



INDIANA STATE BOARD OF EDUCATION

Resolution Directing the Indiana Department of Education to Commence Rulemaking Process for Updating Reading Plan Requirements

April 10, 2024

WHEREAS, Indiana Code (IC) 20-31-3-1 provides that the Indiana General Assembly (“Legislature”) may delegate its education policy authority to the Indiana State Board of Education (“Board”) to establish education policies and procedures;

WHEREAS, Senate Enrolled Act (“SEA”) 1 (2024) made substantial legislative changes regarding the requirements of the reading plan, including:

- More strategically utilizing the universal screener in K-2 (assessing reading skills) to identify and provide interventions, as early as possible, for students who are at-risk of not being proficient readers.
- Proactively administering IREAD to all second grade students as an early ‘On-Track Indicator’ tool to notify families and educators of any need for additional reading support.
- Ensuring parents and families receive detailed information regarding their students’ IREAD results, as well as any additional support or interventions being provided.
- Supporting required, locally-designed summer school reading programs for second grade students identified as ‘at-risk’ by the On-Track indicator and non-passing third grade students.
- Codifying Indiana’s Good Cause Exemption policy.
- Ensuring significantly fewer third grade students are promoted to fourth grade without essential reading skills by requiring students to be retained (as a last resort) if they do not pass IREAD after three attempts unless the student:
 - Has received a GCE or
 - Has already been retained for one year
- Ensuring students master foundational reading skills by requiring all non-passing students to retake IREAD until they pass or upon completion of grade six.
- Increasing targeted support for students by ensuring schools continue to monitor the progress of non-passing IREAD students and provide remediation aligned to science of reading.



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WHEREAS, as a result of these changes, 511 IAC 6.2-3.1 must be updated so the rule language aligns with these recent statutory changes;

WHEREAS, Indiana Code 4-22-2-15 provides that any rulemaking action in that chapter that allows or requires an agency to perform, other than final adoption of a rule under section 29, 37.1, or 37.2 of that chapter may be performed by the individual or group of individuals with the statutory authority to adopt rules for the agency, a member of the agency's staff, or another agent of the agency;

WHEREAS, IC 20-18-3-1 and IC 20-19-3-4 define the duties of the Indiana Department of Education ("Department") and require the Department to implement the policies and procedures established by the Legislature and the Board;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board now directs the Department to submit draft rule language regarding the establishment of updating reading plan requirements in 511 IAC 6.2-3.1 pursuant to IC 20-19-2-21 and commence the rulemaking process upon the adoption of this resolution.

It is further resolved that the Department shall submit the full text of the proposed rule, the regulatory analysis, and any other materials required by Indiana Code 4-22-2-22.8 to the Indiana State Budget Agency ("SBA") and the Indiana Office of Management and Budget ("OMB") to authorize commencement of the public comment periods.

ADOPTED ON: April 10, 2024