



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 438: Excellent Public Schools Act of 2019.

2019-2020 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 9, 2019
Introduced by:	Sen. Berger	Prepared by:	Samantha Yarborough* Staff Attorney
Analysis of:	PCS to Second Edition S438-CSBN-33		

OVERVIEW: SB 438 would makes various changes to the North Carolina Read to Achieve Program, including the following:

- Establish individual reading plans.
- Establish a Digital Children's Reading Initiative.
- Establish a Comprehensive Plan to Improve Literacy Instruction (Comprehensive Plan).
- Require the North Carolina Center for the Advancement of Teaching (NCCAT) to prioritize and provide aligned professional development in early learning and literacy instruction.
- Require educator preparation programs to provide literacy training in programs for elementary education teachers.
- Require the literacy curriculum and instruction provided by local school administrative units to align with Read to Achieve and the Comprehensive Plan.
- Require approval of plans for local reading camps.
- Study phasing out some alternative assessments for third grade reading.
- Create a uniform reporting structure for Read to Achieve data.
- Provide for continuing education credits related to literacy for certain reading camp instructors and allow certain retired teachers to serve as reading camp instructors.
- Expand the Wolfpack WORKS program.

The PCS to the 2nd Edition of SB 438 would make technical changes to correct typographical errors.

CURRENT LAW: Part 1A of Article 8 of Chapter 115C of the General Statutes establishes the NC Read to Achieve Program (RtA). The program requires the State Board of Education (SBE) to create a comprehensive plan for reading achievement. All students entering kindergarten are required to receive a developmental screening in early language, literacy, and math skills, and students in grades K-3 must be assessed with valid, reliable, formative and diagnostic reading assessments. These assessments are to be used to identify and provide assistance to students reading below grade level, including optional reading camps. Students are retained in the third grade if they do not demonstrate reading proficiency on the third grade standardized test of reading comprehension, but may be promoted if the student qualifies under certain exemptions or if the student demonstrates reading comprehension on an alternative assessment.

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RtA requires specific interventions for students retained in third grade, including the option of a reading camp, accelerated reading classes or transitional third-fourth grade classes, and the possibility of mid-year promotion upon demonstration of reading comprehension.

BILL ANALYSIS: SB 438 would make the following changes related to RtA.

Part II: Establish Individual Reading Plans and a Digital Children's Reading Initiative

Sec. 2(a) would require K-3 students to receive high-quality core reading instruction, and require universal screening measures for literacy. Students identified as below grade level would receive an Individual Reading Plan (IRP) based on the initial diagnostics conducted each semester of the school year. The IRP would identify (i) specific reading deficiencies, (ii) goals and benchmarks for success, (iii) means to monitor progress and specific interventions for the students, (iv) the evidence-based reading instructional programming that will be implemented, and (v) any additional services provided. The student's parent would be given notice regarding the IRP, including specific strategies to assist the student, encouragement to use strategies at home, and direction to literacy resources. Parents would be encouraged to enroll students in grades 1 and 2 with deficits in critical reading skills in reading camps.

Sec. 2(b) would require the Department of Public Instruction (DPI) to develop a Digital Children's Reading Initiative (Initiative) that provides selected links via the Department's Web site to high-quality resources for families categorized by skill deficiency and grade level. The Initiative would include access to home activities, printables, and games on various literacy skills appropriate to the student's grade level. The Initiative would be disseminated to local school administrative units (LEAs) by January 15, 2020. Each LEA would make the resources available prominently on the LEA's Web site by July 1, 2020, and may add additional high-quality resources. Printables would also be provided in hard copy to students without Internet access at home.

Part III: Comprehensive Plan to Improve the Delivery of Literacy Instruction in the North Carolina Public Schools

Sec. 3(a) would require the Superintendent of Public Instruction to convene a task force with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the SBE, and the Professional Educator Preparation and Standards Commission, or their designees, to develop a Comprehensive Plan to Improve Literacy Instruction (Comprehensive Plan). The Comprehensive Plan would establish clear goals to ensure literacy instruction will be evidenced based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers after considering specific criteria. The Superintendent would report to the Joint Legislative Education Oversight Committee (JLEOC) by March 15, 2020, on the Comprehensive Plan and legislative changes necessary to implement it. The SBE would also adopt the Comprehensive Plan.

Part IX: Professional Development in Literacy Instruction Provided by NCCAT

Sec. 4.(a) would require NCCAT to prioritize delivery of early learning and literacy instruction services, and increase the number of teachers participating in NCCAT's professional development in early learning and literacy instruction meeting the Comprehensive Plan. Priority for admission to NCCAT opportunities would no longer be given to teachers with 15 or fewer years of experience. The NCCAT annual report would include information about NCCAT's programs including data on teachers in early learning and literacy professional development, and evaluations of the programs. These requirements would become effective July 1, 2020, and apply to programs offered by NCCAT on or after that date.

Sec. 4.(b) would require NCCAT to collaborate with DPI and educator preparation programs (EPPs) selected by The University of North Carolina System Office in designing professional development to

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align with the standards and curriculum for literacy instruction in K-3. NCCAT would also be required to meet the goals of the Comprehensive Plan in its professional development.

Part V: Literacy Training Coursework for Educator Preparation Program Approval

Sec. 5 would require EPPs, for elementary education and special educator teacher training, to include coursework in teaching reading and writing approved by the SBE as high-quality, evidence-based training that meets the goals for literacy instruction in the Comprehensive Plan. This requirement would apply to EPPs applying for or renewing approval on or after July 1, 2020.

Part VI: Align Literacy Curriculum and Instruction with Read to Achieve

Sec. 6 would require the SBE and DPI to develop or identify literacy curriculum and instruction standards to ensure methods throughout the State are consistent and closely aligned with the objectives of RtA. Based on the Comprehensive Plan, the SBE and DPI would incorporate only the most effective evidence-based literacy curriculum and instruction methods into the standards. By June 30, 2020, the SBE would be required to provide to local boards of education (i) the standards developed, (ii) a model literacy curriculum that meets those standards, and (iii) an example of a literacy curriculum that would not meet those standards and explanatory guidance on why. Each LEA would evaluate its literacy curriculum and instruction and modify it as necessary to adhere to the standards developed by the SBE, or adopt the SBE's model literacy curriculum model. By December 15, 2020, each LEA would submit a concise explanation of its aligned literacy curriculum and instruction to the SBE. Service Support Coordinators would review the curriculum of each LEA and consult as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide would be completed no later than November 15, 2021, and all modified curriculum and instruction would be in place beginning with the 2022-2023 school year.

Part VII: Approve Local Reading Camps

Sec. 7 would require the SBE and DPI to analyze reading camps throughout the State to determine the most effective activities and methods for furthering reading development. The SBE and DPI would develop standards based on this analysis to incorporate the most effective activities and instructional methods. By December 15, 2019, the SBE would publish the standards and report to the JLEOC on those standards and any recommended legislation to further improve the effectiveness of reading camps.

Beginning with reading camps for the 2019-2020 school year, each LEA would submit to DPI a plan for the operation of its reading camps. For 2019-2020, the plan would be submitted by March 1, 2020, and by October 1 in subsequent years. Each plan would include information about the LEA's efforts to staff reading camps with the most qualified teachers possible. LEAs would be encouraged to partner with other LEAs and with community organizations to enhance reading camps. DPI would review each LEA's plan and provide feedback on if the plan aligned with the statutes and reading camp standards. For 2019-2020, the feedback would be provided by May 15, 2020. In subsequent years, it would be provided by February 15. Beginning in 2020-2021, if DPI did not approve a plan by February 15, an LEA could revise and resubmit the plan by March 15. If the plan was again denied by DPI, the LEA would not receive State funds for the reading camp.

The section would also remove the existing requirement that reading camps be provided over at least a 3 week period.

Part VIII: Phase Out Certain Alternative Assessments

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Sec. 8 would require the SBE to analyze the passage rates for alternative assessments for third grade reading comprehension and determine the comparative utility of each. By January 15, 2020, the SBE would report to the JLEOC on the result of the analysis and any recommendations to eliminate certain alternative assessments.

Part IX: Enhance Data Collection

Sec. 9 would require DPI to create a uniform template for RtA data, beginning with data collected in 2013-2014. The template would require clear designations of each data component and identification of information suppressed to protect student privacy. Data compiled in the template for each school year would be reported to the JLEOC by April 15, 2020.

Part X: Allow CEUs and Retirees for Reading Camp Instruction

Sec. 10 would award 2 continuing education credits for any teacher who both (i) earns a reading bonus and (ii) teaches a full reading camp. Sec. 10 would also authorize retired classroom K-3 teachers with demonstrated outcomes in reading proficiency or improving difficulties in reading development to teach reading camps after 6 months of retirement. Those teachers would receive \$2,000 upon completion of teaching the reading camp.

Part XI: Expand Wolfpack WORKS Program

Sec. 11 would authorize DPI to contract with NC State University from funds appropriated for the 2019-2021 fiscal biennium for RtA to continue the Wolfpack WORKS pilot program and potentially expand the contract. The funds could also be used to expand the program to other constituent institutions. A report would be due by March 15 annually in years funds were used from DPI to the JLEOC on participation in the program, a summary of activities, and the results of any evaluations of the program. This section would become effective July 1, 2019.

EFFECTIVE DATE: Except as otherwise provided, SB 438 would become effective when it becomes law.

**Kara McCraw, Committee Counsel, substantially contributed to this summary.*