

The Third Grade Reading Guarantee Guidance Document

October 15, 2012

Items Updated Since the August 24, 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 and provide 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.

Diagnostic Testing

Legislative Requirements

- An English language arts (ELA) diagnostic assessment must be given by September 30 of each year for students in kindergarten through Grade 3, starting in the 2012-13 school year (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)).

- The law says districts must use an English language arts diagnostic assessment, which, for the ODE diagnostics is the reading and writing diagnostic assessment combined. However, ODE will allow districts to administer only the reading portion of the ODE ELA diagnostic assessment for the requirements of the Third Grade Reading Guarantee.
 - If districts use the ODE reading diagnostic, they must still administer the ODE writing diagnostic at some point during the school year and report both results 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. 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 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.
 - ODE will allow districts to only administer the reading portion of the ODEdeveloped ELA diagnostic assessment for the requirements of 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.
- Because the changes in law were made during this summer, after many districts had already ordered their reading diagnostic assessments, districts may use the state's reading diagnostic assessment or any diagnostic they already planned to use for the 2012-2013 school year.
- Student assessments used as part of the local teacher evaluation system (i.e., multiple measures of student growth) may be used for the diagnostic assessment required for the Third Grade Reading Guarantee only for the 2012-13 school year only, if determined to be appropriate for this purpose at the local level.
- The Kindergarten Readiness Assessment Literacy (KRA-L) is required to be administered to all kindergarten students. It may also be used for the required diagnostic assessment for the 2012-2013 school year only.
 - If the KRA-L is used for the required diagnosis of kindergarten students under Third Grade Reading Guarantee, it must be administered by September 30, 2012.
 - Students scoring in Band 1 should be considered not on-track.
 - Districts will be required to submit both KRA-L and diagnostics results through EMIS. If a district uses the KRA-L for the required diagnostics of kindergarten students under the Third Grade Reading Guarantee, the district will report the results of the KRA-L for both elements.

- Beginning with the 2013-2014 school year, ODE will release an approved comparable diagnostic tools list, which districts will use to determine if the diagnostic tool they would like to use is approved by ODE as required by law.
- 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 Third Grade Reading Guarantee applies to all-day and half-day kindergarten students.
- 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.
- The following tables outline the assessments districts and community schools may use for the 2012-2013 and 2013-2014 school year. These charts do not apply to the mathematics and writing diagnostic assessment.

For the 2012-2013 School Year		
Grade Level	Reading Diagnostic Test Options for the September 30 Deadline	
Kindergarten	 Kindergarten Readiness Assessment – Literacy (KRA-L) ODE Grade K Short Screener Comparable Tool selected by district for 2012-2013 only 	
Grade 1	 ODE Grade K Screening Measure or Grade 1 Short Screener Comparable Tool selected by district for 2012-2013 only 	
Grade 2	 ODE Grade 1 Screening Measure or Grade 2 Short Screener Comparable Tool selected by district for 2012-2013 only 	
Grade 3	 ODE Grade 2 Screening Measure Comparable Tool selected by district for 2012-2013 only 	

Guidance:

- For 2012-2013, districts can administer the previous year's screening measure to K-3 students, the current grade level short screener or a comparable tool selected by the district.
- The previous year's screening measure addresses the end-of-year expectations of the previous year's standards; the current grade level short screener addresses end-of-year expectations of the current grade level and determines whether students already are performing at current grade level.
- On-track in September means students are at grade level in reading for the previous academic year because students have not received sufficient instruction and exposure to current grade level content by September.
- If districts choose to administer both the previous year's ODE screening measure and current grade level ODE short screener measure, the higher of the two should be used to determine *on-track* status.
- The comparative tool is determined by the school district for the 2012-2013 school year only.
- ODE is developing a new diagnostic screening measure for all grades K-3 for use in 2013-2014.

For the 2013-2014 School Year		
Grade Level	Reading Diagnostic Test Options for the September 30 Deadline	
Kindergarten	ODE K Screening Measure	
	Comparable Tool from ODE approved list	
Grade 1	ODE Grade 1 Screening Measure	
	Comparable Tool from ODE approved list	
Grade 2	ODE Grade 2 Screening Measure	
	Comparable Tool from ODE approved list	
Grade 3	ODE Grade 3 Screening Measure	
	Comparable Tool from ODE approved list	

Guidance:

- 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. For example, the ODE Grade 2 Screening Measure
 now measures the year-end expectations of Grade 1.
- For the 2013-2014 school year and thereafter, comparative tools selected by district must appear on ODE-approved list.

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
 - Beginning in the 2013-2014 school year, provide a teacher who has either passed a reading instruction test or has a reading endorsement on their teacher's license (ORC 3313.608(C)(6)).

- 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's diagnostics have descriptors for *on-track* and *not on-track* and can 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 notification requirement begins in the 2012-2013 school year.
- The assessment results notification and reading improvement and monitoring plan may mention the retention exemptions 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, beginning the in 2012-2013 school year.
- 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" on the Grade 3 Reading Ohio Achievement Assessment.
 - If the student scores on-track on another reading diagnostic during the same school year, it does not terminate the reading improvement and monitoring 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.
- ODE is developing guidance on what reading test is required starting in the 2013-2014 school year for teachers who are assigned a student on a reading improvement and monitoring plan. The State Board of Education will adopt this assessment in the coming calendar year.

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;
 - 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, provide a teacher who has either passed a reading instruction test or has a reading endorsement on their teacher's license (ORC 3313.608(C)(6)).

- Reading improvement and monitoring plans allow the teachers and parents to work together to understand the reading deficiency and to outline reading intervention plans.
- Beginning in the 2012-2013 school year, 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.
- Presently, ODE does not have templates or sample reading improvement and monitoring plans available. 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.
 - ODE will solicit templates guidance or sample reading improvement and monitoring plans voluntarily from districts and community schools.
- The reading improvement and monitoring plan must outline the process of how it may be modified in the future.
- By the end of the 2012-2013 school year, 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.

- ODE is developing guidance on what reading test is required starting in the 2013-2014 school year for teachers who are assigned a student on a reading improvement and monitoring plan. Teachers with a reading endorsement meet the requirement and do not require additional testing. The State Board of Education will select this assessment in spring 2013.
- Beginning in the 2013-2014 school year, a reading endorsement, or passage of a reading instruction test, is required for any classroom teacher that has been assigned a student that is on a reading improvement or monitoring plan.
 - The classroom teacher is the primary teacher responsible for the student's education and spends the most time with that student.
 - 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.
 - The reading grades P-3 notation that appears on some early childhood P-3 licenses does not meet the endorsement requirement.
- ODE and the State Board of Education are pursuing legislative changes to remove the endorsement and test requirement. Instead of these two requirements, all students on a reading improving and monitoring plan would have to have a "high-performing" teacher. This would align with the teacher requirements for students retained by the Third Grade Reading Guarantee.
 - This change, if adopted, may not be finalized until December 2012.
 - Should the changes not occur, the State Board will review and select a reading instruction test in early 2013. At this time, the selection process has not yet begun and there are no details to share.
 - ODE will communicate all policy changes and test selections directly to schools this December.

Intensive Remediation Services

Legislative requirement

- 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 daily (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)).

- 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;
 - o 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)).

- The requirement for "90 minutes of reading daily" means a retained student must be reading for 90 minutes per day.
 - The 90 minutes of reading may take place during the regular school day and during regular classroom activities (e.g. silent reading time).
 - o The 90 minutes of reading does not have to be in a single block of time.
- 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.
 - If a rejected service provider appeals a district's decision, ODE will make a final determination.
- Districts and community schools are required to pay the cost of outside service providers (selected from the approved list) for students retained by the Third Grade Reading Guarantee. This requirement begins immediately.
- 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 and community schools 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)).

- 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 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 parents of the student's request or consent to the change
 - The student is reassessed using the school's designated reading diagnostic administered to other students for the purposes of the Third Grade Reading Guarantee.

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 an alternative reading assessment 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 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)).

- 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:
 - o 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.
- 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 by the Third Grade Reading Guarantee statute.
- 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 alternative reading assessment used to determine retention in the third grade by spring 2013.
- ODE will provide guidance on how to use student performance data or performance reviews to designate a teacher is "high performing" by spring 2013.
- ODE will provide guidance on the intervention and intensive reading instruction by spring 2013.

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)).

- 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 yearend collection:
 - Which students are on-track and 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.
- 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.
- In September 2012, an ODE survey sent to the districts and community schools
 collected information and data concerning diagnostic tools used. ODE will use
 this information to assist in the creation of an approved list of comparable vendor
 reading diagnostic assessments for the 2013-2014 school year.
- 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.

Third Grade Reading Grants

Legislative Requirements (HB 487 of the 129th 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:
 - o 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 is currently developing the application and guidance for the Third Grade Reading Guarantee grants. More information on the grants will be available in October 2012.