

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill Nos. 603, 576 & 898, Page 8, Section 167.121, Line 33, by inserting after all of said  
3 section and line the following:

4  
5 "167.225. 1. As used in this section, the following terms mean:

6 (1) [~~"Blind persons", individuals who:~~

7 ~~— (a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or~~  
8 ~~have a limited field of vision such that the widest diameter of the visual field subtends an angular~~  
9 ~~distance not greater than twenty degrees; or~~

10 ~~— (b) Have a reasonable expectation of visual deterioration; or~~

11 ~~— (c) Cannot read printed material at a competitive rate of speed and with facility due to lack~~  
12 ~~of visual acuity;~~

13 ~~— (2) "Braille", the system of reading and writing through touch [commonly known as~~  
14 ~~standard English braille];~~

15 ~~[(3) (2) "Student", any student who [is blind or any student eligible for special education~~  
16 ~~services for visually impaired as defined in P.L. 94-142] has an impairment in vision that, even with~~  
17 ~~correction, adversely affects a child's educational performance and who is determined eligible for~~  
18 ~~special education services under the Individuals with Disabilities Education Act.~~

19 2. All students ~~[may]~~ shall receive instruction in braille reading and writing as part of their  
20 individualized education plan unless the individual education program team determines, after an  
21 evaluation of the child's reading and writing skills, needs, and appropriate reading and writing  
22 media, including an evaluation of the child's future needs for instruction in braille or the use of  
23 braille, that instruction in braille or the use of braille is not appropriate. No student shall be denied  
24 the opportunity of instruction in braille reading and writing solely because the student has some  
25 remaining vision.

26 3. Instruction in braille reading and writing shall be sufficient to enable each student to  
27 communicate effectively and efficiently at a level commensurate with ~~[his]~~ the student's sighted  
28 peers of comparable grade level and intellectual functioning. The student's individualized education  
29 plan shall specify:

30 (1) How braille will be implemented as the primary mode for learning through integration  
31 with normal classroom activities. If braille will not be provided to a child who is blind, the reason  
32 for not incorporating it in the individualized education plan shall be documented therein;

33 (2) The date on which braille instruction will commence;

34 (3) The level of competency in braille reading and writing to be achieved by the end of the  
35 period covered by the individualized education plan; and

36 (4) The duration of each session.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           4. As part of the certification process, teachers certified in the education of blind and  
2 visually impaired children shall be required to demonstrate competence in reading and writing  
3 braille. The department of elementary and secondary education shall adopt assessment procedures  
4 to assess such competencies which are consistent with standards adopted by the National Library  
5 Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

6           167.263. 1. A program to provide teacher assistants in regular classrooms in grades  
7 kindergarten through three is established. For the purposes of this section a "teacher assistant" is  
8 defined as a qualified person employed by a school district to assist a certificated teacher in  
9 classroom instruction and management. No teacher assistant shall be counted as a teacher for the  
10 purposes of establishing ratios of teachers to pupils in a classroom, school or school district. Any  
11 public elementary school containing such grades which meets the criteria pursuant to this section  
12 shall be eligible for a state financial supplement to employ teacher assistants. Eligibility criteria are  
13 that the school shall have a breakfast program, the school shall serve at least forty percent of its  
14 lunches to pupils who are eligible for free or reduced price meals according to federal guidelines,  
15 and the school shall have a reading ~~[intervention]~~ success plan ~~[pursuant to section 167.268]~~ under  
16 section 167.450.

17           2. A school district which contains such eligible schools may apply to the department of  
18 elementary and secondary education for a state financial supplement to employ teacher assistants in  
19 those schools named in the application and in no other schools of the district. The state full-time  
20 equivalent financial supplement shall be three thousand dollars per teacher assistant. No more than  
21 one assistant per classroom shall be supplemented by the state pursuant to this section. Teacher  
22 assistants thus employed pursuant to this section shall assist teachers in grades kindergarten through  
23 three and in no other grades. School districts shall not apply for or assign teacher assistants  
24 employed pursuant to this section in classrooms designated as special education or compensatory  
25 education classrooms.

26           3. The state board of education shall promulgate rules and regulations for the  
27 implementation of this section. Such rules shall include identifying minimum qualifications for  
28 teacher assistants which may include teacher education students, determining the minimum number  
29 of pupils per classroom to be eligible for a teacher assistant, establishing application procedures for  
30 school districts, and determining a method of awarding state financial supplements in the event that  
31 the number of applications exceeds the amounts appropriated therefor. No rule or portion of a rule  
32 promulgated under the authority of this chapter shall become effective unless it has been  
33 promulgated pursuant to the provisions of section 536.024.

34           167.450. 1. For the purposes of this section, the following terms shall mean:

35           (1) "Dyslexia", the same as defined in section 633.420;

36           (2) "Evidence-based reading instruction", any research validated program that has  
37 successful evidence to demonstrate adequate gains in reading achievement where such evidence is  
38 objective data that any evaluator would identify and interpret similarly, valid data on the tasks  
39 children need to accomplish to be successful readers, reliable data that will remain essentially  
40 unchanged if collected on a different day or by a different person, systematic data that is collected  
41 according to a rigorous design of either observation or experimentation, and referred data that has  
42 been approved for publication by a panel of independent reviewers;

43           (3) "Structured literacy", evidence-based reading instruction that addresses phonology,  
44 sound symbol association, syllable instruction, morphology, syntax, and semantics. Structured  
45 literacy is taught through systematic, cumulative, explicit, and diagnostic methods.

46           2. School districts and charter schools shall offer a reading success plan to each K-3 student  
47 who exhibits a reading deficiency, is identified as being at risk for dyslexia, or has a formal  
48 diagnosis of dyslexia to ensure students can read at or above grade level by the end of the third

1 grade. The reading success plan shall be provided in addition to core reading instruction that is  
2 provided to all students in the general education classroom. The reading success plan shall:

3 (1) Be provided to all K-3 students identified with a reading deficiency as determined by an  
4 approved local or statewide screening assessment administered within the first thirty days of school  
5 for students in grades first through third and by January thirty-first for kindergarten students;

6 (2) Provide explicit and systematic instruction in phonological awareness, phonics, fluency,  
7 vocabulary, and comprehension, as applicable;

8 (3) Provide structured literacy reading instruction to any child with a formal diagnosis of  
9 dyslexia or for a child that was found to be at risk for dyslexia in the statewide dyslexia screening as  
10 established in section 167.950;

11 (4) Monitor the reading progress of each student's reading skills throughout the school year  
12 and adjust instruction according to the student's needs; and

13 (5) Be implemented during regular school hours.

14 3. Any student in kindergarten or any grade not higher than the third grade who exhibits a  
15 deficiency in reading at any time, based upon local or statewide screening assessments, shall receive  
16 an individual reading success plan no later than thirty days after the identification of the reading  
17 deficiency. The reading success plan shall be created by the teacher, other pertinent school  
18 personnel, and the parents of the student, and shall describe the evidence-based reading intervention  
19 services the student shall receive to remedy the reading deficit. The individual reading success plan  
20 shall specify if the child has a formal diagnosis of dyslexia or was found to be at risk for dyslexia in  
21 the statewide dyslexia screening. Each student shall receive intensive reading intervention until the  
22 student no longer has a deficiency in reading.

23 4. The parent of any K-3 student who exhibits a deficiency in reading at any time during the  
24 school year shall be notified in writing no later than fifteen days after the identification of the  
25 reading deficiency. Such written notification shall include the following:

26 (1) A statement that the parent's child has been identified as having a deficiency in reading  
27 and that a reading success plan shall be developed by the teacher or other pertinent school  
28 personnel, and the parent;

29 (2) A description of the current services that are provided to the child;

30 (3) A description of the proposed evidence-based reading interventions and supplemental  
31 instructional services and supports that shall be provided to the child that are designed to remedy the  
32 identified area or areas of reading deficiency;

33 (4) A statement that the parent shall be informed in writing of his or her child's progress  
34 toward grade-level reading on a quarterly basis, at a minimum;

35 (5) Strategies that a parent is encouraged to use at home to help his or her child succeed in  
36 reading.

37 5. Beginning with the 2020-21 school year, students who are not reading at grade level by  
38 the end of the second grade shall receive intensive reading intervention to remedy the student's  
39 specific reading deficiency. The reading intervention services shall include effective instructional  
40 strategies to accelerate student progress.

41 6. Each school district and charter school shall conduct a review of student reading success  
42 plans for all students who are not reading at grade level by the end of the second grade. The review  
43 shall address additional supports and services, as described in this subsection, as needed to remedy  
44 the identified area or areas of reading deficiency. The district and charter school shall provide the  
45 following:

46 (1) Training shall be given to all K-3 teachers and instructors about the screening  
47 assessments;

48 (2) A highly effective teacher of reading as demonstrated by student reading performance

1 data and teacher performance evaluations;

2 (3) Reading intervention services and supports to correct the identified area or areas of  
3 reading deficiency including, but not limited to:

4 (a) More dedicated time than in the previous school year in scientifically evidence-based  
5 reading instruction and intervention;

6 (b) Use of reading strategies or programs that are scientifically evidence-based and have  
7 proven results in accelerating student reading achievement within the same school year;

8 (c) Daily, targeted small group reading intervention based on students' needs;

9 (d) Explicit and systematic instruction with more detailed explanations, more extensive  
10 opportunities for guided practice, and more opportunities for error correction and feedback;

11 (e) Frequent monitoring of the progress of each student's reading skills throughout the  
12 school year and adjustment of the instruction according to the student's needs; and

13 (f) A structured literacy reading success plan for any child with a formal diagnosis of  
14 dyslexia or who has been identified as a student at risk for dyslexia in the statewide dyslexia  
15 screening assessment established in section 167.950;

16 (4) The option of a transitional instructional setting. Such setting shall specifically be  
17 designed to produce learning gains sufficient to meet grade level performance standards in all other  
18 core academic areas while continuing to correct the area or areas of reading deficiency;

19 (5) Before or after school supplemental evidence-based reading intervention delivered by a  
20 teacher or tutor with specialized reading training; and

21 (6) A "read at home" plan outline prepared for parents and legal guardians along with  
22 suggestions for parent and legal guardian participation in training workshops or regular parent-  
23 guided home reading activities.

24 7. Each school district and charter school shall establish, where applicable, an intensive  
25 acceleration class for any student not reading proficient or above on the third grade state assessment.  
26 The intensive acceleration class shall include criteria established in subsection 6 of this section and:

27 (1) Have a reduced student-teacher ratio;

28 (2) Provide explicit and systematic evidence-based reading instruction and intervention for  
29 the majority of student contact time each day; and

30 (3) A structured literacy reading success plan for any child with a formal diagnosis of  
31 dyslexia or who has been identified as a student at risk for dyslexia in the statewide dyslexia  
32 screening assessment as established in section 167.950.

33 8. Each school district and charter school shall provide summer reading camps during  
34 summer school to all third grade students scoring below proficient on the third grade statewide  
35 English language arts assessment. Summer reading camps shall be staffed with highly effective  
36 teachers of reading as demonstrated by student reading performance data and teacher performance  
37 evaluations. The highly effective teacher of reading shall provide explicit and systematic evidence-  
38 based reading intervention services and supports to correct the identified area or areas of reading  
39 deficiency. Summer reading camps shall include, at a minimum, sixty hours of instructional time in  
40 reading. If funding allows, school districts shall extend summer reading camps to students in the  
41 first and second grades identified with a reading deficiency.

42 9. Providers for the local and statewide screening assessment required pursuant to  
43 subdivision (1) of subsection 2 of this section shall be selected through a request for proposals  
44 process through the department of elementary and secondary education. The department shall  
45 publish the list of approved local and statewide screening assessment providers.

46 10. The board of each school district and charter school shall annually report in writing to  
47 the department of elementary and secondary education by September first the following information  
48 on the prior school year:

1           (1) By building, the number and percentage of all students in third grade through eighth  
 2 grade scoring below the proficient level on the English language arts statewide assessment;

3           (2) By building, the number and percentage of all third grade through eighth grade students  
 4 in each demographic category scoring below the proficient level on the English language arts  
 5 statewide assessment;

6           (3) By district, the number and percentage of all students in third grade through eighth  
 7 grade scoring below the proficient level on the English language arts statewide assessment; and

8           (4) By district, the number and percentage of all third grade through eighth grade students  
 9 in each demographic category scoring below the proficient level on the English language arts  
 10 statewide assessment.

11           11. The department of elementary and secondary education shall establish a uniform format  
 12 for school districts and charter schools to report the information required under subsection 9 of this  
 13 section. The format shall be developed with input from school boards and shall be provided to each  
 14 school district and charter school no later than ninety days prior to the annual due date. The  
 15 department shall annually compile the information required, along with state-level summary  
 16 information, and report such information to the state board of education, the public, the governor,  
 17 and the joint committee on education by October first. Each school district shall post the data on its  
 18 website and in a visible location near the entrance of each elementary building. The department  
 19 shall provide technical assistance to aid school boards in implementing this subsection.

20           12. The state board of education shall strongly recommend that institutions of higher  
 21 education and the department of elementary and secondary education align literacy and reading  
 22 instruction coursework with knowledge and practice standards from the center for effective reading  
 23 instruction (CERI).

24           13. The state board of education shall have authority to enforce this section and may do so  
 25 with any means necessary at its discretion.

26           14. The department of elementary and secondary education shall promulgate rules to  
 27 implement the provisions of this section. Any rule or portion of a rule, as that term is defined in  
 28 section 536.010, that is created under the authority delegated in this section shall become effective  
 29 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
 30 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested  
 31 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
 32 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
 33 authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void."; and  
 34

35 Further amend said bill, Page 13, Section 173.1107, Line 8, by inserting after all of said section and  
 36 line the following:

37  
 38           ~~"[167.268. 1. Each local school district shall have on file a policy for~~  
 39 ~~reading intervention plans for any pupils of the district in grades kindergarten~~  
 40 ~~through three pursuant to the provisions of this section. Such plans shall identify~~  
 41 ~~strategies to be followed by the district teachers to raise a pupil identified as reading~~  
 42 ~~below grade level by recognized methods to reading at grade level by the end of the~~  
 43 ~~third grade. Recognized methods of identification may include but need not be~~  
 44 ~~limited to the scores of the pupil obtained through any established standardized~~  
 45 ~~testing program currently administered by the district, observations of classroom~~  
 46 ~~teachers, and documented classroom performance.~~

47           ~~— 2. The state board of education shall develop guidelines to assist districts in~~  
 48 ~~formulating policies for reading intervention plans. Such guidelines may include, but~~

1 are not limited to, timelines for measuring pupil improvement in reading,  
 2 information on screening for and treatment of auditory dyslexia, and information on  
 3 the Lindamood Auditory Conceptualization Test and the Auditory Discrimination in  
 4 Depth Program. Such guidelines may also identify performance levels for pupils  
 5 identified as handicapped or severely handicapped and conditions under which such  
 6 pupils are exempt from the provisions of this section.

7 ——— 3. Each local school district enrolling a pupil identified as reading below  
 8 grade level shall develop an individual plan of reading intervention for such pupil.  
 9 The individual pupil's plan may include individual or group reading development  
 10 activities. The plan may be developed after consultation with the pupil's parent or  
 11 legal guardian.]

12 [167.645. 1. For purposes of this section, the following terms mean:

13 ——— (1) "Reading assessment", a recognized method of judging a student's  
 14 reading ability, with results expressed as reading at a particular grade level. The term  
 15 reading assessment shall include, but is not limited to, standard checklists designed  
 16 for use as a student reads out loud, paper and pencil tests promulgated by nationally  
 17 recognized organizations and other recognized methods of determining a student's  
 18 reading accuracy, expression, fluency and comprehension in order to make a  
 19 determination of the student's grade-level reading ability. Assessments which do not  
 20 give a grade-level result may be used in combination with other assessments to reach  
 21 a grade-level determination. Districts are encouraged but not required to select  
 22 assessment methods identified pursuant to section 167.346. Districts are also  
 23 encouraged to use multiple methods of assessment;

24 ——— (2) "Summer school", for reading instruction purposes, a minimum of forty  
 25 hours of reading instruction and practice. A school district may arrange the hours  
 26 and days of instruction to coordinate with its regular program of summer school.

27 ——— 2. For purposes of this section, methods of reading assessment shall be  
 28 determined by each school district. Unless a student has been determined in the  
 29 current school year to be reading at grade level or above, each school district shall  
 30 administer a reading assessment or set of assessments to each student within forty-  
 31 five days of the end of the third-grade year, except that the provisions of this  
 32 subsection shall not apply to students receiving special education services under an  
 33 individualized education plan pursuant to sections 162.670 to 162.999, to students  
 34 receiving services pursuant to Section 504 of the Rehabilitation Act of 1973 whose  
 35 services plan includes an element addressing reading or to students determined to  
 36 have limited English proficiency or to students who have been determined, prior to  
 37 the beginning of any school year, to have a cognitive ability insufficient to meet the  
 38 reading requirement set out in this section, provided that districts shall provide  
 39 reading improvement plans for students determined to have such insufficient  
 40 cognitive ability. The assessment required by this subsection shall also be required  
 41 for students who enter a school district in grades four, five or six unless such student  
 42 has been determined in the current school year to be reading at grade level or above.

43 ——— 3. Beginning with school year 2002-03, for each student whose third-grade  
 44 reading assessment determines that such student is reading below second-grade level,  
 45 the school district shall design a reading improvement plan for the student's fourth-  
 46 grade year. Such reading improvement plan shall include, at a minimum, thirty hours  
 47 of additional reading instruction or practice outside the regular school day during the  
 48 fourth-grade year. The school district shall determine the method of reading

1 instruction necessary to enforce this subsection. The school district may also require  
2 the student to attend summer school for reading instruction as a condition of  
3 promotion to fourth grade. The department of elementary and secondary education  
4 may, from funds appropriated for the purpose, reimburse school districts for  
5 additional instructional personnel costs incurred in the implementation and execution  
6 of the thirty hours of additional reading instruction minus the revenue generated by  
7 the school district through the foundation formula for the additional reading  
8 instruction average daily attendance.

9 ——— 4. Each student for whom a reading improvement plan has been designed  
10 pursuant to subsection 3 of this section shall be given another reading assessment, to  
11 be administered within forty-five days of the end of such student's fourth-grade year.  
12 If such student is determined to be reading below third-grade level, the student shall  
13 be required to attend summer school to receive reading instruction. At the end of  
14 such summer school instruction, such student shall be given another reading  
15 assessment. If such student is determined to be reading below third-grade level, the  
16 district shall notify the student's parents or guardians, and the student shall not be  
17 promoted to fifth grade. No student shall be denied promotion more than once solely  
18 for inability to meet the reading standards set out in this section.

19 ——— 5. The process described in subsections 3 and 4 of this section shall be  
20 repeated as necessary through the end of the sixth grade, with the target grade level  
21 rising accordingly. Mandatory retention in grade shall not apply to grades  
22 subsequent to fourth grade.

23 ——— 6. The mandatory process of additional reading instruction pursuant to this  
24 section shall cease at the end of the sixth grade. The permanent record of students  
25 who are determined to be reading below the fifth-grade level at the end of sixth grade  
26 shall carry a notation advising that such student has not met minimal reading  
27 standards. The notation shall stay on the student's record until such time as the  
28 district determines that a student has met minimal reading standards.

29 ——— 7. Each school district shall be required to offer summer school reading  
30 instruction to any student with a reading improvement plan. Districts may fulfill the  
31 requirement of this section through cooperative arrangements with neighboring  
32 districts; provided that such districts shall timely make all payments provided  
33 pursuant to such cooperative agreements.

34 ——— 8. A school district may adopt a policy that requires retention in grade of any  
35 student who has been determined to require summer school instruction in reading and  
36 who does not fulfill the summer school attendance requirement.

37 ——— 9. Nothing in this section shall preclude a school district from retaining any  
38 student in grade when a determination is made in accordance with district policy that  
39 retention is in the best interests of the student.

40 ——— 10. The state board of education shall not incorporate information about the  
41 number of students receiving additional instruction pursuant to this section into any  
42 element of any standard of the Missouri school improvement program or its  
43 successor accreditation program; provided, however, each district shall make  
44 available, upon the request of any parent, patron, or media outlet within the district,  
45 the number and percentage of students receiving remediation pursuant to this section.  
46 The information shall be presented in a way that does not permit personal  
47 identification of any student or educational personnel.

48 ——— 11. Each school district shall make a systematic effort to inform parents of

1       ~~the methods and materials used to teach reading in kindergarten through fourth~~  
2       ~~grade, in terms understandable to a layperson and shall similarly inform parents of~~  
3       ~~students for whom a reading improvement plan is required pursuant to this section.]";~~  
4       and

5  
6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.