

Floor Amendment to HB 1015-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to a reading assessment and intervention program, dyslexia, and related
4 disorders.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 New Section; Reading Assessment and Intervention. Amend RSA 189 by inserting after
9 section 53 the following new section:

10 189:53-a Reading Assessment and Intervention.

11 I. The department of education shall identify and contract for a measurable evidence-based
12 universal reading screener for local school district and chartered public school use by January 1,
13 2025. The screener and training on the use of the screener will be made available at no cost to
14 districts by the department. The screener shall be validated for both universal screening of literary
15 proficiency and risk factors of dyslexia. It shall provide for data collection and analysis of skills
16 appropriate to grade-level literacy benchmarks at the beginning, middle, and end of the school year.
17 Additionally, it shall monitor the progress of those students who do not meet the screening
18 benchmarks to track instructional effectiveness. The screening shall measure skills based on grade
19 level predictive measures to include:

20 (a) Letter naming fluency;

21 (b) Phonemic awareness;

22 (c) Decoding fluency (use of nonwords preferred);

23 (d) Word reading fluency (inclusive of phonetic and irregularly spelled words);

24 (e) Oral reading fluency;

25 (f) Reading comprehension;

26 (g) Letter sound fluency; and

27 (h) A separate, progressive spelling inventory to be used to track student understanding
28 is the alphabetic principle.

29 II. All public schools and chartered public schools shall screen all students in kindergarten
30 through grade 3 (K-3) using the universal reading screener approved by the department. The
31 universal reading screener shall be given in the first 40 days of the school year and repeated at
32 midyear and at the end of the school year to determine student reading progress. Any student

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1 enrolling in a public school kindergarten through grade 3 (K-3) from an education setting that does
2 not require screening shall be screened within 40 days.

3 III. Each student who exhibits a deficiency below grade appropriate benchmarks as
4 demonstrated on the approved universal reading screener conducted in kindergarten and grades 1
5 through 3 shall be given general education reading intervention within 30 calendar days following
6 the identification of the reading deficiency. This diagnostic prescriptive reading instruction and
7 intervention must be documented for each student in an individual reading plan. The department
8 shall provide a recommended reading plan form for districts. The plan shall include, at a minimum,
9 the following:

10 (a) The student's specific reading skill deficiencies as determined by data collected by
11 the universal reading screener and teacher observation.

12 (b) Individual goals and benchmarks for growth toward grade level proficiency.

13 (c) Progress will be monitored and documented based on the targeted reading skill
14 deficiencies. Smaller, early skill deficiencies such as letter naming, letter sound, and word reading
15 will be progress monitored every other week. Oral reading fluency skills will be progress monitored
16 at least every 3 to 5 weeks to ensure interventions are working and the student is progressing at an
17 accelerated rate.

18 (d) The description of additional instructional services and interventions the student will
19 receive including the frequency, duration, group size, time on task and program materials used.

20 (e) The evidence-based reading instructional program the teacher will use to target skill
21 deficiencies during the intervention addressing the areas of phonemic awareness, phonics, fluency,
22 vocabulary and comprehension and the skills to be addressed.

23 (f) The instructional and intervention program used shall not include those that employ
24 the three-cueing system of reading, or those using visual memory as the primary basis for word
25 recognition.

26 (g) The strategies the student's parent is encouraged to use in assisting the student to
27 achieve reading proficiency.

28 (h) Any additional services the teacher deems appropriate to accelerate the student's
29 reading skill development.

30 IV. The parent of any K-3 student who exhibits a deficiency below grade appropriate
31 benchmarks in reading at any time during the school year must be notified in writing no later than
32 14 calendar days after the identification of the reading deficiency, and the written notification must
33 include the following:

34 (a) That his or her child has been identified as having a deficiency in reading, and a
35 reading improvement plan will be developed by the teacher, reading specialist, other pertinent
36 school personnel, and the parents.

37 (b) The importance of grade level reading proficiency.

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1 (c) The proposed measurable evidence-based individual reading plan, including
2 strategies and activities the parents are encouraged to use in assisting the student to achieve
3 reading proficiency.

4 (d) Notification that the parent will be informed in writing of their child's progress
5 towards grade level reading at least every 3-4 weeks.

6 V. Students who do not make meaningful gains to lessen the reading deficiency after a
7 measurable evidence-based intervention program shall be referred for special education evaluation
8 or sooner if an educational disability is suspected.

9 VI. Each local school district and chartered public school shall engage local stakeholders to
10 discuss the importance of reading, solicit stakeholder suggestions for improving literacy and district
11 plans to increase reading proficiency.

12 VII. The department shall provide periodic workshops for educators and parents in
13 evidence-based reading instructional programming addressing the areas of phonemic awareness,
14 phonics, fluency, vocabulary, and comprehension.

15 VIII. The department shall provide guidance to districts on evidence-based instructional
16 materials by September 1, 2024.

17 IX. Each district school board and chartered public school shall annually report in writing to
18 the department by September 1 of each year, the following information on the prior school year:

19 (a) By grade, school, and town (if a multi-town district), the number and percentage of
20 students in grades K-3 performing below grade appropriate benchmarks at the beginning, middle
21 and end of the school year on the approved measurable evidence-based universal reading screener.

22 (b) By grade, school, and town (if a multi-town district or cooperative), the number of
23 universal reading screeners administered and the number of pupils screened.

24 (c) By grade, school, and town (if a multi-town district or cooperative), the number and
25 percentage identified with a reading deficiency.

26 X. The department shall post on the department web site and provide an annual report by
27 December 1 of each year to the governor, senate president, speaker of the house of representatives,
28 the state library, and the chairs of senate and house education committees including:

29 (a) State progress on improving reading literacy.

30 (b) Grades 1-3 end of year screening results by district.

31 (c) Percentages of pupils identified with a reading deficiency by district.

32 XI. The department shall report annually beginning September 1, 2025 on each New
33 Hampshire teacher preparation program implementation of evidence-based and science of reading
34 programs. Copies of the report shall be provided to the governor, senate president, speaker of the
35 house of representatives, the state library, and members of senate and house education committee.
36 The reports shall include the following for each of the essential components of phonemic awareness,
37 phonics, fluency, vocabulary, and comprehension:

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- 1 (a) Instructional hours;
- 2 (b) Knowledge of individual components through objective measures of knowledge;
- 3 (c) Hours of practice opportunities including student instruction and assessment of
- 4 student skills;
- 5 (d) Background materials included textbooks and instructional materials

6 2 New Subdivision; Competitive Reading Improvement Grants. Amend RSA 198 by inserting
7 after section 62 the following new subdivision:

8 Competitive Reading Improvement Grants.

9 198:63 Reading Improvement Grants.

10 I. In addition to aid for the cost of the opportunity for an adequate education provided under
11 RSA 198:40-a, each local elementary school will be eligible for a competitive reading improvement
12 grant of up to \$75,000.

13 II. To be eligible for a competitive reading improvement grant, an elementary school shall
14 have an English Language Arts (ELA) proficiency rating below the state average.

15 III. In order to receive a competitive reading improvement grant, the eligible school shall:

16 (a) Provide a plan to the department outlining how the school intends to use grant
17 award funds to offer an intensive reading intervention program pursuant to RSA 189:53-a, III to
18 each K-3 student who exhibits a reading deficiency to ensure each student can read at or above
19 grade level.

20 (b) Document the use of instruction and instructional materials that are measurable,
21 evidence-based, and reflective of science of reading research.

22 IV. A department evaluation committee will review the submissions and determine the
23 school awards.

24 3 Literacy Skill Development in Elementary Grades. Amend RSA 189:53 to read as follows:

25 189:53 Literacy Skill Development in Elementary Grades.

26 *I. All school districts which provide elementary education shall ~~have~~ **provide***
27 ***measurable, evidence-based** instruction in literacy for all students through grade [3] 5, including*
28 *instruction in reading, writing, speaking, listening, and reasoning. All instruction shall be designed*
29 *to assist students to achieve literacy and to provide the opportunity for each child to learn according*
30 *to such child's needs and abilities as set forth by the state board of education in the minimum*
31 *standards for New Hampshire public elementary schools. **Literacy instruction and instructional***
32 ***materials shall be measurable, evidence-based, and reflective of science of reading***
33 ***research which reflects a conclusion that effective beginning reading instruction includes***
34 ***the following essential components of reading: phoneme awareness, letter name***
35 ***knowledge, understanding of the alphabetic principle, morphology, semantics***
36 ***(vocabulary), syntax, verbal reasoning, text structures, automaticity at all levels, exposure***
37 ***via listening, speaking, reading, and writing. Districts shall not employ the three-cueing***

1 *system model of reading, visual memory as the primary basis for teaching word*
2 *recognition, or the three-cueing system model of reading based on meaning, structure and*
3 *syntax, and visual cues.*

4 *II. The department of education shall adopt rules under RSA 541-A concerning*
5 *screening implementation, reading interventions, evidence-based instruction in literacy,*
6 *certification renewals, and reading improvement grants.*

7 4 Schools; Screening and Intervention for Dyslexia and Related Disorders. RSA 200:59, I-I-a are
8 repealed and reenacted to read as follows:

9 I. All public school and chartered public school students shall be screened, including English
10 learners, using the approved universal reading screener for the identification of potential indicators
11 or risk factors of dyslexia and related disorders and shall be administered pursuant to RSA 189:53-a.

12 I-a. If any such screening determines that a student fails to meet relevant benchmarks for
13 grade-typical development in specific foundational skills, then the intervention and parental
14 notification requirements will be followed pursuant to RSA 189:53-a.

15 5 New Section; Certification Renewal. Amend RSA 189 by inserting after section 13-c the
16 following new section:

17 189:13-d Certification Renewal.

18 I. Beginning January 1, 2028, the following educators shall meet the requirements under
19 this section prior to renewing their teaching license:

- 20 (a) Elementary education teacher;
- 21 (b) English for Speakers of Other Languages (ESOL) Teacher;
- 22 (c) Early childhood education teacher;
- 23 (d) English language arts teacher for grades 5-8;
- 24 (e) English language arts teacher for grades 5-12;
- 25 (f) Special education teacher;
- 26 (g) Early childhood special education teacher;
- 27 (h) Reading and writing teacher; and
- 28 (i) Reading and writing specialist.

29 II. Prior to renewing their teaching license, educators identified in paragraph I shall pass a
30 subject assessment test demonstrating the ability to promote student learning through the use of
31 evidence-based instruction in the following:

- 32 (a) Phonemic awareness;
- 33 (b) Phonics;
- 34 (c) Fluency;
- 35 (d) Vocabulary; and
- 36 (e) Comprehension.

37 6 Effective Date. This act shall take effect September 1, 2024.

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2024-1314h

AMENDED ANALYSIS

This bill creates a reading assessment program in the department of education, requires assessments of kindergarten through 3rd grade students for reading deficiencies, and establishes a reading improvement grant program.