

AMENDMENTS TO LB651

Introduced by Linehan, 39.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Sections 1 to 8 of this act shall be known and may be
4 cited as the Nebraska Reading Improvement Act.

5 Sec. 2. It is the intent of the Legislature that:

6 (1) School boards develop policies to facilitate reading instruction
7 and create intervention services to address student reading needs,
8 including, but not limited to, dyslexia;

9 (2) All teachers for kindergarten through grade three should be
10 highly effective reading teachers as evidenced by (a) evaluations based
11 on classroom observations and student improvement on reading assessments,
12 (b) an endorsement related to reading instruction, or (c) specialized
13 training in reading improvement;

14 (3) Each student and his or her parents or guardians be informed of
15 the student's reading progress; and

16 (4) Each student in a public school be able to read at or above
17 grade level by third grade.

18 Sec. 3. (1) For the 2019-20 school year and each school year
19 thereafter, each school district shall administer an approved reading
20 assessment three times during such school year to all students in
21 kindergarten through grade three, except any student receiving
22 specialized instruction for limited English proficiency who has been
23 receiving such instruction for less than two years and any student
24 receiving special education services for whom such assessment would
25 conflict with the individualized education plan. The first administration
26 of such assessment for each such school year shall occur within the first
27 thirty days of the school year.

1 (2) For purposes of this section, an approved reading assessment
2 means an assessment of student reading skills approved by the State
3 Department of Education which:

4 (a) Measures progress toward proficiency in the reading skills
5 assessed pursuant to subsection (5) of section 79-760.03 on the statewide
6 assessment of reading for grade three;

7 (b) Is valid and reliable;

8 (c) Is aligned with academic content standards for reading adopted
9 by either the board pursuant to section 79-760.01 or the school district
10 administering such assessment pursuant to section 79-760.02; and

11 (d) Allows teachers access to results in a reasonable time period as
12 established by the department, not to exceed fifteen working days.

13 (3) On or before March 1, 2019, and on or before each March 1
14 thereafter, the board shall make public a list for the subsequent school
15 year of approved reading assessments and the threshold level of
16 performance for each such assessment below which a student will be
17 identified as having a reading deficiency for purposes of the Nebraska
18 Reading Improvement Act. The department shall make recommendations to
19 school districts regarding commercially available reading assessments
20 from which to choose.

21 (4) On or before March 1, 2019, and as needed thereafter, the
22 department shall make public the threshold level of performance for the
23 statewide assessment of reading administered pursuant to section
24 79-760.03 for grade three below which a student will be identified as
25 having a reading deficiency for purposes of the Nebraska Reading
26 Improvement Act.

27 (5) Diagnostic assessments used within a supplemental reading
28 intervention program do not require department approval.

29 Sec. 4. (1) Any student in kindergarten, grade one, grade two, or
30 grade three shall be identified as having a reading deficiency if such
31 student performs below the threshold level set pursuant to section 3 of

1 this act on an approved reading assessment. A student who is identified
2 as having a reading deficiency pursuant to this subsection shall remain
3 identified as having a reading deficiency until the student performs at
4 or above the threshold level on an approved reading assessment or at or
5 above the threshold level on the statewide assessment of reading
6 administered pursuant to section 79-760.03 for the grade level of such
7 student.

8 (2) Any student in grade four or higher shall be identified as
9 having a reading deficiency if such student performed below the threshold
10 level established pursuant to section 3 of this act on the statewide
11 assessment of reading administered pursuant to section 79-760.03 for the
12 grade level of such student. A student who is identified as having a
13 reading deficiency pursuant to this subsection shall remain identified as
14 having a reading deficiency until the student performs at or above the
15 threshold level on a subsequent administration of the statewide
16 assessment of reading administered pursuant to section 79-760.03 for the
17 grade level of such student.

18 (3) Nothing in the Nebraska Reading Improvement Act shall prohibit a
19 school district from identifying any other student as having a reading
20 deficiency.

21 Sec. 5. Each school district shall provide a supplemental reading
22 intervention program for the purpose of ensuring that students can read
23 at or above grade level at the end of third grade. School districts may
24 work collaboratively with educational service units, with learning
25 communities, or through interlocal agreements to develop and provide such
26 supplemental reading intervention programs. Each supplemental reading
27 intervention program shall:

28 (1) Be provided to any student identified as having a reading
29 deficiency;

30 (2) Be implemented during regular school hours in addition to
31 regular reading instruction unless otherwise agreed to by a parent or

1 guardian;

2 (3) Utilize reading intervention techniques that are based on
3 scientific research;

4 (4) Administer diagnostic assessments to frequently monitor student
5 progress throughout the school year and adjust instruction accordingly;

6 (5) Provide intensive development in phonemic awareness, phonics,
7 fluency, vocabulary, and reading comprehension;

8 (6) Provide explicit and systematic instruction with detailed
9 explanations, extensive opportunities for guided practice, and
10 opportunities for error corrections and feedback;

11 (7) Provide daily targeted small-group reading intervention based on
12 student needs as determined by diagnostic assessment data;

13 (8) Provide parents and guardians with strategies and resources to
14 assist with reading skills at home, including parent training workshops
15 and suggestions for parent-guided home reading;

16 (9) Encourage access to optional before-school or after-school
17 supplemental reading intervention with a teacher or tutor who has
18 specialized training in reading intervention; and

19 (10) Provide access, without charge, to a summer reading camp each
20 summer with a minimum of sixty hours of instructional time in reading for
21 any student who has been enrolled in grade one or higher and is
22 identified as continuing to have a reading deficiency at the conclusion
23 of the school year preceding such summer reading camp. Such summer
24 reading camps can be held in conjunction with already existing summer
25 reading programs.

26 Sec. 6. (1) The school of any student who is identified as having a
27 reading deficiency shall notify such student's parents or guardians in
28 writing no later than fifteen working days after the identification of
29 the reading deficiency that the student has been identified as having a
30 reading deficiency and that an individual reading improvement plan will
31 be established and shared with parents or guardians.

1 (2) Any student who is identified as having a reading deficiency
2 shall receive an individual reading improvement plan no later than thirty
3 days after the identification of such reading deficiency. The reading
4 improvement plan may be created by the teacher, the principal, other
5 pertinent school personnel, and the parents or guardians of the student
6 and shall describe the reading intervention services the student will
7 receive through the supplemental reading intervention program pursuant to
8 section 5 of this act to remedy such reading deficiency. Each such
9 student shall receive reading intervention services through the
10 supplemental reading intervention program pursuant to section 5 of this
11 act until the student is no longer identified as having a reading
12 deficiency.

13 Sec. 7. By September 1 of each year, each school board shall
14 annually report in writing to the State Department of Education the
15 following information on the prior school year:

16 (1) By grade, the number and percentage of all students in
17 kindergarten, first grade, second grade, and third grade who were
18 identified as having a reading deficiency at the beginning of the school
19 year and who were no longer identified as having a reading deficiency at
20 the end of the school year; and

21 (2) By grade, the number and percentage of all students in
22 kindergarten, first grade, second grade, and third grade who were
23 identified as having a reading deficiency as of the end of the school
24 year.

25 (3) Any report pursuant to this section shall comply with any
26 standards used by the department to protect the individual identity of a
27 student.

28 Sec. 8. (1) The State Department of Education shall establish a
29 uniform format for school districts to report the information required
30 pursuant to section 7 of this act. The format shall be developed with
31 input from school boards and shall be provided to each school district no

1 later than ninety days prior to the annual due date.

2 (2) The department shall annually compile the information submitted
3 under section 7 of this act along with state-level summary information
4 and report such information to the public, the Governor, and
5 electronically to the Legislature on or before October 1 of each year.

6 (3) The department shall provide technical assistance as needed to
7 assist school boards in carrying out the Nebraska Reading Improvement
8 Act.

9 (4) The department may adopt and promulgate rules and regulations to
10 carry out the act.