

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Reading assessment and intervention.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to reading assessment and intervention;  
2 providing an exemption for high-performing school districts  
3 from screening and professional development requirements as  
4 specified; requiring a study of the correlation between  
5 screening instruments and the statewide student assessment  
6 system; requiring reporting; providing an appropriation;  
7 and providing for effective dates.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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12 **STAFF COMMENT**

13 **This bill draft is based on recommendations from the state**  
14 **superintendent of public instruction's literacy cabinet.**  
15 **The literacy cabinet's recommendations, as presented at the**

1 August 8-9 Joint Education Interim Committee meeting,  
2 include the following:

- 3 • Funding to support a correlation study between
- 4 screeners used by school districts and WYTOPP results.
- 5 • Create an exemption from the statutory screening and
- 6 professional development requirements for consistently
- 7 "high-performing" districts.
- 8 ○ The suggestion is to have districts in the top-
- 9 performing quartile exempt. This would negate the
- 10 idea of "consistently" as any annual third grade
- 11 ELA score could push a district into the top
- 12 quartile.
- 13 ○ The suggestion is to have a cut score that is
- 14 different than 85% (70% or something) that any
- 15 district could meet to be exempt from the
- 16 screening and professional development
- 17 requirements.
- 18 • Keep the requirements to report data, parental
- 19 notification, and the use of individual reading plans.

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23 Section 1. W.S. 21-3-401(a), (e) and by creating a  
 24 new subsection (f) is amended to read:

26 21-3-401. Reading assessment and intervention.

27

28 (a) Each school district shall select and implement a  
 29 reading assessment and intervention program that uses an  
 30 instrument identified by the state superintendent under  
 31 subsection (d) of this section that screens for signs of  
 32 reading difficulties, including but not limited to dyslexia  
 33 or other reading deficiencies, not less than three (3)

1 times per year in kindergarten through grade three (3)  
2 except as otherwise provided in subsection (f) of this  
3 section, and that implements with fidelity an evidence  
4 based intervention program. The program shall include  
5 instruments identified by the state superintendent under  
6 subsection (d) of this section that monitor and measure  
7 reading progress and assess student reading skills and  
8 progress to provide data that informs any intervention. The  
9 assessment and intervention program shall be administered  
10 to all students in kindergarten through grade three (3).  
11 The program shall also include implementation of evidence  
12 based core curricula aligned to the uniform content and  
13 performance standards and evidenced based interventions to  
14 meet the needs of all students. The program shall be multi-  
15 tiered and shall include evidence based interventions to  
16 facilitate remediation of any reading difficulty as early  
17 as possible.

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19 (e) Except as otherwise provided in subsection (f) of  
20 this section, commencing with school year 2022-2023, each  
21 school district shall require each district employee  
22 providing instruction in grades kindergarten through three  
23 (3) within the district to have received or receive

1 professional development in evidence based literacy  
2 instruction and intervention and in identifying the signs  
3 of reading difficulties, including but not limited to  
4 dyslexia and other reading deficiencies, using suitable  
5 materials reviewed and required pursuant to rule by the  
6 state superintendent. The rules required under subsection  
7 (d) of this section shall establish minimum reading  
8 assessment and intervention professional development  
9 requirements to be completed not less than once every three  
10 (3) years as required under this subsection for district  
11 employees providing instruction in grades kindergarten  
12 through three (3). The rules shall contain criteria to  
13 identify appropriate and suitable professional development  
14 materials for district employees in evidence based literacy  
15 instruction and intervention and in detection of reading  
16 difficulties, including but not limited to dyslexia and  
17 other reading deficiencies.

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19 (f) Beginning with the 2024-2025 school year, each  
20 high-performing school district shall be exempt from  
21 screening kindergarten through grade (3) students not less  
22 than three (3) times per year under subsection (a) of this  
23 section and from the professional development requirements

1 in subsection (e) of this section. This exemption shall be  
 2 for a period of XXX. For purposes of this subsection, a  
 3 "high-performing school district" means a school district  
 4 who ranks in the top twenty-five percent (25%) of all  
 5 school districts in the state on the grade three (3)  
 6 English language arts assessment of the statewide  
 7 assessment system administered pursuant to W.S. 21-2-  
 8 304(a)(v).

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STAFF COMMENT

13 The Committee may wish to consider the following:

- 14 • The length of time for the exemption.
- 15 • Adding a provision revoking the exemption if a high-  
 16 performing school district falls out of the top  
 17 twenty-five percent (25%) at any time during the  
 18 exemption period.
- 19 • W.S. 21-3-401(c) contains a goal of eighty-five (85%)  
 20 of all students reading at grade level upon completion  
 21 of the third grade at each school within the school  
 22 district. Each school not meeting the eighty-five  
 23 percent (85%) goal shall submit an improvement plan to  
 24 the school district and the school district shall  
 25 submit an overall improvement plan to the department.  
 26 A school district exempt under the new subsection (f)  
 27 may contain schools who are not meeting the eighty-  
 28 five percent (85%) goal and would be required to  
 29 submit an improvement plan to the school district. The  
 30 Committee may wish to consider tying the exemption to  
 31 the eighty-five percent (85%) goal outlined in W.S.  
 32 21-3-401(c).
- 33 • The literacy cabinet's recommendation specified  
 34 keeping the requirements for parental notification and  
 35 individual reading plans. The parental notification

1 required in W.S. 21-3-401(b) occurs "as soon as  
 2 practicable after the assessment or screening is  
 3 conducted" and the individual reading plans are  
 4 required when students are not showing appropriate  
 5 reading competence under W.S. 21-3-401. If a high-  
 6 performing school district is exempt from screening  
 7 kindergarten through grade (3) students not less than  
 8 three (3) times per year then school districts may not  
 9 be able to provide parental notification and place  
 10 students on individualized reading plans.

- 11 • W.S. 21-3-401(e) requires school district employees to  
 12 receive professional development not less than once  
 13 every three (3) years.

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18 Section 2.

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 20 (a) The department of education shall retain an  
 21 independent consultant who shall:

22  
 23 (i) Study the correlation between the instruments  
 24 used in kindergarten through grade (3) to screen students  
 25 for signs of reading difficulties including dyslexia as  
 26 required by W.S. 21-3-401(a) and (d) and the English  
 27 language arts assessment of the statewide student  
 28 assessment system administered pursuant to W.S. 21-3-  
 29 304(a)(v); and

30

1           (ii) Study the correlation between the results  
2 on the first screening conducted for kindergarten through  
3 grade (3) students and the results of subsequent screenings  
4 conducted during the year for each school district.

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6           (b) Not later than October 1, 2024, the department of  
7 education shall report to the joint education interim  
8 committee on the study required by subsection (a) of this  
9 section.

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11           **Section 3.** There is appropriated **XXX** from the school  
12 foundation program account to the department of education  
13 for purposes of retaining an independent consultant to  
14 conduct the study required by Section 2 of this act. This  
15 appropriation shall be for the period beginning with the  
16 effective date of this act and ending June 30, 2025. This  
17 appropriation shall not be transferred or expended for any  
18 other purpose and any unexpended, unobligated funds  
19 remaining from this appropriation on June 30, 2025 shall  
20 revert as provided by law. It is the intent of the  
21 legislature that this appropriation not be included in the  
22 department of education's standard budget for the  
23 immediately succeeding fiscal biennium.

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4 STAFF COMMENT

5 The Committee will need to consider the appropriation  
6 amount for retaining an independent consultant to conduct  
7 the study.

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11 Section 4.

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13 (a) Section 1 of this act is effective July 1, 2024.

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15 (b) Except as provided in subsection (a) of this  
16 section, this act is effective immediately upon completion  
17 of all acts necessary for a bill to become law as provided  
18 by Article 4, Section 8 of the Wyoming Constitution.

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20 (END)