

RCW 28A.655.230 Reading skills—Meeting for grade placement and strategies for student improvement—Exemptions. (1) The definitions in this subsection apply throughout this section and RCW 28A.655.235 unless the context clearly requires otherwise.

(a) "Basic" means a score on the statewide student assessment at a level two in a four-level scoring system.

(b) "Below basic" means a score on the statewide student assessment at a level one in a four-level scoring system.

(c) "Not meet the state standard" means a score on the statewide student assessment at either a level one or a level two in a four-level scoring system.

(2) Prior to the return of the results of the statewide student assessment in English language arts, elementary schools shall require meetings between teachers and parents of students in third grade who are reading below grade-level or who, based on formative or diagnostic assessment, and other indicators, are likely to score in the below basic level on the third grade statewide student assessment in English language arts. At the meeting, the teacher shall inform the parents or guardians of the requirements of this section and the intensive reading improvement strategies that will be available to students before fourth grade. The teacher also shall inform the parents and guardians of the school district's grade placement policy for the following year. Schools that have regularly scheduled parent teacher conferences may use those meetings to comply with this section.

(3) For students to be placed in fourth grade, the strategies provided by the school district must include an intensive improvement strategy provided, supported, or contracted by the school district that includes a summer program or other options developed to meet the needs of students to prepare for fourth grade.

(4) If a student in third grade scores below grade level on the third grade statewide student assessment in English language arts, and there was no meeting under subsection (2) of this section, the principal or his or her designee shall notify the student's parents or guardians of the following:

(a) The below basic score;

(b) An explanation of the requirements of this section;

(c) The intensive improvement strategy options that are available;

(d) The school district's grade placement policy;

(e) Contact information for a school district employee who can respond to questions and provide additional information; and

(f) A reasonable deadline for obtaining the parent's consent regarding the student's intensive improvement strategies that will be implemented and the student's grade placement.

(5) The parent's or guardian's consent must be obtained regarding the appropriate grade placement and the intensive improvement strategy to be implemented. The school district must implement the strategy selected in consultation with the student's parents or guardians. If the school district does not receive a response from a parent by the deadline or a reasonable time thereafter, the principal or his or her designee shall make a decision on the student's grade placement for the following year and the intensive improvement strategies that will be implemented during the following school year.

(6) If the school principal and parent cannot agree on the appropriate grade placement and improvement strategies from the list of available options, the parent's request will be honored.

(7) If a student does not have a score in English language arts on the third grade statewide student assessment but the district determines, or is able to anticipate from, using district or classroom-based formative or diagnostic assessments or another standardized assessment, that the student's performance is equivalent to below basic in English language arts, the policy in subsections (2) through (6) of this section applies.

(8) Students participating in the transitional bilingual instruction program are exempt from the policy in subsections (2) through (6) of this section, unless the student has participated in the transitional bilingual instruction program for three school years and receives a score of below basic on the third grade statewide student assessment in English language arts.

(9) Students with disabilities whose individualized education program includes specially designed instruction in reading or English language arts are exempt from subsections (2) through (8) of this section. Communication and consultation with parents or guardians of such students shall occur through the individualized education program process required under chapter 28A.155 RCW and associated administrative rules. [2015 c 125 § 1; 2013 2nd sp.s. c 18 § 105.]

Effective date—2015 c 125: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 25, 2015]." [2015 c 125 § 2.]

Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18: See note following RCW 28A.600.022.