

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-8
SENATE BILL 387**

AN ACT TO MODIFY THE IMPLEMENTATION OF THE NORTH CAROLINA READ TO
ACHIEVE PROGRAM IN ORDER TO ATTAIN STATEWIDE READING
PROFICIENCY BY THE THIRD GRADE.

The General Assembly of North Carolina enacts:

PART I. TITLE

SECTION 1. This act shall be known as the "Excellent Public Schools Act of 2021."

PART II. DEFINITION OF SCIENCE OF READING

SECTION 2. G.S. 115C-83.3 reads as rewritten:

"§ 115C-83.3. Definitions.

The following definitions apply in this Part:

...

(7a) "Science of Reading" means evidence-based reading instruction practices that address the acquisition of language, phonological and phonemic awareness, phonics and spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students.

...."

PART III. EARLY LITERACY PROGRAM AND LITERACY PROFESSIONAL DEVELOPMENT

SECTION 3.(a) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-83.4B. Early Literacy Program.

(a) There is established the Early Literacy Program within the Department of Public Instruction. The Department of Public Instruction, in consultation with the Department of Health and Human Services, shall use the Early Literacy Program to build strong foundational early literacy skills utilizing the Science of Reading for children in the North Carolina Prekindergarten (NC Pre-K) program.

(b) As part of the Early Literacy Program, the Department of Public Instruction shall focus on at least the following components:

(1) Provide a training program to educators and administrators working with children in the NC Pre-K program to ensure developmentally appropriate instruction grounded in the Science of Reading and outcomes promoting reading achievement in students. The Department of Public Instruction shall utilize a third-party independent teacher training program to deliver professional development that demonstrates evidence-based success with educators and administrators in establishing deep knowledge of literacy instruction.



- (2) Provide integration of age-appropriate resources, including digital and technological resources, in the NC Pre-K program for children to meet reading achievement goals.
- (3) Ensure administration of a formative assessment to children at the conclusion of their participation in the NC Pre-K program to determine their kindergarten readiness and the alignment of their literacy instruction with the Science of Reading. The Department shall also ensure that the results of each child's formative assessment are shared with the child's kindergarten teacher at the beginning of the next school year."

SECTION 3.(b) G.S. 115C-270.30(b) reads as rewritten:

"(b) Teacher Licensure Renewal. – Rules for continuing licensure for teachers shall include the following:

- (1) For all teachers, at least eight continuing education credits with at least three credits required in a teacher's academic subject area.
- (2) For elementary school teachers, at least three continuing education credits related to literacy. Literacy renewal credits shall include evidence-based assessment, diagnosis, and intervention strategies for students not demonstrating reading proficiency. ~~Oral language, phonemic and phonological awareness, phonics, vocabulary, fluency, and comprehension shall be addressed in literacy-related activities leading to license renewal for elementary school teachers.~~ proficiency, grounded in the Science of Reading, as defined in G.S. 115C-83.3.

...."

SECTION 3.(c) Educators working with (i) children in the NC Pre-K program and (ii) students in kindergarten through fifth grade shall participate in the training programs contracted for as required by Section 5A(11) of S.L. 2021-1, as amended by Section 1.2 of S.L. 2021-3. Completion of this training shall satisfy the literacy continuing education credits required for elementary school teachers in G.S. 115C-270.30(b)(2).

SECTION 3.(d) No later than September 15, 2022, the Department of Public Instruction shall report on the establishment of the Early Literacy Program to the Joint Legislative Education Oversight Committee. The report shall include information on the required components of the Program, including at least the following:

- (1) Participation rates of NC Pre-K educators and administrators in the third-party independent teacher training program.
- (2) Examples of age-appropriate resources integrated into the NC Pre-K program.
- (3) The formative assessment provided to children at the end of their participation in the NC Pre-K program, including the number and percentage of (i) students who demonstrate kindergarten readiness and (ii) students who do not demonstrate kindergarten readiness.

SECTION 3.(e) This section applies beginning with the 2021-2022 school year.

PART IV. LITERACY TRAINING COURSEWORK FOR EDUCATOR PREPARATION PROGRAM APPROVAL

SECTION 4.(a) G.S. 115C-269.20(a)(2) reads as rewritten:

- "(2) EPPs providing training for elementary education teachers shall include the following:
 - a. Adequate coursework in the teaching of ~~reading, writing, and~~ mathematics.
 - a1. Coursework in the Science of Reading, as defined in G.S. 115C-83.3.
 - b. Assessment prior to licensure to determine if a student possesses the requisite knowledge in scientifically based reading, writing, and

mathematics instruction that is aligned with the State Board's expectations.

- c. Instruction in application of formative and summative assessments within the school and classroom setting through technology-based assessment systems available in State schools that measure and predict expected student improvement.
- d. Instruction in integration of arts education across the curriculum."

SECTION 4.(b) G.S. 115C-269.20(a)(3) reads as rewritten:

"(3) EPPs providing training for elementary and special education general curriculum teachers shall ensure that students receive instruction in early literacy intervention strategies and practices that are aligned with the Science of Reading and State and national reading standards and shall include the following:

- a. Instruction in the teaching of reading, including a substantive understanding of reading as a process involving oral language, phonological and phonemic awareness, phonics, fluency, vocabulary, and comprehension. Instruction shall include appropriate application of ~~instructional supports and services and reading~~ literacy interventions to ensure reading proficiency for all students.
- b. Instruction in evidence-based assessment and diagnosis of specific areas of difficulty with reading development and of reading deficiencies.
- c. Instruction in appropriate application of ~~instructional supports and services and reading~~ literacy interventions to ensure reading proficiency for all students."

SECTION 4.(c) This section applies to educator preparation programs applying for approval or renewing approval on or after July 1, 2022.

PART V. ALIGN LITERACY CURRICULUM AND INSTRUCTION WITH READ TO ACHIEVE

SECTION 5.(a) The State Board of Education shall develop literacy instruction standards to ensure that instruction methods throughout the State are consistent and closely aligned with the objectives of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve). The State Board shall incorporate only the most effective literacy instruction methods aligned with the Science of Reading into the standards developed. No later than May 15, 2022, the State Board of Education shall report to the Joint Legislative Education Oversight Committee on the literacy instruction standards developed. No later than June 30, 2022, the State Board shall provide to local boards of education the standards developed.

The Department of Public Instruction shall develop a literacy implementation plan that would implement the standards developed by the State Board of Education. No later than June 30, 2022, the Department shall provide to local boards of education (i) a model literacy implementation plan that implements the standards developed and (ii) an example of a literacy implementation plan that would not implement the standards developed and explanatory guidance on why it would not implement the standards.

Each local school administrative unit shall evaluate its literacy curriculum and instruction methods and shall modify as necessary to adhere to the standards developed by the State Board and align with the model literacy implementation plan provided by the Department. No later than December 15, 2022, and in a form prescribed by the State Board, each local school administrative unit shall submit to the State Board a concise explanation of its literacy curriculum and instruction, as aligned with the standards and model literacy implementation plan.

SECTION 5.(b) Regional case managers, or other appropriate staff as determined by the Department of Public Instruction, shall work to ensure that the standards developed by the State Board are implemented statewide by reviewing the curriculum and instruction methods of each local school administrative unit in each service area and by consulting with each local school administrative unit as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide shall be complete no later than November 15, 2023. Modifications shall be implemented into curriculum and instruction as soon as possible, and all curriculum and instruction as modified under this section shall be in place beginning with the 2024-2025 school year.

PART VI. LITERACY INTERVENTIONS AND INDIVIDUAL READING PLANS

SECTION 6.(a) G.S. 115C-83.2(a) reads as rewritten:

"(a) The purposes of this Part are to ensure that (i) difficulty with reading development is identified as early as possible; (ii) students receive appropriate ~~instructional and support services~~ literacy interventions to address difficulty with reading development and to remediate reading deficiencies; and (iii) each student and his or her parent or guardian be continuously informed of the student's academic needs and progress."

SECTION 6.(b) G.S. 115C-83.3 reads as rewritten:

"§ 115C-83.3. Definitions.

The following definitions apply in this Part:

(1) "Accelerated reading class" means a class where focused ~~instructional supports and services~~ literacy interventions are provided to increase a student's reading level at least two grades in one school year.

...

(3) "Difficulty with reading development" means not demonstrating appropriate developmental abilities in any of the major reading areas, including, but not limited to, oral language, phonological or phonemic awareness, vocabulary, fluency, or comprehension, according to observation-based, diagnostic, or formative assessments.

(3a) "Individual Reading Plan" means a document outlining the specific reading skill deficiencies of a student who has demonstrated difficulty with reading development and includes the literacy interventions that the student will receive to address the reading skill deficiencies, as required by G.S. 115C-83.6B.

(4) ~~"Instructional supports and services"~~ "Literacy interventions" mean intentional strategies used ~~with a majority of students~~ to facilitate reading development and remediate emerging difficulty with reading development. ~~Instructional supports and services include, but are not limited to,~~ Literacy interventions shall be grounded in the Science of Reading and include individual or small group instruction, instruction throughout the school year, reduced teacher-student ratios, frequent progress monitoring, tutoring in addition to the regular school day, reading camps, and extended learning time, time before or after the school day.

(4a) "Reading camp" means an additional educational program outside of the instructional calendar provided by the local school administrative unit as a literacy intervention that shall be offered to (i) any third grade student who does not demonstrate reading proficiency and (ii) any first or second grade student who demonstrates reading comprehension below grade level as identified through administration of formative and diagnostic assessments in accordance with G.S. 115C-83.6. difficulty with reading development. Local school administrative units may offer a reading camp as a literacy intervention

to any first grade student who demonstrates difficulty with reading development. Parents or guardians of the student ~~not demonstrating reading proficiency or demonstrating reading comprehension below grade level~~ offered a reading camp as a literacy intervention shall make the final decision regarding the student's reading camp attendance. Reading camps shall (i) offer at least 72 hours of reading instruction to yield positive reading outcomes for participants; (ii) be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development; and (iii) allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction. ~~The 72 hours of reading instruction shall be provided over no less than three weeks for students in schools using calendars other than year-round calendars.~~

- (5) ~~"Reading deficiency" means not reading at the third grade level by the end of the student's third grade year, demonstrated by the results of the State-approved standardized test of reading comprehension administered to third-grade students.~~
- (6) ~~"Reading interventions" mean evidence-based strategies frequently used to remediate reading deficiencies and include, but are not limited to, individual instruction, tutoring, or mentoring that target specific reading skills and abilities.~~
- (7) "Reading proficiency" means reading at or above the third grade level by the end of a student's third grade year, demonstrated by the results of the State-approved standardized test of reading comprehension administered to third grade students.
- ...
- (10) "Transitional third and fourth class combination" means a classroom specifically designed to produce learning gains sufficient to meet fourth grade performance standards while continuing to remediate ~~areas of reading deficiency.~~ the student's difficulty with reading development."

SECTION 6.(c) G.S. 115C-83.6 reads as rewritten:

"§ 115C-83.6. Facilitating early grade reading proficiency.

(a) Kindergarten, first, second, and third grade students shall be assessed with valid, reliable, formative, and diagnostic reading assessments made available to local school administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a). Difficulty with reading development identified through administration of formative and diagnostic assessments shall be addressed with ~~instructional supports and services.~~ literacy interventions outlined in the student's Individual Reading Plan. ~~Parents or guardians of first and second grade students demonstrating reading comprehension below grade level as identified through assessments administered pursuant to this subsection offered a reading camp as a literacy intervention shall be encouraged to enroll their student in a~~ the reading camp provided by the local school administrative unit. Parents or guardians of a student identified as demonstrating reading comprehension below grade level shall make the final decision regarding a student's reading camp attendance.

...

(b) Formative and diagnostic assessments and resultant ~~instructional supports and services.~~ literacy interventions shall address oral language, phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension using developmentally appropriate practices. These assessments may be administered by computer or other electronic device.

(c) Local school administrative units are encouraged to partner with community organizations, businesses, and other groups to provide volunteers, mentors, or tutors to assist

with the provision of ~~instructional supports and services~~ literacy interventions that enhance reading development and proficiency."

SECTION 6.(d) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-83.6A. Approval of literacy intervention plans.

(a) Each local school administrative unit shall submit to the Department of Public Instruction a plan for the literacy interventions it will offer, including reading camps, in the following school year no later than October 1. The plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. The plan shall incorporate any feedback received from the Department on the previous year's plan. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance literacy interventions.

(b) The Department of Public Instruction shall review each local school administrative unit's plan and approve only those literacy interventions that (i) provide instruction that is closely aligned with the goals and meet the requirements in this Part and (ii) comply with the literacy intervention standards published by the State Board of Education. No later than February 15, the Department shall notify each local school administrative unit of approval or denial of its plan and shall provide feedback if the plan is denied. No later than February 15, the Department shall report to the Joint Legislative Education Oversight Committee on which local school administrative units have literacy intervention plans that were (i) approved and (ii) denied. No later than March 15, if its plan was denied, a local school administrative unit may submit an amended plan to the Department of Public Instruction. The Department shall notify the local school administrative unit if the amended plan is approved or denied no later than April 15.

(c) State-provided literacy intervention funds shall not be released to any local school administrative unit for which a literacy intervention plan has not been approved by the Department of Public Instruction by April 15. Any local school administrative unit denied approval shall use local funds to fulfill the requirement to provide literacy interventions as provided in this Part."

SECTION 6.(e) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-83.6B. Individual Reading Plans.

(a) An Individual Reading Plan (IRP) shall be developed for any student in kindergarten through third grade demonstrating difficulty with reading development based on the results of either (i) the first diagnostic or formative assessment of the school year or (ii) the first diagnostic or formative assessment of the second semester of the school year. The IRP shall be continually adjusted based on multiple data sources as prescribed by the Department of Public Instruction, indicating that the student is not progressing toward grade-level standards in one or more major reading areas. Based on the most recently collected data, the IRP shall include the following information, specific to the identified student:

- (1) The specific reading skill deficiencies identified by assessment data.
- (2) Goals and benchmarks for growth.
- (3) The means by which progress will be monitored and evaluated.
- (4) The specific additional literacy interventions the student will receive.
- (5) The Science of Reading-based instructional programming the teacher will implement.
- (6) Any additional services the teacher deems appropriate to accelerate the student's reading skill and development.

(b) A student's parent or guardian shall be given notice that the student has been identified as having difficulty with reading development and that an IRP has been developed. The notice shall provide the parent or guardian the following:

- (1) Specific strategies that can be easily understood and implemented to assist the student in reading at grade level.
- (2) Encouragement to select one or more strategies for use at home that build on the student's interests and are most likely to engage the student and result in reading improvement.
- (3) Direction to free online or hard copy literacy resources that can be accessed via a prominently displayed area on the homepage of the primary website maintained by the Department of Public Instruction and by the local school administrative unit.

(c) A multitiered system of support intervention may be used to satisfy the requirements of this section if all of the components of subsection (a) of this section are incorporated in the intervention.

(d) The Department shall develop the following model documentation of compliance with the requirements of this section:

- (1) An IRP checklist.
- (2) An alternative document for use with a multitiered system of support intervention."

SECTION 6.(f) G.S. 115C-83.7 reads as rewritten:

"§ 115C-83.7. Elimination of social promotion.

...

(b) Students may be exempt from mandatory retention in third grade for good cause, but shall continue to be eligible to participate in reading ~~camps, receive instructional supports and services and reading camps~~ and receive literacy interventions appropriate for their age and reading level. Good cause exemptions shall be limited to the following:

- (1) Limited English Proficient students with less than two school years of instruction in an English as a Second Language program.
- (2) Students with disabilities, as defined in G.S. 115C-106.3(1), and whose individualized education program indicates (i) the use of the NCEXTEND1 alternate assessment, (ii) at least a two school year delay in educational performance, or (iii) receipt of intensive ~~reading-literacy~~ interventions for at least two school years.
- (3) Students who demonstrate reading proficiency appropriate for third grade students on an alternative assessment approved by the State Board of Education.
- (4) Students who demonstrate, through a student reading portfolio, reading proficiency appropriate for third grade students. Student reading portfolio and review processes used by local school administrative units shall be approved by the State Board of Education.
- (5) Students who have (i) received ~~reading intervention~~ literacy interventions and (ii) previously been retained more than once in kindergarten, first, second, or third grades.

(c) The superintendent shall determine whether a student may be exempt from mandatory retention on the basis of a good cause exemption. The following steps shall be taken in making the determination:

- (1) The teacher of a student eligible for a good cause exemption shall submit documentation of the relevant exemption and evidence that promotion of the student is appropriate based on the student's academic record to the principal. Such evidence shall be limited to the student's ~~individual~~ individualized

education program, if applicable, alternative assessment, or student reading portfolio.

...."

SECTION 6.(g) G.S. 115C-83.8 reads as rewritten:

"§ 115C-83.8. Successful reading development for retained students.

(a) Parents or guardians of students not demonstrating reading proficiency shall be encouraged to enroll their student in a reading camp provided by the local school administrative unit. Parents or guardians of a student not demonstrating reading proficiency shall make the final decision regarding a student's reading camp attendance. Local school administrative units shall provide at least one opportunity for students not participating in a reading camp to demonstrate reading proficiency appropriate for third grade students on an alternative assessment or through a student reading portfolio process approved by the State Board of Education prior to retaining the student.

(b) Students retained under G.S. 115C-83.7(a) shall be provided with a teacher selected based on demonstrated student outcomes in reading proficiency and placed in an accelerated reading class or a transitional third and fourth grade class combination, as appropriate. Classroom instruction shall include at least 90 minutes of daily, uninterrupted, ~~evidence-based reading~~ Science of Reading-based instruction, not to include independent reading time, and other appropriate ~~instructional supports and services and reading interventions.~~ literacy interventions, as outlined in each student's Individual Reading Plan.

...

(e) Parents or guardians of students who have been retained twice under the provisions of G.S. 115C-83.7(a) shall be offered supplemental tutoring grounded in the Science of Reading for the retained student ~~in evidence-based reading services outside the instructional day.~~"

SECTION 6.(h) G.S. 115C-83.9(b) reads as rewritten:

"(b) Parents or guardians of any student who is to be retained under the provisions of G.S. 115C-83.7(a) shall be notified in writing of the reason the student is not eligible for a good cause exemption as provided in G.S. 115C-83.7(b). Written notification shall also include a description of proposed ~~reading-literacy~~ interventions that will be provided to the student to remediate ~~identified areas of reading deficiency.~~ areas where the student has not demonstrated reading proficiency."

SECTION 6.(i) G.S. 115C-83.10 reads as rewritten:

"§ 115C-83.10. Accountability measures.

...

(b) Each local board of education shall report annually in writing to the State Board of Education by September 1 of each year the following information on the prior school year:

- (1) A description of all ~~reading-literacy~~ interventions provided to students who have been retained under G.S. 115C-83.7(a).
- (2) The number of first and second grade students attending a reading camp offered by the local board.
- (3) The license area or areas, years of licensed teaching experience, grade level assignment, and any other specific subject-area assignments of each teacher providing instruction at a reading camp.
- (4) The number and percentage of teachers providing instruction at a reading camp who were paid a reading performance bonus during the school year immediately preceding the reading camp and the grade level on which the bonus was based.
- (5) The number of kindergarten through third grade students with an Individual Reading Plan.

(b1) Each local board of education shall report annually in writing to the State Board of Education by November 15 of each year, for the prior school year, (i) the number and percentage

of third grade students who did not demonstrate proficiency upon entering reading camp and who became proficient after completing reading camp and (ii) for each grade level, the number and percentage of first and second grade students who demonstrated ~~reading comprehension below grade level difficulty with reading upon~~ entering camp and who demonstrated reading comprehension at or above grade level after completing reading camp.

(b2) Each local board of education shall report annually in writing to the State Board of Education by November 15 of each year the number and percentage of retained third grade students placed in an accelerated reading class or transitional third and fourth class combination under G.S. 115C-83.8(b) in the prior school year who were (i) promoted midyear as provided in G.S. 115C-83.8(c) or (ii) promoted directly to fifth grade for the school year following the retention.

(c) The State Board of Education shall establish a uniform format for local boards of education to report the required information listed in subsections (a) and (b) of this section and shall provide the format to local boards of education no later than 90 days prior to the annual due date. The State Board of Education shall compile annually this information and submit a State-level summary to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Joint Legislative Education Oversight Committee by December 15, 2016, and annually thereafter. The State-level summary shall include, for each local school administrative unit, every component listed in subsections (a), (b), ~~and (b1)-(b1),~~ and (b2) of this section.

...."

SECTION 6.(j) G.S. 115C-83.11 reads as rewritten:

"§ 115C-83.11. Continued support for students demonstrating reading proficiency and appropriate reading development.

(a) Parents or guardians of a third grade student demonstrating reading proficiency appropriate for a third grade student as provided under G.S. 115C-83.7 or a first or second grade student demonstrating appropriate developmental abilities in reading comprehension may choose to enroll the student in the reading camp as defined in G.S. 115C-83.3(4a) but may be charged an attendance fee. If a local board of education offers a reading camp as a literacy intervention for first grade students, parents, or guardians of a first grade student demonstrating appropriate developmental abilities in reading comprehension may choose to enroll the student in the reading camp but may be charged an attendance fee. Local boards of education may establish a fee amount to be equal to the per student program cost of participating in the reading camp, not to exceed eight hundred twenty-five dollars (\$825.00).

(b) Priority enrollment in the reading camp is for ~~(i) third grade students not demonstrating reading proficiency as provided under G.S. 115C-83.8 and (ii) first and second grade students demonstrating reading comprehension below grade level under G.S. 115C-83.6.~~ students offered a reading camp as a literacy intervention. Local boards of education shall establish application procedures and enrollment priorities for reading camps for students demonstrating reading proficiency."

SECTION 6.(k) The State Board of Education and the Department of Public Instruction shall conduct an analysis of literacy interventions, including reading camps, provided throughout the State in order to determine which literacy intervention activities and instructional methods are most effective in furthering reading development. Based on this analysis, the State Board and the Department shall develop literacy intervention standards, including reading camp standards, that incorporate the most effective activities and instructional methods. No later than December 15, 2021, the State Board shall report to the Joint Legislative Education Oversight Committee on the standards developed in accordance with this section and any recommended legislation to further improve the effectiveness of literacy interventions and shall publish the standards.

SECTION 6.(l) Each local school administrative unit shall submit to the Department of Public Instruction a plan for the literacy interventions it will offer, including reading camps, no later than March 1, 2022. The plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance literacy interventions.

The Department shall review each local school administrative unit's plan and provide feedback as necessary to ensure that literacy interventions provided throughout the State are closely aligned with the goals and meet the requirements of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve) and comply with the literacy intervention standards published by the State Board of Education. The Department shall provide feedback to local school administrative units, including feedback on efforts to attract highly qualified teachers, no later than May 15, 2022. The Department may provide a form to local school administrative units for the purpose of submitting their plans for review, and local school administrative units shall submit their plans on the form, if provided by the Department for this purpose.

SECTION 6.(m) Subsection (k) of this section applies when this act becomes law. Subsection (l) of this section applies to the 2021-2022 school year. The rest of this section applies beginning with the 2022-2023 school year.

PART VII. READING CAMPS, BONUSES, AND THE EXCELLENT PUBLIC SCHOOLS ACT FUND

SECTION 7.(a) G.S. 115C-83.3(4a), as amended by Section 6(b) of this act, reads as rewritten:

"(4a) "Reading camp" means an additional educational program outside of the instructional calendar provided by the local school administrative unit as a literacy intervention that shall be offered to (i) any third grade student who does not demonstrate reading proficiency and (ii) any second grade student who demonstrates difficulty with reading development. Local school administrative units may offer a reading camp as a literacy intervention to any first grade student who demonstrates difficulty with reading development. Parents or guardians of the student offered a reading camp as a literacy intervention shall make the final decision regarding the student's reading camp attendance. ~~Reading camps shall (i) offer at least 72 hours of reading instruction to yield positive reading outcomes for participants; (ii) be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development; and (iii) allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction.~~

SECTION 7.(b) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-83.7A. Reading camps.

(a) Reading camps shall meet the following requirements:

- (1) Offer at least 72 hours of reading instruction to yield positive reading outcomes for participants.
- (2) Be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development.
- (3) Allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction.

(b) Each local school administrative unit shall provide a signing bonus in an amount determined by the local board of education that is at least one thousand two hundred dollars (\$1,200) to any teacher who meets all of the following criteria:

- (1) Is associated with high growth in reading based on EVAAS data.
- (2) Was awarded a reading performance bonus administered by the Department of Public Instruction.
- (3) Accepts employment to provide instruction during a reading camp.

(c) Each local school administrative unit shall provide a reading camp performance bonus to a teacher who provided instruction at a third grade reading camp in a per-student amount determined by the local board of education that is at least one hundred fifty dollars (\$150.00) for each student not demonstrating reading proficiency assigned to that teacher who demonstrates reading proficiency on an alternative assessment at the end of the reading camp.

(d) Notwithstanding G.S. 135-1(7a), any bonus awarded pursuant to subsections (b) and (c) of this section is not compensation under Article 1 of Chapter 135 of the General Statutes, the Teachers' and State Employees' Retirement System.

(e) A teacher who has earned a reading performance bonus and who provides instruction throughout a full reading camp shall be deemed to have completed two of the continuing education credits related to literacy required by G.S. 115C-270.30(b)(2)."

SECTION 7.(c) G.S. 115C-83.7A(a), as enacted by subsection (b) of this section, reads as rewritten:

"(a) Reading camps shall meet the following requirements:

- (1) Offer at least 72 hours of reading instruction to yield positive reading outcomes for participants.
- (2) Be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development.
- (3) Allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction.
- (4) Be provided as outlined in the local school administrative unit's literacy intervention plan."

SECTION 7.(d) To provide the signing bonus required under G.S. 115C-83.7A, as enacted by this act, local school administrative units shall use the funds contained in Section 7A.1 of S.L. 2012-142, other than the funds provided for reading camps, and federal funds received by a local school administrative unit for the purpose of responding to the impacts of COVID-19. A reading performance bonus refers to a bonus awarded to third, fourth, or fifth grade teachers based on EVAAS student growth index scores.

SECTION 7.(e) To provide the reading camp performance bonus required under G.S. 115C-83.7A, as enacted by this act, local school administrative units shall use the funds contained in Section 7A.1 of S.L. 2012-142, other than the funds provided for reading camps, and federal funds received by a local school administrative unit for the purpose of responding to the impacts of COVID-19.

SECTION 7.(f) Within funds available, including federal funds received by a local school administrative unit for the purpose of responding to the impacts of COVID-19, each local school administrative unit shall carry out the elements of the Excellent Public Schools Act contained in Part 1A of Article 8 of Chapter 115C of the General Statutes.

SECTION 7.(g) Funds provided for reading camps that are contained in Section 7A.1 of S.L. 2012-142 shall be used only for reading camps. To support early literacy, the Department of Public Instruction is encouraged to maximize the use of the funds contained in Section 7A.1 of S.L. 2012-142 each year.

SECTION 7.(h) Local school administrative units may use the funds contained in Section 7A.1 of S.L. 2012-142, other than the funds provided for reading camps, to provide any

other literacy interventions described in the local school administrative unit's literacy intervention plan.

SECTION 7.(i) For reading camps corresponding to the 2020-2021 school year, a teacher who has earned a reading bonus and who provides instruction throughout a full reading camp shall be deemed to have completed two continuing education credits related to literacy, as required by G.S. 115C-270.30(b)(2).

SECTION 7.(j) Subsection (c) of this section becomes effective July 1, 2022, and applies beginning with the 2022-2023 school year. Subsections (f) and (i) of this section are effective when they become law. Subsection (h) of this section is effective when it becomes law and applies beginning with the 2022-2023 school year. The remainder of this section becomes effective July 1, 2021, and applies beginning with the 2021-2022 school year.

PART VIII. DIGITAL CHILDREN'S READING INITIATIVE

SECTION 8. The Department of Public Instruction shall develop a Digital Children's Reading Initiative (Initiative) for the purpose of increasing the percentage of school children throughout the State who are reading proficiently by the end of third grade. The Initiative shall be aligned with the Science of Reading and shall reflect the standards taught in each grade level from kindergarten to third grade. The Initiative shall be designed to assist parents, guardians, and family members in cultivating confident, proficient, lifelong readers by providing free tools and resources that can be easily incorporated into everyday life.

The Initiative may utilize existing third-party resources that align with the Science of Reading by providing selected links to thoroughly vetted, high-quality resources that reflect the standard course of study for each grade level. Links shall be specifically categorized by skill deficiency and grade level so that parents, guardians, and family members can be quickly connected to effective resources targeted to each student's needs. The Department of Public Instruction shall frequently monitor all resources linked to the Initiative to ensure that all links are up-to-date and that resources remain consistent with the purpose set out in this section. All resources included in the Initiative shall be available to the public without required login credentials and shall be accessible directly through a prominently displayed area on the homepage of the Department's website. The Initiative shall make home activities, printables, and games available on the following literacy skills, as appropriate for each grade level:

- (1) Phonemic awareness.
- (2) Phonics.
- (3) Vocabulary.
- (4) Fluency.
- (5) Comprehension.
- (6) Oral language.

No later than January 15, 2022, the Department of Public Instruction shall disseminate the fully developed Digital Children's Reading Initiative to all local school administrative units. Each local school administrative unit shall make Initiative resources accessible directly through a prominently displayed area on the homepage of the unit's website no later than July 1, 2022. Local school administrative units may compile and add additional high-quality resources that meet the requirements of this section to those provided to them by the Department of Public Instruction. Printable activities shall be provided in hard copy by the local school administrative unit to students who do not have digital access at home and may be provided to all students as a supplement to digital resources.

PART IX. PHASE OUT CERTAIN ALTERNATIVE ASSESSMENTS

SECTION 9.(a) G.S. 115C-83.3(2) reads as rewritten:

- "(2) "Alternative assessment" means a valid and reliable standardized assessment of reading comprehension, approved by the State Board of Education, that is

not the same test as the State-approved standardized test of reading comprehension administered to third grade students. The State Board of Education shall ~~(i) provide several the valid and reliable alternative assessments-assessment to local school administrative units upon request, (ii) approve valid and reliable alternative assessments submitted by local school administrative units, and (iii) request and establish achievement level ranges for each the approved alternative assessment.~~ The State Board of Education shall annually review ~~all the alternative assessments-assessment~~ to ensure ongoing relevance, validity, and reliability."

SECTION 9.(b) Based on data collected pursuant to G.S. 115C-83.10 and any other data useful for this purpose, the State Board of Education shall analyze the passage rates for alternative assessments in order to determine the comparative utility of each alternative assessment. No later than October 15, 2021, the State Board shall submit a report to the Joint Legislative Education Oversight Committee on the results of its analysis, along with the one alternative assessment it recommends using.

SECTION 9.(c) Subsection (a) of this section applies beginning with the 2022-2023 school year.

PART X. ENHANCE DATA COLLECTION

SECTION 10.(a) The Department of Public Instruction shall create a uniform template for all data collected pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve) beginning with data collected during the 2013-2014 school year and for each school year thereafter. The template shall include clear designations for each data component reported. A numerical value shall be provided for all data values pertaining to school-wide measures, including those data values reporting fewer than 10 students. Where a measure is disaggregated in a manner that may allow the identity of a student to be disclosed, data values reporting 10 or fewer students may be suppressed to protect student privacy. Data values that are suppressed for this purpose shall be denoted in a different manner than data values left incomplete or unreported. Data values shall be compiled for each data component for each school year, beginning with the 2013-2014 school year, and shall be provided to the Joint Legislative Education Oversight Committee in the uniform template created pursuant to this subsection no later than April 15, 2022.

SECTION 10.(b) G.S. 115C-83.6(a2) reads as rewritten:

"(a2) The Department of Public Instruction shall provide for EVAAS analysis all formative and diagnostic assessment data collected pursuant to this section for kindergarten through third grade. The Department shall use a uniform template for all data collected, and the template shall be used each time data is provided. The template shall include clear designations for each data component reported."

SECTION 10.(c) This section applies beginning with the 2021-2022 school year and shall include the reporting of required data from the 2020-2021 school year.

PART XI. EFFECTIVE DATE

SECTION 11. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of April, 2021.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 10:36 a.m. this 9th day of April, 2021