

# Read by Grade 3 Task Force Updates

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## Presentation Overview

### **Read by Grade 3 (RBG3) Task Force Updates**

- Overview of the RBG3 Task Force (purpose, members and structure)
- Review of RBG3 Good-Cause Exemptions
- Work Group Updates and Findings
  - RBG3 Uniform Examination in Reading
  - Good-Cause Exemptions: Portfolio
  - Good-Cause Exemptions: English Learners
  - Good-Cause Exemptions: Special Education
- Next Steps

## Overview of the Read by Grade 3 Task Force

### **Purpose**

- Investigate the requirements of Nevada Revised Statutes (NRS) 392.780 and 392.785 in relation to implications for Nevada's RBG3 program including:
  - Mandatory Retention for Students in 3rd Grade beginning July 1, 2028
  - Uniform Examination in Reading and cut score
  - Alternative Assessment in Reading and cut score
  - Good-Cause exemptions for qualifying students
- Conduct research related to questions posed by the State Board of Education (SBOE)
- Provide findings and recommendations for SBOE consideration

## Overview of the Read by Grade 3 Task Force.

### Members

- Expanded the existing RBG3 Advisory Council Members to include:
  - Nevada System of Higher Education (NSHE)
  - Regional Professional Development Program (RPDP)
  - Nevada Department of Education (NDE)
  - Districts (urban and rural)
  - Charters (urban and rural)
  - Administrators
  - RBG3 Program Leads
  - A national expert with experience completing similar work in other states
  - SBOE

## Overview of the Read by Grade 3 Task Force..

### Structure

- The RBG3 Task Force began meeting in October. They meet monthly and report on the progress and process of the workgroups. The workgroups schedule meetings to discuss the questions and research. This work is anticipated to take place over the course of the year.
  
- Four Work Groups have been formed within the Task Force:
  - RBG3 Uniform Examination and Cut Scores
  - Good-Cause Exemption: Portfolio
  - Good-Cause Exemption: English Learners
  - Good-Cause Exemption: Special Education

## Overview of the Read by Grade 3 Uniform Examination

### **Read by Grade 3 Good-Cause Exemptions**

**NRS 392.780 [Effective July 1, 2028]:**

*5. The State Board shall prescribe by regulation:*

- (a) A uniform examination for administration in kindergarten and grades 1, 2, and 3 to measure the proficiency of pupils in the subject area of reading;*
- (b) The score which a pupil enrolled in grade 3 must obtain in the subject area of reading on the uniform examination administered pursuant to paragraph (a) to be promoted to grade 4 without a good-cause exemption; and*
- (c) An alternative examination for administration to pupils enrolled in grade 3 who do not obtain the passing score in the subject area of reading on the uniform examination administered pursuant to paragraph (a) and the passing score such a pupil must obtain on the alternative examination to be promoted to grade 4 without the approval for a good-cause exemption pursuant to NRS 392.785*

## Overview of the Read by Grade 3 Good Cause Exemptions

### Read by Grade 3 Good Cause Exemptions

Nevada Revised Statute (NRS) 392.785 [Effective July 1, 2028]:

**2. A good-cause exemption must be approved for a pupil who previously was retained in grade**

*Any other pupil is eligible for a good-cause exemption if the pupil:*

- (a) Demonstrates an acceptable level of proficiency in reading on an alternative standardized reading assessment approved by the State Board;*
- (b) Demonstrates, through a **portfolio of the pupil's work**, proficiency in reading at grade level, as evidenced by demonstration of mastery of the academic standards in reading beyond grade 3;*
- (c) Is an **English learner and has received not less than 2 years of instruction in a program of instruction that teaches English as a second language**;*

## Overview of the Read by Grade 3 Good Cause Exemptions.

### Read by Grade 3 Good-Cause Exemptions (continued)

NRS 392.785 [Effective July 1, 2028]:

*(d) Received intensive remediation in the subject area of reading for 2 or more years but still demonstrates a deficiency in reading and was previously retained in kindergarten or grade 1 or 2 for a total of 2 years;*

*(e) Is a pupil with a disability and his or her individualized education program indicates that the pupil's participation in the uniform examination administered pursuant to paragraph (a) of subsection 5 of section 71 of this act is not appropriate; or*

*(f) **Is a pupil with a disability** and: (1) He or she **participates in the uniform examination** administered pursuant to paragraph (a) of subsection 5 of section 71 of NRS 392.780; (2) His or her **individualized education program** or plan developed in accordance with **section 504** of the Rehabilitation Act of 1973, 29 U.S.C. § 794, **documents** that the **pupil has received intensive remediation in reading for more than 2 years**, but he or she still demonstrates a deficiency in reading; **and (3) He or she was previously retained in kindergarten or grade 1, 2 or 3.***



# RBG3 Uniform Examination and Cut Scores Work Group



## **Uniform Examination in Reading**

### **Questions from SBOE**

Identify the uniform assessment and mandatory score a student must obtain in order to be promoted to 4th grade. What is the current designated cut score and assessment?

What are some options for different cut scores?

### **Tasks/Additional Questions to Consider**

Research the assessments being used by states with RBG3 laws and what corresponding cut scores have been designated.

Gather the impact data of how many students were considered for retention based on the results of the assessment and the application of the cut score.

## Read by Grade 3 Task Force: RBG3 Uniform Examination and Cut Scores Work Group

16 other states have a Read by Grade 3 law including a retention clause

- Alabama
- Alaska
- Arizona
- Arkansas
- Delaware
- Florida
- Georgia
- Indiana
- Louisiana
- Maryland
- Michigan (repealed March 2024)
- North Carolina
- Ohio
- South Carolina
- Tennessee
- West Virginia

## What assessment is currently used to measure reading proficiency?

- 100% of the states that have a law with a retention clause have an assessment developed specific for the state.

**Examples:** Alabama Comprehensive Assessment Program (ACAP)  
Arizona's Academic Standards Assessment (AASA)  
Florida Assessment of Student Thinking (FAST)  
Mississippi Academic Assessment Program (MAAP)

## Read by Grade 3 Task Force: RBG3 Uniform Examination and Cut Scores Work Group

Examples of cut scores that trigger retention decision-making and the 3rd grade proficiency rate in 2024.

<b>State</b>	<b>Assessment</b>	<b>Cut Score</b>	<b>2024 Grade 3 Proficiency</b>
Alabama	ACAP	444*	91%*
Arizona	AASA	2509-2540	38%
Florida	FAST	Level 2 or higher	55%
Mississippi	MAAP	Level 3 or higher	84%

This table does not include students who may have qualified for a good-cause exemption.

\*Alabama is revising the cut score because too many students were deemed proficient

# Good-Cause Exemption: Portfolio Work Group



# Portfolio

## Questions from SBOE

What components might be considered to be included so that a uniform approach is undertaken statewide (apples to apples)?

## Tasks/Additional Questions to Consider

Research the portfolio components required in states with RBG3 laws.

What policies were put in place to regulate the components of the portfolio?

At what grade level does the portfolio begin?

Which portfolio components align with those that are included in Nevada's RBG3 law?

What would the standards alignment to the portfolio look like?

## Instruction and Intervention

### Questions from SBOE

How can we take into account the instruction and intervention components that a child may have (or may not have) experienced? Caution against penalizing a student with retention when they did not receive appropriate instruction or intervention prior to the retention (potentially for several years). AB400 (2023) does not address appropriate intervention or instruction. What clarifying guidance can the State Board put into place to support and ensure these two things take place on students' behalf without undo penalty to them?

### Tasks/Additional Questions to Consider

What guidance for instruction and intervention is needed?  
Have other states addressed instruction and intervention? What policies exist in other states for instruction and intervention?



## Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group

### **Common Themes of Portfolios in RBG3 States**

- Contents
- Scoring
- Sharing

## Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group.

### Common Themes of Portfolios in RBG3 States

#### Contents

- States that utilize a portfolio exemption for students who do not meet the required literacy proficiency standard (i.e., cut score on a predetermined assessment) ***list criteria for determining “who” is eligible for the portfolio “good cause” exemption***
- Students have to demonstrate mastery with various artifacts (chapter/unit tests, alternative assessments, state tests, or projects, or student work samples)
- Content examples ranged from five to twelve collectively, or two to three, for EACH standard
- A collection of evidence (artifacts) that demonstrated a subset of ELA standards (essential standards, priority standards, five pillars of the Science of Reading)
- Copies of any other diagnostics, interventions, and assessments conducted with the student were required to be included within the portfolio

## Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group

### Common Themes of Portfolios in RBG3 States

#### Scoring

- All states set a minimum requirement for the scoring of portfolio items, i.e., the evidence included within the portfolio; the most common scoring requirement is a minimum of 70% grade/score for any item included within the portfolio (sometimes referred to as “mastery”)
- All states had set criteria for who had to review and approve the portfolio; most required the current certified classroom educator and current site administrator, while some required the district superintendent or elementary curriculum director
- Some states included rubrics to help portfolio developers complete the process, while other states provided a checklist

## Read by Grade 3 Task Force: Good-Cause Exemption: - Portfolio Work Group

### **Common Themes of Portfolios in RBG3 States**

#### **Sharing**

- Many states indicated that portfolios should “follow” the student from 3rd grade to 4th grade, but varied in the method required for sharing so that the portfolio “follows” the student, either to the next grade-level, school, and/or district
- All states list who must be notified of the portfolio development process (i.e., family/guardians, school staff, etc.)

# Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group

## Examples of Portfolio Requirements in Other States

### State

### Portfolio Requirements

#### Alabama

- A portfolio must be started for all incoming 3rd grade students who scored at the lowest achievement level on the reading subtest of the ACAP Summative Assessment in 2nd grade; a portfolio can be started at any point in 3rd grade if a teacher and/or school teams deems it necessary
- The portfolio must include clear evidence that the student meets the 3rd grade minimum essential state reading standards required for promotion to 4th grade; each standard assessed must include a minimum of three work samples of mastery whereby the student earned a grade of 70% or above on each example, and evidence must demonstrate mastery of each standard
- The portfolio must also include copies of any screening, diagnostic, or progress monitoring assessments administered as well as a copy of the Student Reading Improvement Plan (SRIP); students identified as English Learners must also have ACCESS for ELLS 2.0 data included in their portfolio
- Must be signed by the certified classroom teacher responsible for the student's reading instruction, principal of the school, and local school superintendent (with statements that attest to the veracity of the student work, evidence collection, etc.)

# Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group

## Examples of Portfolio Requirements in Other States

### State

### Portfolio Requirements

#### Florida

- A school must immediately begin collecting evidence for a portfolio when a student in 3rd grade is identified as being at risk of retention or upon the request of the parent, whichever occurs first. The portfolio must meet the following criteria:
  - Be selected by the student's teacher;
  - Be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;
  - Include evidence that the benchmarks assessed by the 3rd grade statewide, standardized English Language Arts assessment have been met. Evidence is to include grade-level passages that are approximately 50% literary text and 50% informational text, and that are between 100-700 words with an average of 500 words. Such evidence could include chapter or unit tests from the district's/school's adopted core reading curriculum or teacher-prepared assessments that are aligned with the Benchmark for Excellent Student Thinking (BEST) English Language Arts Standards;
  - Be an organized collection of evidence of the student's mastery of the B.E.S.T. English Language Arts Standards that are assessed by the 3rd grade statewide, standardized English Language Arts assessment. For each benchmark, there must be at least eight items assessed and the student must demonstrate 70% mastery for all items assessed per benchmark; and
  - Be signed by the teacher and the principal as an accurate assessment of the required reading skills.

## Read by Grade 3 Task Force: Good-Cause Exemption: Portfolio Work Group

### Examples of Portfolio Requirements in Other States

#### State

#### Portfolio Requirements

#### Oklahoma

- Can be created at any point in a student's 3rd grade year if they are identified as having a "significant reading deficiency, which shall be defined as scoring below proficient on a screening instrument which meets the acquisition of reading skills criteria" determined by the state.
- Minimum of four samples of independent, student work is required and must show 70% mastery on each sample; samples may come from the core reading curriculum reading series, unit tests, formative assessments, etc. as long as they are on 3rd grade level.
- Samples provided must be representative of four main sections: vocabulary, comprehension/critical literacy, literature, research and information.
- Must include copies of screening assessments, benchmark/progress monitoring assessments, and the student's Academic Progress Plan (APP).
- Must be signed by student's reading teacher, principal, and superintendent.
- Parents/family must be notified concurrent to starting the portfolio creation process.

## Additional Questions/Considerations

- **Who prepares the portfolios (a licensed/ certified teacher or paraprofessional)? Will training be needed?**
- **What electronic platform/program could host the sharing of information to ensure the portfolio “follows” the student?**
- **What are the future implications (i.e., is the portfolio equivalent to retention in terms of how schools might make decisions related to promotion in subsequent academic years)?**
- **Does artifact collection start in 3rd grade? Is it reasonable to begin gathering evidence in earlier grades if indications suggest the student may be struggling?**
- **Which standards need to be assessed/measured in third grade to determine proficiency, particularly through a portfolio format?**
- **What interventions/supports need to be tracked over time to show a student’s progress or continued struggle?**



## Additional Questions/Considerations

- **What accommodations need to be made for students who move to Nevada schools without a portfolio or prior history of interventions?**
- **What other documentation might be accepted in lieu of prior Nevada school records for 3rd grade students who do not meet the reading proficiency standards and for whom a portfolio or other good cause exemptions might be an option?**
- **Who will review the portfolios? How often? In what format? (digital, shared statewide platform, paper)**
- **What is incumbent on the state (NDE), districts, and/or school sites?**
  - **Consistency**
  - **Funding**
  - **Professional learning and Training**
  - **Expectations for administrators, educators, paraprofessionals, and families**

# Good-Cause Exemption: English Learners Work Group



## English Learners (EL)

### Questions from SBOE

No student with less than two years of exposure or instruction in English is expected to be fluent/literate. What flexibility does the Board have to expand the good cause exemption relative to multiple language learners?

English language learners will be a major student group negatively impacted by this law in general. How can we ensure they are protected and given appropriate consideration independent from the consideration given their monolingual peers?

### Tasks/Additional Questions to Consider

How have other states addressed multilingual learners? Are there regulations that can provide support?

What is the impact of retention on multilingual learners in states with retention?

## Read by Grade 3 Task Force: Good Cause Exemptions: English Learners Work Group

13.80% students in Nevada are identified as English Learners (EL).

Other states with similar populations of EL students such as Texas (20.80%), New Mexico (18.80%), Illinois (12.80%) Rhode Island (12.50%), Washington (11.40%) do not have a mandatory RBG3 retention law.

## Read by Grade 3 Task Force: Good Cause Exemptions: English Learners Work Group

### Examples of Good-Cause Exemption for Students Who Are EL in Other States

<b>State</b>	<b>% of Student Who Are EL</b>	<b>Good-Cause Exemption</b>
Delaware	11.5%	Students who are identified as EL are not included in any good-cause exemptions.
Maryland	11.20%	Starting in 2027-2028, good-cause exemptions will include students who are EL with less than 2 years of instruction that is aligned to WIDA standards.
Alaska	10.80%	A parent waiver to request that their student progresses to 4th grade, despite having significant reading difficulties is provided. Intensive interventions are required to continue for students who are promoted for a good cause exemption.

# Good-Cause Exemption: Special Education Work Group



## Special Education

<b>Questions from SBOE</b>	<b>Tasks/Additional Questions to Consider</b>
To what extent does the disability category matter, if at all? What is legally permissible?	Research state and federal law in relation to retaining students who receive Special Education Services under an Individualized Education Plan (IEP).
What happens when IEP teams are unsuccessful in qualifying a student for participation in the Nevada Alternative Assessment (NAA)? How are those students then considered?	Research state and federal law in relation to how a student is designated to participate in the NAA. Research how other states with RBG3 laws apply mandatory retention to students who are designated to participate in the NAA.

## Read by Grade 3 Task Force: Good-Cause Exemption: Special Education Work Group

- The workgroup was unable to find any federal laws which would prohibit the retention of a student receiving special education services, regardless of what the disability designation is.
- The NAA determination does not happen prior to 3rd grade.
- Less than 1% of Nevada students take the NAA.



**Additional Questions/Considerations:**

- What do the good-cause exemptions for students receiving special education services look like in other states with mandatory 3rd grade retention laws?
- What are the state approved practices in regard to retention of students who have qualified for and are receiving special education services? Do Nevada practices differ from what happens in other states?
- What are the critical skills a student must master in kindergarten, 1st and 2nd grades in order to be ready for 3rd grade? What standards do those skills align to? Are there states with RBG3 laws that have done this work that we can review?

# Next Steps



## Next Steps

### **RBG3 Task Force:**

- Continue to gather and review information, including any additional questions posed by the SBOE
- Working on making a list of recommendations for the SBOE to consider for action

### **SBOE:**

- Review the information provided by the RBG3 Task Force
- Pose additional questions for the RBG3 Task Force to explore

# Questions

