

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2042

Chapter 262, Laws of 1997
(partial veto)

55th Legislature
1997 Regular Session

GRANT PROGRAM FOR READING IN THE PRIMARY GRADES

EFFECTIVE DATE: 7/27/97

Passed by the House April 21, 1997
Yeas 94 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 15, 1997
Yeas 43 Nays 0

BRAD OWEN
President of the Senate

Approved May 6, 1997, with the
exception of section 8, which is
vetoed.

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2042** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 6, 1997 - 10:37 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2042

AS AMENDED BY THE SENATE

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Education (originally sponsored by
Representatives Johnson, Talcott and Hickel)

Read first time 03/05/97.

1 AN ACT Relating to reading in the primary grades; amending RCW
2 28A.230.190; adding new sections to chapter 28A.300 RCW; creating new
3 sections; repealing RCW 28A.630.886; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature acknowledges the definition
6 of reading as "Reading is the process of constructing meaning from
7 written text. It is the complex skill requiring the coordination of a
8 number of interrelated sources of information." Marilyn Adams,
9 *Becoming a Nation of Readers* 7. The legislature also acknowledges the
10 role that reading accuracy and fluency plays in the comprehension of
11 text. The legislature finds that one way to determine if a child's
12 inability to read is problematic is to compare the child's reading
13 fluency and accuracy skills with that of other children. To accomplish
14 this objective, the legislature finds that assessments that test
15 students' reading fluency and accuracy skills must be scientifically
16 valid and reliable. The legislature further finds that early
17 identification of students with potential reading difficulties can
18 provide valuable information to parents, teachers, and school
19 administrators. The legislature finds that assessment of second grade

1 students' reading fluency and accuracy skills can assist teachers in
2 planning and implementing a reading curriculum that addresses students'
3 deficiencies in reading.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
5 RCW to read as follows:

6 (1) The superintendent of public instruction shall identify a
7 collection of tests that can be used to measure second grade reading
8 accuracy and fluency skills. The purpose of the second grade reading
9 test is to provide information to parents, teachers, and school
10 administrators on the level of acquisition of reading accuracy and
11 fluency skills of each student at the beginning of second grade. Each
12 of the tests in the collection must:

13 (a) Provide a reliable and valid measure of student's reading
14 accuracy and fluency skills;

15 (b) Be able to be individually administered;

16 (c) Have been approved by a panel of nationally recognized
17 professionals in the area of beginning reading, whose work has been
18 published in peer-reviewed education research journals, and
19 professionals in the area of measurement and assessment; and

20 (d) Assess student skills in recognition of letter sounds, phonemic
21 awareness, word recognition, and reading connected text. Text used for
22 the test of fluency must be ordered in relation to difficulty.

23 (2) The superintendent of public instruction shall select tests for
24 use by schools and school districts participating in pilot projects
25 under section 3 of this act during the 1997-98 school year. The final
26 collection must be selected by June 30, 1998.

27 (3) The superintendent of public instruction shall develop a per-
28 pupil cost for each of the tests in the collection that details the
29 costs for booklets, scoring services, and training required to reliably
30 administer the test. To the extent funds are appropriated, the
31 superintendent of public instruction shall pay for booklets or other
32 testing material, scoring services, and training required to administer
33 the test.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300
35 RCW to read as follows:

36 (1) The superintendent of public instruction shall create a pilot
37 project to identify which second grade reading tests selected under

1 section 2 of this act will be included in the final collection of tests
2 that must be available by June 30, 1998.

3 (2) Schools and school districts may voluntarily participate in the
4 second grade reading test pilot projects in the 1997-98 school year.
5 Schools and school districts voluntarily participating in the pilot
6 project test are not required to have the results available by the fall
7 parent-teacher conference.

8 (3)(a) Starting in the 1998-99 school year, school districts must
9 select a test from the collection adopted by the superintendent of
10 public instruction. Selection must be at the entire school district
11 level and must remain in place at that school district for at least
12 three years.

13 (b) Students who score substantially below grade level when tested
14 in the fall shall be tested at least one more time during the second
15 grade. Test performance deemed to be "substantially below grade level"
16 is to be determined for each test in the collection by the
17 superintendent of public instruction during the pilot year of 1997-98.

18 (c) If a student, while taking the test, reaches a point at which
19 the student's performance will be considered "substantially below grade
20 level" regardless of the student's performance on the remainder of the
21 test, the test may be discontinued.

22 (d) Each school must have the test results available by the fall
23 parent-teacher conference. Schools must notify parents about the
24 second grade reading test during the conferences, inform the parents of
25 their students' performance on the test, identify actions the school
26 intends to take to improve the child's reading skills, and provide
27 parents with strategies to help the parents improve their child's
28 score.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.300
30 RCW to read as follows:

31 (1) The superintendent of public instruction shall establish a
32 primary grade reading grant program. The purpose of the grant program
33 is to enhance teachers' skills in using teaching methods that have
34 proven results gathered through quantitative research and to assist
35 students in beginning reading.

36 (2) Schools and school districts may apply for primary grade
37 reading grants. To qualify for a grant, the grant proposal shall
38 provide that the grantee must:

1 (a) Document that the instructional model the grantee intends to
2 implement, including teaching methods and instructional materials, is
3 based on results validated by quantitative methods;

4 (b) Agree to work with the independent contractor identified under
5 subsection (3) of this section to determine the effectiveness of the
6 instructional model selected and the effectiveness of the staff
7 development provided to implement the selected model; and

8 (c) Provide evidence of a significant number of students who are
9 not achieving at grade level.

10 To the extent funds are appropriated, the superintendent of public
11 instruction shall make initial grants available by September 1, 1997,
12 for schools and school districts voluntarily participating in pilot
13 projects under section 3 of this act. Subject to available funding,
14 additional applications may be submitted to the superintendent of
15 public instruction by September 1, 1998, and by September 1st in
16 subsequent years. Grants will be awarded for two years.

17 (3) The superintendent of public instruction shall contract with an
18 independent contractor who has experience in program evaluation and
19 quantitative methods to evaluate the impact of the grant activities on
20 students' reading skills and the effectiveness of the staff development
21 provided to teachers to implement the instructional model selected by
22 the grantee. Five percent of the funds awarded for grants shall be set
23 aside for the purpose of the grant evaluation conducted by the
24 independent contractor.

25 (4) The superintendent of public instruction shall submit
26 biennially to the legislature and the governor a report on the primary
27 grade reading grant program. The first report must be submitted not
28 later than December 1, 1999, and each succeeding report must be
29 submitted not later than December 1st of each odd-numbered year.
30 Reports must include information on how the schools and school
31 districts used the grant money, the instructional models used, how they
32 were implemented, and the findings of the independent contractor.

33 (5) The superintendent of public instruction shall disseminate
34 information to the school districts five years after the beginning of
35 the grant program regarding the results of the effectiveness of the
36 instructional models and implementation strategies.

37 (6) Funding under this section shall not become part of the state's
38 basic program of education obligation as set forth under Article IX of
39 the state Constitution.

1 **Sec. 5.** RCW 28A.230.190 and 1990 c 101 s 6 are each amended to
2 read as follows:

3 (1) Every school district is encouraged to test pupils in grade two
4 by an assessment device designed or selected by the school district.
5 This test shall be used to help teachers in identifying those pupils in
6 need of assistance in the skills of reading, writing, mathematics, and
7 language arts. The test results are not to be compiled by the
8 superintendent of public instruction, but are only to be used by the
9 local school district. School districts shall test students for second
10 grade reading accuracy and fluency skills starting in the 1998-99
11 school year as provided in section 3 of this act.

12 (2) The superintendent of public instruction shall prepare and
13 conduct, with the assistance of school districts, a standardized
14 achievement test to be given annually to all pupils in grade four. The
15 test shall assess students' skill in reading, mathematics, and language
16 arts and shall focus upon appropriate input variables. Results of such
17 tests shall be compiled by the superintendent of public instruction,
18 who shall make those results available annually to the legislature, to
19 all local school districts and subsequently to parents of those
20 children tested. The results shall allow parents to ascertain the
21 achievement levels and input variables of their children as compared
22 with the other students within the district, the state and, if
23 applicable, the nation.

24 (3) The superintendent of public instruction shall report annually
25 to the legislature on the achievement levels of students in grade four.

26 NEW SECTION. **Sec. 6.** RCW 28A.630.886 and 1995 c 303 s 2 are each
27 repealed.

28 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.300
29 RCW to read as follows:

30 (1) The superintendent of public instruction may use up to one
31 percent of the appropriated funds for administration of the primary
32 grade reading grant program established in chapter . . . , Laws of 1997
33 (this act).

34 (2) The superintendent of public instruction shall adopt timelines
35 and rules as necessary under chapter 34.05 RCW to administer the
36 primary reading grant program in section 2 of this act.

1 (3) Funding under this section shall not become a part of the
2 state's basic program of education obligation as set forth under
3 Article IX of the state Constitution.

4 ****NEW SECTION. Sec. 8. This act is necessary for the immediate***
5 ***preservation of the public peace, health, or safety, or support of the***
6 ***state government and its existing public institutions, and takes effect***
7 ***immediately.***

8 ****Sec. 8 was vetoed. See message at end of chapter.***

9 **NEW SECTION. Sec. 9.** If specific funding for section 4 of this
10 act, referencing this act by bill or chapter number and section number,
11 is not provided by June 30, 1997, in the omnibus appropriations act,
12 sections 4 and 7 of this act are null and void.

Passed the House April 21, 1997.

Passed the Senate April 15, 1997.

Approved by the Governor May 6, 1997, with the exception of certain
items that were vetoed.

Filed in Office of Secretary of State May 6, 1997.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 8,
3 Engrossed Substitute House Bill No. 2042 entitled:

4 "AN ACT Relating to reading in the primary grades;"

5 This legislation replaces the current requirement for a third-grade
6 reading test with a requirement for a second-grade reading test. It
7 also establishes, under the Superintendent of Public Instruction, a
8 grant program to train teachers and assist students in beginning
9 reading, and requires the Superintendent to report biennially to the
10 legislature beginning in 1999.

11 This legislation includes an emergency clause in section 8.
12 Although this bill is important, it is not a matter for the immediate
13 preservation of the public peace, health or safety, or support of the
14 state government and its existing public institutions.

15 For this reason, I have vetoed section 8 of Engrossed Substitute
16 House Bill No. 2042.

17 With the exception of section 8, Engrossed Substitute House Bill
18 No. 2042 is approved."