

1 AN ACT relating to a statewide reading research center.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 164.0207 is amended to read as follows:

- 4 (1) ***A statewide reading research center shall be established under this section to***
5 ***support educators in implementing***~~[The Collaborative Center for Literacy~~
6 ~~Development: Early Childhood through Adulthood is created to make available~~
7 ~~professional development for educators in]~~ reliable, replicable evidence-based
8 reading programs, and to promote literacy development, including cooperating with
9 other entities that provide family literacy services. The center shall be responsible
10 for:
- 11 (a) Developing and implementing a clearinghouse for information about
12 programs addressing reading and literacy from early childhood and the
13 elementary grades (P-5) through adult education;
- 14 (b) Providing advice to the Kentucky Board of Education regarding~~[evidence-~~
15 ~~based comprehensive reading instruction and in other]~~ matters relating to
16 reading;
- 17 (c) ~~[Collaborating with public and private institutions of postsecondary education~~
18 ~~and adult education providers to provide for teachers and administrators~~
19 ~~quality preservice and professional development relating to reading diagnostic~~
20 ~~assessments and intervention and to the essential components of successful~~
21 ~~reading: phonemic awareness, phonics, fluency, vocabulary, comprehension,~~
22 ~~and the connections between writing and reading acquisition and motivation~~
23 ~~to read;~~
- 24 ~~(d)]~~Collaborating with the Kentucky Department of Education to assist districts
25 with students functioning at low levels of reading skills to assess and address
26 identified literacy needs;
- 27 ***(d)](e) Providing research and data on evidence-based, high-yield***

1 instructional practices and coaching strategies~~[professional development~~
2 ~~and coaching]~~ for early childhood educators and classroom teachers, including
3 adult education teachers, implementing selected reliable, replicable evidence-
4 based reading programs~~[-. The professional development shall utilize~~
5 ~~technology when appropriate];~~

6 ~~(e)~~~~[(f)]~~ Developing and implementing a comprehensive research agenda
7 evaluating early reading models, instructional resources, and evidence-
8 based practices needed to accelerate student performance toward
9 proficiency in reading~~[comprehensive reading programs and reading~~
10 ~~intervention programs implemented in accordance with KRS 158.792;~~

11 ~~(g)~~ ~~Maintaining a demonstration and training site for early literacy located at each~~
12 ~~of the public universities];~~

13 ~~(f)~~~~[(h)]~~ Assisting middle and high schools in the development of comprehensive
14 adolescent reading plans and maintaining a repository of instructional
15 materials or summary materials that identify comprehension best practices in
16 the teaching of each subject area and a list of classroom-based diagnostic
17 reading comprehension assessments that measure student progress in
18 developing students' reading comprehension skills; and

19 ~~(g)~~~~[(i)]~~ Evaluating the reading and literacy components of the model adult
20 education programs funded under the adult education and literacy initiative
21 fund created under KRS 151B.409.

22 (2) The center shall review national research and disseminate appropriate research
23 abstracts, when appropriate, as well as conduct ongoing research of reading
24 programs throughout the state. Research activities undertaken by the center shall
25 consist of descriptive as well as empirical studies.

26 (a) The center may contract for research studies to be conducted on its behalf.

27 (b) The research agenda should, at a minimum, consider the impact of various

1 reading and intervention programs:

- 2 1. In eliminating academic achievement gaps among students with
3 differing characteristics, including subpopulations of students with
4 disabilities, students with low socioeconomic status, students from racial
5 minority groups, students with limited English proficiency, and students
6 of different gender;
- 7 2. In schools with differing characteristics, such as urban versus rural
8 schools, poverty versus nonpoverty schools, schools with strong library
9 media center programs versus schools with weak library media center
10 programs, and schools in different geographic regions of the state;
- 11 3. In terms of their costs and effectiveness; and
- 12 4. In maintaining positive student progress over a sustained period of time.

13 (3) The center, in conjunction with the Kentucky Department of Education, shall
14 establish annual goals and performance objectives related to the functions
15 described in this section. The center shall submit an annual report of its activities,
16 the effects of those activities on state performance levels in reading and writing,
17 and the outcomes of all annual goals and performance objectives to the Kentucky
18 Department of Education~~, the Governor, and the Legislative Research~~
19 ~~Commission~~ no later than September 1 of each year. Based on the annual
20 outcomes, the Kentucky Department of Education shall make programming and
21 funding recommendations to the Governor, the Legislative Research
22 Commission, and the Interim Joint Committee on Education by October 1 of each
23 year.

24 (4) The Kentucky Department of Education shall, through a competitive request for
25 proposals process, select the administrator of the statewide reading research
26 center for approval by the Kentucky Board of Education. The selected
27 administrator shall be contracted for five (5) years, unless funding is not

1 available or the administrator requests to discontinue the contract. For each five
2 (5) year period thereafter, contingent upon funding, the Kentucky Department of
3 Education shall issue a new request for proposals for the administration of the
4 center ~~[With advice from the Department of Education, the Council on~~
5 ~~Postsecondary Education shall develop a process to solicit, review, and approve a~~
6 ~~proposal for locating the Collaborative Center for Literacy Development at a public~~
7 ~~institution of postsecondary education. The Council on Postsecondary Education~~
8 ~~shall approve the location. The center, in conjunction with the council, shall~~
9 ~~establish goals and performance objectives related to the functions described in this~~
10 ~~section].~~

11 ➔Section 2. KRS 151B.406 is amended to read as follows:

- 12 (1) The Office of Adult Education is created within the Department of Workforce
13 Development in the Education and Labor Cabinet to carry out the statewide adult
14 education mission. The office shall implement a twenty (20) year state strategy to
15 reduce the number of adults who are at the lowest levels of literacy and most in
16 need of adult education and literacy services. The office shall have responsibility
17 for all functions related to adult education and literacy. The office shall:
- 18 (a) Promote coordination of programs and responsibilities linked to the issue of
19 adult education with other agencies and institutions;
 - 20 (b) Facilitate the development of strategies to increase the knowledge and skills
21 of adults in all counties by promoting the efficient and effective coordination
22 of all available education and training resources;
 - 23 (c) Lead a statewide public information and marketing campaign to convey the
24 critical nature of Kentucky's adult literacy challenge and to reach adults and
25 employers with practical information about available education and training
26 opportunities;
 - 27 (d) Establish standards for adult literacy and monitor progress in achieving the

1 state's adult literacy goals, including existing standards that may have been
2 developed to meet requirements of federal law in conjunction with the
3 statewide reading research center established under Section 1 of this
4 Act~~Collaborative Center for Literacy Development: Early Childhood through~~
5 ~~Adulthood~~; and

6 (e) Administer the adult education and literacy initiative fund created under KRS
7 151B.409.

8 (2) The Office of Adult Education shall be organized in a manner as directed by the
9 secretary of the Education and Labor Cabinet. The office shall be headed by an
10 executive director appointed by the secretary of the Education and Labor Cabinet.

11 (3) The Office of Adult Education shall be the agency solely designated for the purpose
12 of developing and approving state plans required by state or federal laws or
13 regulations.

14 ➔Section 3. KRS 151B.409 is amended to read as follows:

15 (1) There is created in the Education and Labor Cabinet a special fund to be known as
16 the adult education and literacy initiative fund, which shall consist of moneys
17 appropriated by the General Assembly, gifts, grants, other sources of funding,
18 public and private, and interest accrued by the fund. This fund shall not lapse at the
19 end of a fiscal year but shall be carried forward to be used only for the purposes
20 specified in this section. Moneys accumulated in this fund on June 27, 2019, shall
21 remain in the fund and be transferred to the Education and Labor Cabinet to be used
22 for purposes stated in this section.

23 (2) The purpose of the adult education and literacy initiative fund shall be to support
24 strategies for adult education, to provide statewide initiatives for excellence, and to
25 provide funds for research and development activities.

26 (3) The cabinet shall establish the guidelines for the use, distribution, and
27 administration of the fund, financial incentives, technical assistance, and other

1 support for strategic planning; and guidelines for fiscal agents to assess county and
2 area needs and to develop strategies to meet those needs.

3 (4) The fund shall include the following strategies:

4 (a) Statewide initiatives. Funds shall be used to encourage collaboration with
5 other organizations, stimulate development of models of adult education
6 programs that may be replicated elsewhere in the state, provide incentives for
7 adults, employers, and providers to encourage adults to establish and
8 accomplish learning contracts, provide incentives to encourage participation
9 in adult education, assist providers of county and area programs in areas of
10 highest need, and for other initiatives of regional or statewide significance as
11 determined by the cabinet. The statewide reading research center established
12 under Section 1 of this Act~~[Collaborative Center for Literacy Development:~~
13 ~~Early Childhood through Adulthood created under KRS 164.0207]~~ shall
14 evaluate the reading and literacy components of model programs funded
15 under this paragraph.

16 (b) Research and demonstration. The funds shall be used to develop:

- 17 1. Standards for the preparation, professional development, and support for
18 adult educators with the advice of the Office of Adult Education and as
19 compatible with funds provided under Title II of the Federal Workforce
20 Investment Act;
- 21 2. A statewide competency-based certification for transferable skills in the
22 workplace; and
- 23 3. A statewide public information and marketing campaign.

24 ➔Section 4. KRS 154A.130 is amended to read as follows:

25 (1) All money received by the corporation from the sale of lottery tickets and all other
26 sources shall be deposited into a corporate operating account. The corporation is
27 authorized to use all money in the corporate operating account for the purposes of

1 paying prizes and the necessary expenses of the corporation and dividends to the
2 state. The corporation shall allocate the amount to be paid by the corporation to
3 prize winners. The amount in the corporate operating account which the corporation
4 anticipates will be available for the payment of prizes on an annuity basis may be
5 invested in direct United States Treasury obligations. These instruments may be in
6 varying maturities with respect to payment of annuities and may be in book-entry
7 form. Monthly, no later than the last business day of the succeeding month, the
8 corporation shall transfer to a lottery trust fund the amount of net revenues which
9 the corporation determines are surplus to its needs. These funds shall be held in
10 trust until 1990 at which time the General Assembly shall determine the manner in
11 which the funds will be allocated and appropriated. The net revenues shall be
12 determined by deducting from gross revenues the payment costs incurred in the
13 operation and administration of the lottery, including the expenses of the
14 corporation and the costs resulting from any contract or contracts entered into for
15 promotional, advertising, or operational services or for the purchase or lease of
16 lottery equipment and materials, fixed capital outlays, and the payment of prizes to
17 the holders of winning tickets. After the start-up costs are paid, it is the intent of the
18 Legislature that it shall be the goal of the corporation to transfer each year thirty-
19 five percent (35%) of gross revenues to the general fund for the purposes stated
20 above.

- 21 (2) A Kentucky lottery trust account is established in the State Treasury. Net lottery
22 revenues shall be credited to this restricted account as provided in subsection (1) of
23 this section. Moneys credited to the Kentucky lottery trust account shall be invested
24 by the state in accordance with state investment practices and all earnings from the
25 investments shall accrue to this account. No moneys shall be allotted or expended
26 from this account unless pursuant to an appropriation by the General Assembly,
27 except that moneys as are needed shall be transferred to the general fund pursuant

1 to the provisions of the Acts of the Extraordinary Session of the 1988 General
2 Assembly. Moneys in the Kentucky lottery trust account shall not lapse at the close
3 of the state fiscal year.

4 (3) Each fiscal year, three million dollars (\$3,000,000) from net lottery revenues from
5 the sale of lottery tickets shall be credited from the general fund as follows:

6 (a) To the statewide reading research center established under Section 1 of this
7 Act~~[Collaborative Center for Literacy Development]~~, one million two hundred
8 thousand dollars (\$1,200,000); and

9 (b) To the reading diagnostic and intervention fund, one million eight hundred
10 thousand dollars (\$1,800,000).

11 (4) After the allocation of three million dollars (\$3,000,000) to literacy development, as
12 provided in subsection (3) of this section, net lottery revenues from the sale of
13 lottery tickets shall be credited from the general fund as follows:

14 (a) To the Wallace G. Wilkinson Kentucky educational excellence scholarship
15 trust fund established in KRS 164.7877:

16 1. Forty percent (40%) in fiscal year 2003-2004; and
17 2. Forty-five percent (45%) in fiscal year 2004-2005 and each fiscal year
18 thereafter; and

19 (b) To the College Access Program and the Kentucky Tuition Grants Program
20 established in KRS Chapter 164:

21 1. Forty percent (40%) in fiscal year 2003-2004;
22 2. Forty-five percent (45%) in fiscal year 2004-2005; and
23 3. Fifty-five percent (55%) of net lottery revenues in fiscal year 2005-2006
24 and each fiscal year thereafter.

25 (5) The Auditor of Public Accounts shall be responsible for a financial postaudit of the
26 books and records of the corporation. The postaudit shall be conducted in
27 accordance with generally accepted accounting principles, shall be paid for by the

1 corporation, and shall be completed within ninety (90) days of the close of the
2 corporation's fiscal year. The Auditor of Public Accounts shall contract with an
3 independent, certified public accountant who meets the qualifications existing to do
4 business within the Commonwealth of Kentucky to perform the corporation
5 postaudit. The Auditor of Public Accounts shall remain responsible for the annual
6 postaudit and the corporation shall pay all audit costs. The Auditor of Public
7 Accounts may at any time conduct additional audits, including performance audits,
8 of the corporation as he deems necessary or desirable. Contracts shall be entered
9 into for audit services for a period not to exceed five (5) years and the same firm
10 shall not receive two (2) consecutive audit contracts. All audits shall be filed with
11 the Governor, the President of the Senate, and the Speaker of the House of
12 Representatives. The corporation shall reimburse the Auditor of Public Accounts
13 for the reasonable costs of any audits performed by him or her. The corporation
14 shall cooperate with the Auditor of Public Accounts by giving employees
15 designated by any of them access to facilities of the corporation for the purpose of
16 efficient compliance with their respective responsibilities. With respect to any
17 reimbursement that the corporation is required to pay to any agency, the corporation
18 shall enter into an agreement with that agency under which the corporation shall
19 pay to the agency an amount reasonably anticipated to cover the reimbursable
20 expenses in advance of the expenses being incurred.

21 (6) By no later than December 31 of each year, in an advertisement at least one-fourth
22 (1/4) of a page in size, the Kentucky Lottery Corporation shall publish the
23 following information in every general-circulation daily newspaper published in
24 Kentucky:

25 (a) The statements of revenue, expenses, and changes in retained earnings as
26 shown in the most recent annual audit report. It shall be explained that the
27 transfer of dividends is the amount of lottery earnings transferred to the

1 general fund;

2 (b) A statement identifying the auditing firm;

3 (c) A telephone number which citizens may call to obtain a complete copy of the
4 annual audit report; and

5 (d) The name of the president/chief executive officer of the Kentucky Lottery
6 Corporation and a complete list of board members.

7 The Kentucky Lottery Corporation shall pay for the cost of the advertisement.

8 ➔Section 5. KRS 156.553 is amended to read as follows:

9 (1) The teachers' professional growth fund is hereby created to provide teachers with
10 high quality professional development in content knowledge in mathematics,
11 reading, science, language arts, social studies, arts and humanities, practical living,
12 vocational studies, and foreign languages; classroom-based screening, diagnostic,
13 assessment, and intervention strategies; and teaching methodologies, including
14 professional development that may lead to additional certification endorsements or
15 renewal of certification. Based on available funds, student achievement data, and
16 teacher data, the Kentucky Board of Education shall annually determine the priority
17 for content emphasis based on the greatest needs.

18 (2) (a) The fund may provide moneys to teachers for:

19 1. Tuition reimbursement for successful completion of college or
20 university level courses, including online~~[on-line]~~ courses and seminars,
21 approved for this purpose by the Education Professional Standards
22 Board;

23 2. Stipends for participation in and successful completion of:

24 a. College or university courses, including online~~[on-line]~~ courses
25 and seminars, approved for this purpose by the Education
26 Professional Standards Board;

27 b. Teacher institutes developed for core content instructors by the

- 1 Department of Education in compliance with KRS 156.095; and
- 2 c. Other professional development programs approved by the
- 3 Kentucky Department of Education, including professional
- 4 development for teachers participating in grants awarded by the
- 5 Middle School Mathematics and Science Scholars Program
- 6 established under KRS 158.848;
- 7 3. Reimbursement for the purchase of materials required for professional
- 8 development programs; and
- 9 4. Reimbursement for other approved professional development activities
- 10 throughout the school year, including reimbursement for:
- 11 a. Travel to and from professional development workshops; and
- 12 b. Travel to and from other schools for the observation of, and
- 13 consultation with, peer mentors; or
- 14 (b) The fund may be used to provide grants to local school districts to support
- 15 staff participation in specific, statewide initiatives for the professional
- 16 development of teachers and administrators in specific content areas as
- 17 established by the Kentucky Department of Education and the Kentucky
- 18 Board of Education under the provisions of subsections (4), (5), and (6) of this
- 19 section and referenced in KRS 158.842.
- 20 (c) The fund may be used to provide grants to colleges and universities to plan
- 21 and develop statewide professional development institutes and other
- 22 professional development services.
- 23 (d) The fund may be used to provide grants to local school districts, to colleges
- 24 and universities, or other entities to assist the Kentucky Department of
- 25 Education in evaluating costs and the effectiveness of activities and initiatives
- 26 established under this section.
- 27 (3) The Education Professional Standards Board shall determine the college and

1 university courses, including online~~for-line~~ courses and seminars, for which
2 teachers may receive reimbursement from the fund.

3 (4) The Department of Education shall:

4 (a) Administer the fund. In order to process reimbursements to teachers promptly,
5 the reimbursements shall not be subject to KRS 45A.690 to 45A.725;

6 (b) Determine the professional development programs for which teachers may
7 receive reimbursement, or districts or colleges and universities may receive
8 grants, from the fund;

9 (c) Determine the level of stipend or reimbursement, subject to the availability of
10 appropriated funds, for particular courses and programs, under subsection (2)
11 of this section; and

12 (d) Provide an accounting of fund expenditures and results of the use of the funds
13 for each biennium to the Interim Joint Committee on Education by November
14 1 of each odd-numbered year.

15 (5) The professional development programs approved by the Department of Education
16 for which teachers may receive support from the fund shall:

17 (a) Focus on improving the content knowledge of teachers;

18 (b) Provide training in the use of research-based and developmentally appropriate
19 classroom-based screening, diagnostic, assessment, and intervention
20 strategies;

21 (c) Provide instruction on teaching methods to effectively impart content
22 knowledge to all students;

23 (d) Include intensive training institutes and workshops during the summer;

24 (e) Provide programs for the ongoing support of teacher participants throughout
25 the year, which may include:

26 1. A peer coaching or mentoring, and assessment program; and

27 2. Planned activities, including:

- 1 a. Follow-up workshops; and
- 2 b. Support networks of teachers of the core disciplines using
- 3 technologies, including but not limited to telephone, video, and
- 4 online~~on-line~~ computer networks;
- 5 (f) Provide teacher participants with professional development credit toward
- 6 renewal of certification under the provisions of KRS 161.095, relating to
- 7 continuing education for teachers; and
- 8 (g) Provide teacher participants with the opportunity to obtain certificate
- 9 endorsements or extensions in critical shortage areas, with priority given to
- 10 mathematics and science through 2016, and in core content areas to their
- 11 existing certifications through the TC-HQ process, established by the
- 12 Education Professional Standards Board to meet the requirements of the No
- 13 Child Left Behind Act of 2001, 20 U.S.C. sec. 6301 et seq.
- 14 (6) The Kentucky Board of Education shall specify through promulgation of
- 15 administrative regulations:
- 16 (a) The application and approval process for receipt of funds;
- 17 (b) The requirements and process for the disbursement of funds; and
- 18 (c) The number of each kind of approved course for which applicants may
- 19 receive funds.
- 20 (7) Notwithstanding any other provisions to the contrary, a local school board may
- 21 advance the funds necessary for its teachers to participate in a college course or
- 22 professional development seminar or activity approved by the Kentucky
- 23 Department of Education and the Education Professional Standards Board under
- 24 provisions of this section and receive reimbursement from the department at the
- 25 conclusion of the activity or course by the teacher. If funds are advanced for the
- 26 benefit of a teacher under this subsection, but the teacher does not fulfill his or her
- 27 obligation, the teacher shall reimburse the school district for the funds expended by

1 the district on the teacher's behalf.

2 (8) Notwithstanding the provisions of KRS 45.229, unexpended funds in the teachers'
3 professional growth fund in the 2000-2001 fiscal year or in any subsequent fiscal
4 year shall not lapse but shall carry forward to the next fiscal year and shall be used
5 for the purposes established in subsections (1) and (2) of this section.

6 (9) Notwithstanding any provisions of this section to the contrary, beginning June 1,
7 2006, through the 2009-2010 school year, priority for the use of funds from the
8 teachers' professional growth fund shall be used to train and support teams of
9 teachers from all school levels to be trained as reading coaches and mentors or as
10 mathematics coaches and mentors in statewide institutes referenced in KRS
11 158.840 and 158.842, and for selected teachers to be highly trained in providing
12 diagnostic assessment and intervention services for students in the primary program
13 struggling with mathematics.

14 (a) The design of the statewide mathematics institutes to train mathematics
15 coaches and mentors shall be developed by the Committee for Mathematics
16 Achievement established in KRS 158.842. The committee shall provide
17 recommendations to the Kentucky Department of Education and the Kentucky
18 Board of Education in the preparation of administrative regulations that may
19 be promulgated by the board to implement the provisions of this subsection
20 relating to mathematics.

21 (b) The design of the professional development program to provide highly trained
22 mathematics intervention teachers in the primary program shall be developed
23 by the Center for Mathematics in collaboration with public and private
24 institutions of postsecondary education.

25 (c) The development of the statewide program to train reading coaches and
26 mentors shall be coordinated by the Kentucky Department of Education with
27 recommendations from the statewide reading research center established

1 under Section 1 of this Act~~[Collaborative Center for Literacy Development,~~
2 ~~established in KRS 164.0207,]~~ and the reading steering committee established
3 in KRS 158.794. The design of the program shall reflect a consensus of the
4 agencies involved in the development of the program. The training program
5 for reading coaches and mentors shall complement other statewide reading
6 initiatives, funded with state and federal funds, and shall give priority to
7 teachers in grades four (4) through twelve (12). The program shall be
8 implemented no later than June 1, 2006. The board shall promulgate
9 administrative regulations required to implement the provisions of this
10 subsection relating to reading.

11 (10) Notwithstanding any provision of this section to the contrary, beginning June 1,
12 2010, through the 2015-2016 school year, priority for the use of funds from the
13 teachers' professional growth fund shall be for the purpose of increasing the number
14 of certified teachers with extensions or endorsements in mathematics and science as
15 described in subsection (5)(g) of this section.

16 ➔Section 6. KRS 158.305 is amended to read as follows:

17 (1) As used in this section:

18 (a) "Aphasia" means a condition characterized by either partial or total loss of the
19 ability to communicate verbally or through written words. A person with
20 aphasia may have difficulty speaking, reading, writing, recognizing the names
21 of objects, or understanding what other people have said. The condition may
22 be temporary or permanent and does not include speech problems caused by
23 loss of muscle control;

24 (b) "Dyscalculia" means the inability to understand the meaning of numbers, the
25 basic operations of addition and subtraction, the complex operations of
26 multiplication and division, or to apply math principles to solve practical or
27 abstract problems;

- 1 (c) "Dysgraphia" means difficulty in automatically remembering and mastering
2 the sequence of muscle motor movements needed to accurately write letters or
3 numbers;
- 4 (d) "Dyslexia" has the same meaning as in KRS 158.307;
- 5 (e) "Enrichment program" means accelerated intervention within the school day
6 or outside of the school day or school calendar led by individuals most
7 qualified to provide the intervention that includes evidence-based reading
8 instructional programming related to reading instruction in the areas of
9 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and
10 other instructional strategies aligned to reading and writing standards required
11 by KRS 158.6453 and outlined in administrative regulation promulgated by
12 the Kentucky Board of Education;
- 13 (f) "Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);
- 14 (g) "Phonemic awareness" has the same meaning as in KRS 158.307;
- 15 (h) "Reading diagnostic assessment" has the same meaning as in KRS 158.792;
- 16 (i) "Reading improvement plan" means an accelerated intervention plan for a
17 student in kindergarten through grade four (4) that is developed to increase a
18 student's rate of progress toward proficient performance in reading that is
19 identified as necessary based on the student's results on an approved reading
20 diagnostic assessment. This plan should be developed in collaboration and
21 accordance with any existing program services plan, individualized education
22 program, or Section 504 Plan unless the program services plan, individualized
23 education program, or Section 504 Plan already addresses improving reading;
- 24 (j) "Reading improvement team" means a team that develops and oversees the
25 progress of a reading improvement plan and includes:
- 26 1. The parent or guardian of the student that is the subject of the reading
27 improvement plan;

- 1 2. No less than one (1) regular education teacher of the student to provide
- 2 information about the general curriculum for same-aged peers;
- 3 3. A representative of the local education agency who is knowledgeable
- 4 about the reading curriculum and the availability of the evidence-based
- 5 literacy resources of the local education agency; and
- 6 4. Any specialized certified school employees for students receiving
- 7 language instruction educational programming or special education
- 8 services; and
- 9 (k) "Universal screener" means a process of providing a brief assessment to all
- 10 students within a grade level to assess the students' performance on the
- 11 essential components of reading.
- 12 (2) Notwithstanding any other statute or administrative regulation to the contrary, the
- 13 Kentucky Board of Education shall promulgate administrative regulations to further
- 14 define a multitiered system of supports for district-wide use of a system for students
- 15 in kindergarten through grade three (3), that includes a tiered continuum of
- 16 interventions with varying levels of intensity and duration and which connects
- 17 general, compensatory, and special education programs to provide interventions
- 18 implemented with fidelity to evidence-based research and matched to individual
- 19 student strengths and needs. At a minimum, evidence of implementation shall be
- 20 submitted by the district to the department by October 1 of each year and shall
- 21 include but not be limited to the activities required under KRS 158.649.
- 22 (3) The Department of Education shall provide technical assistance and training, if
- 23 requested by a local district, to assist in the implementation of the district-wide,
- 24 multitiered system of supports as a means to identify and assist any student
- 25 experiencing difficulty in reading, writing, mathematics, or behavior and to
- 26 determine appropriate instructional modifications needed by advanced learners to
- 27 make continuous progress.

- 1 (4) The technical assistance and training shall be designed to improve:
- 2 (a) The use of specific screening processes and programs to identify student
- 3 strengths and needs;
- 4 (b) The use of screening data for designing instructional interventions;
- 5 (c) The use of multisensory instructional strategies and other interventions
- 6 validated for effectiveness by evidence-based research;
- 7 (d) Progress monitoring of student performance; and
- 8 (e) Accelerated, intensive, direct instruction that addresses students' individual
- 9 differences, including advanced learners, and enables students that are
- 10 experiencing difficulty to catch up with typically performing peers.
- 11 (5) (a) By January 1, 2023, each superintendent or public charter school board of
- 12 directors shall select:
- 13 1. At least one (1) universal screener for reading that is determined by the
- 14 department to be reliable and valid to be administered to all students in
- 15 kindergarten through grade three (3); and
- 16 2. At least one (1) reading diagnostic assessment for reading that is
- 17 determined by the department to be reliable and valid to be administered
- 18 as part of a multitiered system of supports for students in kindergarten
- 19 through grade three (3).
- 20 (b) Notwithstanding KRS 158.6453(19) and 160.345, each superintendent or
- 21 public charter school board may adopt a common comprehensive reading
- 22 program that is determined by the department to be reliable, valid, and aligned
- 23 to reading and writing standards required by KRS 158.6453 and outlined in
- 24 administrative regulation promulgated by the Kentucky Board of Education
- 25 for kindergarten through grade three (3) for all schools or a subset of schools,
- 26 with consultation of all affected elementary school councils.
- 27 (c) All teachers of students in kindergarten through grade three (3), including

1 public charter school teachers, shall be trained on any reading diagnostic
2 assessment and universal screener selected by the superintendent or public
3 charter school board prior to administration of the assessment. The training
4 shall address:

- 5 1. How to properly administer the reading diagnostic assessment;
- 6 2. How to interpret the results of the reading diagnostic assessment to
7 identify students needing interventions;
- 8 3. How to use the assessment results to design instruction and
9 interventions;
- 10 4. The use of the assessment to monitor the progress of student
11 performance; and
- 12 5. The use of accelerated, intensive, and direct instruction that addresses
13 students' individual differences and enables students to achieve
14 proficiency in reading, including but not limited to daily, one-on-one
15 instruction.

16 (6) Beginning with the 2023-2024 school year, a universal screener determined by the
17 Department of Education to be reliable and valid shall be:

- 18 (a) Given in the first forty-five (45) days of the school year for all kindergarten
19 students at a public school or public charter school; and
- 20 (b) Given in the first thirty (30) days of the school year for grades one (1) through
21 three (3) at a public school or public charter school.

22 (7) A reading improvement plan shall be developed and implemented by a reading
23 improvement team for any student in kindergarten through grade three (3) identified
24 as needing accelerated interventions to progress toward proficient performance in
25 reading. The reading improvement plan shall require:

- 26 (a) Intensive intervention that includes effective instructional strategies and
27 appropriate instructional materials necessary to help the student make

- 1 accelerated progress toward proficient performance in reading and become
2 ready for the next grade, including but not limited to daily, one-on-one
3 instruction with students the most in need provided by certified teachers
4 specifically trained to provide one-on-one instruction;
- 5 (b) A school to provide a written quarterly progress report containing the
6 information required by paragraph (a) of this subsection to a parent or
7 guardian of any student subject to a reading improvement plan. The written
8 quarterly progress report for the reading improvement plan may be included
9 in the school's existing quarterly progress report; and
- 10 (c) Individual placement decisions for children who are eligible for special
11 education and related services to be determined by the appropriate admissions
12 and release committee in accordance with administrative regulations
13 promulgated by the Kentucky Board of Education.
- 14 (8) Beginning in the 2023-2024 school year, if a student's rate of progress toward
15 proficient performance in reading needs accelerated interventions as demonstrated
16 by the results of an approved reading diagnostic assessment, the local school district
17 shall provide:
- 18 (a) Enrichment programs through grade three (3) using evidence-based reading
19 instruction and other strategies;
- 20 (b) Intensive instructional services, progress monitoring measures, and supports
21 to students through grade three (3); and
- 22 (c) Parents and legal guardians of students identified for accelerated interventions
23 in reading in kindergarten through grade three (3) with a "Read at Home"
24 plan, including information on how to participate in regular parent-guided
25 home reading.
- 26 (9) Beginning in the 2024-2025 school year, if a student does not score in the proficient
27 performance level or higher in reading, as defined in KRS 158.791(2), on the state

1 annually required grade three (3) assessment, the local school district shall provide:

2 (a) 1. Enrichment programs in grade four (4) using evidence-based reading
3 instruction and other strategies; or

4 2. Intensive instructional services, progress monitoring measures, and
5 supports to students in grade four (4); and

6 (b) Written notification of the interventions and supports described in paragraph
7 (a) of this subsection to the parent or legal guardian of the student, including a
8 description of proposed interventions and supports to be provided.

9 (10) By September 1, 2023, if funds are appropriated, the department shall establish
10 required teacher academies or coaching models for teachers of students in
11 prekindergarten through grade three (3). The teacher academies or coaching models
12 shall be related to evidence-based practices in instruction, instructional materials,
13 and assessment in reading.

14 (11) The department shall develop and maintain a web-based~~[Web-based]~~ resource
15 providing teachers access to:

16 (a) Information on the use of specific screening processes and programs to
17 identify student strengths and needs, including those for advanced learners;

18 (b) Current, evidence-based research and age-appropriate instructional tools that
19 may be used for substantial, steady improvement in:

20 1. Reading when a student is experiencing difficulty with phonemic
21 awareness, phonics, vocabulary, fluency, general reading
22 comprehension, or reading in specific content areas, or is exhibiting
23 characteristics of dyslexia, aphasia, or other reading difficulties;

24 2. Writing when a student is experiencing difficulty with consistently
25 producing letters or numbers with accuracy or is exhibiting
26 characteristics of dysgraphia;

27 3. Mathematics when a student is experiencing difficulty with basic math

1 facts, calculations, or application through problem solving, or is
2 exhibiting characteristics of dyscalculia or other mathematical
3 difficulties; or

4 4. Behavior when a student is exhibiting behaviors that interfere with his
5 or her learning or the learning of other students; and

6 (c) Current, evidence-based research and age-appropriate instructional tools that
7 may be used for continuous progress of advanced learners.

8 (12) The department shall encourage districts to utilize both state and federal funds as
9 appropriate to implement a district-wide multitiered system of supports.

10 (13) The department is encouraged to coordinate technical assistance and training on
11 current best practice interventions with state postsecondary education institutions.

12 (14) The department shall collaborate with the statewide reading research center
13 established under Section 1 of this Act ~~the Kentucky Collaborative Center for Literacy~~
14 ~~Development~~, the Kentucky Center for Mathematics, the Kentucky Center for
15 Instructional Discipline, the Education Professional Standards Board, the Council
16 on Postsecondary Education, postsecondary teacher education programs, and other
17 agencies and organizations as deemed appropriate to ensure that teachers are
18 prepared to utilize evidence-based interventions in reading, writing, mathematics,
19 and behavior.

20 (15) In compliance with 20 U.S.C. sec. 1414(a)(1)(E), screening of a student to
21 determine appropriate instructional strategies for curriculum implementation shall
22 not be considered to be an evaluation for eligibility for special education and related
23 services and nothing in this section shall limit a school district from completing an
24 initial evaluation of a student suspected of having a disability.

25 ➔Section 7. KRS 158.792 is amended to read as follows:

26 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:

27 (a) "Comprehensive reading program" means any print, nonprint, or electronic

1 medium of reading instruction designed to assist students. For students in
2 kindergarten through grade three (3), program instructional resources shall
3 include instruction in five (5) key areas: phonemic awareness, phonics,
4 fluency, vocabulary, and comprehension;

5 (b) "Reading diagnostic assessment" means an assessment that measures a
6 student's skills against established performance levels in essential components
7 of reading and identifies students that require intervention in at least one (1)
8 of those components to accelerate the student's progress toward proficient
9 performance in reading;

10 (c) "Reading intervention program" means short-term intensive instruction in the
11 essential skills necessary to read proficiently that is provided to a student by a
12 highly trained teacher. This instruction may be conducted one-on-one or in
13 small groups; shall be evidence-based, reliable, and replicable; and shall be
14 based on the ongoing assessment of individual student needs; and

15 (d) "Reliable, replicable evidence" means objective, valid, scientific studies that:

- 16 1. Include rigorously defined samples of subjects that are sufficiently large
17 and representative to support the general conclusions drawn;
- 18 2. Rely on measurements that meet established standards of reliability and
19 validity;
- 20 3. Test competing theories, where multiple theories exist;
- 21 4. Are subjected to peer review before their results are published; and
- 22 5. Discover effective strategies for improving reading skills.

23 (2) The reading diagnostic and intervention fund is created to help teachers and library
24 media specialists improve the reading skills of struggling readers in kindergarten
25 through grade three (3) and to assist schools in employing reading interventionists
26 who specialize in providing those services. The Department of Education, upon the
27 recommendation of the Reading Diagnostic and Intervention Grant Steering

1 Committee, shall provide renewable, two (2) year grants to schools to support
2 teachers and reading interventionists in the implementation of reliable, replicable
3 evidence-based reading intervention programs that use a balance of diagnostic tools
4 and instructional strategies that emphasize phonemic awareness, phonics, fluency,
5 vocabulary, comprehension, and connections between writing and reading
6 acquisition and motivation to read to address the diverse learning needs of those
7 students reading at low levels. Any moneys in the fund at the close of the fiscal year
8 shall not lapse but shall be carried forward to be used for the purposes specified in
9 this section.

10 (3) (a) The Kentucky Board of Education shall promulgate administrative
11 regulations, based on recommendations from the Department of Education
12 that shall include but not be limited to a school selection process with a focus
13 on those with the most need, professional learning supports in literacy, and
14 early reading instruction to:

- 15 1. Identify eligible grant applicants, taking into consideration how the
16 grant program described in this section will relate to other grant
17 programs;
- 18 2. Specify the criteria for acceptable reading and literacy diagnostic
19 assessments and intervention programs;
- 20 3. Specify the criteria for acceptable ongoing assessment of each child to
21 determine his or her reading progress;
- 22 4. Establish the minimum evaluation process for an annual review of each
23 grant recipient's program and progress;
- 24 5. Identify the annual data that must be provided from grant recipients;
- 25 6. Define the application review and approval process;
- 26 7. Establish matching requirements deemed necessary;
- 27 8. Define the professional development and continuing education

1 requirements for teachers, library media specialists, administrators, and
2 staff of grant recipients;

3 9. Establish the conditions for renewal of a two (2) year grant; and

4 10. Specify other conditions necessary to implement the purposes of this
5 section.

6 (b) The board shall require that a grant applicant provide assurances that the
7 following principles will be met if the applicant's request for funding is
8 approved:

9 1. An evidence-based comprehensive schoolwide reading program will be
10 available;

11 2. Intervention services will supplement, not replace, regular classroom
12 instruction;

13 3. Intervention services will be provided to struggling kindergarten through
14 grade three (3) readers within the school based upon ongoing assessment
15 of their needs; and

16 4. A system for informing parents of struggling readers of the available
17 family literacy services within the district will be established.

18 (c) The board shall not restrict how a grant applicant utilizes grant funds as it
19 relates to the applicant's use of funds for professional development, resources,
20 tools, employment of reading interventionists, and other expenses authorized
21 by this section. The grant applicant shall have discretion in allocating grant
22 funds for purposes authorized by this section; however, the board may
23 consider the effectiveness of those uses in reviewing the application.

24 (4) In order to qualify for funding, the school council, or if none exists, the principal or
25 the superintendent of schools, shall allocate matching funds required by grant
26 recipients under subsection (3) of this section. Funding for professional
27 development allocated to the school council under KRS 160.345 and for continuing

1 education under KRS 158.070 may be used as part of the school's match.

2 (5) The Department of Education shall make available to schools:

3 (a) Information concerning successful, evidence-based comprehensive reading
4 programs, diagnostic tools for pre- and post-assessment, and intervention
5 programs, from the statewide reading research center established under
6 Section 1 of this Act~~[Collaborative Center for Literacy Development created~~
7 ~~under KRS 164.0207]~~;

8 (b) Strategies for successfully implementing early reading programs, including
9 professional development support and the identification of funding sources;
10 and

11 (c) A list of professional development providers offering teacher training related
12 to reading that emphasizes the essential components for successful reading:
13 phonemic awareness, phonics, fluency, vocabulary, comprehension, and
14 connections between writing and reading acquisition and motivation to read.

15 (6) The Department of Education shall submit a report to the Interim Joint Committee
16 on Education no later than November 1 of each year outlining the use of grant
17 funds. The annual report for an odd-numbered year shall include an estimate of the
18 cost to expand the reading diagnostic and intervention fund.

19 (7) The Department of Education shall report program data to an external evaluator for
20 analysis of the program's success in meeting the goal of increasing early literacy
21 student outcomes.

22 ➔Section 8. KRS 158.840 is amended to read as follows:

23 (1) The General Assembly hereby finds that reading and mathematics proficiency are
24 gateway skills necessary for all Kentucky students to achieve the academic goals
25 established in KRS 158.6451. It is the General Assembly's intent that:

26 (a) All students in kindergarten through grade three (3) having difficulty in
27 reading and mathematics receive early diagnosis and intervention services

1 from highly trained teachers;

2 (b) All students demonstrate proficiency in reading and mathematics as they
3 progress through the relevant curricula and complete each assessment level
4 required by the Kentucky Board of Education for the state assessment
5 program established under KRS 158.6453 and in compliance with the
6 requirements of the federal Every Student Succeeds Act of 2015, Pub. L. No.
7 114-95, or its successor; and

8 (c) Students who are struggling in reading and mathematics or are not at the
9 proficient level on statewide assessments be provided evidence-based and
10 developmentally appropriate diagnostic and intervention services, and
11 instructional modifications necessary to learn.

12 The General Assembly, the Kentucky Board of Education, the Kentucky
13 Department of Education, the Council on Postsecondary Education, colleges and
14 universities, local boards of education, school administrators, school councils,
15 teachers, parents, and other educational entities, such as the Education Professional
16 Standards Board, P-16 councils, the statewide reading research center established
17 under Section 1 of this Act~~[Collaborative Center for Literacy Development]~~, and
18 the Center for Middle School Achievement must collaborate if the intentions
19 specified in this subsection are to be met. Intensive focus on student achievement in
20 reading and mathematics does not negate the responsibility of any entity to help
21 students obtain proficiency in other core curriculum content areas.

22 (2) The General Assembly's role is to set policies that address the achievement levels of
23 all students and provide resources for the professional growth of teachers and
24 administrators, assessing students' academic achievement, including diagnostic
25 assessment and instructional interventions, technology innovations, targeted reading
26 and mathematics statewide initiatives, research and the distribution of research
27 findings, services for students beyond the regular school day, and other services

1 needed to help struggling learners.

2 (3) The Kentucky Board of Education shall regularly review and modify, when
3 appropriate, its statewide assessment policies and practices to enable local school
4 districts and schools to carry out the provisions of the statewide assessment and
5 accountability system, required under KRS 158.6453 to improve student
6 achievement in mathematics and reading.

7 (4) The Kentucky Department of Education shall:

8 (a) Provide assistance to schools and teachers, including publicizing professional
9 development opportunities, methods of measuring effective professional
10 development, the availability of high quality instructional materials, and
11 developmentally appropriate screening and diagnostic assessments of student
12 competency in mathematics and reading. The department shall provide access
13 to samples of units of study, annotated student work, diagnostic instruments,
14 and research findings, and give guidance on parental engagement;

15 (b) Work with state and national educators and subject-matter experts to identify
16 student reading skills in each subject area that align with the state content
17 standards adopted under KRS 158.6453 and identify teaching strategies in
18 each subject area that can be used explicitly to develop the identified reading
19 skills under this paragraph;

20 (c) Encourage the development of comprehensive middle and high school
21 adolescent reading plans to be incorporated into the curricula of each subject
22 area to improve the reading comprehension of all students;

23 (d) Conduct an annual review of the state grant programs it manages and make
24 recommendations, when needed, to the Interim Joint Committee on Education
25 for changes to statutory requirements that are necessary to gain a greater
26 return on investment;

27 (e) Provide administrative support and oversight to programs to train classroom

- 1 coaches and mentors to help teachers with reading and mathematics
2 instruction; and
- 3 (f) Require no reporting of instructional plans, formative assessment results, staff
4 effectiveness processes, or interventions implemented in the classroom,
5 except for:
- 6 1. Interventions implemented under KRS 158.305(2);
 - 7 2. Funds provided under KRS 158.792 or 158.844; or
 - 8 3. Schools that are identified for comprehensive support and improvement
9 and fail to exit comprehensive support and improvement status after
10 three (3) consecutive years of implementing the turnaround intervention
11 process as described in KRS 160.346.
- 12 (5) The Council on Postsecondary Education, in cooperation with the Education
13 Professional Standards Board, shall exercise its duties and functions under KRS
14 164.020 to ensure that teacher education programs are fulfilling the needs of
15 Kentucky for highly skilled teachers. The council shall:
- 16 (a) Coordinate the federal and state grant programs it administers with other
17 statewide initiatives relating to improving student achievement in reading and
18 mathematics to avoid duplication of effort and to make efficient use of
19 resources;
 - 20 (b) Submit a report to the Interim Joint Committee on Education no later than
21 November 1 of each year summarizing the compliance of each teacher
22 preparation program for interdisciplinary early childhood education or
23 elementary regular education to the instructional requirements set forth in
24 KRS 164.306(1); and
 - 25 (c) Regularly report program data to an external evaluator for an analysis of the
26 progress of teacher preparation programs for interdisciplinary early childhood
27 education and elementary regular education to increase the success of new

- 1 teacher candidates in demonstrating reading instruction knowledge and skills.
- 2 (6) The Education Professional Standards Board shall exercise its duties and
3 responsibilities under KRS 161.030 and 161.048 to ensure highly qualified
4 teachers.
- 5 (7) Colleges and universities shall:
- 6 (a) Utilize institution-wide resources to work with elementary and secondary
7 educators and other entities to align curriculum content to ensure that students
8 who achieve proficiency on standards established at the prekindergarten
9 through secondary levels will require no remediation to successfully enter a
10 postsecondary education program;
- 11 (b) Provide quality undergraduate teacher preparation programs to ensure that
12 those preparing to teach reading or mathematics at all grade levels have the
13 necessary content knowledge, assessment and diagnostic skills, and teaching
14 methodologies and that teachers in all subject areas have the requisite skills
15 for helping students at all grade levels develop critical strategies and skills for
16 reading and comprehending subject matter;
- 17 (c) Deliver appropriate continuing education for teachers in reading and
18 mathematics through institutes, graduate level courses, and other professional
19 development activities that support a statewide agenda for improving student
20 achievement in reading and mathematics;
- 21 (d) Conduct or assist with research on best practices in assessment, intervention
22 strategies, teaching methodologies, costs and effectiveness of instructional
23 models, and other factors as appropriate to reading and mathematics;
- 24 (e) Provide staff to consult and provide technical assistance to teachers, staff, and
25 administrators at elementary, middle, and secondary school sites;
- 26 (f) Assume active roles in the statewide initiatives referenced in KRS 156.553
27 and 158.842; and

1 (g) Develop written procedures for measuring the effectiveness of activities
2 outlined in paragraphs (a) to (e) of this subsection.

3 (8) School councils at all school levels are encouraged to identify and allocate
4 resources to qualified teachers to become coaches or mentors in mathematics or
5 coaches or mentors in reading with a focus on improving student achievement in
6 their respective schools.

7 (9) Local school boards and superintendents shall provide local resources, whenever
8 possible, to supplement or match state and federal resources to support teachers,
9 school administrators, and school councils in helping students achieve proficiency
10 in reading and mathematics.

11 (10) Local school superintendents shall provide leadership and resources to the
12 principals of all schools to facilitate curriculum alignment, communications, and
13 technical support among schools to ensure that students are academically prepared
14 to move to the next level of schooling.

15 ➔Section 9. KRS 164.035 is amended to read as follows:

16 The Council on Postsecondary Education, in consultation with the Office of Adult
17 Education and the statewide reading research center established under Section 1 of this
18 ~~Act~~~~Collaborative Center for Literacy Development: Early Childhood through~~
19 ~~Adulthood~~, shall assess the need for technical assistance, training, and other support to
20 assist in the development of adult education and workforce development that support the
21 state strategic agenda and that include a comprehensive coordinated approach to
22 education and training services. The council shall promote the involvement of
23 universities; colleges; technical institutions; elementary and secondary educational
24 agencies; labor, business, and industry representatives; community-based organizations;
25 citizens' groups; and other policymakers in the development of the regional strategies.

26 ➔Section 10. The Kentucky Department of Education shall, through a
27 competitive bidding process, select the administrator of the statewide reading research

1 center to be established under Section 1 of this Act for approval by the Kentucky Board
2 of Education no later than July 1, 2024. The selected administrator shall be contracted for
3 five years beginning July 1, 2024, as set forth in subsection (4) of Section 1 of this Act,
4 unless funding is not available.

5 ➔Section 11. Sections 1 to 9 of this Act take effect July 1, 2024.