



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1294/1
FFK:amn

2021 SENATE BILL 454

July 21, 2021 - Introduced by Senators BERNIER, DARLING, FELZKOWSKI, JACQUE and WANGGAARD, cosponsored by Representatives KITCHENS, THIESFELDT, ALLEN, ARMSTRONG, BRANDTJEN, CABRAL-GUEVARA, DITTRICH, JAMES, KNODL, MURSAU, ROZAR, SCHRAA, SNYDER, TUSLER, WICHGERS and SUMMERFIELD. Referred to Committee on Education.

1 **AN ACT** *to amend* 115.38 (1) (a) and 121.02 (1) (c) 3.; *to repeal and recreate*
2 118.016; and *to create* 119.44 (2) (bm) of the statutes; **relating to:** reading
3 readiness assessments and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill replaces the current reading readiness assessment program with a three-tiered early literacy screening program.

SCREENING ASSESSMENTS AND INTERVENTIONS

Under current law, school boards and independent charter schools must annually assess pupils enrolled in four-year-old kindergarten to second grade for reading readiness using an assessment of literacy fundamentals selected by the school board or independent charter school. The selected reading readiness assessment must evaluate whether a pupil possesses phonemic awareness and letter sound knowledge. Current law requires a school board or independent charter school to provide interventions or remedial reading services to a pupil if the reading readiness assessment indicates that the pupil is at risk of reading difficulty with interventions or remedial reading services. Current law does not define “at-risk.”

This bill requires school boards and independent charter schools to assess the early literacy skill of pupils in four-year-old-kindergarten to second grade using various screening assessments and to create a personal reading plan for each pupil in five-year-old kindergarten to second grade who is identified as at-risk based on a universal screening assessment or a level 1 screening assessment. Under the bill, “at-risk” means the pupil scored below the 25th percentile on an applicable screening assessment, as indicated by the screening assessment publisher.

SENATE BILL 454**FUNDAMENTAL SKILLS SCREENING ASSESSMENTS; FOUR-YEAR-OLD KINDERGARTEN**

Under the bill, school boards and independent charter schools must screen all pupils enrolled in four-year-old kindergarten at least two times each school year using a fundamental skills screening assessment. The bill specifies that the first screening must occur before the 46th day of the school term and that both screenings be completed by no later than 45 days before the last day of school. The bill defines a “fundamental skills screening assessment” as an assessment that evaluates a pupil’s phonemic awareness and letter sound knowledge.

TIER 1 - UNIVERSAL EARLY LEARNING SCREENING ASSESSMENTS AND INTERVENTIONS***Required universal screening assessments***

Under the bill, school boards and independent charter schools must screen all pupils enrolled in five-year-old kindergarten to second grade at least three times each school year using a universal screening assessment. The bill specifies that the first universal screening must occur before the 46th day of the school term, the second universal screening must occur in the middle of the school term, and the third universal screening must occur no later than 45 days before the last day of school. The bill defines a “universal screening assessment” as an assessment that evaluates a pupil’s skill in phonemic awareness, decoding skills, rapid naming skills, alphabet knowledge, and letter sound knowledge.

Personal reading plan; at-risk pupils

If a pupil is identified as at-risk based on a universal screening assessment, the bill requires the school board or independent charter school to create a personal reading plan for the pupil. Under the bill, a personal reading plan must include various components related to addressing the pupil’s specific early literacy deficiencies, including interventions that will be provided to the pupil, how the pupil’s progress will be monitored, and strategies the pupil’s parent is encouraged to use to help the pupil achieve grade-level literacy skills. The bill further requires the school board or independent charter school to 1) provide the interventions included in the personal reading plan to the pupil, as soon as practicable; 2) monitor the pupil’s progress at least weekly; 3) provide a copy of the personal reading plan to the pupil’s parent; 4) obtain a copy of the reading plan signed by the pupil’s parent; and 5) after 12 weeks of providing the interventions required in the personal reading plan, notify the pupil’s parent of the pupil’s progress.

TIER II - LEVEL 1 SCREENING ASSESSMENTS AND INTERVENTIONS***Required level 1 screening assessments***

Under the bill, school boards and independent charter schools must screen a pupil enrolled in five-year-old kindergarten to second grade using a level 1 screening assessment within 20 days of both of the following having occurred: 1) the pupil being identified as at risk on a universal screening assessment and 2) the pupil demonstrating an inadequate rate of progress in the pupil’s early literacy skills after 12 weeks of receiving interventions outlined in the pupil’s personal reading plan. A school board or independent charter school must also screen a pupil using a level 1 screening assessment within 20 days of a request by a teacher or parent who suspects that the pupil has characteristics of dyslexia. The bill defines a “level 1 screening

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assessment” as a screening tool that evaluates a pupil’s skill in the skills assessed in a universal screening assessment as well as phonological awareness and encoding, and provides the pupil’s parent the opportunity to complete a family history survey about learning difficulties in the pupil’s family.

Personal reading plan after a level 1 screening assessment

If a pupil is identified as at-risk based on a level 1 screening assessment, the bill requires the school board or independent charter school to modify the personal reading plan for the pupil. Under the bill, the modified personal reading plan must include the same components as a personal reading plan based on a universal screening assessment, except the modified personal reading plan must be created to address the specific early literacy deficiencies identified by the level 1 screening assessment and must include intensive interventions to address those early literacy deficiencies. Under the bill, an “intensive intervention” is an intervention that includes instruction that 1) is explicit, direct, systematic, sequential, and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of the pupil without presuming prior skills or knowledge of the pupil; 2) is individualized to meet the specific needs of a pupil in a setting that uses intensive, highly concentrated instruction methods and materials that maximize pupil engagement; and 3) incorporates the simultaneous use of two or more sensory pathways during teacher presentations and pupil practice. A school board or independent charter school must provide the intensive interventions included in the personal reading plan to the pupil, as soon as practicable, and again monitor the pupil’s progress at least weekly, provide a copy of the personal reading plan to the pupil’s parent, obtain a copy of the reading plan signed by the pupil’s parent, and notify the pupil’s parent of the pupil’s progress after 12 weeks of providing interventions under this personal reading plan.

TIER III - LEVEL 2 SCREENING ASSESSMENTS***Required level 2 screening assessments***

Under the bill, school boards and independent charter schools must screen a pupil enrolled in five-year-old kindergarten to second grade using a level 2 screening assessment within 20 days of both of the following having occurred: 1) the pupil being identified as at risk on a level 1 screening assessment and 2) the pupil demonstrating an inadequate rate of progress in the pupil’s early literacy skills after 12 weeks of receiving intensive interventions outlined in the pupil’s personal reading plan, described above. A school board or independent charter school must also assess a pupil’s early literacy skills using a level 2 screening assessment within 20 days of a request by a teacher or parent who suspects that the pupil has characteristics of dyslexia. The bill defines a “level 2 screening assessment” as a screening tool that evaluates a pupil’s skill in the skills assessed in a universal screening assessment as well as phonological awareness, word recognition, fluency, spelling, reading comprehension, and listening comprehension, and provides the pupil’s parent the opportunity to complete a family history survey about learning difficulties in the pupil’s family. If a pupil is identified as at-risk based on a level 2 screening assessment, the bill requires the school board or independent charter school to

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provide information to the pupil's parent about how to make a special education referral.

APPROVED READING READINESS SCREENING ASSESSMENTS

Under the bill, by July 15, 2022, the Department of Public Instruction must establish and maintain lists of approved fundamental skills screening assessments, universal screening assessments, level 1 screening assessments, and level 2 screening assessments (collectively, reading readiness screening assessments) on its Internet site. DPI must also submit these lists to the appropriate standing committees of the legislature. During the 2022-23 and 2023-24 school years, DPI must include specific assessments on its list of approved fundamental skills screening assessments and specific assessments on its list of approved universal screening assessments. On the list of approved fundamental skills screening assessments, DPI must include the Phonological Awareness Literacy Screening (PALS), the Predictive Assessment of Reading (PAR), and Acadience's Preschool Early Literacy Indicators (PELI). On the list of approved universal screening assessments, DPI must include the Dynamics Indicators of Basic Early Literacy Skills 8th edition, commonly known as DIBELS 8th edition; the Acadience reading assessment; FastBridge reading assessments; and the Renaissance Star Early Literacy assessment.

STATE FUNDING FOR READING READINESS SCREENING ASSESSMENTS

Under the bill, DPI must pay each school board and independent charter school for the per pupil cost of each reading readiness screening assessment required to be administered under the bill. However, beginning in the 2023-24 school year, a school board or independent charter school is eligible for the state funding provided in the bill only if the school board or independent charter school submits an annual report to DPI and in that report indicates that the school board or charter school used only approved reading readiness screening assessments in the previous school year. Under current law, DPI pays school boards and independent charter schools for the per pupil cost of the reading readiness assessment selected by the school board or independent charter school.

PARENT NOTIFICATION REQUIREMENTS

Under the bill, a school board or independent charter school must provide a pupil's results on a reading readiness screening assessment to the pupil's parent by no later than 15 days after the applicable assessment is scored. The results provided to the parent must include the pupil's overall score, the pupil's score on each literacy skill category assessed by the assessment, the pupil's percentile rank score, if available, the score on the assessment that indicates a pupil is at-risk, and a plain language explanation of the literacy skills that were evaluated by the assessment. In addition, if a school board or independent charter school is required to screen a pupil using a level 1 or level 2 screening assessment, the school board or independent charter school must provide the pupil's parent with information related to characteristics of dyslexia, including information about the common indicators of characteristics of dyslexia and appropriate interventions and accommodations for pupils with characteristics of dyslexia.

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The bill also requires each school board and independent charter school to have an early literacy remediation plan. An early literacy remediation plan must include information about screening assessments used to identify at-risk pupils, the interventions used to address characteristics of dyslexia, and monitoring pupil progress related to early literacy skills. Under the bill, each school district and independent charter school must post its early literacy remediation plan on its Internet site.

Under current law, a school board or independent charter school must report the results of a reading readiness assessment to a pupil's parent. Current law does not provide a deadline by which the reading readiness results must be provided to parents.

REPORTING REQUIREMENTS

Under the bill, school boards and independent charter schools must annually, by July 15, report to DPI 1) the number of pupils who were identified as at-risk based on a reading readiness screening assessment administered in the previous school year; 2) the number of five-year-old kindergarten to second grade pupils who began receiving literacy interventions or remedial reading services in the previous school year, by grade; and 3) the total number of five-year-old kindergarten to second grade pupils who received literacy interventions or remedial reading services in the previous school year. The school board or independent charter school must also report the names of the specific reading readiness screening assessments the school board or independent charter school used to screen pupils, as required under the bill, in the previous school year. Annually, by November 30, DPI must compile the information it receives from school boards and independent charter schools and submit a report to the legislature.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 115.38 (1) (a) of the statutes is amended to read:
- 2 115.38 (1) (a) Indicators of academic achievement, including the performance
- 3 of pupils on the tests administered under s. 121.02 (1) (r), the performance of pupils
- 4 on screening assessments required under s. 118.016 (3), and the performance of
- 5 pupils, by subject area, on the statewide assessment examinations administered
- 6 under s. 118.30.
- 7 **SECTION 2.** 118.016 of the statutes is repealed and recreated to read:

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1 **118.016 Reading readiness screening assessments; characteristics of**
2 **dyslexia. (1) DEFINITIONS.** In this section:

3 (a) “At-risk” means a pupil scored below the 25th percentile on a universal
4 screening assessment, a level 1 screening assessment, or a level 2 screening
5 assessment, as indicated by the publisher of the screening assessment.

6 (b) “Dyslexia” means a specific learning disability that is all of the following:

7 1. Neurobiological in origin.

8 2. Characterized by difficulties with accurate and fluent word recognition and
9 poor spelling and decoding abilities that typically result from a deficit in the
10 phonological component of language. Consequences of these difficulties may include
11 problems in reading comprehension and reduced reading experience that may
12 impede vocabulary growth and background knowledge.

13 3. Often unexpected in relation to other cognitive abilities.

14 (c) “Family history survey” means a questionnaire that includes questions
15 about previous recommendations for summer reading support or outside tutoring,
16 general interest in reading and books, family history of characteristics of dyslexia,
17 and any known family struggles in reading or spelling.

18 (d) “Fidelity” means to perform in the manner that the author or publisher of
19 a program or screening assessment intends.

20 (e) “Fundamental skills screening assessment” means an assessment that
21 evaluates whether a pupil possesses phonemic awareness and letter sound
22 knowledge.

23 (f) “Inadequate rate of progress” means a rate of improvement that is minimal
24 and that with continued intervention the pupil is unlikely to demonstrate
25 grade-level skills by the end of the school year.

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1 (g) “Independent charter school” means a charter school established under s.
2 118.40 (2r) or (2x).

3 (h) “Intensive intervention” means an intervention that satisfies all of the
4 criteria in par. (i) 1. to 3.

5 (i) “Intervention” means an intervention that is any of the following:

6 1. Explicit, direct instruction that is systematic, sequential, and cumulative
7 and follows a logical plan of presenting the area of deficit that targets the specific
8 needs of the pupil without presuming prior skills or knowledge of the pupil.

9 2. Individualized instruction to meet the specific needs of a pupil in a setting
10 that uses intensive, highly concentrated instruction methods and materials that
11 maximize pupil engagement.

12 3. Instruction that incorporates the simultaneous use of 2 or more sensory
13 pathways during teacher presentations and pupil practice.

14 4. Any other instructional approach that is appropriate to target the needs of
15 the pupil, as determined by the applicable school board or operator of an independent
16 charter school.

17 (j) “Level 1 screening assessment” means a screening tool that includes all of
18 the following:

19 1. An assessment that evaluates a pupil’s skill in the areas listed in par. (n) 1.
20 to 5., phonological awareness, and encoding.

21 2. An opportunity for a pupil’s parent to complete a family history survey to
22 provide additional information about learning difficulties in the pupil’s family.

23 (k) “Level 2 screening assessment” means a screening tool that includes all of
24 the following:

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1 1. A standardized, norm-referenced assessment that evaluates a pupil's skill
2 in the areas listed in par. (n) 1. to 5., phonological awareness, word recognition,
3 fluency, spelling, reading comprehension, and listening comprehension.

4 2. An opportunity for a pupil's parent to complete a family history survey to
5 provide additional information about learning difficulties in the pupil's family.

6 (L) "Parent" has the meaning given in s. 115.76 (12) (a).

7 (m) "Reading readiness screening assessment" means a fundamental skills
8 screening assessment, universal screening assessment, level 1 screening
9 assessment, or level 2 screening assessment.

10 (n) "Universal screening assessment" means an assessment that evaluates a
11 pupil's skill in all of the following areas:

12 1. Phonemic awareness.

13 2. Decoding skills.

14 3. Rapid naming skills.

15 4. Alphabet knowledge.

16 5. Letter sound knowledge.

17 **(2) FOUR-YEAR-OLD KINDERGARTEN; SCREENING REQUIREMENT.** Each school board
18 and the operator of each independent charter school shall annually assess the early
19 literacy skills of each pupil enrolled in 4-year-old kindergarten at least 2 times
20 during the school year using a fundamental skills screening assessment. The school
21 board or operator of the independent charter school shall ensure that the first
22 screening is administered before the 45th day after the first day of the school term
23 and that the 2nd screening is administered by the date that is 45 days before the last
24 day of the school term. The school board or operator of the independent charter

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1 school shall ensure that assessments required under this subsection are
2 administered with fidelity.

3 **(3) EARLY LITERACY SCREENINGS; 5-YEAR-OLD KINDERGARTEN TO 2ND GRADE.** Each
4 school board and the operator of each independent charter school shall annually
5 assess the early literacy skills of each pupil enrolled in 5-year-old kindergarten to
6 2nd grade in the school district or in the independent charter school as follows:

7 (a) *Universal screenings.* Screen the pupil at least 3 times during the school
8 year using a universal screening assessment. The school board or operator of the
9 independent charter school shall ensure that the universal screening assessments
10 are administered at the following times during the school year:

11 1. The first universal screening is administered before the 45th day after the
12 first day of the school term.

13 2. The 2nd universal screening is administered in the middle of the school term,
14 as determined by the school board or operator of the independent charter school.

15 3. The 3rd universal screening is administered by the date that is 45 days
16 before the last day of the school term.

17 (b) *Level 1 screening.* Screen a pupil using a level 1 screening assessment
18 within 20 days of any of the following:

19 1. A universal screening assessment indicated that the pupil is at-risk and the
20 pupil demonstrates an inadequate rate of progress after 12 weeks of intervention.

21 2. A teacher or parent who suspects that the pupil has characteristics of
22 dyslexia submits a request for a level 1 screening assessment.

23 (c) *Level 2 screening.* Screen a pupil using a level 2 screening assessment
24 within 20 days of any of the following:

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1 1. A level 1 screening assessment indicated that the pupil is at-risk and the
2 pupil demonstrates an inadequate rate of progress after 12 weeks of intensive
3 intervention.

4 2. A teacher or parent suspects the pupil has characteristics of dyslexia and
5 submits a request for a level 2 screening assessment.

6 (d) *Administering screening assessments with fidelity.* Ensure that each
7 screening assessment required under this subsection is administered with fidelity.

8 **(4) PARENTAL NOTIFICATION.** (a) *Screening results.* A school board or operator
9 of an independent charter school shall provide the results of a reading readiness
10 screening assessment, in writing, to a pupil's parent no later than 15 days after the
11 reading readiness screening assessment is scored. For purposes of providing results
12 of a reading readiness screening assessment under this paragraph, a school board
13 or operator of an independent charter school shall provide at least all of the following
14 to a pupil's parent:

15 1. The pupil's score on the reading readiness screening assessment.

16 2. The pupil's score in each early literacy skill category assessed by the reading
17 readiness screening assessment.

18 3. The pupil's percentile rank score on the reading readiness screening
19 assessment, if available.

20 4. The definition of "at-risk" and the score on the reading readiness screening
21 assessment that would indicate that a pupil is at-risk.

22 5. A plain language description of the literacy skills the reading readiness
23 screening assessment is designed to measure.

24 (b) *Special education information.* If a level 2 screening assessment indicates
25 that a pupil is at risk, a school board or operator of an independent charter school

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1 shall include information about how to make a special education referral under s.
2 115.777 with the level 2 screening assessment results provided to the parent under
3 par. (a).

4 (c) *Dyslexia information; certain pupils.* If a school board or operator of a
5 independent charter school is required to assess a pupil's early literacy skills using
6 a level 1 or level 2 screening assessment, a school board or operator of an independent
7 charter school shall provide all of the following, in writing, to the pupil's parent:

- 8 1. A description of the common indicators and characteristics of dyslexia.
- 9 2. Information about appropriate interventions, intensive interventions, and
10 accommodations for pupils with characteristics of dyslexia.

11 (d) *Early literacy remediation plan; availability.* A school board or operator of
12 an independent charter school shall post its early literacy remediation plan on the
13 school district's or independent charter school's Internet site.

14 **(5) INTERVENTIONS; AT-RISK PUPILS.** (a) *Personal reading plans.* If a pupil
15 enrolled in 5-year-old kindergarten to 2nd grade is identified as at-risk based on
16 a universal screening assessment or a level 1 screening assessment, the school board
17 of the school district or operator of the independent charter school in which the pupil
18 is enrolled shall do all of the following:

19 1. Create a personal reading plan for the pupil that includes at least all of the
20 following:

21 a. The pupil's specific early literacy skill deficiencies, as identified by the
22 applicable screening assessment.

23 b. Goals and benchmarks for the pupil's progress toward grade-level literacy
24 skills.

25 c. How the pupil's progress will be monitored.

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1 d. If the applicable screening assessment is a universal screening assessment,
2 a description of the interventions and any additional instructional services that will
3 be provided to the pupil to address the pupil's early literacy skill deficiencies.

4 e. If the applicable screening assessment is a level 1 screening assessment, a
5 description of the intensive interventions and any additional instructional services
6 that will be provided to the pupil to address the pupil's early literacy skill
7 deficiencies.

8 f. The evidence-based reading instructional programming that the pupil's
9 teacher will use to provide reading instruction to the pupil, addressing the areas of
10 phonemic awareness, phonics, fluency, vocabulary, and comprehension.

11 g. Strategies the pupil's parent is encouraged to use to help the pupil achieve
12 grade-level literacy skills.

13 h. Any additional services available and appropriate to accelerate the pupil's
14 early literacy skill development.

15 2. Provide the interventions or intensive interventions described in the pupil's
16 personal reading plan to the pupil, as soon as practicable.

17 3. Monitor the pupil's progress at least weekly using the method described in
18 the pupil's personal reading plan to determine whether the pupil demonstrates an
19 inadequate rate of progress.

20 4. Provide a copy of the pupil's personal reading plan to the pupil's parent and
21 obtain a copy of the pupil's personal reading plan signed by the pupil's parent.

22 5. After providing the interventions or intensive interventions described in the
23 pupil's personal reading plan to the pupil for 12 weeks, notify the pupil's parent of
24 the pupil's progress, as determined under the pupil's personal reading plan.

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1 (b) *Inadequate rate of progress.* For purposes of determining whether a pupil
2 demonstrates an inadequate rate of progress under sub. (3) (b) or (c), a school board
3 or operator of an independent charter school shall determine whether the pupil is
4 likely to demonstrate grade-level skills by the end of the school year by assessing one
5 of the following:

6 1. For a pupil enrolled in 5-year-old kindergarten, nonword or nonsense word
7 fluency and phoneme segmentation fluency.

8 2. For a pupil enrolled in 1st or 2nd grade, oral reading fluency.

9 **(6) EARLY LITERACY REMEDIATION PLAN; SCHOOL DISTRICT OR INDEPENDENT CHARTER**
10 SCHOOL. A school board or operator of an independent charter school shall establish
11 an early literacy remediation plan for grades 5-year-old kindergarten to 2 that
12 includes all of the following:

13 (a) The screening assessments the school board or operator of the independent
14 charter school uses to satisfy the requirements under sub. (3).

15 (b) A description of the interventions and intensive interventions the school
16 board or operator of the independent charter school uses to address characteristics
17 of dyslexia.

18 (c) A description of how the school board or operator of the independent charter
19 school monitors pupil progress during interventions and intensive interventions,
20 including the frequency of monitoring pupil progress during interventions and
21 intensive interventions and any assessment tools used to monitor pupil progress
22 during interventions and intensive interventions.

23 (d) How the school board or operator of the independent charter school uses
24 results of assessments required under sub. (3) to evaluate early literacy instruction
25 being provided in the school district or at the independent charter school.

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1 (e) A parent notification policy that complies with subs. (4) and (5) (a) 4. and
2 5.

3 **(7) REPORTING SCREENING DATA.** By no later than July 15, 2023, and each July
4 15 thereafter, a school board shall report for each school and for the school district,
5 and the operator of an independent charter school shall report for the independent
6 charter school, all of the following to the department:

7 (a) The number of pupils who were identified as at-risk as the result of a
8 fundamental skills screening assessment administered in the previous school year.

9 (b) The number of pupils who were identified as at-risk as the result of a
10 universal screening assessment administered in the previous school year.

11 (c) The number of pupils who were identified as at-risk as the result of a level
12 1 screening assessment administered in the previous school year.

13 (d) The number of pupils who were identified as at-risk as the result of a level
14 2 screening assessment administered in the previous school year.

15 (e) The names of the reading readiness screening assessments used to assess
16 pupils under subs. (2) and (3) in the previous school year.

17 (f) The number of pupils enrolled in 5-year-old kindergarten to 2nd grade who
18 began receiving interventions or intensive interventions during the previous school
19 year, by grade.

20 (g) The total number of pupils enrolled in 5-year-old kindergarten to 2nd grade
21 who received interventions or intensive interventions under a personal reading plan
22 during the previous school year.

23 **(8) DEPARTMENT; DUTIES.** (a) *Approved reading readiness screening*
24 *assessments.* 1. By no later than July 15, 2022, the department shall establish and

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1 maintain a list of each of the following that are approved by the department for use
2 under this section:

- 3 a. Fundamental skills screening assessments.
- 4 b. Universal screening assessments.
- 5 c. Level 1 screening assessments.
- 6 d. Level 2 screening assessments.

7 2. The department shall publish each list of approved screening assessments
8 under subd. 1. on its Internet site and submit the lists of approved reading readiness
9 screening assessments to the appropriate standing committees of the legislature
10 under s. 13.172 (3). If the department modifies a list under subd. 1., the department
11 shall submit the modified list to the appropriate standing committees of the
12 legislature under s. 13.172 (3).

13 (b) *Reports to the legislature.* By November 30, 2023, and by each November
14 30 thereafter, the department shall compile the information it receives under sub.
15 (7) and submit a report to the appropriate standing committees of the legislature
16 under s. 13.172 (3) that includes the number of pupils identified as at-risk in the
17 previous school year, by school and by school district.

18 **(9) STATE AID.** (a) *Payment for costs.* From the appropriation under s. 20.255
19 (1) (f) and subject to par. (b), the department shall pay a school board or operator of
20 an independent charter school the per pupil cost of each reading readiness screening
21 assessment required to be administered under sub. (2) or (3). Beginning in the
22 2023-24 school year, the department may pay a school board or operator of an
23 independent charter school under this paragraph only if the school board or operator
24 of the independent charter school does all of the following:

- 25 1. Submits the report required under sub. (7) for the previous school year.

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1 2. In the report required under sub. (7) for the previous school year, indicates
2 that the school board or operator of the independent charter school used only
3 approved reading readiness screening assessments in the previous school year.

4 (b) *Proration*. If the appropriation under s. 20.255 (1) (f) in any fiscal year is
5 insufficient to pay the full amount of aid under par. (a), the department shall prorate
6 state aid payments among the school boards and operators of independent charter
7 schools entitled to the aid.

8 **(10) RULES.** The department shall promulgate rules to implement and
9 administer this section, including establishing a process under which a school board
10 or operator of an independent charter school may request that the department
11 include a reading readiness screening assessment on a list of approved screening
12 assessments under sub. (8) (a).

13 **SECTION 3.** 119.44 (2) (bm) of the statutes is created to read:

14 119.44 **(2)** (bm) The performance of pupils on the screenings administered
15 during the prior school year under s. 118.016 (3), categorized by school, gender, and
16 ethnicity.

17 **SECTION 4.** 121.02 (1) (c) 3. of the statutes is amended to read:

18 121.02 **(1)** (c) 3. The pupil's reading-assessment performance on a screening
19 assessment under s. 118.016 (3) indicates that the pupil is at risk of reading difficulty,
20 as defined in s. 118.016 (1) (a). If this subdivision applies, the interventions or
21 services provided the pupil shall be ~~scientifically based~~ evidence-based and shall
22 address all areas in which the pupil is deficient in a manner consistent with the state
23 standards in reading and language arts.

24 **SECTION 5. Nonstatutory provisions.**

