

# The Third Grade Reading Guarantee Guidance Document

January 9, 2013

*Items Updated Since the October 15, 2012 Version in Red*

Recent legislation strengthened the longstanding Third Grade Guarantee (once called the Fourth Grade Guarantee) to give a greater emphasis to reading instruction and intervention in the early grades. Through this initiative, school districts and community schools will diagnose reading deficiencies in students at grades kindergarten through three, create individualized reading improvement and monitoring plans, while also providing intensive reading interventions.

The new law also includes additional requirements for school districts and community schools beginning in the 2012-2013 school year. To help understand these legislative changes, the Ohio Department of Education (ODE) created this guidance document. There will be periodic additions to this document when topics require more clarity and new issues arise.

This guidance document outlines the **minimum requirements** of this new law. Districts are encouraged to do whatever is necessary above and beyond the law's minimum requirements to ensure their students are reading at grade level.

ODE also created a section on its website to serve as a collection of resources for administrators, educators, and parents. Additional resources will be added as more information becomes available. To view these resources, go directly to the [Third Grade Reading Guarantee page](#) or visit ODE's website at [www.education.ohio.gov](http://www.education.ohio.gov) and search "Third Grade Reading Guarantee."

## Diagnostic Testing

### **Legislative Requirements**

- **A reading diagnostic assessment must be given by September 30 of each year for students in kindergarten through grade three (ORC 3313.608(B)(1)).**
- District boards of education must adopt board policies and procedures for annually assessing the reading skills of each student in grades K-3. These policies must specify that the diagnostic assessments for the Third Grade Reading Guarantee be given by September 30 each year, beginning in the 2012-13 school year (ORC 3313.608(B)(1)).

## Guidance for Districts

- Districts must administer a reading diagnostic assessment to all students in kindergarten through grade three. Districts may use the ODE reading diagnostic or a comparable reading diagnostic from an approved list.
  - The approved list for 2013-2014 will be released in spring 2013.
  - Districts may use the state's reading diagnostic assessment or any diagnostic they already planned to use for the 2012-2013 school year.
  - The law originally required that districts use an English language arts diagnostic assessment. This meant districts had to use the ODE reading and writing diagnostic assessment. However, House Bill 555 changed this so that only the reading diagnostic assessment is required by Sept. 30.
  - Districts must administer the writing and math diagnostics as required by law to students in grades one through three for writing and grades one and two in math. The diagnostics can be administered at any time during the school year (the September 30 deadline only applies to reading).
  - All diagnostic results, including math and writing, must be submitted in the year-end EMIS collection to fulfill the general diagnostic assessment requirement in law.
- Boards can use, as a starting point, their districts' existing policies that are currently in place that address assessing all students in kindergarten through Grade 2. The district policy should be revised to include a diagnostic assessment in the third grade, specificity on the procedures for assessing students at K-3, and language that states the K-3 diagnostic used for the Third Grade Reading Guarantee will now be given by September 30 of each year.
  - There is no deadline for adopting this policy and it should be updated as necessary as the district implements the Third Grade Reading Guarantee.
- The ODE-developed diagnostics identify students as *on-track* and *not on-track*.
  - **On-track** means any student who is reading at grade level based on previous end-of-year standards' expectations by September 30.
  - **Not on-track** means any student who is not reading at grade level based on previous end-of-year standards' expectations by September 30.
- A student assessment may be used for the Third Grade Reading Guarantee and the local teacher evaluation system (i.e., multiple measures of student growth) only if the assessment is on the ODE approved list for both purposes.
- The Third Grade Reading Guarantee applies to all-day and half-day kindergarten students.
- The Kindergarten Readiness Assessment was also allowed to be used for the required diagnostic assessment for the 2012-2013 school year only. The following assessments will be permissible in subsequent years:
  - 2013-14: New state developed kindergarten diagnostic assessment which assesses pre-kindergarten reading expectations
  - 2014-15: Reading portion of the new ODE Kindergarten Entry Assessment
- All students enrolled in a non-public school on a scholarship are not required to have a diagnostic assessment and are exempt from the other provisions of the Third Grade Reading Guarantee. Non-public schools do not have to meet the requirements of the Third Grade Reading Guarantee.

- The following tables outline the reading diagnostic assessments that districts may use, by year, to meet the September 30 deadline set by Third Grade Reading Guarantee.

<b>For the 2012-2013 School Year</b>	
<b>Grade Level</b>	<b>Reading Diagnostic Test Options for the September 30 Deadline</b>
<b>Kindergarten</b>	<ul style="list-style-type: none"> <li>• Kindergarten Readiness Assessment – Literacy (KRA-L)</li> <li>• ODE Grade K Short Screener</li> <li>• Comparable Tool <i>selected by district for 2012-2013 only</i></li> </ul>
<b>Grade 1</b>	<ul style="list-style-type: none"> <li>• ODE Grade K Screening Measure or Grade 1 Short Screener</li> <li>• Comparable Tool <i>selected by district for 2012-2013 only</i></li> </ul>
<b>Grade 2</b>	<ul style="list-style-type: none"> <li>• ODE Grade 1 Screening Measure or Grade 2 Short Screener</li> <li>• Comparable Tool <i>selected by district for 2012-2013 only</i></li> </ul>
<b>Grade 3</b>	<ul style="list-style-type: none"> <li>• ODE Grade 2 Screening Measure</li> <li>• Comparable Tool <i>selected by district for 2012-2013 only</i></li> </ul>
<i>Note: The comparative tool is determined by the school district for the 2012-2013 school year only.</i>	

<b>For the 2013-2014 School Year</b>	
<b>Grade Level</b>	<b>Reading Diagnostic Test Options for the September 30 Deadline</b>
<b>Kindergarten</b>	<ul style="list-style-type: none"> <li>• ODE K Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 1</b>	<ul style="list-style-type: none"> <li>• ODE Grade 1 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 2</b>	<ul style="list-style-type: none"> <li>• ODE Grade 2 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 3</b>	<ul style="list-style-type: none"> <li>• ODE Grade 3 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<i>Note: ODE will develop a new diagnostic screening measure for all grades K-3 for use in 2013-2014 that will measure previous end-of-year expectations. The KRA-L may not be used.</i>	

<b>For the 2014-2015 School Year</b>	
<b>Grade Level</b>	<b>Reading Diagnostic Test Options for the September 30 Deadline</b>
<b>Kindergarten</b>	<ul style="list-style-type: none"> <li>• ODE Kindergarten Entry Assessment</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 1</b>	<ul style="list-style-type: none"> <li>• ODE Grade 1 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 2</b>	<ul style="list-style-type: none"> <li>• ODE Grade 2 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<b>Grade 3</b>	<ul style="list-style-type: none"> <li>• ODE Grade 3 Screening Measure</li> <li>• Comparable Tool <i>from ODE approved list</i></li> </ul>
<i>Note: Districts may use the reading portion of the Kindergarten Entry Assessment instead of the kindergarten screening measure starting in the 2014-2015 school year.</i>	

## Assessment Results (*On-Track* or *Not On-Track*)

### Legislative Requirements

- If the diagnostic assessment shows that the student is *not on-track* to be reading at grade level by the end of the year, schools must provide the parents, in writing (ORC 3313.608(B)(2)(a)):
  - Notice that the school has identified a reading deficiency with their child;
  - A description of current services provided to the student;
  - A description of proposed supplemental instruction services;
  - Notice that the Ohio Achievement Assessment for third grade reading is not the only measure of reading competency; and
  - Notice that unless the student attains the appropriate level of reading competency by the end of Grade 3, the student will be retained.
- For each student shown to be *not on-track*, schools must:
  - Begin reading intervention immediately using research-based reading strategies targeted at the student's identified reading deficiencies (ORC 3313.608(B)(2)(b));
  - Develop a reading improvement and monitoring plan within 60 days of learning of the reading deficiency (ORC 3313.608(C)); and

### Guidance for Districts

- The ODE-developed diagnostics identify students as *on-track* and *not on-track*.
  - **On-track** means any student who is reading at grade level based on previous end-of-year standards' expectations by September 30.
  - **Not on-track** means any student who is not reading at grade level based on previous end-of-year standards' expectations by September 30.
- The results of comparable assessments used by districts should be translated to the *on-track* or *not on-track* designations, based on the assessment's results description and ODE's definitions of *on-track* and *not on-track*.
- ODE's diagnostics have descriptors for *on-track* and *not on-track* and they should be used by districts to inform the translation into *on-track* or *not on-track* terms.
- Schools should notify parents if their child is *not on-track* as determined by the reading diagnostic as soon as possible so they may begin creating the reading improvement and monitoring plan with the parents.
- The assessment results notification and reading improvement and monitoring plan may mention the retention exemptions (see page 12) that may apply to the student and the implications of those exemptions. All students scoring *not on-track* must have some sort of notification and reading improvement and monitoring plan regardless of the exemptions.
- Districts shall develop a reading improvement and monitoring plan for students identified as *not on-track* based on the diagnostic.

- If a student is assessed to be *not on-track* at the beginning of the school year (for the Sept. 30 deadline), that student will officially be *not on-track* and on a reading improvement and monitoring plan until the student either scores *on-track* on the following year's reading diagnostic assessment or scores "proficient" (400 or above) on the Grade 3 Reading Ohio Achievement Assessment.
  - If the student scores *on-track* on a separate administration of a reading diagnostic during the same school year, it does not terminate the reading improvement and monitoring plan. The new assessment results may inform changes to the student's interventions and plan.
  - Within the reading improvement and monitoring plan, parents and teachers should address what happens to a student if he or she can read at grade level during the year. The reading interventions may need to change at that point. The plan should always help a student improve their reading ability and ensure the student does not fall behind.

## Reading Improvement and Monitoring Plans

### ***Legislative Requirements***

- All reading improvement and monitoring plans must be created within 60 days of when a student is designated *not on-track*. It shall include (ORC 3313.608(C)):
  1. Identification of the student's specific reading deficiency;
  2. A description of proposed supplemental instruction services that will target the student's identified reading deficiencies;
  3. Opportunities for the student's parents or guardians to be involved in the instructional services;
  4. A process to monitor the implementation of the student's instructional services;
  5. A reading curriculum during regular school hours that assists students to read at grade level, provides for reliable assessments, and provides ongoing analysis of each student's reading progress; and
  6. A statement that unless the student attains the appropriate level of reading competency by the end of Grade 3, the student will be retained.
- **Beginning in the 2013-2014 school year, districts must provide a credentialed teacher to each retained student or student on a reading improvement and monitoring plan (ORC 3313.608(H)). For more detail on these legislative requirements, please see the section on teacher credentials on page 6.**

### **Guidance for Districts**

- Reading improvement and monitoring plans allow the teachers and parents to work together to understand the reading deficiency and to outline reading intervention plans.
- Districts shall develop a reading improvement and monitoring plan for students identified with a reading deficiency within 60 days after receiving that student's diagnostic results.
- Districts should develop reading improvement and monitoring plans that address all requirements in legislation.
- **A template for the reading improvement and monitoring plan will be available at the beginning of the 2013-2014 school year.**
  - While a school may elect to use a plan template, please remember that each plan is meant to be tailored to the individual student's reading deficiencies and include the interventions selected by that student's parents and teacher.
- The reading improvement and monitoring plan must outline the process of how it may be modified in the future.
- Districts will be required to report the number of students scoring *not on-track* (and thus, on a reading improvement and monitoring plan) and the type of interventions used. ODE will release the process for all reporting by spring 2013.
- **Districts must ensure that every student on a reading improvement and monitoring plan has a teacher with the appropriate credentials outlined by law. For the 2013-14 school year only, a district must submit a staffing plan for approval to ODE by June 30, 2013 if the district is unable to provide the necessary staff. Please see the section on teacher credentials (below) for more information on the credentials and staffing plan.**

## **Teacher Credentials**

### **Legislative requirement**

- **For the 2013-2014 school year, each student on a reading improvement and monitoring plan and students retained by the Third Grade Reading Guarantee entering the third grade must be assigned to a teacher actively engaged in the reading instruction of students for the previous three years and who has at least one of the following (ORC 3313.608(H)(1)):**
  1. **A reading endorsement on their teacher's license and a passing score on the corresponding assessment for that endorsement;**
  2. **A master's degree in with a major in reading;**
  3. **A rating of "above value-added" for the last two school years; or**
  4. **A credential from a program on the ODE approved list of scientifically research-based reading instruction programs.**
- **For the 2014-2015 school year, each student on a reading improvement and monitoring plan and students retained by the Third Grade Reading Guarantee must be assigned to a teacher actively engaged in the reading instruction of**

students for the previous three years and who has at least one of the following (ORC 3313.608(H)(2)):

1. A reading endorsement on their teacher's license and a passing score on the corresponding assessment for that endorsement;
  2. A master's degree in with a major in reading;
  3. A rating of "above value-added" for the last two school years; or
  4. A passing score on a rigorous test of principles of scientifically research-based reading instruction.
- If a district does not have a sufficient number of qualified teachers to fulfill the requirements for the 2013-2014 school year, the district shall develop and submit a plan by June 30, 2013 indicating the criteria that will be used to determine those teachers in the district who will teach students on a reading improvement and monitoring plan or students retained by the Third Grade Reading Guarantee.
    - The plan must also outline how the school district will meet the requirements in the 2014-2015 school year.
    - ODE must approve or reject plans by August 15, 2013 (ORC 3313.608(H)(3)).
  - Districts may include in the plan the option to contract with another school district or private provider that has been approved by ODE to provide intervention services. If the plan submitted is rejected by ODE, then the district must use a private provider than has been approved by ODE to provide intervention services (ORC 3313.608(H)(3)).

### **Guidance for Districts**

- Previously, there were two sets of teacher credentials required, based on the students served.
  - A reading endorsement or a passing score on a reading instruction test was required for any teacher with a student on a reading improvement and monitoring plan.
  - A teacher with a student retained by the Third Grade Reading Guarantee was required to be "high performing" as determined by their performance reviews and student data.
- Recent legislation (House Bill 555) aligned these credential requirements for the two sets of students and expanded the options teachers can use to demonstrate their ability to provide reading instruction to students reading below grade level.
- Guidance on **Grade Levels Affected:**
  - For the 2013-2014 school year, only teachers with a *third grade* student who was retained or is on a reading improvement and monitoring plan must have the special qualifications outlined in law.
  - For the 2014-2015 school year, teachers with a student in *kindergarten through grade three* who was retained or is on a reading improvement and monitoring plan must have the special qualifications outlined in law.

- **Guidance on the Assigned Teacher:**
  - The classroom teacher is the primary teacher responsible for the student's education and spends the most time with that student. Typically, this will be the teacher assigning the student's grade for reading.
  - Instructional aides or intervention specialists may supplement a student's reading interventions, under the supervision of the student's credentialed classroom teacher. Those other staff members are not required to have the special credentials.
  - However, ODE highly recommends they have extensive training or experience in remediating struggling readers.
- **Guidance on the Three Years of Reading Instruction:**
  - To qualify, a teacher must have been actively engaged in the reading instruction of students for the previous three full school years.
  - A teacher may have several years of reading instruction experience. However, it does not count unless it includes the previous three years.
  - Student teaching does not count towards the three year requirement.
  - Specialized reading professionals, such as reading intervention specialists, may include their time actively engaged in the reading instruction of students outside the role of teacher. These professionals must have dedicated the majority of their time to reading instruction.
  - A teacher does not have to have exclusively taught reading over the past three years to qualify (such as a self-contained classroom teacher). However, the teacher must have experience in reading instruction.
- **Guidance on the Reading Endorsement:**
  - A passing score on an assessment is not required if there was no corresponding assessment required when the reading endorsement was earned.
  - A reading endorsement is for K-12 and would appear on a teacher's certificate or license as #059902. No other endorsements will fulfill this requirement. A notation of 'Reading P-3' does not count as a reading endorsement.
- **Guidance on the Master's in Reading:**
  - A master's degree with a major in reading must be completed before it can count as fulfilling the legislative requirement.
  - A master's degree must have the word "reading" in either in the degree name or on the transcript as the major area of study.
- **Guidance on "Above Value Added":**
  - ODE will release further guidance on how a teacher would be designated as "above value added" in late spring 2013.
- **Guidance on the Reading Instruction Program Credential:**
  - This credential option is for one year only (2013-2014) and is meant to serve as a bridge to the final criteria beginning in the 2014-2015 school year.
  - A credential is documented evidence that an educator has completed a scientifically research-based reading instruction program that provides knowledge and skills that may be utilized to provide reading instruction



and intervention to the educator's assigned students for the 2013-2014 school year.

- ODE will release the list of approved scientifically research-based reading instruction programs in late spring 2013.
- **Guidance on the Reading Instruction Test:**
  - The reading instruction test option begins in the 2014-2015 school year. There will be no test option for the 2013-2014 school year.
  - The test will be selected by a competitive bid process and ultimately approved by the State Board of Education by spring 2014.
- **Guidance on the Teacher Staffing Plan:**
  - If a district does not have a sufficient number of qualified teachers to fulfill the requirements for the 2013-2014 school year, the district must submit a plan to ODE.
  - This plan must outline the criteria that the district will use to decide who teaches the students on a reading improvement and monitoring plan or retained students.
  - The district must also detail how they intend to provide the new required staffing levels for students on a reading improvement and monitoring plan or retained students in the 2014-2015 school year and beyond.
  - The plan must be submitted by June 30, 2013 and will be approved or rejected by ODE by August 15, 2013.
  - ODE will release guidance on what is expected in the teacher staffing plans in spring 2013.
- **Guidance on the Contracted Providers:**
  - A district may contract with other school districts, ESCs, community schools, or other providers to meet the reading instruction needs of their students.
  - Districts may include the contracted providers in the teacher staffing plan.
  - If a district's teacher staffing plan is rejected by ODE, the district must use a private provider selected from a list of ODE approved providers.
  - ODE will release a list of approved outside service providers in spring 2013. The list of approved private providers will be a subset of the approved list used by parents seeking an outside service provider for their child retained by the Third Grade Reading Guarantee.

## **Intensive Remediation Services**

### ***Legislative requirement***

- Once a student is identified as *not on-track*, the district must immediately provide intensive reading instruction services and regular diagnostic assessments to the student until the completion of the reading improvement and monitoring plan (ORC 3313.608(B)(2)(b)).

- The remediation services selected for students on a reading improvement and monitoring plan are based on the judgment of the student’s teacher and parents.
  - The only requirement for these services is that they be “research-based reading strategies that have been shown to be successful in improving reading among low-performing readers” (ORC 3313.608(B)(2)(b)).
- If a student has already been retained by the Third Grade Reading Guarantee, beginning in the 2012-2013 school year, the interventions must include at least 90 minutes of reading instruction (ORC 3313.608(B)(3)(a)).
- The district must offer the option for students to receive reading intervention services from one or more providers other than the district. Districts will screen and approve these providers. ODE also has the authority to screen and approved providers (ORC 3313.608(B)(3)(c) & 3313.608(H)(3)).
- Interventions for students who have been retained may include (ORC 3313.608(B)(3)(a)):
  - Small-group instruction;
  - Reduced teacher-student ratios;
  - More frequent progress monitoring;
  - Tutoring or mentoring;
  - Transition classes containing third and fourth grade students;
  - Summer reading camp; or
  - Extended school day, week or year;
- Intensive remediation services should be targeted to the student’s identified reading deficiencies (ORC 3313.608(B)(3)(a)).
- Any intervention or remediation services required by this law shall include intensive, explicit, and systematic instruction (ORC 3313.608(F)).

**Guidance for Districts**

- The law previously required “90 minutes of reading daily” for retained students. Recent legislation (House Bill 555) changed this requirement to “90 minutes of reading instruction.”
- In this context, reading instruction should include the interventions outlined in the student’s reading improvement and monitoring plan. This can include a wide variety of instruction and interventions.
  - The 90 minutes of reading instruction may take place during the regular school day and during regular classroom activities. It does not have to be in a single block of time.
- Districts should be prepared to provide general reading instruction and assessment to students immediately after they are identified as *not on-track*.
- Districts and community schools must screen and approve at least one outside service provider for retained students. They should outline clear criteria for their screening process and make it publically available.
- Districts are required to pay the cost of outside service providers (selected from the district or state approved list) for students retained by the Third Grade Reading Guarantee.

- In addition to the district created list of approved service providers, ODE will also create a list of approved service providers for retained students.
  - If a provider appears on the state list, the district must offer and pay for the intervention services if requested by the parents of retained students.
  - Please note that districts whose 2013-2014 teacher staffing plan is rejected by ODE must select a private provider from the ODE developed list of outside service providers.
- The law does not provide a parent the right to refuse the requirements of the Third Grade Reading Guarantee. This includes student retention, diagnostic assessments, reading improvement and monitoring plans, and intervention services. However, services outside regular school hours should accommodate the schedule of the student's parents or guardian.
- The intervention services shall include intensive, explicit, and systematic instruction. Districts can use the following explanations as guidance when planning instruction.
  - "Intensive" instruction is concentrated only on reading and very thorough or vigorous.
  - "Explicit" instruction clearly and directly explains concepts and makes no assumptions about the student's ability to make inferences.
  - "Systematic" instruction address all the areas of reading deficiency through a planned scope and sequence, monitors the student's progress and continually reviews and extends reading skills.

## **Transfer Students**

### ***Legislative Requirements***

- ...The board of education of each city, local, and exempted village school district shall administer each applicable diagnostic assessment... to... any student who transfers into the district or to a different school within the district if each applicable diagnostic assessment was not administered by the district or school the student previously attended in the current school year, within thirty days after the date of transfer (ORC 3301.0715(A)(2)).
- If the district or school into which the student transfers cannot determine whether the student has taken any applicable diagnostic assessment in the current school year, the district or school may administer the diagnostic assessment to the student (ORC 3301.0715(A)(2)).

### **Guidance for Districts**

- If a student transfers in with no evidence of completing of the reading diagnostic requirement from the previous school, the new school must give the reading diagnostic administered to other students for the purposes of the Third Grade Reading Guarantee or the state diagnostics within 30 days.
  - If a student transfers near the beginning of the year, the district has the longer of 30 days or number of days to the September 30 deadline to give the reading diagnostic assessment.
  - A reading improvement and monitoring plan, if required, must still be developed within sixty days of a student testing as *not on-track*.
- If a student transfers in at any point during the school year having taken a reading diagnostic administered for the Third Grade Reading Guarantee, the receiving school may use that diagnostic's *on-track/not on-track* results.
  - The school may also reassess the student using the school's designated reading diagnostic administered to other students for the purposes of the Third Grade Reading Guarantee or the state diagnostics.
  - A new reading improvement and monitoring plan may be created based on this diagnostic assessment.
- Schools must honor the previous school's reading improvement and monitoring plan if the parents want it to continue. The plan can only be modified for transfer students if:
  - **The process for modification in the plan allows for a change;**
  - The parents of the student's request or consent to the change; or
  - The student is reassessed using the school's designated reading diagnostic administered to other students for the purposes of the Third Grade Reading Guarantee.
- **The 30 day deadline also applies to the required math and writing diagnostic assessments. For more information on this topic, please view the Diagnostic Assessment Guidance Document posted on ODE's website.**

## **Retention in the Third Grade**

### **Legislative Requirements**

- For the 2012-2013 school year, districts must select one of the following options for students not reaching the designated score on the third grade reading Ohio Achievement Assessment (OAA) (ORC 3313.608(A)(1)):
  - Promote the student to the fourth grade if the principal and student's reading teacher agree that the student is prepared academically for Grade 4, based on another evaluation of reading skill;
  - Promote the student to the fourth grade, but continue to provide intensive intervention services in Grade 4; or
  - Retain the student in the third grade.

- Beginning with the 2013-2014 school year, all students scoring below the designated level on the third grade reading OAA must be retained, except for the following students (ORC 3313.608(A)(2)):
  - *Limited English proficient students* who have been enrolled in U.S. schools for less than two full school years and have had less than two years of instruction in an English as a Second Language program;
  - *Special education students* whose IEPs specifically exempt them from retention under the third grade guarantee;
  - Students who demonstrate reading competency on a *Reading OAA Alternative* approved by ODE; and
  - Any student who has received *intensive remediation for two years and was previously retained* in kindergarten through Grade 3.
    - A student that advances because of this exception must continue to receive intensive reading instruction in the fourth grade, which requires an altered instructional day to accommodate reading interventions, or whatever reading interventions are required by the student's IEP or 504 plan.
- Students who are retained must have a high-performing teacher as determined by the teacher's student performance data or performance reviews (ORC 3313.608(B)(3)(c)).
- Districts will need a policy for retained students to move on to the fourth grade any time they demonstrate proficiency in reading, including the summer before the fourth grade and the middle of the year (ORC 3313.608(B)(3)(b)).
- If students demonstrate proficiency in a subject area higher than Grade 3, they must still receive grade level appropriate instruction in that subject area (ORC 3313.608(B)(4)).
- **Beginning in the 2013-2014 school year, districts must provide a credentialed teacher to each retained student or student on a reading improvement and monitoring plan (ORC 3313.608(H)). For more detail on these legislative requirements, please see the section on teacher credentials on page 6.**

### **Guidance for Districts**

- The cut score that students must achieve to avoid retention was set for the next two years by the State Board of Education in September 2012. This cut score will rise over time and be adjusted to accommodate the new PARCC assessments.
- Cut scores for retention triggered by the Third Grade Reading Guarantee are:
  - 390 for the 2012-2013 school year
  - 392 for the 2013-2014 school year
- A student must reach 390 on either the fall or spring administration of the Grade 3 Reading OAA.
- Any student who does not reach the cut score by the end of the third grade will not advance to the fourth grade. However, there are some exceptions. The existing rules apply for the 2012-2013 school year and new rules start in the 2013-2014 school year.
- **If a student does not take the Grade 3 Reading OAA during the administration or makeup window, the student's score will be considered a zero for the purposes**

of the Third Grade Reading Guarantee and the student will be retained unless the student qualifies for an exemption.

- Students retained in grade three for non-reading reasons alone (poor math grades, attendance issues, etc.) are not required to have these special interventions. If the student is retained in grade three for multiple reasons, one of which includes the Third Grade Reading Guarantee, then the district must provide the special interventions outlined in law.
- To be exempt from retention by the Third Grade Reading Guarantee, a student with a disability who has an IEP should meet one of two criteria:
  - The student is completing a curriculum that is significantly different from the curriculum completed by other students required to take Grade 3 Reading OAA; or
  - The student requires accommodations that are beyond the allowable accommodations as outlined in OAC 3301-13-03(H).

If the student meets one of these criteria, the IEP team can then decide if the student should be excused from the Third Grade Reading Guarantee retention provision. For more information on the Third Grade Reading Guarantee as it relates to students with disabilities, please view the Students with Disabilities Guidance Document posted on ODE's website.

- If a student demonstrates proficiency in another subject area (mathematics, writing, science, or social studies), then the student must receive appropriate grade level instruction in that area.
  - For example, if a student scores proficient on the Grade 3 Mathematic Ohio Achievement Assessment, then that student should receive fourth grade instruction in mathematics.
  - The Grade 3 Mathematics Ohio Achievement Assessment will be used to determine proficiency for mathematics. It is up to the district to determine how a student may demonstrate proficiency in science, social studies, and writing.
  - If a student demonstrates proficiency at a grade level above fourth grade, districts should use the appropriate acceleration policy to accommodate that student.
- The law does not provide a parent the right to refuse the requirements of the Third Grade Reading Guarantee. This includes student retention, diagnostic assessments, reading improvement and monitoring plans, and intervention services.
- ODE will provide guidance on the Reading OAA Alternative that can be used to determine retention and promotion if a student does not reach the cut score on the Grade Three Reading OAA by spring 2013.
- Districts must ensure that every student on a reading improvement and monitoring plan has a teacher with the appropriate credentials outlined by law. For the 2013-14 school year only, a district must submit a staffing plan for approval to ODE by June 30, 2013 if the district is unable to provide the necessary staff. Please see the section on teacher credentials (see page 6) for more information on the credentials and staffing plan.

## Title I Funding

### ***Legislative Requirements***

- Not applicable

### ***Guidance for Districts***

- Districts may use their Title I funds to support and supplement reading instruction programs selected or created by the district for children who are at risk of not meeting state achievement standards.
- A student on a reading improvement and monitoring plan can participate in reading intervention programs funded by Title I if the student meets the criteria for students regularly served by that program.
- No Title I funding may be spent on specific state mandates. Within the Third Grade Reading Guarantee, districts may not use Title I funding for:
  - Reading diagnostic assessments used for the Third Grade Reading Guarantee instead of ODE assessments;
  - Notifications to parents of students found to be not on track for reading;
  - Staff time and resources used to create reading improvement and monitoring plans
  - Outside providers selected by parents for extra reading instruction after their child is retained by the Third Grade Reading Guarantee.

## Data Reporting

### ***Legislative requirement***

- Districts must report information annually to ODE on the implementation and compliance with the Third Grade Reading Guarantee (ORC 3313.608(D)).
- Districts also must report the results of other diagnostic assessments given throughout the year (ORC 3301.0715(C)).

### ***Guidance for Districts***

- Districts should have procedures to track and report the following data to ODE on the implementation of the Third Grade Reading Guarantee during the EMIS year-end collection:
  - Whether an individual student is *on-track* or *not on-track*; and
  - What types of intervention services are given to each student.
- The ODE-developed diagnostics identify students as *on-track* and *not on-track*.
  - ***On-track*** means any student who is reading at grade level based on previous end-of-year standards' expectations by September 30.
  - ***Not on-track*** means any student who is not reading at grade level based on previous end-of-year standards' expectations by September 30.
- The results of vendor or district-developed assessments used by districts as a comparable tool should be translated to the *on-track* or *not on-track* designations, based on the vendor's results description and ODE's definitions of *on-track* and *not on-track*.

- ODE will only provide guidance on translating the state-developed diagnostic assessment results into the *on-track* and *not on-track* categories.
  - It will be up to the districts to make the final determination if a student is *on-track* or *not on-track*.
- The first reading diagnostic assessment given to the student is the one used to determine if the student is *on-track* or *not on-track*. The results of this assessment are reported to ODE at the end of the year.
  - Subsequent reading assessments may inform the student’s interventions and reading improvement and monitoring plan, but they will not be reported to ODE.
- If a school uses a vendor ELA diagnostic assessment for the Third Grade Reading Guarantee, only the results of the reading section of the diagnostic is used and reported for the purposes of the Third Grade Reading Guarantee.
- For the Third Grade Reading Guarantee, districts should keep the *on-track* or *not on-track* results so that they can report the results at the end of the school year.

## Early Literacy and Reading Readiness Competitive Grant

### **Legislative Requirements (HB 487 of the 129<sup>th</sup> GA, Sec. 267.40.40)**

- \$13 million has been set aside to create competitive grants to help districts with the additional fiscal cost of implementing the Third Grade Reading Guarantee.
- All applications for the grant must be submitted to ODE by December 31, 2012.
- The application must have a reading program plan identifying how the grant will be used to support reading interventions and improve student outcomes.
- Grant applications will receive priority if they:
  - Utilize public-private partnerships; or
  - Involve collaboration with educational service centers, other school districts, or local entities.
- The application reviewers will also consider:
  - District performance history on the Grade 3 Reading OAA; and
  - The existing resources available for reading improvement initiatives, including Title I funding.
- Grant winners will be announced by April 30, 2013.

### **Guidance for Districts**

- ODE released the Early Literacy and Reading Readiness Competitive Grant on October 15, 2012. Applications were accepted until December 31, 2012 and are currently under review. Grant winners will be announced by April 30, 2013.
- The grant money will be available to awardees through the CCIP beginning in May 2013.
- Educational Service Centers can serve as a consortia partner on more than one grant application. If ESCs serve on more than one application they must demonstrate in the application their capacity to serve each consortium equitably.
  - Fiscal fees are not permitted to be taken from the grant.



## Literacy Improvement Report Card Grade

### ***Legislative Requirements***

- All districts and schools will receive a grade measuring how well they are making progress in improving literacy in grades kindergarten through three. Specifically, the grade measures how well districts and schools are reducing the number of non-proficient students (3302.03(B)(1)(g)).
- The measure will include data from the Grade 3 Reading OAA and reading diagnostic assessment (3302.03(B)(1)(g)).
- Beginning in 2014-2015, this measure will be a part of the district or school's overall composite grade (3302.03(C)(3)).
- Districts and schools with less than five percent of their kindergarten students assessed as *not on-track* will not receive a grade on this measure (3302.03(B)(1)(g)).
- If a district or school receives a value higher than the statewide average, the district or school will receive at least a "C" grade (3302.03(B)(1)(g)).

### ***Guidance for Districts***

- The State Board of Education will determine the method for calculating the reduction in non-proficient students and the corresponding grade. The State Board will adopt these rules by summer 2013. Further guidance and clarification from ODE will follow the board's actions.