

## SIX GOOD CAUSE EXEMPTIONS FROM THIRD-GRADE RETENTION

Some third graders who score Unsatisfactory on the OCCT reading **may** be exempted from the retention requirement and be promoted to fourth grade. This is called a good-cause exemption. Good-cause exemptions are **only** given to the following students:

**1** Be identified as **Limited-English Proficient (LEP)/English Language Learner (ELL)** on a screening tool approved by the Oklahoma State Department of Education Office of Bilingual/Migrant Education **and** have a **Language Instruction Educational Plan (LIEP)** in place prior to the administration of the third grade criterion referenced test; and the student must have had **less than two (2) years of instruction in an English Language Learner (ELL) program.**

**2** Students with disabilities who are assessed with alternate achievement standards (AA- AAS) under the Oklahoma School Testing Program (OSTP) with the Oklahoma Alternative Assessment Program (OAAP) qualify for the good cause exemption. The student must be identified as needing special education services **prior** to the administration of the third grade criterion referenced test; The student must have an Individualized Education Program (IEP) in place **prior** to the administration of the third grade criterion referenced test and the student's IEP must direct that the student is to be assessed with alternate achievement standards through the Oklahoma Alternative Assessment Program (OAAP) based upon the OSDE Criteria Checklist for Assessing Students with Disabilities on State Assessments.

**3** To promote a student using an alternative standardized reading assessment, the following criteria shall apply: The student must score an acceptable level of performance on an approved alternative standardized reading assessment. The following are approved alternative standardized reading assessments that may be used to justify a good cause promotion. The listed score constitutes an acceptable level of performance, and the student must score at or above the following percentiles:

- Stanford Achievement Test, Tenth Edition, (SAT 10)-45th Percentile
- Iowa Test of Basic Skills (ITBS) Complete Battery Form A, C or E, Level 9, Reading Comprehension -45th Percentile
- Iowa Test of Basic Skills (ITBS) Core Battery, Form A, C, or E, Level 9, Reading Comprehension – 45th Percentile
- TerraNova, Third Edition Complete Battery Level 13, Reading– 45th Percentile

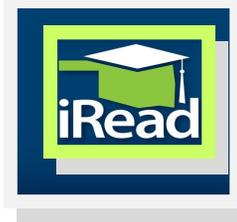
Alternative standardized reading assessments may only be administered following the administration of the Reading portion of the Grade 3 third grade criterion-referenced test. The spring test form of the exam shall be administered. An approved alternative standardized reading assessment may be administered at any time prior to the start of the next academic year, if there are at least thirty calendar days between administrations and different test forms are administered.

**4** To promote a student based on evidence from the **Student Portfolio**, the Student Portfolio shall include evidence demonstrating the student's mastery of the Oklahoma state standards in reading equal to grade level performance on the Reading portion of third grade OCCT. Such evidence shall be documented through an organized collection of work representing the student's mastery of such standards, including a demonstration of mastery of all of the following essential components of reading: Phonological Awareness, Phonics, Vocabulary, Automaticity/Fluency, Comprehension and Spelling/Writing. The student portfolio shall include clear evidence that the standards assessed by the Reading portion of the third grade OCCT have been met. Clear evidence must include multiple choice items and passages that are 50% literary text and 50% expository text that are between 200-600 words, with an average of 350 words. Such evidence could consist of: chapter or unit tests from the district's adopted core reading curriculum that are aligned with the Oklahoma State Standards or Teacher-prepared assessments. Each standard and objective assessed by the Reading portion of the third grade OCCT must include a minimum of four work samples of mastery whereby the student attained a grade of 70% or above. Demonstrating mastery of each objective for each standard is required.

**5** Students with disabilities who participate in the statewide criterion-referenced test and have an IEP may qualify for a good cause exemption. To qualify for this exemption, the student must meet the following criteria: **The student must have been previously retained in kindergarten, first grade, second grade, or third grade.** The student's IEP must identify Reading as an area of education need for the student or identify some type of special education service in the area of Reading and reflect that the student has received intensive remediation for more than two years. Intensive remediation may include any type of program offering intensive reading instruction that is identified as appropriate by the IEP team.

**6** Students who demonstrate a reading deficiency and have been previously retained may qualify for a good cause exemption. To qualify for this exemption, the student must meet the following criteria: **The student must have been previously retained in kindergarten, first grade, second grade, or third grade for a total of two years and the student must have received intensive reading instruction for two or more years.**

## Educator's Pocket Reference Oklahoma's Third Grade Graduation Law 2013-2014



In order to answer the following questions, this brochure is written and designed for educators of Oklahoma's 2013-2014 third-grade students.

- What does Oklahoma law say about requirements for third -grade reading students and promotion to fourth grade?
- What will schools do to help if a student is reading below grade level?
- What are the Six Good Cause Exemptions from Third Grade Retention?

### Reading Sufficiency Act

70 O.S. § 1210.508A  
70 O.S. § 1210.508C

70 O.S. § 1210.508B  
70 O.S. § 1210.508D

70 O.S. § 1210.508E  
OAC 210-15-27

Available Resources  
<http://ok.gov/sde/>

For more information, contact:  
Office of Instruction Literacy Team  
[rsa@sde.ok.gov](mailto:rsa@sde.ok.gov)

## What does the law mean?

The law outlines the adults' responsibilities in a student's academic career, leading up to and including third grade, who endorse the student reading on a third grade level before entering fourth grade.

- \* Oklahoma law states third-graders who score **Unsatisfactory** in reading on the \*OCCT must be retained (not promoted to fourth grade) with the exception of students who fit one of the Six Good Cause Exemptions.
- \* If a student scores **Unsatisfactory**, parents will be notified that their child will not be promoted to fourth grade until he or she achieves the required reading level.

### Why is the law only for Third Graders?

*Learning to read is not natural.*

- \* If a third grade student continues to have a reading deficiency indicated by an Unsatisfactory on OCCT and the child does not fit the Six Good Cause Exemptions, then another year is necessary (retention) for the child to have intensive instruction and more time to catch up in reading.

\*OCCT (Oklahoma Core Curriculum Test) Scores are categorized as Unsatisfactory, Limited Knowledge, Proficient and Advanced. An Unsatisfactory score indicates a student is reading at least two years below third grade level.

## Response to Intervention

- For purposes of the Reading Sufficiency Act, a "program of reading instruction" shall be based upon a three-tiered Response to Intervention ("RtI") model.
- As of July 11, 2013, all RSA K-3 students will receive at least 90 minutes of uninterrupted reading instruction with an additional 30-60 minutes of targeted, small group interventions.

OAC 210-15-27

## How will we help students who have been retained?

The law requires schools to develop an **Academic Progress Plan (APP)** for each student who is retained or reading below grade level. The plan also describes the intensive teaching practices that will be used to help the child catch up in reading. This intensive instruction will be provided during regular school hours in addition to the regular reading instruction. Each student's progress will be monitored frequently. This intensive help will be provided until the reading deficiency is corrected. The APP document describes the child's specific reading difficulties and includes:

1. Identification of assessments used for diagnostic purposes and periodic monitoring
2. The results of the assessment used to identify the reading deficiency
3. A list of the developmental reading skill areas targeted for improvement (i.e., comprehension, phonics, phonological awareness, spelling, reading fluency, and vocabulary)
4. A description of the supplemental and/or remedial services and supports provided to the student
5. A description of parental involvement strategies
6. Identification of any collaborative services provided to the child in order to facilitate the APP (i.e., Title I, IDEA, ELL/Title III).

## Intensive Interventions

Schools must provide intensive interventions in reading and intensive instructional support including a minimum of 90 minutes of daily, uninterrupted, scientific research-based reading instruction. **They may also provide other strategies that may include:**

- Small group instruction
  - Reduced teacher-student ratio
  - More frequent progress monitoring
  - Tutoring or mentoring
  - Transition classes containing third- and fourth-grade students
  - Extended school day, week, or year
  - Summer Academy Reading Program
- Students must also be offered at least one of the following options:**
- Supplemental scientific research-based reading
  - Tutoring before or after school
  - A parent-guided Read at Home assistance plan
  - A mentor or tutor with specialized reading training
- Once the intensive instruction has begun, the student's progress will be checked frequently so the teaching strategies may be adjusted if necessary.

## Intensive Acceleration Class

**If a student has already been retained once in third grade and then scores an Unsatisfactory again**, the school must provide an intensive acceleration class that focuses on increasing the child's reading level at least **two grade levels in one school year**.

The intensive acceleration class must:

- \* Have a reduced teacher-student ratio
- \* Have a high-performing teacher
- \* Provide uninterrupted reading instruction for most of the school day
- \* Give students the opportunity to master the fourth-grade Oklahoma C3 Standards in other core subject areas
- \* Provide intensive language and vocabulary instruction using a scientifically research-based program, including the use of a speech-language therapist
- \* Monitor student progress weekly
- \* The district must also offer this student the option of being served in a transitional instructional setting designed to help them meet the fourth-grade Oklahoma C3 Standards, while continuing the remediation of the reading deficiency.

## Midyear Promotion

If the child can demonstrate the required reading level before the start of the next school year, he/she may be promoted to fourth grade. If the child achieves the required reading level during the next school year, the child may be promoted to fourth grade prior to November 1. To be promoted to fourth grade midyear, the child must demonstrate mastery of third-grade reading skills and beginning fourth-grade reading skills. This will ensure the student has made enough progress to be successful in fourth grade. The student may be given a standardized test, or the teacher may put together a portfolio of the student's work to demonstrate proficiency.