second-grade level, the school
51 district shall design a reading improvement plan for the
52 student's fourth-grade year. Such reading improvement plan
53 shall include, at a minimum, thirty hours of additional
54 reading instruction or practice outside the regular school
55 day during the fourth-grade year. The school district shall
56 determine the method of reading instruction necessary to
57 enforce this subsection. The school district may also
58 require the student to attend summer school for reading
59 instruction as a condition of promotion to fourth grade.
60 The department of elementary and secondary education may,
61 from funds appropriated for the purpose, reimburse school
62 districts for additional instructional personnel costs
63 incurred in the implementation and execution of the thirty
64 hours of additional reading instruction minus the revenue
65 generated by the school district through the foundation
66 formula for the additional reading instruction average daily
67 attendance.

68 4. Each student for whom a reading improvement plan
69 has been designed pursuant to subsection 3 of this section
70 shall be given another reading assessment, to be
71 administered within forty-five days of the end of such
72 student's fourth-grade year. If such student is determined
73 to be reading below third-grade level, the student shall be
74 required to attend summer school to receive reading
75 instruction. At the end of such summer school instruction,
76 such student shall be given another reading assessment. If

77 such student is determined to be reading below third-grade
78 level, the district shall notify the student's parents or
79 guardians, and the student shall not be promoted to fifth
80 grade. No student shall be denied promotion more than once
81 solely for inability to meet the reading standards set out
82 in this section.

83 5. The process described in subsections 3 and 4 of
84 this section shall be repeated as necessary through the end
85 of the sixth grade, with the target grade level rising
86 accordingly. Mandatory retention in grade shall not apply
87 to grades subsequent to fourth grade.

88 6. The mandatory process of additional reading
89 instruction pursuant to this section shall cease at the end
90 of the sixth grade. The permanent record of students who
91 are determined to be reading below the fifth-grade level at
92 the end of sixth grade shall carry a notation advising that
93 such student has not met minimal reading standards. The
94 notation shall stay on the student's record until such time
95 as the district determines that a student has met minimal
96 reading standards.

97 7. Each school district shall be required to offer
98 summer school reading instruction to any student with a
99 reading improvement plan. Districts may fulfill the
100 requirement of this section through cooperative arrangements
101 with neighboring districts; provided that such districts
102 shall timely make all payments provided pursuant to such
103 cooperative agreements.

104 8. A school district may adopt a policy that requires
105 retention in grade of any student who has been determined to
106 require summer school instruction in reading and who does
107 not fulfill the summer school attendance requirement.

108 9. Nothing in this section shall preclude a school
109 district from retaining any student in grade when a

110 determination is made in accordance with district policy
111 that retention is in the best interests of the student.

112 10. The state board of education shall not incorporate
113 information about the number of students receiving
114 additional instruction pursuant to this section into any
115 element of any standard of the Missouri school improvement
116 program or its successor accreditation program; provided,
117 however, each district shall make available, upon the
118 request of any parent, patron, or media outlet within the
119 district, the number and percentage of students receiving
120 remediation pursuant to this section. The information shall
121 be presented in a way that does not permit personal
122 identification of any student or educational personnel.

123 11. Each school district shall make a systematic
124 effort to inform parents of the methods and materials used
125 to teach reading in kindergarten through fourth grade, in
126 terms understandable to a layperson and shall similarly
127 inform parents of students for whom a reading improvement
128 plan is required pursuant to this section] Each school
129 district and charter school shall assess all students
130 enrolled in kindergarten through grade three at the
131 beginning and end of each school year for their level of
132 reading or reading readiness on state-approved reading
133 assessments. Additionally all school districts and charter
134 schools shall assess any newly enrolled student in grades
135 one through five for their level of reading or reading
136 readiness on a reading assessment from the state-approved
137 list. At the beginning of the school year, each school
138 district and charter school shall provide a reading success
139 plan to any student who:

140 (1) Exhibits a substantial deficiency in reading which
141 creates a barrier to the child's progress learning to read.

142 The identification of such deficiency may be based upon the
143 most recent assessments or teacher observation; or
144 (2) Has been identified as being at risk of dyslexia
145 in the statewide dyslexia screening or has a formal
146 diagnosis of dyslexia.

147 For the purposes of this section, a substantial reading
148 deficiency shall refer to a student who is one or more grade
149 level or levels behind in reading or reading readiness;
150 provided that nothing in this section shall be interpreted
151 to prevent a school district or charter school from offering
152 a reading success plan to any student based on an assessment
153 completed at the start and end of the school year or teacher
154 observation. For any student entering the school district
155 or charter school after the start of the school year, such
156 student shall be provided a reading success plan in the
157 event the student has been identified as having a
158 substantial reading deficiency based on the student's most
159 recent assessment or otherwise being identified through
160 teacher observation. The student's reading proficiency
161 shall be reassessed by reading assessments on the state-
162 approved list. The student shall continue to be provided
163 with intensive reading instruction under a reading success
164 plan until the reading deficiency is remedied.

165 2. The district or charter school shall notify the
166 parent or guardian of any student in kindergarten through
167 grade three who exhibits a substantial deficiency in
168 reading, as described in subsection 1 of this section, at
169 least annually in writing, and in an appropriate,
170 alternative manner for the parent or other guardian if
171 necessary, of the following:

172 (1) That the child has been identified as having a
173 substantial deficiency in reading;

174 (2) A description of the services currently provided
175 to the child;

176 (3) A description of the proposed supplemental
177 instructional services and supports that the school district
178 will provide to the child that are designed to remediate the
179 identified area of reading deficiency. For students
180 identified being at risk of dyslexia or those that have a
181 diagnosis of dyslexia the district shall provide an
182 explanation that the instruction that will be used to teach
183 the child reading shall be explicit, systematic, and
184 diagnostic and based on phonological awareness, phonics,
185 fluency, vocabulary, comprehension, morphology, syntax, and
186 semantics;

187 (4) Strategies for parents and guardians to use in
188 helping the child succeed in reading proficiency, including
189 but not limited to the promotion of parent-guided home
190 reading.

191 3. If the school district or charter school provides a
192 summer reading program under this section, the district or
193 charter school shall notify the parent or guardian of each
194 student who exhibits a substantial deficiency in reading of
195 the opportunity to attend the summer reading program.

196 4. If a student has a substantial reading deficiency
197 at the end of third grade, the student's parent or guardian
198 and appropriate school staff shall discuss whether the
199 student should be retained in grade level, based on a
200 consideration of all relevant factors, including the reading
201 deficiency, the student's progress in other subject areas,
202 and the student's overall intellectual, physical, emotional,
203 and social development. A decision to promote or retain a
204 student with a substantial reading deficiency at the end of
205 grade three shall be made only after direct personal
206 consultation with the student's parent or guardian and after

207 the formulation of a specific plan of action to remedy the
208 student's reading deficiency.

209 5. Each school district or charter school shall do all
210 of the following:

211 (1) Provide students who are identified as having a
212 substantial deficiency in reading under subsection 1 of this
213 section, have been identified as being at risk of dyslexia
214 in the statewide dyslexia screening or have a formal
215 diagnosis of dyslexia with intensive instructional services
216 and supports specified in a reading success plan, as
217 appropriate according to student need, free of charge, to
218 remediate the identified areas of reading deficiency,
219 including additional scientific, evidence-based reading
220 instruction and other strategies prescribed by the school
221 district or charter school which may include but are not
222 limited to the following:

- 223 (a) Small group or individual instruction;
- 224 (b) Reduced teacher-student ratios;
- 225 (c) More frequent progress monitoring;
- 226 (d) Tutoring or mentoring;
- 227 (e) Extended school day, week, or year; and
- 228 (f) Summer reading programs;

229 (2) For any student with a formal diagnosis of
230 dyslexia or for a student who was found to be at risk of
231 dyslexia in the statewide dyslexia screening, the school
232 district or charter school shall provide evidence-based
233 reading instruction that addresses phonology, sound-symbol
234 association, syllable instruction, morphology, syntax, and
235 semantics provided through systematic, cumulative, explicit,
236 and diagnostic methods;

237 (3) At regular intervals, but no less than four times
238 per year in a manner that reflects progress through each
239 school term, notify the parent or guardian of academic and

240 other progress being made by the student and give the parent
241 or guardian other useful information.

242 (4) In addition to required reading enhancement and
243 acceleration strategies, provide all parents of students,
244 including parents of students who are identified as having a
245 substantial deficiency in reading under subsection 1 of this
246 section, with a plan that includes suggestions for regular
247 parent-guided home reading.

248 6. Each school district and charter school shall
249 ensure that intensive reading instruction through a reading
250 development initiative shall be provided to each
251 kindergarten through grade five student who is assessed as
252 exhibiting a substantial deficiency in reading. In addition
253 to the requirements otherwise provided, such instruction
254 will also comply with all of the following criteria:

255 (1) Be provided to all kindergarten through grade five
256 students who exhibit a substantial deficiency in reading
257 under this section. The assessments shall measure phonemic
258 awareness, phonics, fluency, vocabulary, and comprehension;

259 (2) Be provided during regular school hours;

260 (3) Provide a reading curriculum that meets the
261 requirements of section 170.014, and at a minimum has the
262 following specifications:

263 (a) Assists students assessed as exhibiting a
264 substantial deficiency in reading to develop the skills to
265 read at grade level;

266 (b) Provides skill development in phonemic awareness,
267 phonics, fluency, vocabulary, and comprehension;

268 (c) Includes a scientifically based and reliable
269 assessment;

270 (d) Provides initial and ongoing analysis of each
271 student's reading progress; and

272 (e) Provides a curriculum in core academic subjects to
273 assist the student in maintaining or meeting proficiency
274 levels for the appropriate grade in all academic subjects.

275 7. School districts and charter schools shall report
276 to the department the specific intensive reading
277 interventions and supports implemented by the school
278 district or charter school pursuant to this section as well
279 as the reading assessment data collected for grades
280 kindergarten through five. The department shall annually
281 prescribe the components of required or requested reports.

282 8. (1) Each school district and charter school shall
283 address reading proficiency as part of its comprehensive
284 school improvement plan, drawing upon information about
285 children from assessments conducted pursuant to subsection 1
286 and the prevalence of deficiencies identified by classroom,
287 elementary school, and other student characteristics. As
288 part of its comprehensive school improvement plan or
289 contract, each school district or charter school shall
290 review chronic early elementary absenteeism for its impact
291 on literacy development. If more than fifteen percent of an
292 attendance center's students are not at grade level in
293 reading by the end of third grade, the comprehensive school
294 improvement plan or contract shall include strategies to
295 reduce that percentage, including school and community
296 strategies to raise the percentage of students who are
297 proficient in reading.

298 (2) Each school district and charter school shall
299 provide professional development services to enhance the
300 skills of elementary teachers in responding to children's
301 unique reading issues and needs and to increase the use of
302 evidence-based strategies.

170.014. 1. This section shall be known as the
2 "Reading Instruction Act" and is enacted to ensure that all

3 public schools including charter schools establish reading
4 programs in kindergarten through grade ~~three~~ five based in
5 scientific research. "Evidence-based reading instruction"
6 includes practices that have been proven effective through
7 evaluation of the outcomes for large numbers of students and
8 are highly likely to be effective in improving reading if
9 implemented with fidelity. Such programs shall include the
10 essential components of phonemic awareness, phonics,
11 fluency, vocabulary, and comprehension, and all new teachers
12 who teach reading in kindergarten through grade three shall
13 receive adequate training in these areas.

14 2. ~~The program described in subsection 1 of this~~
15 ~~section may include "explicit systematic phonics", which,~~
16 ~~for the purposes of this section, shall mean the methodology~~
17 ~~of pronouncing and reading words by learning the phonetic~~
18 ~~sound association of individual letters, letter groups, and~~
19 ~~syllables, and the principles governing these associations.~~

20 ~~3.]~~ Every public school in the state shall offer a
21 reading program as described in subsection 1 of this section
22 for kindergarten through grade ~~three~~ five.

186.080. 1. The commissioner of education shall
2 establish a literacy advisory council. The council shall
3 consist of no more than twenty members, appointed by the
4 commissioner, and shall include members representing the
5 following stakeholder groups:

- 6 (1) School boards;
- 7 (2) Charter schools;
- 8 (3) School superintendents;
- 9 (4) Elementary and secondary building principals;
- 10 (5) At least three teachers, including at least two
11 teachers with expertise in reading instruction;
- 12 (6) At least two special education educators;

13 (7) At least two parents of elementary and secondary
14 school-age pupils who have struggled with literacy
15 proficiency;

16 (8) At least two community members who have struggled
17 with literacy proficiency or supported others who have
18 struggled with literacy proficiency, at least one of whom
19 shall be a high school student;

20 (9) One member from dyslexia advocacy group;

21 (10) Faculty members of institutions of higher
22 education with approved teacher preparation programs;

23 (11) Professionals with expertise in reading
24 instruction, reading interventions and how students learn to
25 read including one certified academic language therapist; and

26 (12) Professionals with expertise in educational
27 assessment data analysis.

28 2. The council shall meet at least twice per year to
29 review best practices in literacy instruction and related
30 policy provisions. The department shall provide necessary
31 staff and resources for the work of the advisory council.

32 3. The council shall periodically provide
33 recommendations to the commissioner and the state board of
34 education regarding any identified improvements to literacy
35 instruction and policy for students. The recommendations
36 may include recommendations for changes to state law, and
37 the commissioner shall furnish any such recommendations to
38 the joint committee on education.

39 4. The council recommendations shall:

40 (1) Advise the department of elementary and secondary
41 education on how to implement and maintain the statewide
42 literacy plan required under section 161.241 and advise the
43 department, school districts and charter schools on ways to
44 inform and engage parents and other community members about
45 the literacy plan;

46 (2) Provide advice as to what services the department
47 should provide to school districts and charter schools to
48 support implementation of the plan and on staffing levels
49 and resources needed at the department to support the
50 statewide effort to improve literacy;

51 (3) Provide advice regarding the statewide plan for
52 collecting literacy-related data that informs:

53 (a) Literacy instructional practices;

54 (b) Teacher professional development in the field of
55 literacy;

56 (c) What proficiencies and skills should be measured
57 through literacy assessments and how those assessments are
58 incorporated into local assessment plans; and

59 (d) How to identify school progress in achieving
60 literacy outcomes, including closing literacy gaps for
61 students from historically underserved populations;

62 (4) Recommend best practices for tiered literacy
63 instruction within a multi-tiered system of supports to best
64 improve and sustain literacy proficiency;

65 (5) Review literacy assessments and outcomes and
66 provide ongoing advice as to how to continuously improve
67 those outcomes and sustain improvement; and

68 (6) Provide a means for members of the public to
69 provide input and ask questions concerning literacy issues.