

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

**SENATE BILLS NOS. 681 & 662**

**101ST GENERAL ASSEMBLY**

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ADRIANE D. CROUSE, Secretary

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**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.

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Section A. Sections 161.097, 167.268, 167.640, 167.645, and 170.014, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 161.097, 161.214, 161.241, 167.268, 167.640, 167.645, 170.014, and 186.080, to read as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

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 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 following terms shall mean:

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

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

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

(a) A single elementary or secondary school;

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

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

(d) A single school district; or

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

(4) "School innovation waiver", a waiver granted by the board to a single school, group of schools, single school district, or group of school districts pursuant to this section, in which the school, group of schools, school district, or group of school districts is exempt from a specific requirement imposed by chapter 160, chapter 161, 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 a plan that includes suggestions for**  
19 **regular parent-guided 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 assessment initiative shall measure  
258 phonemic awareness, phonics, fluency, vocabulary, and  
259 comprehension;

260           (2) Be provided during regular school hours;

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

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

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

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

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

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

276           7. School districts shall report to the department the  
277 specific intensive reading interventions and supports  
278 implemented by the school district or charter school  
279 pursuant to this section as well as the reading assessment

280 data collected for grades kindergarten through five. The  
281 department shall annually prescribe the components of  
282 required or requested reports.

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

299       (2) Each school district and charter school shall  
300 provide professional development services to enhance the  
301 skills of elementary teachers in responding to children's  
302 unique reading issues and needs and to increase the use of  
303 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 establish reading programs in kindergarten  
4 through grade [three] five based in scientific research.  
5 "Evidence-based reading instruction" includes practices that  
6 have been proven effective through evaluation of the  
7 outcomes for large numbers of students and are highly likely  
8 to be effective in improving reading if implemented with

9 **fidelity.** Such programs shall include the essential  
10 components of phonemic awareness, phonics, fluency,  
11 vocabulary, and comprehension, and all new teachers who  
12 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.

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