



## WYOMING LEGISLATIVE SERVICE OFFICE

# Issue Brief

## READING ASSESSMENT AND INTERVENTION PROGRAM

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by

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### PURPOSE

This Issue Brief is intended to provide background for the Joint Education Interim Committee on the Reading Assessment and Intervention Program (Program), related to Interim Topic #1 Early Childhood Literacy and Kindergarten Readiness and Retention. The Legislature established the Program during the 2001 General Session to address literacy assessment and intervention in the primary grades.<sup>1</sup> See W.S. 21-3-401.

### BACKGROUND

Beginning school year (SY) 2001-02, statute required Wyoming school districts to implement the Program. Specifically, the law initially assigned school districts responsibility for the following with respect to implementation of the Program:

- Design and implement a reading screening program that measures student reading progress in grades 1 and 2.
- Align the screening program to the statewide educational program standards.
- Assess students, who do not screen successfully, to identify the specific reading problem and determine its nature.
- Place students who do not show appropriate reading competency on an individualized reading plan to address the specific reading problem(s) – no additional plan required if a student is on an individualized education plan addressing reading difficulty.
- Report to the Wyoming Department of Education (WDE) on the progress toward reaching the goal of 85 percent of *identified students* reading proficiently.
- Report longitudinal data on all students in grades 1 through 4 identified for intervention.
- Report, if less than 85 percent of identified students are not reading proficiently, the reason the goal was not reached and the steps being taken by the district to solve the problem.

The Legislature provided additional funding for the Program to school districts outside of the education resource block grant model (funding model) as a categorical grant for SY 2001-02 through SY 2005-06. During the 2005 recalibration of the funding model, the Legislature imbedded funding for the Program within the funding model beginning SY 2006-07.<sup>2</sup>

<sup>1</sup> 2001 Wyoming Session Laws, Chapter 189.

<sup>2</sup> In a 2003 report, the Legislature's consultants, Management Analysis & Planning, identified resources contained in the funding model that could be used to implement the Program, but also estimated costs for the categorical grant, utilizing the cost-intensive Reading Recovery program and WDE's estimate as an initial basis.

Prompted by a legislative concern the Program was not being implemented or monitored appropriately, the Management Audit Committee reviewed the Program in a 2009 Scoping Paper<sup>3</sup> and a 2010 Program Evaluation Report<sup>4</sup>. The findings and recommendations from the 2010 Program Evaluation Report can be found in Appendix A of this Issue Brief. The Program Evaluation Report found Wyoming was one of 37 states to implement an early literacy program. Many states implemented programs in response to the National Research Council's 1998 report.<sup>5</sup>

The Education Commission of the States (ECS) published a September 2020 Policy Brief "Building a Better K-3 Literacy System," also attached to this Issue Brief as Appendix C. It provides an updated snapshot on current state policies related to early literacy programs.<sup>6</sup> The ECS Policy Brief cites in its research a 2011 study by The Annie E. Casey Foundation, "Third-Grade Reading Skills and Poverty Influence High School Graduation," that found children who do not read proficiently by grade 4 are four times more likely to leave school without a diploma than proficient readers. According to ECS, states had enacted at least 91 bills since 2017 to improve early literacy outcomes, primarily focusing on prevention, intervention, and retention to support student literacy development.<sup>7</sup> ECS features Wyoming in its research for Wyoming's requirements to report proficiency data and plans.

## STATUTORY AMENDMENTS

Since 2001, the Legislature has substantially amended W.S. 21-3-401 three times. Summaries of the changes to W.S. 21-3-401 resulting from the 2011, 2012 and 2019 legislative amendments are contained below. Appendix B to this Issue Brief contains the full statutory amendments.

### 2011 General Session<sup>8</sup>

- Required school districts expand the reading screening program to measure student reading progress in grades kindergarten through 3 for *all* students.
- Granted the WDE the authority to approve reading assessment plans and screening instruments, the capability of measuring statewide longitudinal data.
- Required the screening program to use a research-based curriculum and evidence-based interventions.
- Expanded the progress goal of 85 percent to *all* students in grades kindergarten through 3 reading at grade level upon completion of grade 3, not those *identified* for intervention.
- Required each school not meeting the 85 percent goal to submit an improvement plan to the WDE outlining a district's student-teacher ratio, use of certified tutors, and use of instructional facilitators in grades kindergarten through 3.

<sup>3</sup> Wyoming Legislative Service Office (2009). *Reading Assessment and Intervention Program*.

<https://www.wyoleg.gov/progeval/REPORTS/2009/Assessment%20and%20Intervention%20Program%20Scoping%20Paper.pdf>

<sup>4</sup> Wyoming Legislative Service Office (2010). *Reading Assessment and Intervention Program*.

<https://www.wyoleg.gov/progeval/REPORTS/2010/DOE/RAI%20Report.pdf>

<sup>5</sup> Snow, Burns, Griffin (1998). *Preventing Reading Difficulties in Young Children*. National Academy of Sciences – National Research Council, Washing D.C. Commission on Behavioral and Social Sciences and Education.

<https://files.eric.ed.gov/fulltext/ED416465.pdf>.

<sup>6</sup> Fischer and Syverson (2020). *Building a Better K-3 Literacy System*. Education Commission of the States.

[https://www.ecs.org/wp-content/uploads/Building\\_a\\_Better\\_K-3\\_Literacy\\_System.pdf](https://www.ecs.org/wp-content/uploads/Building_a_Better_K-3_Literacy_System.pdf).

<sup>7</sup> Ibid.

<sup>8</sup> 2011 Wyoming Session Laws, Chapter 185.

2012 Budget Session<sup>9</sup>

- Required the reading screening program to evaluate if a student has dyslexia.
- Required a multi-tiered intervention strategy to address reading difficulty as early as possible.
- Required the aggregate number of students identified with screening difficulties to be reported to the WDE.
- Directed the State Superintendent of Public Instruction to promulgate rules and regulations, as necessary, to administer the Program.<sup>10</sup>

2019 General Session<sup>11</sup>

- Revised the reading assessment program longitudinal data from grades kindergarten through 3 to grades kindergarten through 2.
- Directed grade 3 reading proficiency to be determined by the statewide summative assessment.
- Removed the authority of the WDE to identify and approve the reading assessment programs, but each assessment selected required to measure: i) phonological awareness; ii) phonics; iii) decoding words and nonwords; iv) oral reading fluency; and v) reading comprehension.
- Expanded the reporting requirements to include the aggregate number of students having signs of dyslexia or other reading difficulties and identifying the evidence-based interventions implemented in each district by grade.
- Required the aggregate number of students identified with screening difficulties to be reported to the WDE.

**ASSESSMENT RESULTS**

The Program's assessment results collected by the WDE from school districts are not publicly reported, and students on an individualized reading plan are not reported as a separate subgroup within the statewide summative assessment. To illustrate Wyoming's performance in reading in this Issue Brief, two sources are used: 1) Wyoming's statewide summative assessment and 2) the federal National Assessment of Educational Progress (NAEP).

Wyoming school districts began to be assessed in grades 3 through 8 and 11 on the statewide summative assessment in SY 2005-06. Wyoming used the Proficiency Assessment for Wyoming Students (PAWS) in SY 2005-06 through 2016-17, which was replaced with the Wyoming Test of Proficiency and Progress (WY-TOPP) in SY 2017-18. WY-TOPP expanded to grades 9 and 10, but no longer assessed grade 11.

PAWS assessed and reported results for reading and WY-TOPP assesses and reports results for English language arts. The results for SY 2005-06 through SY 2018-19 on the percentage of Wyoming students testing at or above proficiency on the PAWS in reading and WY-TOPP in English language arts are depicted in Table 1. Please note, results for SY 2009-10 and SY 2019-20 are not available.

The percentage of grade 3 students assessed under PAWS that scored proficient or advanced in reading ranged from 53.7 percent (SY 2008-09) to 76.6 percent (SY 2006-07). Fourth grade students' proficient or advanced scores ranged from 60.5 percent (SY 2014-15) to 83.6 percent (SY 2010-11). Under WY-TOPP,

<sup>9</sup> **2012 Wyoming Session Laws, Chapter 66.**

<sup>10</sup> While rules and regulations shall be promulgated, as necessary, the WDE has not promulgated rules regarding the Program, rather a guidance document has been issued: <https://edu.wyoming.gov/downloads/early-childhood/2019/Reading-Assessment-and-Intervention-Guidance.pdf>.

<sup>11</sup> **2019 Wyoming Session Laws, Chapter 155.**

the percentage of grade 3 students that scored proficient or advanced in English language arts has ranged from 51.4 percent (SY 2017-18) to 54.8 percent (2018-19). Fourth grade students' proficient or advanced scores ranged from 49.1 percent (SY 2017-18) to 49.2 percent (SY 2018-18).

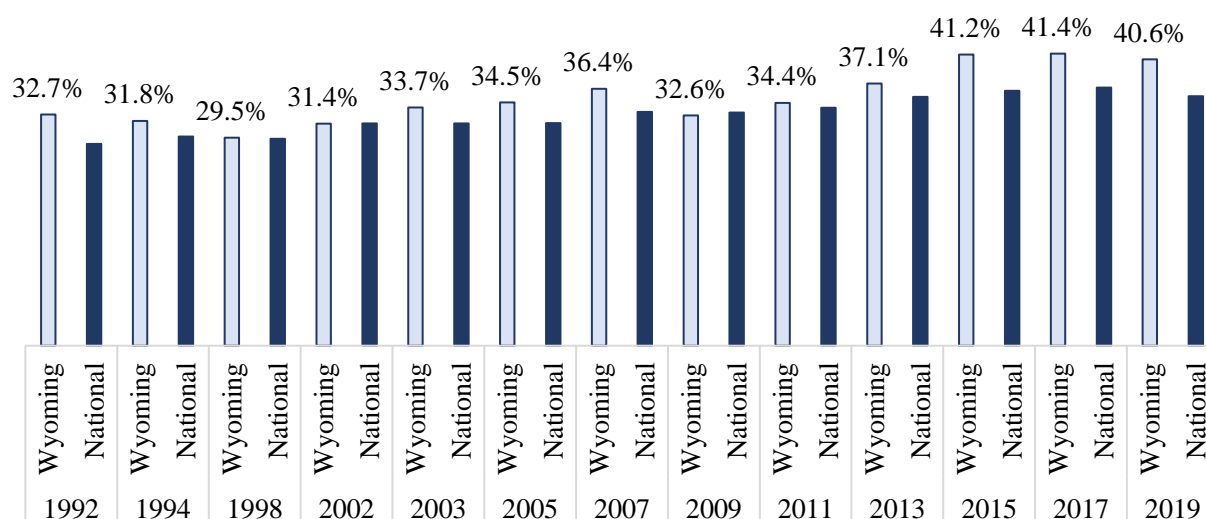
**Table 1. Percent of Wyoming Students Proficient and Advanced in Reading and Language Arts.**

School Year	Grades								
	03	04	05	06	07	08	09	10	11
2005-06	61.6%	64.5%	66.2%	63.1%	63.4%	61.9%			62.9%
2006-07	76.6%	76.6%	75.2%	75.5%	72.7%	75.5%			74.4%
2007-08	61.7%	73.4%	65.6%	70.1%	64.9%	70.5%			65.8%
2008-09	53.7%	71.1%	62.8%	70.3%	57.1%	64.9%			65.2%
2010-11	65.5%	83.6%	77.1%	81.1%	70.4%	77.1%			72.8%
2011-12	69.6%	83.2%	79.1%	83.9%	75.0%	77.5%			76.5%
2012-13	65.7%	78.4%	72.6%	80.9%	74.3%	76.3%			75.6%
2013-14	62.0%	63.9%	58.4%	57.2%	59.2%	58.1%			33.9%
2014-15	60.7%	60.5%	58.6%	56.7%	56.7%	51.6%			31.8%
2015-16	58.1%	65.4%	61.1%	57.9%	60.1%	53.7%			36.3%
2016-17	58.7%	63.7%	61.8%	58.1%	56.4%	53.9%			34.4%
2017-18	51.4%	49.2%	58.6%	57.5%	54.3%	58.0%	44.4%	50.9%	
2018-19	54.8%	49.1%	55.6%	60.8%	58.6%	60.7%	52.7%	52.8%	

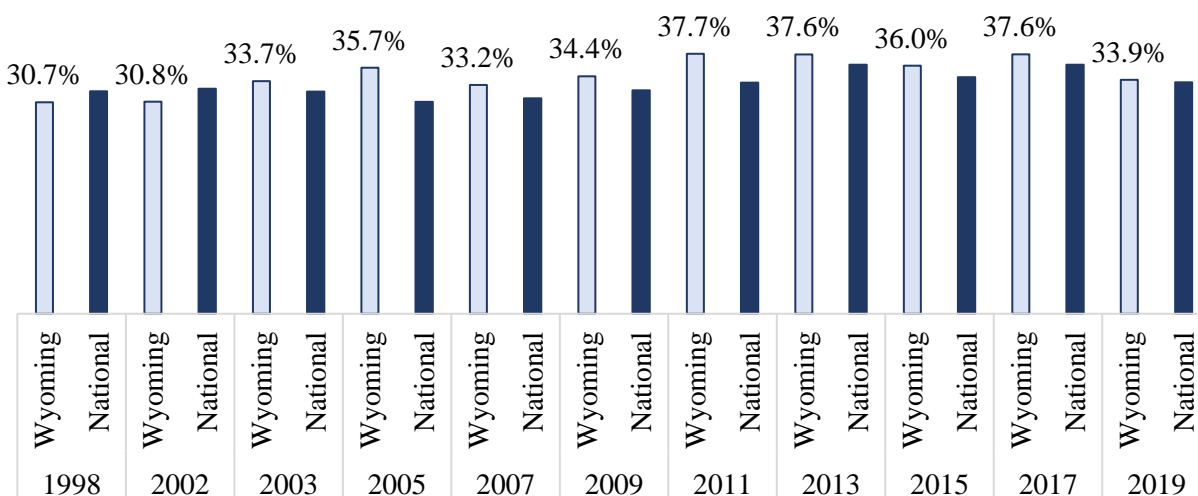
Source: LSO analysis of WDE Assessment Data: <https://edu.wyoming.gov/data/assessment-reports/>.

Wyoming also participates in the National Assessment of Educational Progress (NAEP), which is the largest nationally representative and continuing assessment of students in the United States. Comparisons of Wyoming versus the nation are available for grade 4 from 1992 through 2019 and grade 8 from 1998 through 2019. Figures 1 and 2 compare Wyoming students to the nation testing at or above proficiency on the NAEP in grades 4 and 8, respectively. When comparing students testing proficient and advanced in reading, Wyoming's students in grade 4 have performed better than the nation since 1992 and students in grade 8 outperformed the nation since 2003.

**Figure 1. Percent of Students in Grade 4 Proficient and Advanced in Reading.**



Source: LSO analysis of NAEP Assessment Data: <https://www.nationsreportcard.gov/ndecore/landing>.

**Figure 2. Percent of Students in Grade 8 Proficient and Advanced in Reading.**

Source: LSO analysis of NAEP Assessment Data: <https://www.nationsreportcard.gov/ndecore/landing>.

## FEDERAL GRANT

The United State Department of Education awarded the WDE the Striving Readers Comprehensive Literacy grant, which includes funding for one year of \$8.3 million beginning in 2021, with continued eligibility over the next five years totaling \$43.3 million. According to the WDE, the grant will be used to create a comprehensive state literacy program to advance literacy skills – including pre-literacy skills, reading, and writing – for students from birth through grade 12, including students with limited English proficiency and students with disabilities. The WDE anticipates assisting school districts that have struggled with reading proficiency by providing targeted training, coaching and technical assistance, and the opportunity to receive subgrants that can be used at the district level.

## APPENDIX A: PROGRAM EVALUATION REPORT FINDINGS AND RECOMMENDATIONS

The 2010 Evaluation Report of the Program found seven principal findings and provided 11 recommendations.<sup>12</sup>

The principal findings in the Evaluation Report included:

1. WDE does not require financial reporting and/or auditing of expenditures related to the Program.
2. Since the passage of W.S. 21-3-401 in 2001, districts have not received consistent direction from WDE with respect to statutorily required reporting requirements of the Program. This is due in part to the evolving nature of administering the Program within WDE since 2001, as well as the challenges of how best to implement the specific reporting requirements of W.S. 21-3-401.
3. Local districts have not met statutory requirements of W.S. 21-3-401 with respect to longitudinal reporting.
4. Neither WDE nor the districts track the progress of students placed on individualized education plans towards reading proficiency as part of the 85 percent statutory goal.
5. Funding of the Program has been done on an ad-hoc basis, causing confusion with respect to expectations for reporting and accountability.
6. Federal Reading First Schools in Wyoming use more consistency in their approach to reading assessment and intervention.
7. Wyoming is not unusual in that separate statutory programs exist for assessing reading proficiency at lower grade levels.

The recommendations contained in the Evaluation Report included:

1. The Superintendent and WDE should explore reestablishing requirements for school districts to report expenditure and programmatic data for the Program.
2. The Superintendent and WDE should conduct analysis of expenditure and programmatic data for the Program, in order to assist the Legislature with future funding and recalibration efforts.
3. The Superintendent and WDE should work with the Department of Audit and School Finance Data Advisory Committee (SFDAC) to determine the types of expenditure and programmatic data that districts should submit for the Program.
4. The Superintendent and WDE should continue to assist school districts with their reporting of programmatic data as required by W.S. 21-3-401.
5. The State Board of Education, SFDAC, Superintendent, and WDE should formally discuss the benefits of expanding programmatic reporting pursuant to W.S. 21-3-401, for all subject areas for the at-risk student population, and report back to the Legislature with conclusions, recommendations, etc.
6. The WDE and the SFDAC should update the reporting template to include an open-ended question that requests specific reasons the 85 percent statutory goal is not reached pursuant to W.S. 21-3-401.
7. In addition to the recommendations in this report, the WDE should follow up with implementation of the recommendations of Education Northwest in its December 2009 report. Particular attention should be paid to deficiencies in the reporting structure with respect to the use of multiple screeners;

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<sup>12</sup> Wyoming Legislative Service Office (2010). *Reading Assessment and Intervention Program*.  
<https://www.wyoleg.gov/progeval/REPORTS/2010/DOE/RAI%20Report.pdf>

clarifications of reporting requirements; as well as moving forward with a longitudinal reporting system for districts to use.

8. The WDE and the SFDAC should discuss how best to track data on students who are placed on individualized education plans towards reading proficiency. Particular consideration should be given to creating a special type of reporting similar to [the statewide alternative summative assessment for students with cognitive disabilities].
9. The WDE and the SFDAC should discuss creating a sub-group of students placed on individualized reading plans, for disaggregated reporting as part of the [statewide summative assessment] reports.
10. The Legislature should consider amending Title 21 to require the reporting of expenditures at the district level with respect to the Program.
11. WDE should consider applying the Reading First criteria across all districts.



## APPENDIX B: W.S. 21-3-401 AMENDMENTS

Wyoming Statute W.S. 21-3-401 was originally created in 2001. It has been substantially amended three times since. The original W.S. 21-3-401 and each of the amendments from the 2011, 2012, and 2019 legislative sessions are contained below.

### 2001 Wyoming Session Laws, Chapter 189, Section 1

#### **21-3-401. Reading assessment and intervention.**

(a) Each school district shall design and implement a reading screening program that measures student reading progress in grades one (1) and two (2). The screening program shall be designed by each school district aligned to the statewide educational program standards and shall specifically screen for student performance in reading at grades one (1) and two (2).

(b) Students not screening successfully shall be assessed to identify the specific reading problem and determine its nature. Students not showing appropriate reading competence shall be placed on an individualized reading plan to remedy the reading related difficulty utilizing an appropriate research based intervention program. For students under an individualized education program (IEP) which addresses reading difficulties, the IEP shall be deemed sufficient to meet the requirements of this subsection and no additional plan shall be required. For school year 2002-2003 and each school year thereafter, each district shall annually report to the department of education on the progress toward reaching the goal of eighty-five percent (85%) of identified students being reading proficient. The report shall include longitudinal data on all students in grades one (1) through four (4) identified for intervention. If the goal is not reached, the district shall report the reason the goal was not reached and the steps being taken by the district to solve the problem.

### 2011 Wyoming Session Laws, Chapter 185, Section 1

#### **21-3-401. Reading assessment and intervention.**

(a) Each school district shall design and implement a reading screening program that measures student reading progress in ~~grades one (1) and two (2)~~ kindergarten through grade three (3). The screening program shall ~~be designed by each school district~~ include a reading assessment plan using screening instruments approved by the department of education, which is administered to all students in kindergarten through grade three (3), with standardized measures



~~providing statewide longitudinal data and providing the capability for monitoring and measuring reading progress. The program shall also include a plan for implementation of research based core curricula aligned to the statewide educational program standards and shall specifically screen for student performance in reading at grades one (1) and two (2) evidenced based interventions to meet the needs of all students.~~

(b) ~~Students not screening successfully shall be assessed to identify the specific reading problem and determine its nature.~~ Students not showing appropriate reading competence under this section shall be placed on an individualized reading plan to remedy the reading related difficulty utilizing an appropriate ~~research~~ evidence based intervention program, which may include a group reading plan. For students under an individualized education program (IEP) which addresses reading difficulties, the IEP shall be deemed sufficient to meet the requirements of this subsection and no additional plan shall be required.

(c) ~~For school year 2002-2003 and each school year thereafter, Each district shall annually report to the department of education on the progress of each of its schools toward reaching the goal of eighty-five percent (85%) of identified-all students being reading proficient at grade level upon completion of the third grade. The report shall include longitudinal data on all students in grades one (1) through four (4) identified for intervention. If the goal is not reached, the district shall report the reason the goal was not reached and the steps being taken by the district to solve the problem kindergarten through grade three (3), and shall include the percentage of students meeting or exceeding proficiency levels for the reporting period. Each school not meeting the eighty-five percent (85%) goal specified under this subsection shall submit an improvement plan to the department. At a minimum, the improvement plan shall outline the district's general strategy for increasing reading proficiency for the next school year and shall specifically address the student-teacher ratio, the use of certified tutors and the use of instructional facilitators in kindergarten through grade three (3) in all schools within the district.~~

## **2012 Wyoming Session Laws, Chapter 66, Section 1**

### **21-3-401. Reading assessment and intervention.**

(a) Each school district shall design and implement a reading screening program that measures student reading progress and includes prescreening for dyslexia and other reading difficulties as early as possible in kindergarten through grade three (3). The screening program shall include a reading assessment plan using screening instruments approved by the department of education, which is administered to all students in kindergarten through grade three (3), with standardized measures providing statewide longitudinal data and providing the capability for monitoring

and measuring reading progress. In addition to a universal screening instrument, the department of education shall identify assessment instruments utilized to identify dyslexia and other reading difficulties. The program shall also include a plan for implementation of research based core curricula aligned to the statewide educational program standards and evidenced based interventions to meet the needs of all students. The program shall be multi-tiered and shall include various interventions to facilitate remediation of any reading difficulty as early as possible.

(c) Each district shall annually report to the department of education on the progress of each of its schools toward reaching the goal of eighty-five percent (85%) of all students reading at grade level upon completion of the third grade. The report shall include longitudinal data on all students in kindergarten through grade three (3), and shall include the percentage of students meeting or exceeding proficiency levels for the reporting period. The reporting shall also include the aggregate number of students identified by the screening instruments in each district by grade. Each school not meeting the eighty-five percent (85%) goal specified under this subsection shall submit an improvement plan to the department. At a minimum, the improvement plan shall outline the district's general strategy for increasing reading proficiency for the next school year and shall specifically address the student-teacher ratio, the use of certified tutors and the use of instructional facilitators in kindergarten through grade three (3) in all schools within the district.

(d) The state superintendent, in consultation with Wyoming school districts, professionals in the area of dyslexia and other reading difficulties, and other appropriate stakeholders, shall promulgate rules and regulations as necessary to administer the reading assessment and intervention program pursuant to this statute.

## **2019 Wyoming Session Laws, Chapter 155, Section 1**

### **21-3-401. Reading assessment and intervention.**

(a) Each school district shall ~~design-select~~ and implement a reading ~~screening-assessment and intervention~~ program that ~~measures student reading progress and includes prescreening~~ uses an instrument that screens for signs of dyslexia and other reading difficulties as early as possible in kindergarten through grade three (3) and that implements with fidelity an evidence based intervention program. The ~~screening~~ program shall include ~~a reading assessment plan using screening instruments approved by the department of education, which is instruments that monitor and measure reading progress and assess student reading skills and progress to provide data that informs any intervention. The assessment and intervention program shall be~~ administered to all students in kindergarten through grade three (3) ~~with standardized measures providing statewide longitudinal~~

~~data and providing the capability for monitoring and measuring reading progress. In addition to a universal screening instrument, the department of education shall identify assessment instruments utilized to identify dyslexia and other reading difficulties.~~ The program shall also include ~~a plan for implementation of~~ research implementation of evidence based core curricula aligned to the ~~statewide educational program~~ uniform content and performance standards and evidenced based interventions to meet the needs of all students. The program shall be multi-tiered and shall include ~~various~~ evidence based interventions to facilitate remediation of any reading difficulty as early as possible.

(c) Each district shall annually report to the department of education on the progress of each of its schools toward ~~reaching~~ achieving the goal of eighty-five percent (85%) of all students reading at grade level upon completion of the third grade. The report ~~shall include longitudinal data on all students in kindergarten through grade three (3), and~~ shall include the percentage of students meeting or exceeding proficiency levels for the annual reporting period. The reporting shall also include the aggregate number of students identified by the screening instruments as having signs of dyslexia or other reading difficulties in addition to listing the evidence based interventions implemented in each district by grade. This report shall include kindergarten through grade three (3) progress toward achieving the goal of eighty-five percent (85%) proficiency in the specific skills known to be predictive of grade three (3) reading proficiency and that are listed in subsection (d) of this section. Grade three (3) reading proficiency shall be determined by the grade three (3) statewide assessment administered pursuant to W.S. 21-2-304(a)(v). Each school not meeting the eighty-five percent (85%) goal specified under this subsection shall submit an improvement plan to the school district, and the school district shall submit an overall improvement plan to the department. At a minimum, ~~the each school and district~~ improvement plan shall outline the ~~district's~~ its general strategy for increasing reading proficiency for the next school year and shall specifically address the evidence based program of instruction, assessment and intervention being implemented, the specific training in those programs that reading teachers have received, the student-teacher ratio, the use of certified tutors and the use of instructional facilitators and paraprofessionals in kindergarten through grade three (3) ~~in all schools within the district trained in the delivery of the evidence based instruction and intervention program selected by the district.~~

(d) The state superintendent, in consultation with Wyoming school districts, professionals in the area of dyslexia and other reading difficulties, and other appropriate stakeholders, shall promulgate rules and regulations as necessary to assist each school district to administer ~~the~~ its reading assessment and intervention program pursuant to this ~~statute~~ section and to assess the skills in paragraphs (i) through (v) of this subsection using a curriculum-independent assessment. The rules shall provide mechanisms for the state superintendent to

directly support schools and school districts in meeting the goals of improvement plans developed pursuant to subsection (c) of this section including, but not limited to, professional development in evidence based literacy instruction and intervention and professional development in identifying the signs of dyslexia and other reading difficulties. To accomplish the purposes of this subsection, the department of education shall collect kindergarten through grade two (2) statewide longitudinal data from assessments selected and performed by each school district, which measures the following specific skills that evidence based research has concluded are predictive of grade three (3) reading proficiency:

- (i) Phonological awareness;
- (ii) Phonics;
- (iii) Decoding words and nonwords;
- (iv) Oral reading fluency; and
- (v) Reading comprehension.

# Building a Better K-3 Literacy System

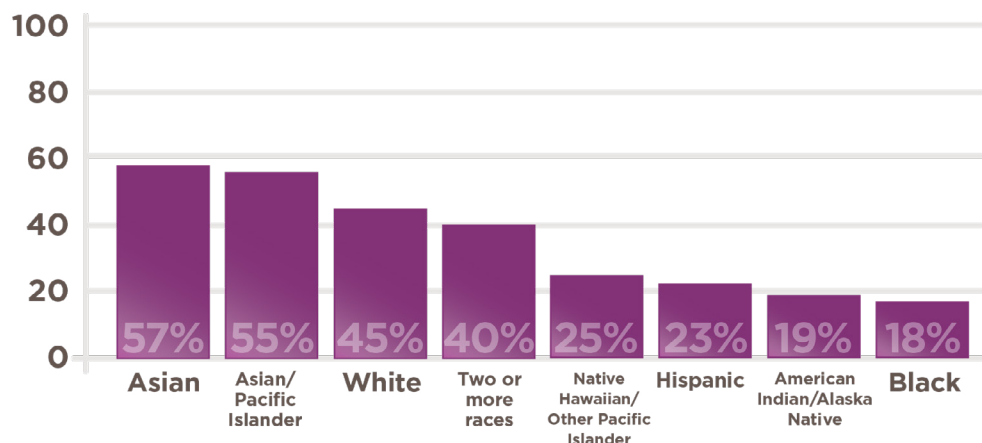
Adrienne Fischer and Eric Syverson

Children should develop literacy skills that progress from [learning to read to reading to learn as they](#) move from kindergarten through early elementary. These skills support reading proficiency and build knowledge in all subject areas. Students who struggle with literacy skills as early as kindergarten often [continue to read below grade level throughout the early grades](#). They also generally fail to receive the assistance they need to catch up.

[Reading proficiency rates have increased](#) for all student groups over the last two decades, as research has identified best practices for instruction, assessment, curriculum, teacher preparation and intensive intervention to prevent and mitigate reading difficulties. The millennium brought forth consensus about what children need to learn to read. As the National Research Council stated in its 1998 report, "[Preventing Reading Difficulties in Young Children](#)": "The knowledge base is now large enough that the controversies that have dominated discussions of reading development and reading instruction have given way to ... a shared focus on the needs and rights of all children to read."

In addition to an ongoing gap between research and implementation, gaps also persist between student groups, including by race and family income level. The 2019 National Assessment of Educational Progress (NAEP) results revealed flat or decreasing reading proficiency scores across all student groups. [Twenty-one percent of fourth grade students](#) from low-income households attained reading proficiency on the assessment, as compared with 51% of students from higher-income households. Notably, children who do not read proficiently by fourth grade are [4 times more likely to drop out or fail to graduate on time](#) than proficient readers.

**2019 NAEP Reading Achievement by Race**  
(percentage of students scoring at or above proficient)



States have [enacted at least 91 bills](#) since 2017 to improve early literacy outcomes across the literacy spectrum. This Policy Brief provides an overview of state strategies to promote literacy in kindergarten through third grade. They are best practices in assessment, prevention and intervention. It also provides examples of state literacy strategies that incorporate research-based approaches and policy takeaways for consideration.

## Prevention, Intervention and the Role of Assessment

High-quality curriculum, instruction and assessment in kindergarten through third grade [are necessary](#) to achieve reading proficiency. It is also important to begin developing early literacy skills prior to kindergarten and to solidify them beyond third grade. This process is supported by a [multitiered](#), dynamic continuum of prevention and intervention informed by developmentally appropriate assessment. High-quality reading instruction employs research-based practices grounded in child development and in the [science of reading](#).

**Prevention** is the foundational instruction received by all students, regardless of risk factors or skill level. Its purpose is to elevate the quality of reading instruction and to facilitate effective learning. This may include teacher professional development and coaching, curriculum selection or school-level changes such as group size or teacher-pupil ratios.

High-quality preschool environments can also contribute to strong early literacy skills and to proficiency in early elementary. They have been linked to [better outcomes](#) in literacy, math and grade retention, particularly [among English language learners and students from low-income backgrounds](#).

**Intervention** identifies individual needs and provides [targeted supports](#) for students with reading difficulties. Intervention may include an individualized plan with [small group](#) or one-on-one instruction in conjunction with instruction outside the classroom and/or over the summer. Families often participate through home-based activities.

**Assessment** identifies a student's reading challenges and monitors their progress. Reading assessment is commonly conflated with federal accountability requirements. But assessments administered throughout the K-2 years are generally developmentally appropriate and brief. They also provide actionable feedback to teachers and families. See the glossary for definitions of the different types of assessments.

## Retention

Some state policies stipulate that students who do not demonstrate reading proficiency on summative assessments by the end of third grade cannot advance to the next grade. Retention requirements are intended to create stronger incentives for schools and teachers to focus on

## GLOSSARY OF KEY TERMS

**Early literacy:** foundational language and communication skills that precede the ability to read or write, such as letter recognition, phonological awareness and oral language .

**Literacy:** the ability to read and write well.

**Reading comprehension:** the process of simultaneously extracting and constructing meaning through interaction and involvement with written language.

**Screeners:** brief assessment of a particular skill or ability that is highly predictive of a later learning outcome and that can be used to group students for instruction.

**Diagnostic assessment:** a combination of standardized and informal tests used to determine a student's eligibility for specialized programming, such as special education or tiered intervention.

**Formative assessment:** a planned, ongoing process used during learning and teaching; it elicits and uses evidence of student learning to improve understanding of intended learning outcomes and to support students.

**Summative assessment:** an assessment administered once, typically at the end of a semester or school year, to evaluate student performance against a defined set of content standards.

prevention and intervention to promote literacy skills and to ensure all students enter fourth grade with strong reading skills. Retention generally follows intervention as a last resort and coincides with *good cause exemptions* for students, including dual language learners and students with disabilities.

Research on the efficacy of retention provides mixed results. Some studies show adverse effects on graduation rates and postsecondary attainment. Other studies find that retention in early grades improves academic outcomes and proficiency rates for English language learners. Concerns include uneven implementation of policies among students from lower socioeconomic backgrounds and the cost effectiveness of retention measured against alternative interventions. Further research is needed to understand these relationships. While retention policies in **California** and **Florida** have been in place for decades, other mandatory

## Good Cause Exemptions

Good cause exemptions are a common aspect of retention policies. They present ways for students to demonstrate proficiency by alternative means or to be exempted based on student characteristics. Students with disabilities and an Individual Education Plan, along with English language learners with less than two years of instruction in English, are frequently exempted. States have made different exemptions to prevent students from being retained more than twice from kindergarten through third grade. Moreover, granting an exemption is not the end of a student's literacy instruction and intervention. In states like **Nevada**, a student promoted to fourth grade by an exemption must continue to receive intensive reading instruction.



retention policies have only recently been implemented. There are states that have introduced mandatory retention in addition to literacy supports, making it difficult to determine the driver of student outcomes.

## K-3 Literacy Programs and Policies

State policy has generally focused on prevention, intervention and retention to support student literacy development. States continue to rely on this framework to shape legislative efforts — the following sections outline policy actions and state examples since 2017.

### Prevention

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Prevention was a regular component of legislation since 2017. Many states enacted policies to require teacher professional development in scientifically based reading instruction. One example is [Idaho](#), which requires all K-12 teachers to demonstrate knowledge and skills consistent with current research on reading best practices, and educator preparation programs are required to offer aligned courses in reading instruction. In [Minnesota](#), districts are required to offer elementary teachers professional development in the five critical areas of reading: phonemic awareness, phonics, fluency, vocabulary and comprehension. States also addressed pre-service teacher training at the higher education level.

#### STATE SPOTLIGHT: VIRGINIA

In 2020, the [Virginia General Assembly](#) tasked the State Council of Higher Education with developing a statewide coalition of public universities to gather and share information on the latest research-based approaches to reading instruction for Virginia. The coalition will emphasize improvement in reading instruction for students with dyslexia.

[Wyoming](#) requires schools and districts that score below the state's proficiency goals to annually report their reading proficiency data and plans. Indicators of reading progress must be presented along with specificities concerning interventions and trainings. State assistance has also been employed for schools and districts that are struggling to meet reading proficiency. [Arizona](#) requires its department of education to provide implementation guidance and curricula support to districts, as well as prioritized supports for districts that have the highest percentage of students not demonstrating reading proficiency.

## Intervention

Literacy interventions were the most common element of all enacted legislation, as states focused on ways to aid students struggling with reading proficiency. Many states created policies to introduce or expand assessment instruments. As part of its supplemental reading intervention program, [Nebraska](#) passed legislation requiring the administration of approved reading assessments to students in grades kindergarten through grade three to monitor student progress throughout the school year and to adjust interventions as needed. States legislated individual reading plan policies for students identified by assessments as needing additional support to meet grade-level expectations. One part of the recently legislated [Alabama Literacy Act](#) requires districts to create an individual reading improvement plan for any student in need of intensive reading intervention.

### STATE SPOTLIGHT: MICHIGAN

In [Michigan](#), the department of education approves districts' assessment systems, which must include screening and formative and diagnostic elements. Districts must assess reading progress at least three times per year in grades K-3, and school administrators must tailor student interventions and teacher professional development based on these results.

Enacted legislation included strategies, such as summer reading programs, individual or group tutoring, and the involvement of a reading specialist during interventions. States established policies that require schools to inform parents of their plans and progress. Some policies called for family involvement. [Oklahoma](#) involves the parent or guardian in the student's Student Reading Proficiency Team.

### Dyslexia

Dyslexia refers to [a specific neurobiological learning disability](#) wherein children experience difficulties decoding the relationships between sounds and letters. It can lead to reading comprehension problems without proper prevention and intervention. [Between 5% and 12% of American children](#) have dyslexia. There are children who remain undiagnosed because of insufficient screening. Identifying dyslexic students is [especially critical in the K-3 years](#), when children are still mastering reading comprehension and interventions are most effective.

While students who are diagnosed with specific learning disabilities, such as dyslexia, are entitled to supports and accommodations under the [federal Individuals with Disabilities Education Act](#), the diagnostic process is completed according to state and local policies. Many states have taken action in recent years to promote early identification and interventions for students with dyslexia. As of 2019, [46 states have passed legislation](#) related to dyslexia, ranging from adding a statutory definition of dyslexia to mandating universal screeners in early grades. However, [some states face barriers](#) to enforcement, as there are school districts that report insufficient guidance or funding to fulfill state mandates.

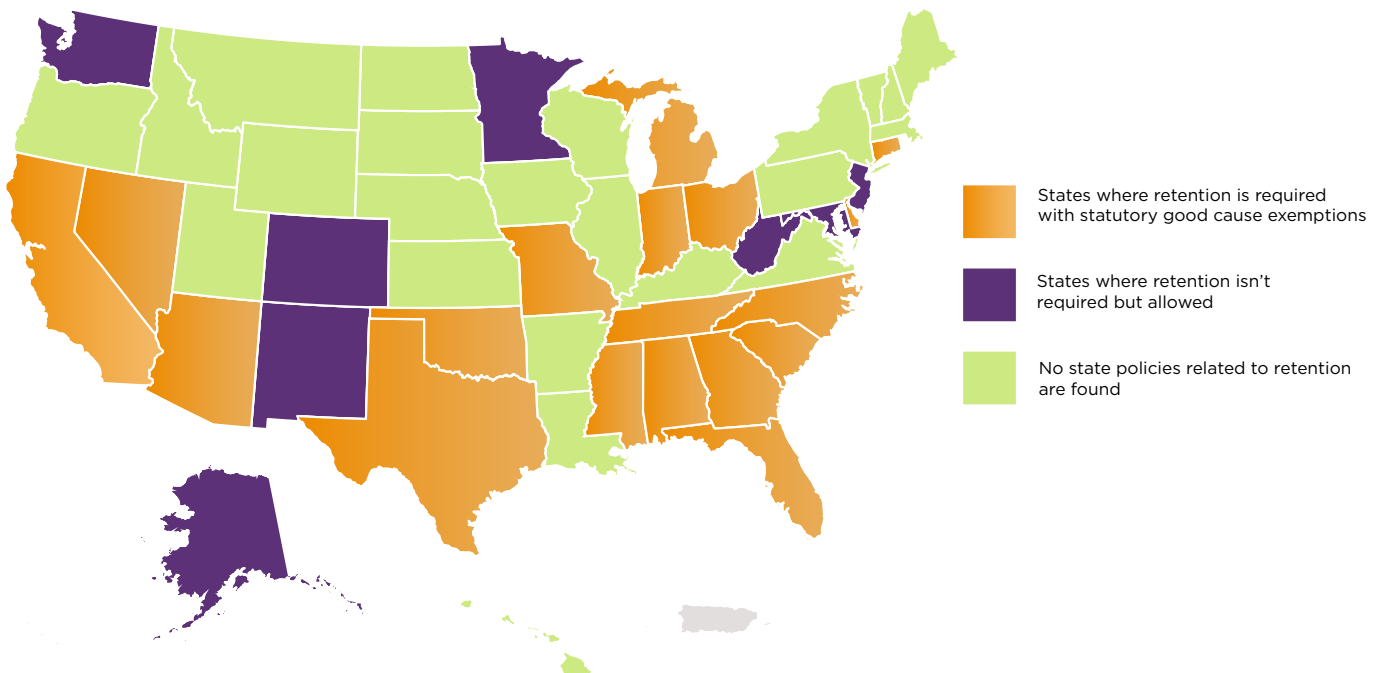
### STATE SPOTLIGHT: ALABAMA

Beginning in the 2021-22 school year, [Alabama's](#) retention policy will allow students to demonstrate reading proficiency through measures other than the statewide summative assessment. Students can be promoted if they earn an acceptable score on an approved alternative assessment or demonstrate they have met the state's reading standards through a reading portfolio.

## Retention

Third-grade retention policies have become common, with many states adopting the practice recently. Retention policies differ along the following dimensions: whether retention is required or is discretionary; which entity determines whether a student must be retained; and whether there are exemptions or alternative options (besides summative testing) to demonstrate literacy skills to avoid retention. A number of states do not base retention decisions on a statewide assessment; instead, the decision is at the discretion of the school district, the student's teacher and — as is the case in [Colorado](#) — the student's parent or guardian.

### 50-State Map of Retention Policies With Variables



## Policy Considerations

Here are several considerations for policymakers when designing K-3 literacy policies:

**Make assessment a priority.** [Formative assessments](#) in the K-2 grades can help track progress and provide pathways to additional assistance for students reading below grade level. These

assessments are typically brief and can provide ongoing feedback to students, teachers and families in a timely fashion.

**Create policy within a continuum.** Prevention and intervention are interdependent elements that must work in tandem to create a strategy that produces the desired outcomes. Wherever possible, policies should be developed collaboratively to meet a shared vision.

**Focus on pre-K.** Research shows that achievement gaps are present [prior to kindergarten entry](#). Access to [high-quality pre-K](#) can improve early literacy skills ahead of kindergarten entry.

**Engage pre-service and in-service educators.** Professional development in reading instruction and child development for current classroom educators is key to improving student outcomes, but pre-service training is also an important consideration. Over the last several years, educator preparation programs have [increased their coverage of scientifically based reading instruction](#), yet states may consider collaborating with higher education leaders to establish goals or standards.

**Ensure that students in need of academic assistance receive individualized support.** States may consider improving the availability and use of assessment data to direct targeted supports to students who are most in need. They may also offer assistance and guidance for intervention at the district level once students have been identified.

## Final Thoughts

State policymakers continue to strive for better literacy outcomes by crafting policies and building systems that give young children the help they need to become competent readers. By operating within a dynamic continuum of prevention, intervention and assessment, teachers, families and administrators can access a variety of tools tailored to each student's skill set. Failure to improve literacy skills is likely to limit students' academic success and may lead to an undereducated workforce that is [unable to fully contribute](#) to the future economy. As the [National Research Council](#) concluded in 1998, "Most of the reading problems faced by today's adolescents and adults are the result of problems that might have been avoided or resolved in their early childhood years."

Many policymakers are taking action to address the needs of students in their states. Since 2011, at least 27 governors have mentioned early literacy or reading proficiency as a state priority during their [State of the State addresses](#). As conveyed by [Tennessee Gov. Bill Lee](#): "We will ensure adequate supports and interventions for students before they reach the critical third-grade milestone." The attention of state leaders is a vital factor in improving K-3 literacy systems, but as Lee concludes: "Moving the needle on early childhood literacy requires more than talk." States have a heavy task before them. But by incorporating best practices into a prevention-intervention policy continuum, states can better support students for a lifetime of success in literacy and beyond.



# About the Authors

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