

160-4-2-.40 GEORGIA EARLY LITERACY REQUIREMENTS

(1) DEFINITIONS

(a) **Foundational literacy skills** – the phonological awareness, phonemic awareness, phonics, fluency, vocabulary, reading comprehension, spelling, oral language, and the intersection of reading and writing.

(b) **High-quality instructional materials** – the instructional materials aligned to the science of reading that instruct students in foundational literacy skills and grade-appropriate English language arts and reading standards approved by the State Board of Education.

(c) **Georgia Department of Education (GaDOE)** – the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates.

(d) **Local Board of Education (LBOE)** – a county or independent board of education exercising control and management of a local school system pursuant to Article VIII, Section V, Paragraph II of the Georgia Constitution.

(e) **Local Educational Agency (LEA)** – local school system pursuant to local board of education control and management.

(f) **Multi-tiered system of supports (MTSS)** – a systemic, continuous-improvement framework in which data based problem-solving and decision making is practiced across all levels of the educational system of supporting students at multiple levels of intervention.

(g) **Reading intervention** – the evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual and small-group instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

(h) **Science of reading** – the body of research that identifies evidence-based approaches of explicitly and systematically teaching students to read, including foundational literacy skills that enable students to develop reading skills required to meet state standards in literacy.

(i) **Significant reading deficiency** – the students in kindergarten through third grade whose score on a universal reading screener is within the range of scores determined by the department to demonstrate a lack of proficiency in foundational literacy skills.

(j) **State Board of Education (SBOE)** – the constitutional authority which defines education policy for the public K-12 education agencies in Georgia.

(k) **Structured literacy** – an evidence-based approach to teaching oral and written language aligned to the science of reading founded on the science of how children learn to read and characterized by explicit, systematic, cumulative, and diagnostic instruction in phonology, sound-symbol association, syllable instruction, morphology, syntax, and semantics.

(l) **Tiered reading intervention plan** – a plan that describes the evidence-based reading intervention services a student will receive to remediate such student's reading deficit and to ensure that such student becomes proficient in foundational literacy skills.

(m) **Universal reading screener** – a uniform tool that screens and monitors a student's progress in foundational literacy skills that is administered to students multiple times during the school year.

(2) REQUIREMENTS.

(a) UNIVERSAL READING SCREENERS

1. Beginning August 1, 2024, three times each school year each public school and LEA shall administer a universal reading screener to each student in kindergarten through third grade, with the first administration occurring within 30 days of the beginning of the school year;

(i) For students in first and second grades such public school or LEA shall be authorized to substitute one administration of a universal reading screener with an administration of a formative reading assessment as provided for in O.C.G.A. § 20-2-280.

(ii) Each public school or LEA shall be authorized to administer a free universal reading screener provided by GaDOE or a universal reading screener approved by the SBOE.

2. After each administration of a universal reading screener or formative reading assessment, each public school or LEA shall report the results to:

(i) Parents and guardians of students who participated in the administration; and

(ii) GaDOE for analysis.

3. The results of the universal reading screeners administered to students shall not be used as part of any education assessment accountability program provided for in Article 2 of Chapter 14 of the Official Code of Georgia Annotated.

(b) READING INTERVENTIONS

1. Beginning August 1, 2024, public schools and LEAs shall implement tiered reading intervention plans for public school students in kindergarten through third grade who, at any time during the school year, exhibit a significant reading deficiency, as measured by performance on a universal reading screener approved by the SBOE.
2. Each tiered reading intervention plan shall be implemented no later than 30 days after a student has been identified as exhibiting significant reading deficiency.
3. The tiered reading intervention plan shall describe the evidence-based reading intervention services the student will receive to remedy the reading deficit and ensure the student becomes proficient in foundational literacy skills.
4. Tiered reading intervention plans may be incorporated into and included as part of the school's existing multi-tiered system of supports or response-to-intervention frameworks.
5. Each student who has been identified as exhibiting a significant reading deficiency shall receive intensive reading intervention until such student is no longer identified as exhibiting a significant reading deficiency.

(c) INSTRUCTIONAL MATERIALS

1. By December 1, 2024, each LBOE and public school governing body shall approve high-quality instructional materials for students in kindergarten through third grade.
2. By December 15, 2024, and by August 1 each year thereafter, each LEA shall certify to GaDOE that its locally approved instructional materials and content, as defined in O.C.G.A. § 20-2-1017, constitute high-quality instructional materials.

(d) INSTRUCTIONAL SUPPORTS

1. Each public school and LEA shall provide instructional support for kindergarten through third grade teachers that shall include:
 - (i) Onsite teacher training on the science of reading, structured literacy, foundational literacy skills, and evidence-based decision making;
 - (ii) Demonstrated lessons; and
 - (iii) Prompt feedback for improving instruction.

2. Any public school or LEA claiming that a lack of sufficient funding prevents it from providing instructional support shall promptly and in writing notify GaDOE and describe all efforts the school or LEA has undertaken to secure sufficient funding from local, state, federal, and private sources.

(i) GaDOE shall provide technical assistance and other guidance to public schools and LEAs in identifying local, state, federal, and private funding sources to provide for instructional support.

3. GaDOE shall provide technical assistance to aid LEAs and public schools in implementing the revisions of this rule.

(e) PARENT NOTIFICATION

1. No later than fifteen days after identification of a possible reading deficiency, LEAs shall provide written notification of the possible deficiency to the parent or guardian of any student in kindergarten through third grade who at any time during the school year exhibits a significant reading deficiency. This written notification shall include:

(i) That the student has been identified as exhibiting a significant reading deficiency;

(ii) That a tiered reading intervention plan will be implemented by the student's teacher;

(iii) Results of the student's performance on the universal reading screeners administered to date;

(iv) A description of the proposed evidence-based reading interventions and supplemental instructional services and supports to be provided to the student that are designed to remedy the identified area or areas of significant reading deficiency to ensure the student becomes proficient in foundational literacy skills;

(v) Notification that the parent or guardian will be informed in writing of the student's progress toward grade level reading; and

(vi) Strategies for parents to use at home to help their child succeed in reading.

(f) TRAINING PROGRAMS

1. By July 1, 2025, all kindergarten through third grade teachers shall complete a training program developed or procured by GaDOE, in consultation with the University System of Georgia, the Professional Standards Commission, the Office of Student Achievement, Georgia's Regional Education Service Agencies, and literacy experts.

Authority: O.C.G.A. §§ 20-2-153.1, 20-2-280

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