

LEARNS

Workgroup:

Literacy Kick Off

Work Group Members (1/2)

ADE Facilitator(s): Kiffany Pride, Amy Counts, Carol Heringer, Sandy Shepard	
Amy Sanders	Mountain Home Public Schools
Breah Evans Poplin	Gosnell School District
Christina Meister	Rogers School District
Corrie E. Tucker	Springdale Public Schools
Eva Arrington	Drew Central District
Gregory Lance Hodges	Marion School District
Jeana Williams	Arkansas Public School Resource Center (APSRC)
Kamden "Kam" Skinner	Clarendon School District
Lora E Cash	eStem Public Charter Schools



Work Group Members (2/2)

ADE Facilitator(s): Kiffany Pride, Amy Counts, Carol Heringer, Sandy Shepard	
Malorie Berry	Dardanelle School District
Megon Oliver	Russellville School District
Rebecca Cook	Cedarville School District
Staci Ann Lamb	Parkers Chapel School District
Stacy Childers	Des Arc Public Schools
Traci Birkes	Lincoln Consolidated School District
Valorie McCleary	Searcy County School District

Meeting Norms

Prior to Meeting

- Kiffany Pride, Assistant Commissioner of Learning Services, will send out agenda and materials at least 3 business days in advance of each meeting.
- Members review all materials and come prepared to share feedback.

During Meeting

- Mute yourself when not speaking.
- Keep feedback centered on topic at hand.
- Stay engaged (e.g., actively participate and use the chat function).
- Be mindful of how much “air time” each member receives.
- All ideas are valued.

Materials (notes, slides) will be posted after the meeting for members who can not attend.



FOIA

Legislative Intent:

To ensure that public business is performed in an open and public manner so that the electors shall be advised of the performance of public officials and of the decisions that are reached in public activity and in making public policy

FOIA

Who is subject to FOIA?

- All government entities
- Private entities that receive public funds and are intertwined with government activities

FOIA - Public Records

Definitions:

- Writings, sounds, electronic info, or videos that (a) are kept and (b) constitute a record of performance or lack of performance of official functions

LEARNS Act

LEARNS stands for Literacy, Empowerment, Accountability, Readiness, Networking, and Safety. On Jan. 11, 2023, Gov. Sarah Huckabee Sanders signed the LEARNS Executive Order, which calls for the Arkansas Department of Education (ADE) to conduct an analysis of key aspects of the state's education system and produce corresponding reports.

On March 8, 2023, the LEARNS Act was signed into law, signaling the start of the largest overhaul of education in the state's history.

After completing these analyses called for in the LEARNS Executive Order, **ADE is eager to engage stakeholders as implementation of the LEARNS commitments begins.**



L E A R N S

Every child in Arkansas is capable of reading and writing proficiently, but today only 35% of students are reading at grade level. This issue starts even before kindergarten as too few children are entering kindergarten ready to learn.

LITERACY

Every K-3 student not reading proficiently will

- Have an individualized reading plan
- Receive targeted reading interventions
- Be eligible for a \$500 literacy tutoring grant
- Third grade students not reading proficiently will not advance to fourth grade
- Schools with D/F ratings will receive literacy coaches for K-3 teachers
- Parents will be notified of their student's reading progress throughout the school year

Ensure all children have access to quality literacy instruction and high-quality instructional materials (HQIM)

- Equip every K-2 classroom with materials aligned to the Science of Reading:** Reach 100% adoption of HQIM aligned to the Science of Reading in all districts. If public schools are using a curriculum that is not from DESE's approved list beginning in the 2023-2024 school year they will notify parents in writing and publish the notification on their website.
- Train teachers on how to utilize new materials aligned to the Science of Reading:** Identify an Arkansas marketplace of strong and curriculum-specific professional partners to provide every teacher high-quality training aligned to HQIM that embody the Science of Reading.
- Make it easy for districts to adopt HQIM:** Leverage incentive funding, publish district curriculum adoption decisions, and provide ongoing technical assistance to districts to make it easy for every Arkansas school to adopt HQIM across all grade levels in ELA/Literacy and Mathematics.

Ensure all children have access to quality literacy instruction

- Simplify the literacy screening process to identify children in need of supports without overly burdensome testing requirements:** Identify or develop a single high-quality literacy screener for K-3 students and craft guidance to help teachers interpret results, drive instructional decisions, and support students who do not meet the reading standard.
- Empower families to support early literacy at home:** Develop guidance and resources for districts to implement individualized reading plans and read-at-home plans for K-3 students who do not meet the reading standard.
- Ensure every teacher candidate is trained in the Science of Reading:** Support educator preparation programs to graduate teachers prepared to use high-quality K-3 HQIM grounded in the Science of Reading to provide evidence-based instruction.

Ensure all children have access to quality literacy instruction

- Deploy coaches to schools in need of early reading support:** Recruit, train, and onboard at least 120 literacy specialists to provide direct coaching and professional learning to all K-3 teachers in schools with D/F ratings. Focus all current and new literacy specialists on direct coaching.
- Make high-quality literacy and numeracy intervention accessible for all:** Identify barriers, propose specific solutions, and incentivize districts and schools to implement those solutions so all students who persistently struggle receive high-quality literacy and numeracy intervention supports and services tailored to their individual needs.

Timeline

The LEARNS Act outlines a timeline for implementing literacy through the 2025-2026 School Year.

Timeframe	Workstream	Key ADE Activities
2023-2024 School Year	K-3 Screeners	<ul style="list-style-type: none">Procure a K-3 literacy screenerPilot the literacy screener
	Literacy Coaches	<ul style="list-style-type: none">Train literacy coachesLaunch literacy coaches in schools with a D/F rating
	Reading Plans	<ul style="list-style-type: none">Develop individual reading plansPublish guidance for individual reading plans
	Literacy Tutoring Grant	<ul style="list-style-type: none">Establish a literacy tutoring program for eligible studentsEvaluate vendors tutoring and supplemental services for eligibilityEstablish minimum criteria to evaluate the effectiveness of the tutoring grant programEstablish criteria for prioritizing eligible studentsBring rules to the State Board for adoption.
2024-2025 School Year	K-3 Screeners	<ul style="list-style-type: none">Launch the K-3 screener statewide and begin collecting data from schools.
	Reading Plans	<ul style="list-style-type: none">Launch individual reading plansCollect data from schools on types of interventions used and students receiving each intervention from reading plans
	Third Grade Retention	<ul style="list-style-type: none">Publish guidance on additional supports for retained and good cause exempted students
2025-2026 School Year	Third Grade Retention	<ul style="list-style-type: none">Retain third grade students without a good cause exemption that have not met the third-grade reading standard

Right to Read Act: Teacher Training

The Right to Read Act required:

- **Beginning 2018-2019:** Public schools districts and open enrollment charter schools provided professional development in scientific reading instruction for all teachers licensed in grades K-6 and special education teachers licensed in grades K-12 for a prescribed pathway to a proficiency credential in knowledge and practices in scientific reading instruction or for teachers licensed at any other level prescribed pathway to an awareness credential in knowledge and practices in scientific reading instruction.



Right to Read Act: Teacher Training

The Right to Read Act requires:

- **By 2023:** Completers of a state-approved educator preparation program (EPP) or those seeking licensure through reciprocity have proficient knowledge and skills to teach reading consistent with the best practices of scientific reading instruction.
 - Those that complete a EPP other than a teacher of elementary education program must demonstrate an awareness of the best practices of scientific reading instruction.
- **Beginning in 2023-2024:** All teachers employed in a teaching position that requires an elementary education (K-6) license, special education (K-12) or teaching literacy shall demonstrate proficiency in knowledge and practices of scientific reading instruction.
 - All other teachers shall demonstrate awareness in knowledge and practices of scientific reading instruction.



Right to Read Act: HQIM

The Right to Read Act requires:

- ADE to identify and create an approved list of materials, resources, and curriculum programs for public school districts and open-enrollment public charter schools that are supported by the science of reading and based on instruction that is explicit, systematic, cumulative, and diagnostic, including:
 - Dyslexia programs that are evidence-based
 - Evidence-based reading intervention programs
 - Evidence-based reading programs that are grounded in the science of reading
- Requires any public school district and open-enrollment public charter school purchasing a curriculum to choose a program from the department's approved list of curriculum.
 - Schools that do not purchase from the approved list must submit a rationale for choosing the alternative curriculum program and evidence-based research regarding the alternative curriculum program

Progress In the Last 5 Years

- Increased teacher knowledge of 20,000 through professional development
- Awarded 26 RISE School Awards
- Won a \$38 million Comprehensive Literacy State Development Grant
- Launched Arkansas Initiative for Instructional Materials (AIIM)
- Launched state sponsored Certified Academic Language Therapist (CALT) training
- Launched Pre-K RISE initiative
- Provided The Writing Revolution training
- Partnered with Dolly Parton Imagination Library
- Awarded RISE Community Awards to 6 Arkansas Communities
- Updated Pearson Foundations Assessment and developed a free tutoring program for test takers
- Collaborated with Middle Tennessee State University to study the impact of training on teacher professional knowledge and student outcomes
- Participated in national consortium (SAIL) to study instruction in reading for students with significant cognitive needs
- Collaborated with other states on literacy:
 - Ohio
 - Montana
 - Missouri
 - Michigan
 - Rhode Island



Work Group Purpose

The Arkansas Department of Education is convening work groups around key areas of LEARNS for external stakeholders to **provide ideas, expertise, and feedback to ADE as they develop rules and policies.**

- School Safety
- Early Learning
- Parental Empowerment
- **Teaching and Learning**
 - **Literacy Workgroup**
- Educator Workforce
- Career Readiness



Literacy Work Group Charge

This work group is focused on Literacy. LEARNS calls for new rules or policy on:

- High-Impact Tutoring
- Literacy Notification to Parents about Student Progress
- Individual Reading Plans
- K-3 Reading Supports
- Literacy Coaches Performance

Engagement from this group and other stakeholders is essential to ensure that the policy on literacy is representative of the perspectives of all part of the state's school system.



Scope and Sequence

To accomplish the timeline outlined in LEARNS, this group will meet 4 times and discuss the following topics. Adjustments may be made at a later date based on the pace and timing of work group meetings.

Date	Anticipated Topics
7/7/23 (virtual)	Overview of LEARNS and Right to Read Act
7/21/23 (virtual)	Literacy Notification to Parents of Student Progress and Individual Reading Plans
7/28/23 (in person)	Individual Reading Plans & Intervention, Retention, and High-Impact Tutoring in Schools
8/4/23 (TBD)	Literacy Coaches & Performance Criteria, K-3 Reading Supports, and Literacy Tutoring Grant

Next Steps

- Kiffany Pride will send draft materials in advance of next meeting
- Work group members review background materials
 - [Arkansas Code](#)
 - [6-15-2004 \(IRI\)](#)
 - [6-15-2907 \(Statewide Assessment\)](#)
 - [6-15-2006 \(Notify parents\)](#)
 - [6-17-429 \(Right to Read\)](#)
 - [6-41-601-612 \(Dyslexia Law\)](#)
 - [LEARNS Act](#)
 - [LEARNS Executive Order](#)
 - [Literacy Executive Order Report](#)
 - [HQIM Executive Order Report](#)



Appendix: LEARNS Requirements

LEARNS Background: K-3 Screening

LEARNS requires that:

The Division of Elementary and Secondary Education shall implement a statewide student assessment system to be administered by Arkansas public schools on a schedule determined by the State Board of Education that includes the following components:

- (2)(A) High-quality, evidence-based literacy screeners for kindergarten through grade three (K-3).
- (B)(i) The division shall identify the literacy screeners required under subdivision (a)(2)(A) of this section, which shall meet the requirements of § 6-41-603 and may be the same screener used for dyslexia screening.
- (ii) The literacy screeners required under subdivision (a)(2)(A) of this section shall be utilized to determine student progression in reading in kindergarten through grade three (K-3) and shall be:
 - (a) Given during the first thirty (30) days of the school year;
 - (b) Repeated, if indicated, midyear; and
 - (c) Given at the end of the school year.
- (iii) The division shall collect and publish aggregated public school district, open-enrollment public charter school, and overall state literacy assessment results annually by October 1;



LEARNS Background: Reading Plans (1 of 2)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (2)(A) Develop an individual reading plan for each student in kindergarten through grade three (K-3) who does not meet the reading standard as:
 - (i) Determined by the state board; and
 - (ii) Measured by a high-quality literacy screener or the state annual accountability assessment.
- (B) An individual reading plan shall include:
 - (i) The student's specific, diagnosed reading skill needs, including without limitation:
 - (a) Phonemic awareness;
 - (b) Phonics decoding;
 - (c) Text reading fluency;
 - (d) Vocabulary-building strategies; and
 - (e) Self-regulated use of reading comprehension strategies, as identified by high-quality literacy screener data;

LEARNS Background: Reading Plans (2 of 2)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (B) An individual reading plan shall include:
 - (ii) The goals and benchmarks for the student's growth;
 - (iii) How the student's progress will be monitored and evaluated;
 - (iv) The type of additional instructional services and interventions the student may receive;
 - (v) The intensive, evidence-based literacy intervention program aligned to the science of reading the student's teacher will use to address the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension;
 - (vi) The strategies the student's parents, legal guardians, or persons standing in loco parentis to the student are encouraged to use in assisting the student to achieve the student's reading goal; and
 - (vii) Any additional services the student's teacher determines are available and appropriate to accelerate the student's reading skill development.



LEARNS Background: High-Impact Tutoring (1 of 6)

LEARNS requires that:

Beginning in the 2023-2024 school year, the Division of Elementary and Secondary Education shall administer the Arkansas High-Impact Tutoring Pilot Program, which shall include without limitation:

- (1) Determining: (
 - A) Program requirements;
 - (B) Student eligibility criteria, which shall consider without limitation the academic performance of student groups across grades and subjects; and
 - (C) A process for providing competitive grant funding to each public school district and open-enrollment public charter school participating in the program for purposes of providing in-school, high-impact tutoring;
- (2) Approving and making publicly available on the division's website participating public school district and open-enrollment public charter school tutoring program plans;
- (3) Identifying and communicating allowable uses for grant funding, as permitted by state and federal law, which may include without limitation:
 - (A) Hiring or contracting for tutors or providing stipends or other incentives to paraprofessionals, retired teachers, and community organizations to ensure maximum tutoring capacity;
 - (B) Developing instructional materials and related supplies;
 - (C) Covering administrative expenses;

LEARNNS Background: High-Impact Tutoring (2 of 6)

LEARNNS requires that:

Beginning in the 2023-2024 school year, the Division of Elementary and Secondary Education shall administer the Arkansas High-Impact Tutoring Pilot Program, which shall include without limitation:

- (3) Identifying and communicating allowable uses for grant funding, as permitted by state and federal law, which may include without limitation:
 - (D) Covering costs associated with technology-enabled tutoring solutions and related devices;
 - (E) Contracting with approved tutoring providers for products and services related to high-impact tutoring; and
 - (F) Other uses designed to increase the effectiveness of the Arkansas High-Impact Tutoring Program;
- (4) Providing training, technical assistance, and guidance, including without limitation the topic of sustaining of high-impact tutoring through existing funding streams to participating public school district and open-enrollment public charter schools conducting in-school, high-impact tutoring;
- (5) Awarding and distributing program grants, subject to legislative appropriation of available funding;
- (6) Pursuing available private and federal grant funding to expand the state investment in the program;

LEARNS Background: High-Impact Tutoring (3 of 6)

LEARNS requires that:

Beginning in the 2023-2024 school year, the Division of Elementary and Secondary Education shall administer the Arkansas High-Impact Tutoring Pilot Program, which shall include without limitation:

- (7) Creating reporting templates, procedures, and definitions for reporting metrics for participating public school district and open enrollment public charter schools to use in collecting and reporting tutoring-related data to the division;
- (8) Including required data reports within existing state data reporting structures to streamline the data collection process for participating public school district and open-enrollment public charter schools, where feasible;
- (9) Identifying, vetting, and creating an approved list of high impact tutoring providers and other tutoring models that may be used by participating public school district and open-enrollment public charter school; and
- (10) Providing annually to the General Assembly a report that includes without limitation the following:
 - (A) Data regarding participating public school students' access to high-impact tutoring and program implementation, including by geography, grade span, and subject based on program requirements, including without limitation:
 - (i) How data required under this subdivision (10)(A) have changed over time;
 - (ii) The number of students who received high-impact tutoring;
 - (iii) The attendance of students who received high-impact tutoring in the program; and
 - (iv) The number of students eligible for high-impact tutoring;

LEARNS Background: High-Impact Tutoring (4 of 6)

LEARNS requires that:

Beginning in the 2023-2024 school year, the Division of Elementary and Secondary Education shall administer the Arkansas High-Impact Tutoring Pilot Program, which shall include without limitation:

- (10) Providing annually to the General Assembly a report that includes without limitation the following:
 - (B) Data on achievement and growth outcomes from participating public school students;
 - (C) Program successes and challenges;
 - (D) Recommendations for policy changes in future years in order to ensure every child in Arkansas can access high-impact tutoring as needed; and
 - (E) An overview of actions taken to support every participating public school district and open-enrollment public charter school to ensure that high-impact tutoring is available to every eligible child in Arkansas.

LEARNS Background: High-Impact Tutoring (5 of 6)

LEARNS requires that:

Each participating public school district and open-enrollment public charter school shall:

- (1) Submit a plan for the administration of the Arkansas High Impact Tutoring Pilot Program in the public school district or open enrollment public charter school to the Division of Elementary and Secondary Education that addresses the research-based criteria under § 6-15-3104;
- 2) Provide a funding match to support the high-impact tutoring program funding that is distributed by the division; and
- (3)(A) Submit to the division, using a template and guidance established by the division and leveraging existing reporting process where possible, a report that includes without limitation the following:
 - (i) The number of students who participated in the program at each public school district or open-enrollment public charter school, including without limitation related student metrics using tutoring subjects, grade levels, attendance, dosage, previous performance on state assessments, and demographic information;
 - (ii) How the public school district or open enrollment public charter school maintained consistent access for participating students to non-core academic instruction;

LEARNS Background: High-Impact Tutoring (6 of 6)

LEARNS requires that:

Each participating public school district and open-enrollment public charter school shall:

- (3)(A) Submit to the division, using a template and guidance established by the division and leveraging existing reporting process where possible, a report that includes without limitation the following:
 - (iii) How grant funding for the program was used by the public school district or open-enrollment public charter school, including without limitation a summary of additional resources, if any, used to provide the tutoring;
 - (iv) The academic achievement results or other criteria used to enroll students in the program;
 - (v) The impact on student academic and non-academic outcomes that are associated with the public school district's or open enrollment public charter school's program, including without limitation interim assessments or other outcome metrics; and
 - (vi) Other information as requested by the division to complete its annual report to the General Assembly required under § 6-16-1603.
- (B) The report required under (a)(3)(A) of this section shall be submitted on a timeline established by the division.

Subject to the availability of funding, the General Assembly shall provide for:

- (1) The program to be made available as competitive grants to public school districts and open-enrollment public charter schools; and
- (2) Funding to be made available to the division to administer and manage the program.

The State Board of Education may promulgate rules to implement this section.

LEARNS Background: Literacy Tutoring Program (1 of 4)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (C) The division shall administer and implement the literacy tutoring grant created under subdivision (j)(2)(A) of this section according to rules developed and adopted by the state board, which shall require the division to:
 - (i) Evaluate a student's eligibility for the literacy tutoring grant created under subdivision (j)(2)(A) of this section;
 - (ii) Develop an application process for students and providers and to accept applications;
 - (iii)(a) Evaluate providers of supplemental educational services, including without limitation those with expertise in early literacy, to determine the providers' initial and continued eligibility for payments.
 - (b) The division shall establish minimum criteria by which approved providers shall be evaluated to ensure effectiveness of a literacy tutoring grant program created under subdivision (j)(2)(A) of this section in improving eligible students' reading abilities, including without limitation performance on the Arkansas annual reading assessment or other literacy assessments approved by the division.
 - (c) A provider that fails to demonstrate improvement in eligible students' reading abilities for two (2) consecutive years shall be deemed ineligible to participate in the literacy tutoring grant program created under subdivision (j)(2)(A) of this section;

LEARNS Background: Literacy Tutoring Program (2 of 4)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (C) The division shall administer and implement the literacy tutoring grant created under subdivision (j)(2)(A) of this section according to rules developed and adopted by the state board, which shall require the division to:
 - (iv)(a) Remit payments to approved providers for services rendered to eligible students in the literacy tutoring grant program created under subdivision (j)(2)(A) of this section.
 - (b) The division shall establish criteria for prioritizing eligible students if the number of applicants exceeds available 8 funding for literacy tutoring grants;
 - (v) Notify the governing authority of each public school district and open-enrollment public charter school of the application process, requirements, and deadlines for a literacy tutoring grant for parents, legal guardians, or persons standing in loco parentis to a student;



LEARNS Background: Literacy Tutoring Program (3 of 4)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (C) The division shall administer and implement the literacy tutoring grant created under subdivision (j)(2)(A) of this section according to rules developed and adopted by the state board, which shall require the division to:
 - (vi) Remit payment for services provided, up to a maximum of five hundred dollars (\$500) per eligible student per school year, which may be used for any of the following purposes designed to improve reading or literacy skills:
 - (a) Online or in-person, high-dosage tutoring services from a list of state-approved providers whose employees are trained in the science of reading and hold:
 - (1) Valid teaching certificates in either elementary education or reading; or
 - (2) Baccalaureate or graduate degrees in education, English, or another subject area indicative of expertise in reading and literacy; or
 - (b) Evidence-based digital literacy applications or software programs from a list of state-approved programs that are in alignment with the science of reading;
 - (vii) Develop and curate a list of approved tutoring providers and evidence-based digital literacy applications or software programs that are in alignment with the science of reading that will be updated on a regular basis; and
 - (viii) Develop a procedure for verification that eligible students who received a literacy tutoring grant received the services or materials for which payments were made.

LEARNS Background: Literacy Tutoring Program (4 of 4)

LEARNS requires that:

Beginning with the 2023-2024 school year, with full implementation no later than the 2025-2026 school year, public school districts and open enrollment public charter schools shall:

- (D) By no later than October 1 of each year, or as soon as practicable if a student's reading need is identified after October 1, each public school district and open-enrollment public charter school shall notify the parent, legal guardian, or person standing in loco parentis to a student regarding:
 - (i) Each student who is eligible to participate in the literacy tutoring grant program created under subdivision (j)(2)(A) of this section;
 - (ii) The process for applying for the literacy tutoring grant program created under subdivision (j)(2)(A) of this section; and
 - (iii) Other information provided by the division.



LEARNS Background: Third Grade Retention (1 of 2)

LEARNS requires that:

By the beginning of the 2025-2026 school year, if a public school student has not met the third-grade reading standard, as defined by the state board, or the student does not have a good-cause exemption, as provided under this subsection, the student shall not be promoted to fourth grade.

- (2)(A) A student in grade three (3) who does not meet the reading standard for promotion to fourth grade may be promoted by the school district for good cause.
- (B) A good-cause exemption for promotion shall be limited to the following students:
 - (i) Limited English Proficiency students who have had less than three (3) years of instruction in an English language learner program;
 - (ii) Students with a disability who are not eligible for the alternate assessment and who have an individualized education program or a 504 plan that reflects that the individual student:
 - (a) Has received an intensive, evidence-based literacy intervention program aligned to the science of reading for more than two (2) years; and
 - (b) Still demonstrates a need in reading proficiency or previously was retained in kindergarten, grade one (1), grade two (2), or grade three (3);

LEARNS Background: Third Grade Retention (2 of 2)

LEARNS requires that:

- (B) A good-cause exemption for promotion shall be limited to the following students:
 - (iii) Students who:
 - (a) Have received an intensive, evidence-based literacy intervention program aligned to the science of reading for two (2) or more years;
 - (b) Still demonstrate a need in reading proficiency and who previously were retained in kindergarten, grade one (1), grade two (2), or grade three (3);
 - (c) Have received a special education referral and a full comprehensive evaluation; and
 - d) Have not met exceptional education criteria;
 - (iv) Students who have already been retained in kindergarten, grade one (1), grade two (2), or grade three (3) for one (1) year;
 - (v)(a) Students who can demonstrate that they are successful and independent readers and can perform at or above grade level.
 - (b) A public school district and open enrollment public charter school may use certain tools in reevaluating a student in accordance with state board rules, which shall include without limitation subsequent student assessments or alternative assessments; and
 - (vi) Other students with necessary, justifiable good-cause exemptions identified as appropriate by the state board, in consultation with reading experts.