

AMENDMENTS TO LB1050

Introduced by Hughes, 24.

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 **Section 1.** Section 79-2601, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 79-2601 Sections 79-2601 to 79-2607 and sections 2 and 5 of this act
6 shall be known and may be cited as the Nebraska Reading Improvement Act.

7 **Sec. 2.** (1) On or before July 1, 2027, the State Department of
8 Education shall develop and adopt a model policy relating to
9 identification of students with a reading deficiency, reading
10 interventions for kindergarten and grades one through three, dyslexia
11 screening, dyslexia technical assistance, parental involvement in reading
12 interventions, the right of a parent or guardian to retain the parent's
13 or guardian's child pursuant to section 79-2,161, retention at grade
14 three for students with persistent reading deficiencies, and override of
15 retention in grade three by a parent or guardian. The model policy shall
16 incorporate evidence based best practices in the science of reading
17 instruction. The model policy shall include appropriate data reporting to
18 the department for purposes of assessing the effectiveness of reading
19 interventions and the retention of students at grade three. Such model
20 policy shall be developed to ensure flexibility for school districts to
21 implement any requirements within existing resources.

22 (2) On or before August 1, 2028, each school board shall develop and
23 adopt a policy consistent with the model policy developed by the
24 department pursuant to subsection (1) of this section. Such policy shall
25 be a requirement for accreditation in accordance with section 79-703 and
26 shall be filed with the Commissioner of Education for review and
27 approval. Each school district shall implement and adhere to the policy

1 adopted by the school board pursuant to this section.

2 (3) Beginning in school year 2027-28, the department shall provide
3 access to technical resources, including, staff, training, and an
4 approved list of high quality instructional materials that do not include
5 three-cueing methods, to each school district for purposes of
6 implementing identification of students with reading deficiencies,
7 reading interventions, dyslexia screening, dyslexia technical assistance,
8 and retention policies consistent with this section.

9 **Sec. 3.** Section 79-2603, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 79-2603 (1) Each school district shall administer the ~~an~~ approved
12 reading assessment three times during the school year to all students in
13 kindergarten through grade three, except for any student receiving
14 specialized instruction for limited English proficiency who has been
15 receiving such instruction for less than two years, any student receiving
16 special education services for whom such assessment would conflict with
17 the individualized education program plan, ~~plan~~, and any student receiving
18 services under a plan pursuant to the requirements of section 504 of the
19 federal Rehabilitation Act of 1973, 29 U.S.C. 794, or Title II of the
20 federal Americans with Disabilities Act of 1990, 42 U.S.C. 12131 to
21 12165, as such acts and sections existed on January 1, 2021, for whom
22 such assessment would conflict with such section 504 or Title II plan.
23 The first administration of such assessment for kindergarten students
24 shall occur within the first forty-five calendar days that school is in
25 session of each school year and for all other grades within the first
26 thirty calendar days that school is in session of each school year.

27 (2) For purposes of the Nebraska Reading Improvement Act, the ~~an~~
28 approved reading assessment shall be ~~means~~ an assessment of student
29 reading skills approved by the State Department of Education which:

30 (a) Measures progress toward proficiency in the reading skills
31 assessed pursuant to subsection (5) of section 79-760.03 on the statewide

1 assessment of reading for grade three;

2 (b) Is valid and reliable;

3 (c) Is aligned with academic content standards for reading adopted
4 by either the State Board of Education pursuant to section 79-760.01 or
5 the school district administering such assessment pursuant to section
6 79-760.02; and

7 (d) Allows teachers access to results in a reasonable time period as
8 established by the department, not to exceed fifteen contract days. ~~;~~ ~~and~~

9 ~~(e) Is commercially available and complies with requirements~~
10 ~~established by the department.~~

11 (3) On or before March 1, 2019, and on or before each March 1
12 thereafter, the department shall make public the ~~list of~~ approved reading
13 assessment ~~assessments~~ for the subsequent school year and the threshold
14 level of performance for ~~each~~ such assessment. A student performing below
15 the threshold level shall be identified as having a reading deficiency
16 for purposes of the Nebraska Reading Improvement Act.

17 (4) Diagnostic assessments used within a supplemental reading
18 intervention program do not require department approval.

19 **Sec. 4.** Section 79-2607, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 79-2607 (1) For purposes of this section:

22 (a) Evidence-based reading instruction means instruction in reading
23 that is in alignment with scientifically based reading research and does
24 not include the three-cueing system model of reading instruction; and

25 (b) Three-cueing system model of reading instruction is an approach
26 to foundational skills instruction that involves the use of three
27 different types of instructional cues which include semantic, syntactic,
28 and graphophonic.

29 (2)(a) The State Department of Education shall develop and implement
30 a professional learning system to help provide sustained professional
31 learning and training regarding evidence-based reading instruction for

1 teachers who teach children from four years of age through third grade at
2 an approved or accredited school and teachers employed by an early
3 childhood education program approved by the State Board of Education. The
4 professional learning system shall include information and tips for
5 teachers related to helping children and families work with local family
6 literacy centers to strengthen home and family literacy programs and
7 better instruct children in reading.

8 (b) Approved or accredited elementary schools and early childhood
9 education programs approved by the State Board of Education shall ensure
10 that teachers who teach children from four years of age through third
11 grade are aware of the professional learning system and are adequately
12 trained regarding evidence-based reading instruction to effectively
13 instruct students in reading.

14 (3) The State Department of Education shall work with educational
15 service units to provide regional coaches to approved or accredited
16 elementary schools to provide assistance and job-embedded training
17 relating to evidence-based reading instruction to teachers who teach
18 students in kindergarten through third grade.

19 (4) On or before September 30 of each year, the Commissioner of
20 Education shall file a report electronically with the Clerk of the
21 Legislature relating to the status and use of the professional learning
22 system implemented pursuant to this section.

23 (5) It is the intent of the Legislature to appropriate two million
24 dollars from the Education Future Fund for each fiscal year ~~beginning~~
25 ~~with fiscal year 2024-25 through fiscal year 2026-27~~ to the State
26 Department of Education to provide regional coaches and job-embedded
27 training relating to evidence-based reading instruction pursuant to
28 subsection (2) or (3) of this section.

29 (6) The State Department of Education shall ~~may~~ provide technical
30 assistance as needed to assist school boards in carrying out the Nebraska
31 Reading Improvement Act.

1 ~~(7) The department may adopt and promulgate rules and regulations to~~
2 ~~carry out the act.~~

3 **Sec. 5.** The State Board of Education may adopt and promulgate rules
4 and regulations to carry out the Nebraska Reading Improvement Act.

5 **Sec. 6.** Original sections 79-2601, 79-2603, and 79-2607, Reissue
6 Revised Statutes of Nebraska, are repealed.