

1 AN ACT relating to early literacy and numeracy education.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section, unless the context otherwise requires:*

6 *(a) "Academic improvement plan" means an accelerated intervention plan for*
7 *a student in kindergarten through grade four (4) that is developed to remedy*
8 *a deficiency in reading or mathematics identified by the student's results on*
9 *an approved diagnostic assessment;*

10 *(b) "Academic improvement team" means a team that develops and oversees*
11 *the progress of an academic improvement plan and includes:*

12 *1. The parent or guardian of the student who is the subject of the*
13 *academic improvement plan;*

14 *2. The homeroom teacher of the student who is the subject of the*
15 *academic improvement plan; and*

16 *3. At least one (1) other certified school employee appointed by the*
17 *principal;*

18 *(c) "Accelerated learning" means an organized way of helping students meet*
19 *individual academic goals by providing direct instruction to eliminate*
20 *student performance deficiencies or enable students to move more quickly*
21 *through course requirements and pursue higher level skill development;*

22 *(d) "Diagnostic assessment" means an assessment that measures a student's*
23 *skills against established performance levels in essential components of*
24 *reading or mathematics and identifies students who require intervention to*
25 *remedy a deficiency in reading or mathematics. A diagnostic assessment*
26 *includes a universal screener;*

27 *(e) "Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);*

- 1 (f) "Five (5) essential components of reading" means phonemic awareness,
2 phonics, vocabulary, fluency, and comprehension;
- 3 (g) "Formative assessment" means a process used by teachers and students
4 during instruction to adjust ongoing teaching and learning to improve
5 students' achievement of intended instructional outcomes. Formative
6 assessments may include the use of commercial assessments, classroom
7 observations, teacher-designed classroom tests and assessments, and other
8 processes and assignments to gain information about individual student
9 learning;
- 10 (h) "Intervention" means short-term, intensive instruction in the essential
11 skills necessary for a student to remedy a deficiency in reading or
12 mathematics that is provided to the student by a highly trained teacher. This
13 instruction:
- 14 1. May be conducted one-on-one or in small groups;
15 2. Shall be research-based, reliable, and replicable; and
16 3. Shall be based on the ongoing assessment of individual student needs;
- 17 (i) "Summer enrichment program" means an additional educational program,
18 using research-based reading and mathematics instruction and other
19 strategies, outside of the instructional calendar, provided by the local school
20 district to any student who has a deficiency in reading or mathematics at the
21 end of grade three (3), as demonstrated by the results of an approved
22 diagnostic assessment tool or the required annual grade three (3) state
23 assessment; and
- 24 (j) "Universal screener" means a diagnostic assessment administered to all
25 students within a grade level to assess the students' performance on
26 essential components of reading or mathematics.
- 27 (2) The Kentucky Department of Education shall develop and maintain a list of:

1 (a) Approved universal screeners for reading and mathematics that are
2 determined by the department to be reliable and valid; and

3 (b) Approved diagnostic assessments for reading and mathematics that are
4 determined by the department to be reliable, valid, and appropriate for use
5 as part of a response-to-intervention system for students in kindergarten
6 through grade three (3), as described in KRS 158.305.

7 (3) (a) By January 1, 2020, each local school board or public charter school board
8 shall adopt:

9 1. At least one (1) approved universal screener for reading and
10 mathematics to be administered by the schools or public charter
11 school to all students in kindergarten through grade (3); and

12 2. At least one (1) approved diagnostic assessment for reading and
13 mathematics to be administered by the schools or public charter
14 school as part of a response-to-intervention system as described in
15 KRS 158.305 for students in kindergarten through grade three (3).

16 (b) All teachers for students in kindergarten through grade five (5), including
17 public charter school teachers, shall be trained on any diagnostic
18 assessment, including any universal screener, adopted by the local board or
19 public charter school board prior to administration of the assessment. The
20 training must address:

21 1. How to properly administer the diagnostic assessment;

22 2. How to interpret the results of the diagnostic assessment to identify
23 students with a deficiency in reading or mathematics;

24 3. How to use the assessment results to design instruction and
25 interventions;

26 4. How to use the assessment to monitor the progress of student
27 performance; and

- 1 5. Accelerated, intensive, and direct instruction that addresses students'
2 individual differences, including advanced learners, and enables
3 students identified with a deficiency in reading or mathematics to
4 achieve proficiency.
- 5 (4) Beginning with the 2020-2021 school year, a diagnostic assessment approved by
6 the Kentucky Department of Education shall be:
- 7 (a) Given in the first forty-five (45) days of the school year for all kindergarten
8 students at a public school or public charter school;
- 9 (b) Given in the first thirty (30) days of the school year for grades one (1)
10 through three (3) at a public school or public charter school; and
- 11 (c) Repeated midyear and at the end of the school year if indicated by the
12 results of an approved diagnostic assessment.
- 13 (5) An academic improvement plan shall be developed and implemented for any
14 student in kindergarten through grade three (3) identified with a deficiency in
15 reading or mathematics by an approved diagnostic assessment administered by a
16 public school or public charter school. The academic improvement plan shall:
- 17 (a) Require intensive intervention that includes effective instructional strategies
18 and appropriate instructional materials necessary to help the student
19 remedy a deficiency in reading or mathematics and become ready for
20 promotion to the next grade;
- 21 (b) Include a detailed description of:
- 22 1. The student's reading or mathematics skills and deficiencies, as
23 identified by the results of an approved diagnostic assessment;
- 24 2. The benchmarks and goals that will be used by the student's academic
25 improvement team to objectively measure the student's progress in
26 reading or mathematics;
- 27 3. The research-based instructional programming the student's teacher

1 will use to provide instruction in reading or mathematics;

2 4. The intensive interventions required by paragraph (a) of this
3 subsection and any additional research-based instructional services
4 that will be administered to the student individually;

5 5. Strategies the parent or guardian is encouraged to use in assisting the
6 student to remedy a deficiency in reading or mathematics; and

7 6. Any additional services the teacher deems available and appropriate to
8 accelerate the student's reading or mathematics skill development;
9 and

10 (c) Be maintained until the deficiency is remedied. A deficiency shall be
11 deemed remedied as follows:

12 1. For students in kindergarten through grade two (2), as demonstrated
13 by the results of an approved diagnostic assessment; and

14 2. For students in grade three (3), as demonstrated by the student scoring
15 in the apprentice student performance level or higher in reading or
16 mathematics on the required annual grade three (3) state assessment.

17 (6) (a) Within two (2) weeks of receiving the results of an approved diagnostic
18 assessment identifying a student's deficiency in reading or mathematics, the
19 school shall notify the student's parent or legal guardian in writing of the
20 following:

21 1. That the student has been identified as having a deficiency in reading
22 or mathematics by the results of an approved diagnostic assessment;

23 2. A description of the services the school proposes for the student or, if
24 the student is already being provided services pursuant to an academic
25 improvement plan, the performance of the student with regard to the
26 academic improvement plan;

27 3. A description of the supplemental instructional services and supports

1 the school proposes for the student or, if the student is already being
2 provided supplemental instructional services and supports pursuant to
3 an academic improvement plan, the performance of the student with
4 regard to the academic improvement plan;

5 4. Strategies for the parent or guardian to use to help the student to
6 remedy a deficiency in reading or mathematics;

7 5. That if the student's deficiency in reading or mathematics is not
8 remedied in accordance with paragraph (c) of subsection (5) of this
9 section by the end of grade three (3), the student shall be required to
10 receive intensive remediation outlined in subsection (7) of this section;
11 and

12 6. That the student shall not be promoted to grade (4) unless the student
13 scores in the apprentice student performance level or higher in
14 reading and mathematics on the required annual grade three (3) state
15 assessment or completes the intensive remediation outlined in
16 subsection (7) of this section.

17 (b) A school shall provide a written quarterly progress report containing the
18 information required by paragraph (a) of this subsection to a parent or
19 guardian of any student subject to an academic improvement plan.

20 (7) Beginning in the 2021-2022 school year, if a student's deficiency in reading or
21 mathematics is not remedied in accordance with paragraph (c) of subsection (5)
22 of this section, the local school district shall provide:

23 (a) A summer enrichment program prior to grade four (4) using evidence-based
24 reading or math instruction and other strategies. In providing a summer
25 enrichment program, a local school district may:

26 1. Contract for services;

27 2. Collaborate with one (1) or more districts; or

- 1 3. Partner with county or school libraries, institutions of higher
2 education, community organizations, businesses, and other groups to
3 provide volunteers, mentors, tutors, space, or other support;
- 4 (b) Intensive instructional services, progress monitoring measures, and
5 supports to students in grade three (3) and grade four (4) who have been
6 identified with deficiencies in reading or mathematics by the results of an
7 approved diagnostic tool, which shall be in addition to the regular school
8 day and shall include but not be limited to:
- 9 1. Small group instruction;
10 2. Reduced teacher-student ratios; and
11 3. Tutoring in evidence-based reading or mathematics services;
- 12 (c) Written notification of the intensive remediation described in paragraphs
13 (a) and (b) of this subsection to the parent or legal guardian of any grade
14 three (3) student who did not score in the apprentice student performance
15 level or higher in reading or mathematics on the required annual grade
16 three (3) state assessment. The notification shall include:
- 17 1. A description of proposed interventions and supports that will be
18 provided to the student; and
19 2. A statement that the student shall not be promoted to grade four (4)
20 without completing a program of intensive remediation in accordance
21 with paragraphs (a) or (b) of this subsection; and
- 22 (d) Parents and legal guardians of students identified with deficiencies in
23 reading or mathematics in kindergarten through grade three (3) with a
24 "Read at Home" plan outlining participation in regular parent-guided
25 home reading.
- 26 (8) Beginning in the 2021-2022 school year, a student shall not be promoted to grade
27 four (4) unless the student scores in the apprentice student performance level or

1 higher in reading and mathematics on the required annual grade three (3) state
2 assessment, or completes the intensive remediation outlined in subsection (7) of
3 this section.

4 (9) Beginning in the 2021-2022 school year, data shall be collected by each school
5 district and reported in the annual performance report described in KRS
6 158.6453, on:

7 (a) The number and percentage, by grade level, of all students in kindergarten
8 through grade three (3) who were identified with a deficiency in reading or
9 mathematics at the beginning of the school year:

10 1. That remedied their deficiency in accordance with paragraph (c) of
11 subsection (5) of this section; and

12 2. That have not remedied their deficiency in accordance with paragraph
13 (c) of subsection (5) of this section;

14 (b) 1. By grade, the total number and percentage of eligible students who
15 attended a summer enrichment program; and

16 2. By grade, the number and percentage of students who received
17 intensive remediation; and

18 (c) 1. By grade and for each student that participated in the summer
19 enrichment program, the reading or mathematics results on an
20 approved diagnostic assessment prior to and after participation in the
21 summer enrichment program; and

22 2. By grade and for each student that participated in intensive
23 remediation, the reading or mathematics results on an approved
24 diagnostic assessment prior to and after participation in the intensive
25 remediation.

26 (10) By September 1, 2020, the department shall establish teacher academies or
27 coaching models for teachers of students in kindergarten through grade three (3).

1 *The teacher academies or coaching models shall be related to evidence-based*
2 *practices in instruction, instructional materials, and assessment in reading and*
3 *mathematics.*

4 *(a) The reading professional development shall include instruction on the five*
5 *(5) essential components of reading; and*

6 *(b) The mathematics professional development shall include instruction on*
7 *developmental progressions that focus on conceptual understanding,*
8 *procedural skill and fluency, and application.*

9 *(11) The department shall collaborate with the Kentucky Department of Library and*
10 *Archives and the Governor's Office of Early Childhood to establish and maintain*
11 *a partnership to develop high quality, evidence-based year-round programming,*
12 *materials, and activities for elementary-aged children in the areas of reading and*
13 *mathematics.*

14 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
15 READ AS FOLLOWS:

16 *(1) Beginning in the 2020-2021 school year, postsecondary institutions offering*
17 *teacher preparation programs for elementary regular education shall include*
18 *instruction related to reading and mathematics on:*

19 *(a) 1. For reading, instruction on the five (5) essential components of*
20 *reading;*

21 *2. For mathematics, instruction on developmental progressions that*
22 *focus on conceptual understanding, procedural skill and fluency, and*
23 *application;*

24 *(b) The administration of specific assessment processes and programs used to*
25 *identify student strengths and needs and that are approved by the Kentucky*
26 *Department of Education in accordance with subsection (2) of Section 1 of*
27 *this Act;*

- 1 (c) The use of assessment data for designing instruction and interventions;
 2 (d) Progress monitoring of student performance; and
 3 (e) Accelerated, intensive, direct instruction that addresses students' individual
 4 differences, including advanced learners, and enables students that are
 5 experiencing difficulty to catch up with typically performing peers.
- 6 (2) By January 1, 2021, the Education Professional Standards Board shall develop
 7 and maintain a list of approved:
- 8 (a) Reading teacher preparation tests that are determined by the board to be an
 9 effective evaluation of reading instruction knowledge and skills; and
 10 (b) Mathematics teacher preparation tests that are determined by the board to
 11 be an effective evaluation of mathematics instruction and knowledge.
- 12 (3) Beginning in the 2022-2023 school year, all new teachers seeking certification in
 13 Interdisciplinary Early Childhood Education or Elementary School Education
 14 shall successfully pass an approved reading teacher preparation test and an
 15 approved mathematics teacher preparation test.

16 ➔Section 3. KRS 158.792 is amended to read as follows:

- 17 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:
- 18 (a) "Comprehensive reading program" means a program that emphasizes the
 19 essential components of reading: phonemic awareness, phonics, fluency,
 20 vocabulary, comprehension, and connections between writing and reading
 21 acquisition and motivation to read.
- 22 (b) "Reading diagnostic assessment" means an assessment that identifies a
 23 struggling reader and measures the reader's skills against established
 24 performance levels in the essential components of reading. The purpose is to
 25 screen for areas that require intervention in order for the student to learn to
 26 read proficiently.
- 27 (c) "Reading intervention program" means short-term intensive instruction in the

1 essential skills necessary to read proficiently that is provided to a student by a
2 highly trained teacher. This instruction may be conducted one-on-one or in
3 small groups; shall be research-based, reliable, and replicable; and shall be
4 based on the ongoing assessment of individual student needs.

5 (d) "Reliable, replicable research" means objective, valid, scientific studies that:

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

13 (2) The reading diagnostic and intervention fund is created to help teachers and library
14 media specialists improve the reading skills of struggling readers in the primary
15 program. **Prior to the 2020-2021 school year,** the Department of Education, upon
16 the recommendation of the Reading Diagnostic and Intervention Grant Steering
17 Committee, shall provide renewable, two (2) year grants to schools to support
18 teachers in the implementation of reliable, replicable research-based reading
19 intervention programs that use a balance of diagnostic tools and instructional
20 strategies that emphasize phonemic awareness, phonics, fluency, vocabulary,
21 comprehension, and connections between writing and reading acquisition and
22 motivation to read to address the diverse learning needs of those students reading at
23 low levels. Any moneys in the fund at the close of the fiscal year shall not lapse but
24 shall be carried forward to be used for the purposes specified in this section.

25 (3) **Beginning with the 2020-2021 school year, the purpose of the reading diagnostic**
26 **and intervention fund is to help teachers and library media specialists improve**
27 **the reading skills of students in kindergarten through grade three (3). The**

1 *Kentucky Department of Education, upon the recommendation of the Reading*
 2 *Diagnostic and Intervention Grant Steering Committee, shall create a literacy*
 3 *coaching program. The program shall focus on the use of data coaches to*
 4 *improve reading and literacy, determine effectiveness of intensive data-focused*
 5 *professional development, and provide expert support in literacy and early*
 6 *reading instruction and intervention. The Kentucky Department of Education*
 7 *shall establish the minimum requirements and qualifications for data coaches.*

8 **(4)** ~~{(a)—}~~The Kentucky Board of Education shall promulgate administrative
 9 regulations, based on recommendations from the secretary of the Education and
 10 Workforce Development Cabinet, the Reading Diagnostic and Intervention Grant
 11 Steering Committee established in KRS 158.794, and the Collaborative Center for
 12 Literacy Development established in KRS 164.0207 to:

13 ~~**(a)**{1.}~~ ~~{Identify eligible grant applicants, taking into consideration how the~~
 14 ~~grant program described in this section will relate to other grant programs;~~

15 ~~2.—}~~Specify the criteria for acceptable diagnostic assessments and
 16 intervention programs;

17 ~~**(b)**{3.}~~ Specify the criteria for acceptable ongoing assessment of each child to
 18 determine his or her reading progress;{

19 ~~4.—~~Establish the minimum evaluation process for an annual review of each
 20 grant recipient's program and progress;

21 ~~5.—~~Identify the annual data that must be provided from grant recipients;

22 ~~6.—~~Define the application review and approval process;

23 ~~7.—~~Establish matching requirements deemed necessary;

24 ~~8.—~~Define the professional development and continuing education
 25 requirements for teachers, library media specialists, administrators, and
 26 staff of grant recipients;

27 ~~9.—~~Establish the conditions for renewal of a two (2) year grant; }and

1 ~~(c)[10.]~~ Specify other conditions necessary to implement the purposes of this
 2 section.

3 ~~[(b) The board shall require that a grant applicant provide assurances that the
 4 following principles will be met if the applicant's request for funding is
 5 approved:~~

6 1. ~~— A research-based comprehensive schoolwide reading program will be
 7 available;~~

8 2. ~~— Intervention services will supplement, not replace, regular classroom
 9 instruction;~~

10 3. ~~— Intervention services will be provided to struggling primary program
 11 readers within the school based upon ongoing assessment of their needs;
 12 and~~

13 4. ~~— A system for informing parents of struggling readers of the available
 14 family literacy services within the district will be established.~~

15 ~~(4) In order to qualify for funding, the school council, or if none exists, the principal or
 16 the superintendent of schools, shall allocate matching funds required by grant
 17 recipients under subsection (3) of this section. Funding for professional
 18 development allocated to the school council under KRS 160.345 and for continuing
 19 education under KRS 158.070 may be used as part of the school's match.]~~

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

21 (a) Information concerning successful, research-based comprehensive reading
 22 programs, diagnostic tools for pre- and post-assessment, and intervention
 23 programs~~[,]~~ from the Collaborative Center for Literacy Development created
 24 under KRS 164.0207;

25 (b) Strategies for successfully implementing early reading programs, including
 26 professional development support and the identification of funding sources;
 27 and

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

5 (6) The Department of Education shall submit a report to the Interim Joint Committee
6 on Education no later than September 1 of each year outlining the use of grant
7 funds. The report shall also include comparisons of the overall costs and
8 effectiveness of intervention programs. The annual report for an odd-numbered year
9 shall include an estimate of the cost to expand the reading diagnostic and
10 intervention grant program.

11 ➔Section 4. KRS 158.794 is amended to read as follows:

12 (1) The Reading Diagnostic and Intervention Grant Steering Committee is hereby
13 created for the purpose of advising the Kentucky Board of Education and the
14 Department of Education concerning the implementation and administration of the
15 reading diagnostic and intervention fund created in KRS 158.792 and developing a
16 multifaceted strategic plan to improve student achievement in reading for
17 students in kindergarten through grade three (3). The committee shall be
18 composed of sixteen (16) members including the commissioner of education or the
19 commissioner's designee, the executive director of the Collaborative Center for
20 Literacy Development, the president of the Council on Postsecondary Education or
21 the president's designee, and the following members, to be appointed by the
22 Governor:

23 (a) Four (4) primary program teachers with a specialty or background in reading
24 and literacy;

25 (b) Four (4) university or college professors with a specialty or background in
26 reading and literacy representing universities;

27 (c) One (1) elementary school principal;

- 1 (d) One (1) certified library media specialist; and
- 2 (e) Three (3) individuals from the state at large with an interest in reading and
- 3 literacy.
- 4 (2) Each member of the committee, other than members who serve by virtue of their
- 5 position, shall serve for a term of three (3) years or until a successor is appointed,
- 6 except that upon initial appointment, five (5) members shall serve a one (1) year
- 7 term, four (4) members shall serve a two (2) year term, and four (4) members shall
- 8 serve a three (3) year term.
- 9 (3) A majority of the full authorized membership shall constitute a quorum.
- 10 (4) The committee shall elect, by majority vote, a chair, who shall be the presiding
- 11 officer of the committee, preside at all meetings, and coordinate the functions and
- 12 activities of the committee. The chair shall be elected or reelected each calendar
- 13 year.
- 14 (5) The committee shall be attached to the Department of Education for administrative
- 15 purposes.
- 16 (6) The committee shall:
- 17 (a) Identify needs, trends, and issues in schools throughout the state regarding
- 18 reading and literacy programs;
- 19 (b) Make recommendations regarding the content of administrative regulations to
- 20 be promulgated by the Kentucky Board of Education under KRS 158.792;
- 21 (c) ~~[Recommend approval of grant applications based upon the provisions of~~
- 22 ~~KRS 158.792 and administrative regulations promulgated by the Kentucky~~
- 23 ~~Board of Education as required under KRS 158.792; and~~
- 24 ~~(d)]~~ Advise the Kentucky Board of Education and the Department of Education
- 25 regarding costs and effectiveness of various reading intervention programs;
- 26 and[-]
- 27 (d) Advise the Department of Education on:

- 1 1. Suggested universal screeners for reading to be administered to
 2 students in kindergarten through grade three (3) as required by
 3 Section 1 of this Act;
 4 2. Suggested criteria for diagnostic assessments to be administered to
 5 students in kindergarten through grade three (3) as required by
 6 Section 1 of this Act; and
 7 3. The development, implementation, and outcomes of a statewide
 8 professional development program that includes:
 9 a. Early literacy skills, including instruction on the five (5)
 10 essential components of reading; and
 11 b. Student engagement.

12 ➔Section 5. KRS 158.844 is amended to read as follows:

- 13 (1) The mathematics achievement fund is hereby created to provide developmentally
 14 appropriate diagnostic assessment and intervention services to students, primary
 15 through grade three 3^[12], to help them reach proficiency in mathematics on the
 16 state assessments under KRS 158.6453 and in compliance with the federal "Every
 17 Student Succeeds Act of 2015," Pub. L. No. 114-95^{["No Child Left Behind Act of}
 18 ^{2001," 20 U.S.C. secs. 6301 et seq.]}, as required under KRS 158.840.
 19 (2) Prior to the 2020-2021 school year, the grant funds may be used to support the
 20 implementation of diagnostic and intervention services in mathematics. The use of
 21 funds may include: pay for extended time for teachers, released time for teachers to
 22 serve as coaches and mentors or to carry out other responsibilities needed in the
 23 implementation of intervention services, payment of substitute teachers needed for
 24 the support of mathematics teachers, purchase of materials needed for modification
 25 of instruction, and other costs associated with diagnostic and intervention services
 26 or to cover other costs deemed appropriate by the Kentucky Board of Education.
 27 (3) Prior to the 2020-2021 school year, the fund shall:

- 1 (a) Provide funding for the Center for Mathematics created in KRS 164.525 and
 2 the costs of training selected teachers in the diagnostic assessment and
 3 intervention skills that are needed to assist struggling students in the primary
 4 program and other grade levels;
- 5 (b) Provide renewable, two (2) year local grants to school districts and for
 6 purposes described in subsection (2) of this section; and
- 7 (c) Provide operational funding for the Committee for Mathematics Achievement
 8 created in KRS 158.842.

9 (4) **Beginning with the 2020-2021 school year, the fund shall:**

10 **(a) Provide funding for the Center for Mathematics created in KRS 164.525**
 11 **and for the use of data coaches, as described in subsection (3) of Section 3**
 12 **of this Act, to improve mathematics instruction in kindergarten through**
 13 **grade (3), determine effectiveness of intensive data-focused professional**
 14 **development, and provide expert support in mathematics instruction and**
 15 **intervention; and**

16 **(b) Provide operational funding for the Committee for Mathematics**
 17 **Achievement created in KRS 158.842.**

18 **(5)** Any funds appropriated to the mathematics achievement fund that are specifically
 19 designated by the General Assembly to support the Center for Mathematics shall be
 20 appropriated to the Council on Postsecondary Education and distributed to the
 21 university administering the center, as determined by the council under KRS
 22 164.525.

23 ~~**(6)**~~~~**(5)**~~ Any moneys in the fund at the close of a fiscal year shall not lapse but shall be
 24 carried forward to be used for the purposes specified in this section.

25 ~~**(7)**~~~~**(6)**~~ Any interest earnings of the fund shall become a part of the fund and shall not
 26 lapse.

27 ~~**(8)**~~~~**(7)**~~ (a) Any funds appropriated to the mathematics achievement fund~~—and~~

1 specifically designated by the General Assembly as funding for grants to local
 2 school districts or to support the Committee for Mathematics Achievement]
 3 shall be administered by the Kentucky Department of Education.

4 (b) The Kentucky Board of Education shall promulgate administrative regulations
 5 relating to the use of funds[grants for local school districts] based on
 6 recommendations from the Committee for Mathematics Achievement, the
 7 secretary of the Education and Workforce Development Cabinet, the
 8 commissioner of education, and the Center for Mathematics established in
 9 KRS 164.525. [The administrative regulations shall:

- 10 1. Identify eligibility criteria for grant applicants;
- 11 2. Specify the criteria for acceptable diagnostic assessments and
 12 intervention programs and coaching and mentoring programs;
- 13 3. Establish the minimum annual evaluation process for each grant
 14 recipient;
- 15 4. Identify the annual data that must be provided from each grant recipient;
- 16 5. Define the application and approval process;
- 17 6. Establish matching fund requirements if deemed necessary by the board;
- 18 7. Define the obligations for professional development and continuing
 19 education for teachers, administrators, and staff of each grant recipient;
- 20 8. Establish the conditions for renewal of a two (2) year grant; and
- 21 9. Specify other conditions necessary to implement the purposes of this
 22 section.

23 (c) As part of the application process, the board shall require that a grant
 24 applicant provide assurances that the following principles will be met if the
 25 applicant's request for funding is approved:

- 26 1. Mathematics instruction will be standards-based and utilize research-
 27 based practices;

1 2. ~~Intervention and support services will supplement, not replace, regular~~
2 classroom instruction; and

3 3. ~~Intervention services will be provided to primary program students and~~
4 other students who are at risk of mathematics failure within the school
5 based upon ongoing assessments of their needs.

6 ~~(d) If matching funds are required, the school council or, if none exists, the~~
7 principal or the superintendent of schools, shall allocate matching funds.
8 Funding for professional development allocated to the school council under
9 KRS 160.345 and for continuing education under KRS 158.070 may be used
10 to provide a portion or all of a school's required match.]

11 ~~(c)~~~~(e)~~ The Department of Education shall make available to schools:

12 1. Information from the Center for Mathematics regarding diagnostic
13 assessment and intervention programs and coaching and mentoring
14 programs of proven-practice in meeting the needs of primary students
15 and other students who are at risk of failure;

16 2. ~~Technical assistance to potential applicants and grant recipients;~~

17 3. ~~]A list of professional development providers offering teacher training in~~
18 diagnostic assessment and intervention strategies and coaching and
19 mentoring; and

20 ~~3.~~~~[4.]~~ Information from the Center for Mathematics on how to communicate to
21 parents effective ways of interacting with their children to improve their
22 mathematics concepts, skills, and understanding.

23 ~~(d)~~~~(f)~~ The Department of Education shall submit a report to the Interim Joint
24 Committee on Education no later than September 1 of each year outlining the
25 use of grant funds. ~~[By November 1, 2007, the Department of Education with~~
26 input from the Committee for Mathematics Achievement and the Center for
27 Mathematics shall conduct a statewide needs assessment of the resources

1 ~~needed in each school to help each child achieve proficiency in mathematics~~
2 ~~by the year 2014 and report to the Interim Joint Committee on Education an~~
3 ~~estimate of the cost and a specific timeline for meeting the goal established by~~
4 ~~the Commonwealth.]~~

5 ➔Section 6. This Act shall be known and may be cited as the Kentucky's Kids
6 First Act.