

Proposed Rule
LSA Document #11-561

DIGEST

Amends [511 IAC 6.2-3.1-2](#) to state that charter schools are exempt from requirements where noted. Amends [511 IAC 6.2-3.1-3](#) to specify students are required take IREAD-3 assessment and to provide the procedure for submission of plans by charter schools. Amends [511 IAC 6.2-3.1-4](#) to provide exemptions from plan requirements. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[511 IAC 6.2-3.1-2](#); [511 IAC 6.2-3.1-3](#); [511 IAC 6.2-3.1-4](#)

SECTION 1. [511 IAC 6.2-3.1-2](#) IS AMENDED TO READ AS FOLLOWS:

[511 IAC 6.2-3.1-2](#) Applicability

Authority: [IC 20-19-2-8](#); [IC 20-32-8.5-4](#)

Affected: [IC 20-24-8-5](#); [IC 20-26-15](#); [IC 20-31](#); [IC 20-32-8](#); [IC 20-32-8.5](#); [IC 20-35-5](#); [IC 36-1-7](#)

Sec. 2. (a) This rule applies to:

- (1) elementary schools, including charter schools as set forth under [IC 20-24-8-5](#)(18), **with exemptions for charter schools noted**;
- (2) elementary schools organized by an interlocal agreement under [IC 36-1-7](#);
- (3) special education cooperative organized under [IC 20-35-5](#); and
- (4) accredited nonpublic school under [IC 20-26-15](#) or [511 IAC 6.1-1-1](#).

(b) A school is an elementary school under this rule if any students in the school attend kindergarten, first, second, or third grade.

(c) Each school shall submit the details of a reading plan that includes components set forth in section 3 of this rule to the department on the June 30 before the school year of implementation.

(d) If an entity under subsection (a) receives funding under [IC 20-32-8](#), the entity shall prioritize that funding on resources for students who have a reading deficiency in grades 1 through 3.

(Indiana State Board of Education; [511 IAC 6.2-3.1-2](#); filed Mar 25, 2011, 10:26 a.m.: [20110420-IR-511100635FRA](#))

SECTION 2. [511 IAC 6.2-3.1-3](#) IS AMENDED TO READ AS FOLLOWS:

[511 IAC 6.2-3.1-3](#) Reading plan; components

Authority: [IC 20-19-2-8](#); [IC 20-32-8.5-4](#)

Affected: [IC 20-20-31](#); [IC 20-31](#); [IC 20-32-8.5](#)

Sec. 3. (a) A reading plan includes the following:

- (1) Membership of the reading leadership team.
- (2) Measurable student achievement goals for each grade level.
- (3) Reading instruction in accordance with section 4 of this rule.
- (4) Details of the manner in which the school plans to use formative and summative assessments for the following:
 - (A) Students in kindergarten through grade 2 that measure the following:
 - (i) Phonemic awareness.
 - (ii) Phonics.

- (iii) Fluency.
- (iv) Vocabulary.
- (v) Comprehension.

(B) Students in grade 3 and higher that measure vocabulary and comprehension in relation to content knowledge.

(5) Intervention in accordance with section 5 of this rule.

(6) A requirement that all students taking ISTEP and IMAST assessments take the IREAD-3 assessment.

~~(6)~~ **(7)** Beginning with the 2012-2013 school year, retention of a student in grade 3 if the student does not achieve a passing score on the IREAD-3 assessment during the previous school year or during a subsequent attempt at passing IREAD-3. The student shall not be retained if one (1) of the following applies to the student:

- (A) The student has been retained two (2) times prior to promotion to grade 4.
- (B) The student has a disability and a case conference committee has determined that promotion is appropriate.
- (C) The student is an English learner and a committee consisting of:
 - (i) the student's parent;
 - (ii) a building level administrator or designee;
 - (iii) a classroom teacher of service;
 - (iv) an English learner teacher, if one exists; and
 - (v) an English learner district administrator, if one exists;

determines that promotion is appropriate based on the implementation of researched-based instructional practices outlined in the student's individual learning plan.

~~(7)~~ **(8)** Promotion of students retained under subdivision (6) when the student achieves grade-level reading proficiency as demonstrated by passing IREAD-3.

~~(8)~~ **(9)** Professional development for teachers that includes the following:

- (A) Utilizing assessment data to target the measurable student achievement goals for each grade level.
- (B) Development differentiated for teachers based on classroom data.
- (C) Development of model classrooms within the school.
- (D) When possible, job-embedded time for professional development and collaboration.

~~(9)~~ **(10)** A monitoring plan that evaluates the implementation of the reading plan.

(b) A reading plan for a charter school will be collected by a charter school's sponsor, and must include the general information required in this section, but does not need to meet the form prescribed by the department.

(Indiana State Board of Education; [511 IAC 6.2-3.1-3](#); filed Mar 25, 2011, 10:26 a.m.: [20110420-IR-511100635FRA](#))

SECTION 3. [511 IAC 6.2-3.1-4](#) IS AMENDED TO READ AS FOLLOWS:

[511 IAC 6.2-3.1-4](#) Reading plan; instruction

Authority: [IC 20-19-2-8](#); [IC 20-32-8.5-4](#)

Affected: [IC 20-31](#); [IC 20-32-8.5](#)

Sec. 4. (a) Reading instruction for all students in kindergarten through third grade must include the following:

(1) A research-based core reading program that provides a scope and sequence in order to scaffold the instruction of scientifically-based reading, including the following:

- (A) Phonemic awareness.
- (B) Phonics.
- (C) Fluency.
- (D) Vocabulary
- (E) Comprehension.

(2) A dedicated, uninterrupted minimum ninety (90) minute block of time daily to all students. The time must include whole group instruction using a core reading program and small group differentiated instruction. Half-day kindergarten programs must provide ninety (90) minutes of instruction but do not have to provide the instruction during an uninterrupted block of time.

(A) Charter schools are exempt from this subsection.

(B) Public schools and accredited nonpublic schools in which ninety percent (90%) of students pass

IREAD-3 are exempt from this subsection.

(b) A school is not required to offer a research-based core reading program under [511 IAC 6.2-3.1-4](#)(a)(1) **subsection (a)(1)** if:

- (1) the state board determines that the school falls within one (1) of the top two (2) performance categories under [511 IAC 6.2-6-5](#); and
- (2) ninety percent (90%) of students pass the reading portion of ISTEP+ **IREAD-3** during the school year immediately preceding the submission of the plan.

(c) A sponsor of a charter school whose students do not pass IREAD-3 at ninety percent (90%) or higher shall require that charter school to implement scientifically-based reading instruction.

(Indiana State Board of Education; [511 IAC 6.2-3.1-4](#); filed Mar 25, 2011, 10:26 a.m.: [20110420-IR-511100635FRA](#))

[Notice of Public Hearing](#)

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