

2022 Regular Session

HOUSE BILL NO. 911

BY REPRESENTATIVES HUGHES, ADAMS, AMEDEE, BEAULLIEU, BOYD, BRASS, BROWN, BRYANT, BUTLER, CARRIER, CORMIER, COUSSAN, DAVIS, DEVILLIER, DUBUISSON, DUPLESSIS, EDMONDS, EMERSON, FISHER, FREEMAN, FREIBERG, GAROFALO, GLOVER, HARRIS, HILFERTY, HORTON, ILLG, JEFFERSON, MIKE JOHNSON, JORDAN, KERNER, LACOMBE, LANDRY, LARVADAIN, LYONS, MAGEE, MARCELLE, MCKNIGHT, GREGORY MILLER, NELSON, NEWELL, CHARLES OWEN, PIERRE, PRESSLY, ROMERO, SCHAMERHORN, SCHEXNAYDER, SCHLEGEL, SELDERS, ST. BLANC, STEFANSKI, THOMAS, THOMPSON, TURNER, VILLIO, WHITE, AND ZERINGUE

EDUCATION: Provides relative to early literacy

1 AN ACT
2 To amend and reenact R.S. 17:24.9(B), (C)(5), and (D), 24.10(A)(2) and (3),
3 (B)(1)(introductory paragraph), and (D) through (F), and 24.12(C) and (D) and to
4 enact R.S. 17:24.10(G) and 24.12(E), relative to early literacy; to provide a short
5 title; to increase the number of administrations of a literacy screener to students in
6 grades kindergarten through three; to provide for reporting the results of the literacy
7 screener; to provide relative to literacy supports and interventions for certain
8 students; to require individual reading plans for certain students; to require literacy
9 coaches for teachers; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. This Act shall be known and may be cited as the "Earl Michael Willis
12 Early Literacy Act".

13 Section 2. R.S. 17:24.9(B), (C)(5), and (D), 24.10(A)(2) and (3), (B)(1)(introductory
14 paragraph), and (D) through (F), and 24.12(C) and (D) are hereby amended and reenacted
15 and R.S. 17:24.10(G) and 24.12(E) are hereby enacted to read as follows:

1 §24.9. Quality early literacy initiative; legislative findings; development; criteria;
2 implementation; limitations

3 * * *

4 B. The state Department of Education shall develop a comprehensive and
5 evidence-based early literacy initiative for students in kindergarten through third
6 grade. The department shall:

7 (1) Develop a program for early literacy that is applicable for all students in
8 kindergarten through third grade including special education students.

9 (2) Develop or select a literacy ~~assessment~~ screeener to assess the literacy
10 level of each public school student in kindergarten through third grade.

11 (a) In developing or selecting the literacy ~~assessment~~, screeener, the
12 department shall consider:

13 (i) The scientific validity and reliability of the literacy ~~assessment~~, screeener.

14 (ii) The time required to conduct the literacy ~~assessment~~, screeener, with the
15 intention to minimize the impact on instructional time.

16 (iii) The cost of administering the literacy ~~assessment~~, screeener.

17 (iv) The timeliness and ease in reporting the results to teachers,
18 administrators, and parents.

19 (v) The integration of the literacy ~~assessment~~ screeener with instruction.

20 (b) The literacy ~~assessment~~ screeener shall:

21 (i) Measure, at a minimum, age-appropriate phonological awareness,
22 phonics, decoding, fluency, and comprehension.

23 (ii) Identify students whose literacy skills are below grade level.

24 (iii) Be a tool to assist in identifying students for further evaluation for
25 specific programming, including students who display characteristics of being
26 dyslexic or gifted.

27 (3) Provide the literacy ~~assessment~~, screeener, at no cost, to each public
28 school for use in identifying a student's foundational literacy skill level pursuant to
29 R.S. 17:24.10.

1 (4) Establish the scores on the literacy ~~assessment~~ screener to determine
2 whether a student's literacy skills are above grade level, on grade level, or below
3 grade level.

4 (5) Require, beginning with the 2022-2023 school year, each public school
5 to administer the literacy ~~assessment~~ screener three times per school year to each
6 student in kindergarten through third grade; . The first screener shall be administered
7 within the first thirty days of each school year, the second screener shall be
8 administered in December, and the third screener shall be administered in April.

9 (6) Provide, within thirty days after ~~the~~ each administration of the literacy
10 ~~assessment, a literacy assessment~~ screener, a report to each public school governing
11 authority, each public school, and each public school teacher who teaches students
12 in kindergarten through third grade; that indicates the number and percentage of
13 students with literacy skills determined to be above grade level, on grade level, or
14 below grade level. The number of students identified for referral for gifted
15 evaluation or targeted for literacy intervention shall also be reported.

16 (7)(a) Submit a report; ~~not later than ninety days after the beginning of each~~
17 ~~school year;~~ to the Senate Committee on Education and the House Committee on
18 Education detailing the results of ~~the~~ each literacy ~~assessment~~ screener for each
19 public elementary school, each public school system, and the state as a whole. The
20 report shall be submitted twice per school year. The first report shall include the
21 results of the first screener administered and shall be submitted within the first ninety
22 days of the school year. The second report shall include the results of the second and
23 third screeners and shall be submitted not later than June first.

24 (b) ~~The~~ Each report shall include:

25 (i) The number and percentage of students in kindergarten through third
26 grade with literacy skills identified at each proficiency level.

27 (ii) The number of students identified for referral for gifted evaluation or
28 targeted for literacy intervention.

29 (iii) Literacy levels by student subgroups.

1 (c) The data reported shall be submitted in the aggregate and shall not
2 include any personally identifiable information pursuant to R.S. 17:3914.

3 (8) Report the data for each school, for each school system, and the state as
4 a whole, in the school progress profiles provided pursuant to R.S. 17:3911 and 3912.

5 C. Not later than July 31, 2022, the State Board of Elementary and
6 Secondary Education shall revise teacher certification requirements and the
7 requirements of teacher education programs to require foundational literacy skills
8 standards in all educator preparation programs of all candidates seeking certification
9 to teach students in kindergarten through third grade. The foundational literacy skills
10 standards shall include:

11 * * *

12 (5) How to administer literacy ~~assessments~~ screeners to students and use the
13 resulting data to improve literacy instruction for students.

14 D. The results from the literacy ~~assessment~~ screeners shall be used in
15 determining school and district performance scores pursuant to the state's school and
16 district accountability system.

17 * * *

18 §24.10. Early literacy instruction and ~~assessment~~ screening; parental notification;
19 reporting

20 A. Each public school shall:

21 * * *

22 (2) Within the first thirty days of each school year, in December, and in
23 April, administer the literacy ~~assessment~~ screrener developed or selected and
24 provided by the state Department of Education pursuant to R.S. 17:24.9 to each
25 student in kindergarten through third grade to determine each student's literacy level.

26 (3) Provide literacy interventions and supports designed to improve the
27 foundational literacy skills of any student identified as having literacy skills below
28 grade level. The supports may include daily targeted small-group interventions,
29 before and after school literacy intervention provided by a teacher or tutor with

1 specialized literacy training, ~~and~~ at-home literacy programs that include literacy
 2 workshops for the parents and legal guardians of students and web-based or parent-
 3 guided home literacy activities, and summer learning opportunities, including but not
 4 limited to reading camps where students receive reading intervention services and
 5 supports.

6 * * *

7 B.(1) Within fifteen days of identifying that a student in kindergarten
 8 through third grade is below grade level, based on the results of ~~the annual literacy~~
 9 ~~assessment~~ any of the three literacy screeners administered per school year, the
 10 school shall notify the student's parent or legal guardian in writing that the student
 11 has been identified as being below grade level, and shall provide the student's parent
 12 with the following:

13 * * *

14 D. Each school shall post its foundational literacy skills plan and the latest
 15 report on the literacy ~~assessment~~ screener on its website.

16 E. The results of the early literacy ~~assessment~~ screener shall not be used in
 17 determining school and district performance scores prior to the 2023-2024 school
 18 year.

19 F. A student in grades kindergarten through three, within thirty days of being
 20 identified as having literacy skills that are below grade level based on the results of
 21 the literacy screener, shall receive an individual reading improvement plan. The plan
 22 shall be created by the teacher, principal, other pertinent school personnel, and the
 23 parent or legal guardian and shall describe the evidence-based reading intervention
 24 services the student will receive and shall give suggestions for strategies parents can
 25 use at home.

26 F. G. The State Board of Elementary and Secondary Education shall adopt
 27 rules in accordance with the Administrative Procedure Act to implement the
 28 provisions of this Section.

1 §24.12. Early literacy professional development; purpose; requirements; reporting;
2 funding

3 * * *

4 C. Each public school governing authority shall provide for literacy coaches
5 for reading teachers in kindergarten through third grade for the purposes of providing
6 on-site teacher training on evidence-based reading instruction, demonstrating
7 lessons, co-teaching or observation, and providing feedback for improving
8 instruction.

9 ~~C. D.~~ The State Board of Elementary and Secondary Education shall adopt
10 rules in accordance with the Administrative Procedure Act to implement the
11 provisions of this Section.

12 ~~D. E.~~ The provisions of this Section shall be subject to the appropriation of
13 funds.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 911 Re-Reengrossed

2022 Regular Session

Hughes

Abstract: Provides for additional literacy screenings for students in grades K-3, requires individual reading plans for certain students, and requires literacy coaches for teachers.

Relative to literacy tests for students in grades K-3:

- (1) Present law requires the state Dept. of Education (DOE) to develop an instrument to assess the literacy level of each public school student in grades K-3. Proposed law changes the terminology for this instrument from a literacy assessment to a literacy screener and requires DOE to develop *or select* it.
- (2) Present law provides for students in grades K-3 to take this test within the first 30 days of the school year. Proposed law provides for two additional tests per school year, one in Dec. and one in April.
- (3) Present law requires parental notification when students are identified as having literacy skills that are below grade level based on the results of the test. Proposed law specifies that this notification is required upon such identification based on the results of any of the three tests administered per school year.
- (4) Present law requires the state Dept. of Education (DOE) to submit a report to the legislature on results within the first 90 days of the school year. Proposed law additionally requires a second report to be submitted by June 1st (the first report

covering the results of the first test and the second report covering the results of the second and third tests).

Relative to literacy interventions and supports for students identified as having literacy skills below grade level:

- (1) Proposed law requires an individual reading improvement plan for each such student created by school officials and parents.
- (2) Present law requires literacy interventions and supports for these students, which may include small-group interventions, before and after school literacy intervention, and at-home literacy programs. Proposed law adds summer learning opportunities to this list.

Relative to professional development for teachers, present law requires professional development pertaining to early literacy, including a course on foundational literacy skills. Proposed law additionally requires literacy coaches for on-site teacher training.

(Amends R.S. 17:24.9(B), (C)(5), and (D), 24.10(A)(2) and (3), (B)(1)(intro. para.), and (D)-(F), and 24.12(C) and (D); Adds R.S. 17:24.10(G) and 24.12(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Revise terminology from literacy assessment to literacy screener throughout present law and proposed law.
2. Revise Dept. of Education's role relative to the literacy screener by providing for the department to either develop *or select* it.