

## Your Question:

You asked which states have third grade reading laws and what other early childhood, kindergarten, and support services are in place in those states.

## Our Response:

Sixteen states plus D.C. require third grade retention and 14 of those offer conditional promotion options. All states that require retention also require a [system of intervention](#). Common interventions used by these states are provided below.

- The National Governors Association's [A Governor's Guide to Early Literacy](#) suggests five policy actions to ensure all students can read by third grade. These policy actions include:
  - Adopting comprehensive language and literacy standards for early childhood education programs and K-3<sup>rd</sup> grade
  - Increasing access to strong pre-k and full-day kindergarten programs
  - Increasing family support in literacy development
  - Strengthening workforce development
  - Strengthening improvement and accountability methods

## Retention Policies:

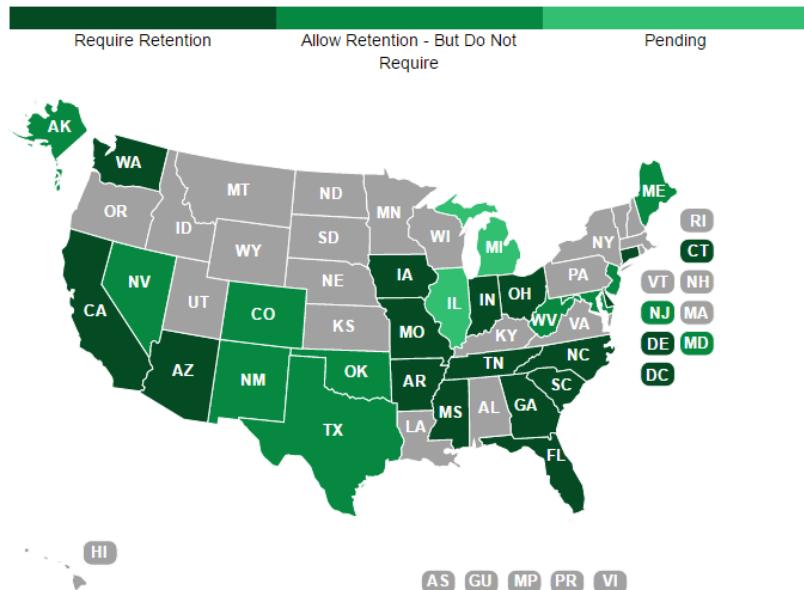
In 2015, [roughly 2 out of 3 fourth graders](#) did not score proficient in reading. Research shows that students who do not read proficiently at the end of third grade are [four times more likely to not finish high school](#). Responding to this data, many states have implemented retention policies for those failing to score proficient on reading tests by the end of third grade.

However, retaining a student can often be costly and negatively affect a student's long-term academic success. Many policymakers are now examining more preventative approaches to supporting students in becoming proficient readers.

Education Commission of the States' [50-State Comparison: K-3 Quality](#) highlights the number of states that require assessments, have intervention systems in place, and require third grade retention:

- Thirty-nine states plus D.C. require assessments in any or all K-3 grades and 36 states provide guidance around what those assessment results should be used to inform.
- Forty states plus D.C. provide guidance around a system of interventions for struggling students.

## Third-Grade Reading Legislation



Source: National Conference of State Legislatures: [Third-Grade Reading Legislation](#)

### Recent laws in other states:

- **Arizona** ([H.B. 2190](#), 2016)
  - Revises the state's third grade reading retention program and allows third-grade students who are reading below grade level and receive intervention and remedial services during the summer to be promoted from third grade.
- **Alaska** ([S.B. 57](#), 2013)
  - Amended existing law requiring each school district to annually provide to parents and guardians of students enrolled in kindergarten through grade three in public school current information on the importance of early literacy, including intervention strategies, home literacy plans, grade retention standards, policies for the elementary school attended and strategies and resources to help children learn to read.
  - In partnership with local media outlets, the bill required the department to create and implement a communications campaign to educate parents and guardians about the importance of early literacy.
- **Iowa** ([H.F. 2413](#), 2016)
  - Requires intensive reading instruction provided by the school district for K-3 students who are not reading proficiently and are persistently at risk in reading;
  - Requires these students to be reassessed for reading proficiency using locally determined or statewide assessments, including periodic universal screening and annual standard-based assessments, before the child is retained in grade three.
  - District must regularly update the parent or guardian of a student who is not reading proficiently on the student's progress toward proficiency.

- **Oregon** ( [H.B. 3069](#), 2015)
  - Requires that the Teacher Standards and Practices Commission adopt rules that require teacher education programs in early childhood education, elementary education, special education or reading to demonstrate that students enrolled in the programs receive training to provide instruction that enables students to meet reading standards by the end of third grade
  
- **Texas** ([S.B. 925](#), 2015)
  - Directs the commissioner of education to make available literacy achievement academies for teachers providing reading instruction to K-3 students.
  - Requires a literacy achievement academy to include training in effective and systematic instructional practices in reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension, and the use of empirically validated instructional methods that are appropriate for struggling readers.
  - Permits a literacy achievement academy to include training in effective instructional practices in writing.

### **Additional Interventions:**

- **For the forty states plus D.C. that provide guidance around a system of interventions for struggling students, these interventions can include:**
  - Supplemental instruction, such as summer school, after-school or Saturday school tutorial programs (Alaska, Arizona, Arkansas, Connecticut, Florida, Indiana, Maryland, Mississippi, Pennsylvania, Vermont)
    - Extra Hour Reading Initiative: In 2012, Florida passed a [law](#) requiring that each school district having low-performing elementary schools provide an additional hour each day for intensive reading instruction. In 2014, Florida expanded this “Extra Hour Reading Initiative for Low Performing Schools” after evaluations showed that the program had positive impacts on student outcomes. The Florida Legislature’s Office of Program Policy Analysis & Government Accountability [reviewed](#) the Extra Hour Initiative and found that most schools improved their state reading scores after implementing the program.
  - Academic improvement plans, remediation plans, and progress monitoring (Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Missouri, New York)
    - In its first year of implementation, the [Colorado READ \(Reading to Ensure Academic Development\) Act](#) helped reduce the statewide number of students with significant reading deficiencies from 16% in 2013 to 14% in 2014 (or 5,000 fewer students)
    - English language learners statewide with a significant reading deficiencies decreased from 35% to 27%.
  - Family engagement programs and supports (Arizona, Connecticut, Mississippi, Vermont)

### **Additional resources:**

- The Annie E. Casey Foundation’s [Early Warning: Why Reading by the End of Third Grade Matters](#) focuses on the importance of reading by fourth grade for our economy, the social factors that contribute to students not being at grade level reading, what efforts can help kids read, and how to make grade-level reading a priority.

- The Annie E. Casey Foundation’s [Kids Count Data Center: Fourth Grade Reading Achievement Levels](#) shows what percentage of each state’s fourth graders scored proficient on fourth grade reading assessments every other year from 2007-2015.
- Education Commission of the States’ [Third-Grade Reading Policies \(2014\)](#) details the interventions provided to students and the exemptions of retention for each state.
- Education Commission of the States’ [Third Grade Literacy Policies: Identification, Intervention, Retention \(2012\)](#) identifies history and research on student retention, as well as key policy decisions states need to make when considering policies related to early identification, early intervention, and retention. Provides case studies of and key takeaways from the experience of Florida and New York City on early identification and retention.
- **National Association of Elementary School Principals’** [Response to Intervention in Primary Grade Reading](#) report suggests that principals help support reading by:
  - Screening all students from potential reading problems in the beginning and middle of the year.
  - Monitor progress and differentiate instruction (based on assessed reading skills for all students).
  - Implement systemic skill instruction: Plan intensive instruction on foundational reading skills for students in Tier two and Tier three interventions.
  - Establish a systemwide framework for RTI (Response to Intervention) to support the three recommended practices.