

Literacy-Based Promotion Act (2016)



The purpose of the *Literacy-Based Promotion Act* is to improve the reading skills of kindergarten and first through third grade public school students so that every student completing 3rd grade reads at or above grade level. The intent is to increase the proficiency of all students in reading by the end of their 3rd grade year of school.

3rd Grade Reading Summative Assessment –Beginning in the 2014-2015 school year, a student scoring at the lowest achievement level in reading on the established state assessment for 3rd grade will not be promoted to 4th grade.

Note: Beginning in the 2018-2019 school year, if a student's reading deficiency is not remedied by the end of the student's Third-Grade year, as demonstrated by the student scoring above the lowest two (2) achievement levels in reading on the state annual accountability assessment or on an approved alternative standardized assessment for Third Grade, the student shall not be promoted to Fourth Grade.

Social Promotion – A student may not be assigned a grade level based solely on age or any other factor that constitutes social promotion.

Public School Requirements

If a K - 3 student has been identified with a substantial deficit in reading, the teacher will immediately, and with each quarterly progress report, notify parents or legal guardians of the following in writing:

- Determination of a substantial deficit in reading;
- Description of student services and supports presently provided;
- Description of proposed supplemental instruction and support to remediate the student's deficit areas;
- Strategies for parents to use to help students at home; and,
- Notification that student will not be promoted to 4th grade if reading deficiency cannot be remediated by the end of 3rd grade

Provide intensive reading instruction and immediate intervention to each K - 3 student who exhibits a substantial deficiency in reading at any time.

The intensive reading instruction and intervention must be documented for each student grades K-3 in an **individual reading plan**, including, at a minimum, the following:

- a) The student's specific, diagnosed reading skill deficiencies as determined (or identified) by diagnostic assessment data;
- b) The goals and benchmarks for growth;
- c) How progress will be monitored and evaluated;

- d) The type of additional instruction services and interventions the student will receive;
- e) The research-based reading instructional programming the teacher will use to provide reading instruction, addressing the areas of phonemic awareness, phonics, fluency, vocabulary and comprehension;
- f) The strategies the student's parent is encouraged to use in assisting the student to achieve reading competency; and,
- g) Any additional services the teacher deems available and appropriate to accelerate the student's reading skill development.

Good Cause Exemptions

A 3rd grade student who fails to meet the academic requirements for promotion to the 4th grade may be promoted for good cause:

- a) Limited English Proficient students who have had less than two (2) years of instruction in English Language Learner program;
- b) Students with disabilities whose Individualized Education Program (IEP) indicates that participation in the statewide accountability assessment program is not appropriate, as authorized under state law;
- c) Students with a disability who participate in the state annual accountability assessment and who have an IEP or Section 504 plan that reflects that the student has received intense remediation in reading for two (2) years but still demonstrates a deficiency in reading **OR** was previously retained in Kindergarten or First, Second or Third grade;
- d) Students who demonstrate an acceptable level of reading proficiency on an alternative assessment approved by the State Board of Education; and
- e) Students who have received intensive intervention for two (2) or more years but still demonstrate a deficiency in reading, and who previously were retained in Kindergarten or First, Second or Third Grade for a total of two (2) years and have not met exceptional education criteria.