

1 AN ACT relating to reading diagnostic and intervention grants and declaring and  
2 emergency.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 158.792 is amended to read as follows:

5 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:

6 (a) "Comprehensive reading program" means a program that emphasizes the  
7 essential components of reading: phonemic awareness, phonics, fluency,  
8 vocabulary, comprehension, and connections between writing and reading  
9 acquisition and motivation to read;[~~]~~

10 (b) "Reading diagnostic assessment" means an assessment that identifies a  
11 struggling reader and measures the reader's skills against established  
12 performance levels in the essential components of reading. The purpose is to  
13 screen for areas that require intervention in order for the student to learn to  
14 read proficiently;[~~]~~

15 (c) "Reading intervention program" means short-term intensive instruction in the  
16 essential skills necessary to read proficiently that is provided to a student by a  
17 highly trained teacher. This instruction may be conducted one-on-one or in  
18 small groups; shall be research-based, reliable, and replicable; and shall be  
19 based on the ongoing assessment of individual student needs; ***and***[~~]~~

20 (d) "Reliable, replicable research" means objective, valid, scientific studies that:

- 21 1. Include rigorously defined samples of subjects that are sufficiently large  
22 and representative to support the general conclusions drawn;
- 23 2. Rely on measurements that meet established standards of reliability and  
24 validity;
- 25 3. Test competing theories, where multiple theories exist;
- 26 4. Are subjected to peer review before their results are published; and
- 27 5. Discover effective strategies for improving reading skills.

1 (2) The reading diagnostic and intervention fund is created to help teachers and library  
2 media specialists improve the reading skills of struggling readers in the primary  
3 program and to assist schools in employing reading interventionists who  
4 specialize in providing those services. The Department of Education, upon the  
5 recommendation of the Reading Diagnostic and Intervention Grant Steering  
6 Committee, shall provide renewable, two (2) year grants to schools to support  
7 teachers and reading interventionists in the implementation of reliable, replicable  
8 research-based reading intervention programs that use a balance of diagnostic tools  
9 and instructional strategies that emphasize phonemic awareness, phonics, fluency,  
10 vocabulary, comprehension, and connections between writing and reading  
11 acquisition and motivation to read to address the diverse learning needs of those  
12 students reading at low levels. Any moneys in the fund at the close of the fiscal year  
13 shall not lapse but shall be carried forward to be used for the purposes specified in  
14 this section.

15 (3) (a) The Kentucky Board of Education shall promulgate administrative  
16 regulations, based on recommendations from the secretary of the Education  
17 and Workforce Development Cabinet, the Reading Diagnostic and  
18 Intervention Grant Steering Committee established in KRS 158.794, and the  
19 Collaborative Center for Literacy Development established in KRS 164.0207  
20 to:

- 21 1. Identify eligible grant applicants, taking into consideration how the grant  
22 program described in this section will relate to other grant programs;
- 23 2. Specify the criteria for acceptable diagnostic assessments and  
24 intervention programs;
- 25 3. Specify the criteria for acceptable ongoing assessment of each child to  
26 determine his or her reading progress;
- 27 4. Establish the minimum evaluation process for an annual review of each

- 1 grant recipient's program and progress;
- 2 5. Identify the annual data that must be provided from grant recipients;
- 3 6. Define the application review and approval process;
- 4 7. Establish matching requirements deemed necessary;
- 5 8. Define the professional development and continuing education
- 6 requirements for teachers, library media specialists, administrators, and
- 7 staff of grant recipients;
- 8 9. Establish the conditions for renewal of a two (2) year grant; and
- 9 10. Specify other conditions necessary to implement the purposes of this
- 10 section.

11 (b) The board shall require that a grant applicant provide assurances that the

12 following principles will be met if the applicant's request for funding is

13 approved:

- 14 1. A research-based comprehensive schoolwide reading program will be
- 15 available;
- 16 2. Intervention services will supplement, not replace, regular classroom
- 17 instruction;
- 18 3. Intervention services will be provided to struggling primary program
- 19 readers within the school based upon ongoing assessment of their needs;
- 20 and
- 21 4. A system for informing parents of struggling readers of the available
- 22 family literacy services within the district will be established.

23 **(c) The board shall not restrict how a grant applicant shall utilize grant funds**

24 **as it relates to the applicant's use of funds for professional development,**

25 **resources, tools, employment of reading interventionists, and other expenses**

26 **authorized by this section. The grant applicant shall have discretion in**

27 **allocating grant funds for purposes authorized by this section; however, the**

1                   board may consider the effectiveness of those uses in reviewing the  
2                   application.

3 (4) In order to qualify for funding, the school council, or if none exists, the principal or  
4 the superintendent of schools, shall allocate matching funds required by grant  
5 recipients under subsection (3) of this section. Funding for professional  
6 development allocated to the school council under KRS 160.345 and for continuing  
7 education under KRS 158.070 may be used as part of the school's match.

8 (5) The Department of Education shall make available to schools:

9           (a) Information concerning successful, research-based comprehensive reading  
10 programs, diagnostic tools for pre- and post-assessment, and intervention  
11 programs, from the Collaborative Center for Literacy Development created  
12 under KRS 164.0207;

13           (b) Strategies for successfully implementing early reading programs, including  
14 professional development support and the identification of funding sources;  
15 and

16           (c) A list of professional development providers offering teacher training related  
17 to reading that emphasizes the essential components for successful reading:  
18 phonemic awareness, phonics, fluency, vocabulary, comprehension, and  
19 connections between writing and reading acquisition and motivation to read.

20 (6) The Department of Education shall submit a report to the Interim Joint Committee  
21 on Education no later than September 1 of each year outlining the use of grant  
22 funds. The report shall also include comparisons of the overall costs and  
23 effectiveness of intervention programs. The annual report for an odd-numbered year  
24 shall include an estimate of the cost to expand the reading diagnostic and  
25 intervention grant program.

26           ➔Section 2. Notwithstanding any regulation or rule adopted by the Kentucky  
27 Department of Education, any grant application submitted previously to the department

1 during the 2021-2022 school year under KRS 158.792 shall be subject to Section 1 of this  
2 Act.

3 →Section 3. Whereas reading diagnostic and intervention grants are critical to  
4 helping Kentucky students achieve literacy and the grant approval process has already  
5 begun for the next two years, an emergency is declared to exist, and this Act takes effect  
6 upon its passage and approval by the Governor or upon its otherwise becoming a law.