

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2021 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **SB 115/SCS 1**

On page 5, lines 4 through 17, delete all language and insert the following in lieu thereof:

"(2) Notwithstanding any other statute or administrative regulation to the contrary, the Kentucky Board of Education shall promulgate administrative regulations **to define a multi-tiered system of supports** for district-wide use~~[of a response to intervention system]~~ for students in kindergarten through grade three (3). **Evidence of implementation shall be submitted by the district to the department by October 1 of each year. The multi-tiered system of supports shall include but not be limited to**~~[, that includes]~~:

**(a)** A tiered continuum of interventions with varying levels of intensity and duration and which connects general, compensatory, and special education programs to provide interventions implemented with fidelity to evidence-based research and matched to individual student strengths and needs~~[.];~~

**(b) A response-to-intervention system; and**

**(c) The activities required under this section and KRS 158.649**~~[At a minimum, evidence of implementation shall be submitted by the district to the department for:~~

~~(a) Reading and writing by August 1, 2013;~~

~~(b) Mathematics by August 1, 2014; and~~

~~(c) Behavior by August 1, 2015]."; and~~

On page 7, lines 22 through 27, delete all language and insert the following in lieu thereof

Amendment No. SFA 1

Rep. Sen. Jimmy Higdon

Committee Amendment \_\_\_\_\_

Signed: \_\_\_\_\_

Floor Amendment \_\_\_\_\_

LRC Drafter: \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

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**"(a) Intensive intervention that includes effective instructional strategies and appropriate instructional materials necessary to help the student make accelerated progress toward proficient performance in reading and become ready for the next grade, which may include response to intervention instruction provided by certified teachers specifically trained to provide one-on-one instruction to students with the greatest need;"**; and

On page 9, line 7, after "**if funds are appropriated**" insert "**to the literacy coaching fund**"; and

On page 14, line 26, delete "**onee**"; and

Beginning on page 17, line 26, and continuing through page 21, line 18, delete all language and insert the following in lieu thereof:

- "(2) The reading diagnostic and intervention fund is created to help teachers and library media specialists improve the reading skills of struggling readers in the primary program. The Department of Education, upon the recommendation of the **Read to Succeed Council**~~[Reading Diagnostic and Intervention Grant Steering Committee]~~, shall provide renewable, two (2) year grants to schools to support teachers in the implementation of reliable, replicable **evidence**~~[research]~~-based reading intervention programs that use a balance of diagnostic tools and instructional strategies that emphasize phonemic awareness, phonics, fluency, vocabulary, comprehension, and connections between writing and reading acquisition and motivation to read to address the diverse learning needs of those students reading at low levels. Any moneys in the fund at the close of the fiscal year shall not lapse but shall be carried forward to be used for the purposes specified in this section.
- (3) (a) The Kentucky Board of Education shall promulgate administrative regulations, based on recommendations from the **Department of Education and Read to Succeed Council**~~[secretary of the Education and Workforce Development Cabinet, the~~

~~Reading Diagnostic and Intervention Grant Steering Committee established in KRS 158.794, and the Collaborative Center for Literacy Development established in KRS 164.0207} to:~~

1. Identify eligible grant applicants, taking into consideration how the grant program described in this section will relate to other grant programs;
  2. Specify the criteria for acceptable ***reading and literacy*** diagnostic assessments and intervention programs;
  3. ~~{Specify the criteria for acceptable ongoing assessment of each child to determine his or her reading progress;~~
  4. ~~—}Establish the minimum evaluation process for an annual review of each grant recipient's program and progress;~~
  - 4.~~{5.}~~ Identify the annual data that must be provided from grant recipients;
  - 5.~~{6.}~~ Define the application review and approval process;
  - 6.~~{7.}~~ Establish matching requirements deemed necessary;
  - 7.~~{8.}~~ Define the professional development and continuing education requirements for teachers, library media specialists, administrators, and staff of grant recipients;
  - 8.~~{9.}~~ Establish the conditions for renewal of a two (2) year grant; and
  - 9.~~{10.}~~ Specify other conditions necessary to implement the purposes of this section.
- (b) The board shall require that a grant applicant provide assurances that the following principles will be met if the applicant's request for funding is approved:
1. A research-based comprehensive schoolwide reading program will be available;
  2. Intervention services will supplement, not replace, regular classroom instruction;
  3. Intervention services will be provided to struggling primary program readers

- within the school based upon ongoing assessment of their needs; and
4. A system for informing parents of struggling readers of the available family literacy services within the district will be established.
- (4) In order to qualify for funding, the school council, or if none exists, the principal or the superintendent of schools, shall allocate matching funds required by grant recipients under subsection (3) of this section. Funding for professional development allocated to the school council under KRS 160.345 and for continuing education under KRS 158.070 may be used as part of the school's match.
- (5) The Department of Education shall make available to schools:
- (a) Information concerning successful, evidence~~research~~-based comprehensive reading programs, diagnostic tools for pre- and post-assessment, and intervention programs, from the Collaborative Center for Literacy Development created under KRS 164.0207;
- (b) Strategies for successfully implementing early reading programs, including professional development support and the identification of funding sources; and
- (c) A list of professional development providers offering teacher training related to reading that emphasizes the essential components for successful reading: phonemic awareness, phonics, fluency, vocabulary, comprehension, and connections between writing and reading acquisition and motivation to read.
- (6) The Department of Education shall submit a report to the Interim Joint Committee on Education no later than September 1 of each year outlining the use of grant funds. The report shall also include comparisons of the overall costs and effectiveness of intervention programs.} The annual report for an odd-numbered year shall include an estimate of the cost to expand the reading diagnostic and intervention grant program.

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ

AS FOLLOWS:

- (1) A literacy coaching fund is hereby created to train and support teachers and library media specialists to improve the reading skills of students in kindergarten through grade three (3) as set forth in subsection (5) of Section 2 of this Act. The Department of Education, upon the recommendation of the Read to Succeed Council, shall utilize the fund to create a literacy coaching program. The program shall:

  - (a) Use data coaches to improve reading and literacy;
  - (b) Determine the effectiveness of intensive data-focused professional development;
  - and
  - (c) Provide expert support in literacy and early reading instruction and intervention.
- (2) The Kentucky Board of Education shall promulgate administrative regulations, based on recommendations from the Department of Education and Read to Succeed Council to establish a school selection process with a focus on those with the most need, professional learning supports in literacy, and early reading instruction.
- (3) The Department of Education shall submit a report to the Interim Joint Committee on Education no later than November 1 of each year outlining the use of the literacy coaching funds.
- (4) The Department of Education shall report program data to an external evaluator for analysis of the program's success in meeting the goal of increasing early literacy student outcomes.

➔Section 2. KRS 158.794 is amended to read as follows:

- (1) The Read to Succeed Council~~[Reading Diagnostic and Intervention Grant Steering Committee]~~ is hereby created for the purpose of advising the Kentucky Board of Education and the Department of Education concerning the implementation and administration of universal screeners, reading diagnostic assessments, a statewide professional

development program for early literacy, the read to succeed fund created in Section 6 of this Act, and the reading diagnostic and intervention fund created in Section 5 of this Act[KRS 158.792]. The council[committee] shall be composed of fourteen (14)[sixteen (16)] members, including the commissioner of education or the commissioner's designee, the executive director of the Collaborative Center for Literacy Development, the president of the Council on Postsecondary Education or the president's designee,] and the following members, to be appointed by the Governor:"; and

Beginning on page 22, line 27 and continuing through page 23, line 2, restore stricken language; and

On page 23, lines 3 through 15, delete all language and insert the following in lieu thereof:

"(d) Advise the Kentucky Board of Education and the Department of Education regarding:

1. Costs and effectiveness of various reading intervention programs;
2. Suggested universal screeners for reading to be administered to students in kindergarten through grade three (3) as required by Section 1 of this Act;
3. Suggested criteria for reading diagnostic assessments to be administered to students in kindergarten through grade three (3) as required by Section 1 of this Act; and
4. The development, implementation, and outcomes of a statewide professional development program to include early literacy skills instruction and student engagement."; and

On page 23, line 16, replace "Section 7" with "Section 8"; and

Beginning on page 23, line 25 and continuing through page 24, line 1, delete all language and insert the following in lieu thereof:

"(b) Providing advice to the Kentucky Board of Education regarding evidence-based comprehensive reading instruction, the Reading Diagnostic and Intervention Grant

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Program established in Section 5 of this Act~~[KRS 158.792]~~, and in other matters relating to reading;" and

Beginning on page 26, line 5 and continuing through page 36, line 12, delete all language; and

On page 41, after line 19 and before line 20, insert:

"➔Section 3. There is appropriated to the literacy coaching fund \$3,000,000 in fiscal year 2021-2022 and \$3,000,000 in fiscal year 2022-2023 for the literacy coaching program established in Section 6 of this Act. Notwithstanding KRS 45.229, any General Fund appropriation unexpended at the end of fiscal year 2021-2022 shall not lapse but shall be carried forward into the next fiscal year."; and

On page 41, line 20, delete "Section 10" and insert "Section 11" in lieu thereof.