



BOARD OF EDUCATION SUMMER LITERACY PROGRAM CRITERIA

Adoption of Rule. On December 14, 2015, the State Board of Education voted unanimously to adopt the [state administrative rule](#) to adopt Program criteria and guidelines for the intensive summer literacy programs that school districts must provide to students found substantially reading deficient, as required by Iowa Code section [279.68](#). The rule was modified from the Notice of Intended Action version presented to the Administrative Rules Review Committee (ARRC) in November 2015 (see [page 2](#) of document the Department of Education presented the State Board for changes to the rule).

Fiscal Impact. The notice of intended action version of the rule had no fiscal impact to the state, but it had a fiscal impact to school districts. The number of students that will participate in the Programs is unknown at this time. However, the Department estimates that 9,250 students will participate in the first year. The Department estimates participation at this level will increase expenditures for school districts by between \$6.6 and \$9.9 million (see ARC 2186C on page 12 of the [November 2015 Administrative Rules - Fiscal Impact Summaries](#) for more details).

The adopted rule allows districts to utilize a private provider and revises the minimum number of hours of intensive reading instruction from 75 hours to 70 hours. Changes such as these may cause the estimate to be revised. The fiscal impact of the adopted rule will be provided to the ARRC by the time the Department presents the adopted rule. The Department of Education has requested \$9.1 million in state funding from the General Assembly for FY 2017 to fund the intensive summer literacy programs.

Background. In 2012, the General Assembly enacted [SF 2284](#) (Education Reform). Part of the reform focuses on supporting all students to become proficient readers by the end of the third grade. Beginning May 1, 2017, each district must provide an intensive summer reading program for any student that has not been remediated by the end of the third grade, as demonstrated by a locally determined or statewide assessment.

As required by [statute](#), a student must be retained in third grade if the student:

- Is not proficient by the end of third grade, and
- Does not enroll in and complete the intensive summer reading program, and
- Does not qualify for a good cause exemption.

A student qualifies for a good cause exemption if he/she:

- Is a Limited English Proficient student with less than two years of instruction in an English as a Second Language (ESL) program,
- Is a student requiring special education with an Individualized Education Program (IEP) that indicates participation in the assessments is not appropriate,
- Has demonstrated an acceptable level of performance on an alternative assessment based on scientifically-based research,
- Has demonstrated mastery through a portfolio review that meets Department-required criteria, or
- Was previously retained and has received intensive remediation for at least two years.

Criteria. The Department has outlined eight criteria for the intensive summer literacy programs required by Iowa Code section [279.68](#). Each school district must:

- Criterion 1 – Adopt instructional practices or programs that have demonstrated success and include explicit and systematic instruction in foundational reading skills based on student need. Such practices or programs must include strategies for students with dyslexia.
- Criterion 2 – Employ skilled, high-quality instructors or provide instructors with required training.
- Criterion 3 – Provide a minimum of 70 hours of intensive reading instruction.

- Criterion 4 – Deliver whole-class instruction in class sizes of 15 or fewer and targeted intervention based on student need in small groups of five or fewer students.
- Criterion 5 – Adhere to an attendance policy that requires 85.0% attendance by each student.
- Criterion 6 – Evaluate student outcomes on a weekly basis by utilizing the Department-approved literacy assessment used during the school year to evaluate student progress toward end-of-third-grade proficiency. Districts must also evaluate Program implementation by including, at a minimum, instructor qualifications, amount of instructional time, group size, attendance data, and progress-monitoring data.
- Criterion 7 – Provide written notice to the parents or legal guardians of each student regarding whether the student successfully completed the Program. Successful completion of the Program is defined as meeting one of the following two standards:
 - Consistent attainment of an end-of-third-grade proficiency standard in accordance with criterion 6, or
 - Attendance at no less than 85.0% of the Program sessions.
- Criterion 8 – Provide at least one teacher and at least one appropriately licensed administrator for each Program. The two roles may be filled by the same individual. Districts have the option to hire a private provider to provide intensive summer literacy instruction.

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