



POLICY BRIEF

COVID-19 and Third-Grade Reading Policies:

An Analysis of State Guidance on Third-Grade Reading Policies in Response to COVID-19

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By Amy Cummings, Meg Turner

INTRODUCTION

The first case of COVID-19 in the United States was detected in January 2020. Within two months, the disease rapidly spread throughout many areas of the country, and by the beginning of April, almost every state had recommended or ordered school-building closures.¹ These closures suspended nearly all face-to-face instruction in public schools and forced educators across the country to rapidly shift to distance learning.²

Given the rapid creation and implementation of distance learning programs, policymakers and the public have raised concerns about the adequacy and equity of kindergarten through 12th grade educational responses. In addition to existing concerns surrounding summer learning loss, there is increased worry about the additional time students have spent out of school and how much instruction is provided in the distance learning format.³ Early research shows that instructional time has been limited, with the average child spending less than 20 hours a week on learning activities—below the pre-pandemic minimum instructional hour requirements for half of states—and even less time in direct contact with teachers, calling into question the efficacy of distance learning as a substitute for in-person instruction.⁴

There are also growing equity concerns given the prominent role of technology as a key educational resource for families learning from a distance. These issues are exacerbated by substantial differences in student access to technology by race, socioeconomic status (SES), geographic location, and food security.⁵ If students lack access to the internet or an appropriate device, this can restrict the type of distance learning provided (e.g., instructional packets versus synchronous learning);⁶ affect student engagement;⁷ contribute to students' feelings of disconnectedness from their peers, teachers, and school communities;⁸ and add financial strain to schools and districts that provide devices and/or internet access to students.⁹

As school-building closures were extended through the end of the 2019-20 school year—and in many places, into the beginning of the 2020-21 school year¹⁰—concerns continued to mount among educators and families not only regarding uneven quality and access to distance learning, but also about student learning loss and widening achievement gaps¹¹—particularly in core subjects. One concern shared by educators and experts is the impact of COVID-19 school-building closures on literacy.¹² In fact, research suggests that students returning to school in fall 2020 will have substantially diminished learning gains in reading relative to a typical school year.¹³

Educators and policymakers in many states recognize this and have prioritized efforts to increase literacy development during the pandemic. For instance, Tennessee officials have provided free literacy resources and books for children from birth through third grade;¹⁴ districts in Florida,¹⁵ Indiana,¹⁶ North Carolina,¹⁷ Tennessee,¹⁸ South Carolina,¹⁹ and West Virginia²⁰ offered summer reading camps online; Louisiana has partnered with learning platforms to offer e-books to families;²¹ Colorado has launched a television-based “Read With Me at Home” initiative for kindergarten to third grade students;²² and Mississippi has launched a website to support early literacy skills at home.²³

States' emphasis on literacy is not a product of the pandemic. In particular, ensuring that students are reading proficiently by the end of third grade is seen as a pivotal benchmark because of the central importance of literacy for further learning across subjects.²⁴ Even before March 2020, 37 states plus the District of Columbia (D.C.) had a third-grade reading policy in place. Seventeen of these states and D.C. require retention under these policies for third graders who are behind in reading, and another 12 allow for it. Because these states have made early literacy a priority, they must now grapple with how to continue working to improve literacy instruction and achievement in a distance learning environment and beyond. This policy brief explores the guidance states issued during the COVID-19 pandemic related to third-grade reading policies and provides takeaways for how the current educational environment may impact their future.

STATE COVID-19 GUIDANCE

As the pandemic and subsequent school-building closures continued, many states issued guidance to address concerns about how students should be educated in a distance learning environment. The detail and level of oversight contained within this guidance, however, varied by state.

States' guidance can be broken down into two broad categories: that which relates to the administration of schooling and that which relates to students. Guidance on the continued administration of schooling addressed questions about the provision of funding, teacher

certification and evaluation, professional development, the academic calendar, and more. Guidance related to students included recommended approaches to attendance, grades, assessments, promotion and retention, and graduation requirements. While many states issued a multitude of directives pertaining to continued education services, no state had a comprehensive and exhaustive set of guidance. Further, the guidelines that were issued varied widely—some explicitly mandating a set policy with others offering recommendations, but ultimately leaving the decision to local districts. For example, Maryland left promotion and retention decisions to be “locally determined,”²⁵ while Washington state mandated, “Students in [kindergarten to eighth grade] will move on to the next grade, unless by mutual agreement between parents/guardians and teachers.”²⁶

While many states have relied on the emergency powers of their governor, state board of education, or state education department without passing accompanying legislation, some states have begun to adopt new legislation to aid in the delivery of distance learning (e.g., Arizona, Pennsylvania, Washington state) or alter existing legislation, including third-grade reading policies, to accommodate such guidance (e.g., Ohio).

THIRD-GRADE READING POLICIES

Thirty-seven states and D.C. have policies aimed at getting students reading proficiently by the end of third grade, and 17 of them plus D.C. require retention for third graders whose assessment scores indicate that they are behind in reading. The proliferation of such policies began in 2002, when Florida enacted its third-grade retention law alongside its statewide literacy initiative, Just Read, Florida! Although Florida was not the first state to pass such legislation, it has certainly been the most influential, with policymakers in many states citing Florida’s policy as a model when crafting their own legislation. In fact, several elements of Florida’s policy have been replicated in other states—including the use of literacy coaches, frequent progress monitoring, individual improvement plans, home reading programs, and out-of-school-time interventions including summer school—to support students identified with a “reading deficiency.”²⁷

As early literacy interventions have become more widespread—with a special focus on third grade—states have adopted variations of the Florida model (see Table 1). In addition to the states with required retention policies, 12 states allow for retention, typically leaving decisions to the local level. In some cases, even states without a third-grade reading policy have other policies requiring literacy-related activities, providing further evidence of the widespread focus on early literacy across states. As shown in Table 1, 42 states and D.C. (84%)²⁸ have provisions for diagnostic/screening assessments to determine students’ reading abilities, and 35 states and D.C. (71%) require parental notification if their student is identified as having a “reading deficiency.” Further, 40 states and D.C. (80%) require interventions for struggling readers, which may include additional time for literacy instruction, small-group or one-on-one supports, or individualized reading plans. Though less common, 12 states (24%) provide for literacy coaches or reading specialists to assist with literacy instruction and intervention.

Table 1. State Third-Grade Reading Policies						
State	Third-Grade Reading Policy	Retention	Diagnostic/ Screening Assessments	Parental Notification	Interventions	Literacy Coaches/ Reading Specialists
Alabama	Yes	Required	X	X	X	X
Alaska	Yes	Allowed	X	X	X	
Arizona	Yes	Required	X	X	X	
Arkansas	Yes	Required	X	X	X	
California	Yes	Required	X	X	X	
Colorado	Yes	Allowed	X	X	X	
Connecticut	Yes	Required	X	X	X	X
Delaware	Yes	Required	X	X	X	
District of Columbia	Yes	Required	X	X	X	
Florida	Yes	Required	X	X	X	X
Georgia	Yes	Required	X	X	X	
Hawaii	No	N/A				
Idaho	Yes	N/A	X	X	X	
Illinois	Yes	Allowed	X	X	X	X
Indiana	Yes	Required	X	X	X	
Iowa	Yes	N/A	X	X	X	
Kansas	No	N/A	X		X	
Kentucky	No	N/A	X	X	X	X
Louisiana	Yes	N/A	X	X	X	
Maine	Yes	Allowed	X			
Maryland	Yes	Allowed	X		X	
Massachusetts	Yes	N/A	X			
Michigan	Yes	Required	X	X	X	X
Minnesota	Yes	Allowed	X	X	X	
Mississippi	Yes	Required	X	X	X	X
Missouri	Yes	Required	X	X	X	
Montana	No	N/A				
Nebraska	Yes	N/A	X	X	X	
Nevada	Yes	Allowed	X	X	X	X
New Hampshire	No	N/A				
New Jersey	Yes	Allowed		X		
New Mexico	Yes	Allowed	X	X	X	
New York	Yes	N/A	X	X	X	
North Carolina	Yes	Required	X	X	X	
North Dakota	No	N/A	X		X	X
Ohio	Yes	Required	X	X	X	

Table 1. (continued) State Third-Grade Reading Policies						
State	Third-Grade Reading Policy	Retention	Diagnostic/ Screening Assessments	Parental Notification	Interventions	Literacy Coaches/ Reading Specialists
Oklahoma	Yes	Allowed	X	X	X	
Oregon	No	N/A				
Pennsylvania	No	N/A				
Rhode Island	No	N/A	X		X	
South Carolina	Yes	Required	X	X	X	X
South Dakota	No	N/A				
Tennessee	Yes	Required			X	
Texas	Yes	Allowed	X	X	X	X
Utah	Yes	N/A	X	X	X	X
Vermont	No	N/A		X	X	
Virginia	No	N/A	X	X	X	
Washington	Yes	Required	X	X	X	
West Virginia	Yes	Allowed	X		X	
Wisconsin	No	N/A	X	X		
Wyoming	Yes	N/A	X		X	
Total	37 + D.C.	17 + D.C. Require; 12 Allow	42 + D.C.	35 + D.C.	40 + D.C.	12

The most controversial third-grade reading policies are those that mandate retention for students who do not meet a pre-defined measure of proficiency. The efficacy of such policies remains an open question. On one hand, studies have shown that retention policies have positive effects on literacy test scores²⁹ and these benefits may extend to math achievement,³⁰ higher GPAs,³¹ and lower remedial course-taking.³² Unfortunately, the reading gains following retention were sometimes modest, short-lived, or not statistically significant.³³ On the other hand, these policies may also be associated with negative outcomes like reduced high school credit accumulation, decreased likelihood of taking high school exit exams, and decreased likelihood of completing state graduation requirements; as well as increased likelihood of dropping out.³⁴ Further, there are concerns that retention is applied inequitably across different groups of students, with a higher likelihood of retention for students of color,³⁵ English learners, students with disabilities,³⁶ boys,³⁷ and students whose mothers have less than a high-school degree.³⁸

These mixed findings regarding the impact of retention—coupled with the controversial nature of these policies—have led policymakers in some states to introduce legislation that would remove the retention component of their third-grade reading laws. For instance, in the past year, state senators in both Michigan³⁹ and Alabama⁴⁰ have introduced bills that would eliminate the retention components of their states' laws while keeping other literacy interventions in place. Thus, even before the pandemic⁴¹ caused states to waive state testing requirements for the 2019-20 school year—and retention requirements based on those tests—some states were already questioning these policies.

DATA AND METHODS

Our data come from two unique databases: one tracking states' kindergarten through 12th grade education COVID-19 response guidance⁴² and another tracking states' third-grade reading policies. The state-level kindergarten through 12th grade education COVID-response dataset tracks school-closure decisions, recommendations, or requirements for remote learning in the 2019-20 school year and plans or decisions concerning instructional hours, equity, funding, and assessments. Our third-grade reading and retention policy database tracks each state's policies (e.g., legislation, state statutes) related to literacy and retention, including instruction, assessments, interventions, and professional learning requirements.

The Institute for Public Policy and Social Research (IPPSR) and Education Policy Innovation Collaborative (EPIC) built the [state-level kindergarten through 12th grade education COVID-response dataset](#) by coding and compiling information from each state's Department of Education website, focusing on sections where memos, frequently asked questions, and other guiding documents pertaining to COVID-19 are posted and updated regularly, as well as information from websites of other state agencies including, but not limited to, executive orders and press releases from governors' offices and guidance found on the states' Department of Health websites. We coded and organized these data using a series of "questions" about state-issued kindergarten through 12th grade education guidance in response to the COVID-19 pandemic. As states issued more guidance, the series of questions expanded to capture as much of the kindergarten through 12th grade state education policies, changes, and recommendations as possible. At the time we conducted this analysis, the dataset consisted of 62 items on topics including federal and state funding, distance learning resources and guidance, teacher certification and professional development requirements, third-grade reading policies, and school reopening policies. We coded the majority of these questions as binary yes or no indicators, unless otherwise specified. We completed the coding process in five waves, gathering data to capture the status of state policy responses at different points in time.

We compiled the third-grade reading and retention policy database from four existing datasets: (1) The National Conference of State Legislatures' *Third-Grade Reading Legislation*,⁴³ (2) Education Commission of the States' (ECS) *Third-Grade Reading Policies*,⁴⁴ (3) the Council of Chief State School Officers' *Third-Grade Reading Laws: Implementation and Impact*,⁴⁵ and (4) ECS' *State Kindergarten-Through-Third-Grade Policies*.⁴⁶ In order to ensure that we captured the most recent policies for a comprehensive dataset, we supplemented this information by conducting a Google search for each state using the search phrase "[STATE] third-grade reading policy." In total, states had anywhere from zero to 13 (i.e., Mississippi) related policies.

Similar to the COVID-19 guidance dataset, we coded and organized these data using a series of "questions" about states' policies—with a yes answer often leading to a relevant set of follow-up questions. For example, if the answer to, "Does the state's policy require the use of screening/formative/diagnostic assessments?" was yes, additional questions would be answered such as "Are these assessments selected at the state or local level?," "Does the state's policy outline particular characteristics of the assessment systems?," and "Does the state's policy specify how often progress monitoring should occur?" In total, the database includes 140 items per state related to its third-grade reading policies.

Using these two databases, we were able to compare the third-grade reading and retention guidance states issued during the COVID-19 pandemic to existing policy.

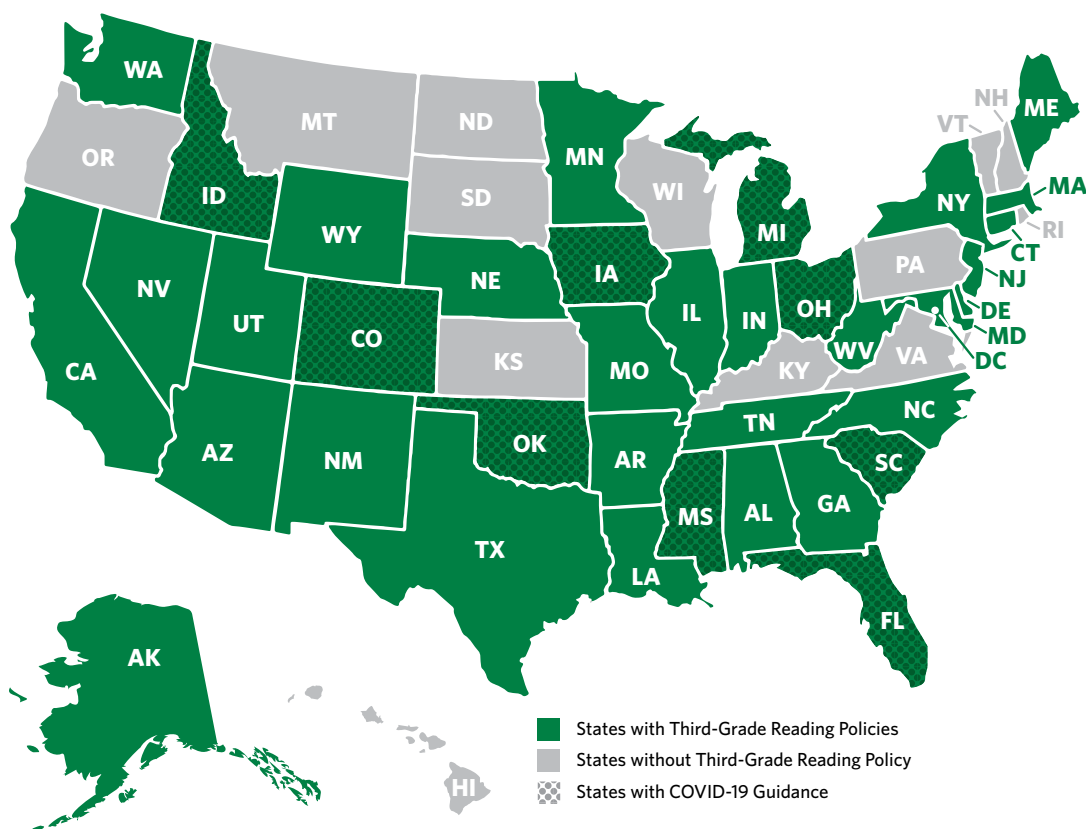
FINDINGS

Three main findings emerged from our analysis of these data.

FINDING 1: Very Few States Issued Guidance That Specifically Referenced Their Third-Grade Reading Policy

Despite the prevalence of third-grade reading policies and the importance states have placed on literacy, only nine of the 37 states and D.C. (24%) with an existing early literacy policy issued any guidance on it in response to COVID-19: Colorado, Florida, Idaho, Iowa, Michigan, Mississippi, Ohio, Oklahoma, and South Carolina.⁴⁷ All but two of these states (Idaho and Iowa) have a retention component in their policy—five require it and two allow it. Figure 1 describes which states had existing third-grade reading policies before the pandemic—and which states issued guidance during the pandemic. Appendix A summarizes state guidance concerning third-grade reading and retention during the pandemic and associated suspension of face-to-face instruction.

FIGURE 1. Map of States' COVID-19 Guidance and Third-Grade Reading Policies



All states sought and were granted waivers from federal standardized testing requirements for the 2019-20 school year; however, we did not count these waivers as applying to state-level requirements for third-grade English language arts (ELA) assessments unless explicitly stated. Only a handful of states specifically suspended their third-grade ELA assessments as part of the COVID-19 guidance they issued during the spring 2020 school-building closures: Colorado, Michigan, Ohio, Oklahoma, and South Carolina.⁴⁸ Idaho did not suspend the administration of the Idaho Reading Indicator, but waived its use as a statewide accountability measure. Mississippi allowed districts to administer their screening assessment but mandated that the results could only be used to guide learning.⁴⁹

Further, six states issued guidance continuing prescribed literacy interventions during the pandemic. Florida relaxed its requirement surrounding who can provide literacy interventions, allowing teachers who are not certified or endorsed in reading to deliver these services.⁵⁰ Iowa would not hold schools accountable for providing interventions to students but allowed for the possibility and left the decision up to local districts.⁵¹ Michigan required local school districts to continue implementing all interventions prescribed in its law besides retention.⁵² Other states limited the scope of their guidance to specific interventions: Mississippi prescribed that literacy coaches continue to provide support through virtual coaching,⁵³ Ohio granted flexibility but expected the continued provision of reading improvement plans,⁵⁴ and South Carolina said that districts should continue existing reading camps for third graders.⁵⁵

FINDING 2: Few States Addressed Retention Policies in COVID-19 Guidance

Despite often being the highest-profile component of third-grade reading policies, promotion and retention decisions were overlooked in states' guidance to schools continuing services during COVID-19 building closures (Table 2). Only 19 states and D.C. (39%) addressed general promotion and retention decisions in their state guidance, a much smaller share compared to those that provided guidance on other student-specific concerns such as attendance (75%), grading (78%), or graduation requirements (88%).⁵⁶ Further, this general guidance did not always explicitly address how retention decisions should be handled in states with third-grade retention laws.

In fact, only five states issued guidance specifically on how retention under their third-grade reading law should be handled for the 2019-20 academic year (see Table 2). Four of these—Michigan, Mississippi, Ohio, and South Carolina—typically require third-grade retention, while the fifth, Oklahoma, allows for retention. Michigan waived third-grade retention requirements for the 2019-20 academic year while Ohio passed legislation prohibiting retention during school-building closures.⁵⁷ Mississippi allowed all third-grade students to be promoted given that they met all other district promotion requirements. In contrast, both South Carolina and Oklahoma still permitted retention on a case-by-case basis.^{58, 59} However, this leaves 13 states and D.C. that require retention and 11 states that allow it that did not issue specific guidance about how the retention component of their third-grade reading policy would be affected by COVID-19.

Table 2. Retention Policies and Guidance by State			
State	Third-Grade Retention	COVID-19 Third-Grade Retention Guidance	COVID-19 General Retention Guidance
Alabama	Required		X
Alaska	Allowed		
Arizona	Required		
Arkansas	Required		
California	Required		
Colorado	Allowed		
Connecticut	Required		
Delaware	Required		X
District of Columbia	Required		
Florida	Required		X
Georgia	Required		X
Hawaii	N/A		X
Idaho	N/A		
Illinois	Allowed		
Indiana	Required		
Iowa	N/A		
Kansas	N/A		
Kentucky	N/A		X
Louisiana	Allowed		X
Maine	Allowed		
Maryland	Allowed		X
Massachusetts	N/A		X
Michigan	Required	X	
Minnesota	Allowed		
Mississippi	Required	X	X
Missouri	Required		
Montana	N/A		
Nebraska	N/A		
Nevada	Allowed		
New Hampshire	N/A		
New Jersey	Allowed		
New Mexico	Allowed		
New York	N/A		
North Carolina	Required		
North Dakota	N/A		

Table 2. (continued) Retention Policies and Guidance by State			
State	Third-Grade Retention	COVID-19 Third-Grade Retention Guidance	COVID-19 General Retention Guidance
Ohio	Required	X	X
Oklahoma	Allowed	X	
Oregon	N/A		
Pennsylvania	N/A		X
Rhode Island	N/A		
South Carolina	Required	X	X
South Dakota	N/A		
Tennessee	Required		
Texas	Allowed		X
Utah	N/A		X
Vermont	N/A		
Virginia	N/A		X
Washington	Required		X
West Virginia	Allowed		
Wisconsin	N/A		X
Wyoming	N/A		

FINDING 3: Literacy Interventions Were Not Widely Addressed in States' COVID-19 Guidance

As discussed above, third-grade reading policies often include a range of literacy interventions, such as individual reading plans, literacy coaching, and out-of-school supports. The continued provision of these interventions, however, was only addressed in five states' COVID-19 guidance.

Two states—Michigan and Ohio—issued guidance on the continuation of student reading improvement plans. Through executive order, Michigan Governor Gretchen Whitmer mandated the continuation of other interventions, and the Michigan Department of Education specifically issued follow-up guidance on Individual Reading Improvement Plans (IRIPs) and continued outreach to students with IRIPs through new distance learning methods.⁶⁰ Similarly, the Ohio Department of Education stated that “districts are expected to continue supporting students with a Reading Improvement and Monitoring Plan for the 2019-20 school year” and provided additional flexibilities in the requirements for the plans.⁶¹

One state, South Carolina, issued guidance on summer reading camps, stating that districts should continue offering these camps for third graders.⁶² Mississippi indicated that literacy coaches should continue to provide virtual literacy supports, including professional development and creating learning-at-home resources for teachers and parents.⁶³ Lastly, Iowa issued guidance stating that schools and districts were released from the state's requirement to provide interventions and left those decisions up to the local level.⁶⁴

LESSONS FOR THE 2020-21 SCHOOL YEAR AND BEYOND

Given that state-level guidance on the direction of third-grade reading policies in light of the pandemic was generally thin, there remain many open questions for educators and policymakers about how to proceed in the 2020-21 school year and beyond. For instance, what happens if students return to school even further behind in literacy? If the school year continues in a distance learning environment, what does effective literacy instruction and intervention look like? Are third graders in 2020-21 expected to meet the same benchmarks on state literacy assessments for promotion to fourth grade? Or do testing and retention get waived another year?

There are no clear or immediate answers to these questions but given the guidance states have—and have not—issued to this point, there are a number of steps they can take moving forward with their third-grade reading policies to ensure that the momentum on literacy is not lost.

1. **States with third-grade reading policies should issue clear guidance about how to continue to administer these policies and provide the resources to do so.** Perhaps the clearest finding from states' COVID-19 guidance was that there was not much of it. Of the 37 states and D.C. that have a third-grade reading policy, only nine issued any guidance—and even when they did, it was not comprehensive. Further, of the nine, only five states issued guidance specifically on how retention or interventions under these policies would be impacted by COVID-19. When early literacy is made a state policy priority, and especially when there are high stakes attached to those policies, clear guidance is needed about the continued provision of instruction and interventions, as well as how the new distance learning environment may impact promotion and retention decisions.

Some states have begun to issue such guidance for the 2020-21 school year. For instance, Ohio—which requires third-grade retention—included provisions in House Bill 164 (passed in June 2020) that prohibit schools from retaining third graders in the 2020-21 school year, freeze the required test score for promotion, and waive the requirement that public schools establish reading improvement plans.⁶⁵

If interventions are to continue to be administered in a distance learning environment, schools and educators also need the resources in order to implement them equitably and with fidelity. Massachusetts, for instance, began to free up funds for an early grades literacy grant to support selected schools' work to improve state reading in kindergarten through third grade.⁶⁶

2. **States and districts should consider using assessments for diagnostic and screening purposes.** By the beginning of the 2020-21 school year, students had not received face-to-face-instruction for many months—much longer than the typical summer break. As a result, educators and researchers believe that students will have faced greater than usual learning loss, especially for groups of students who are traditionally underserved by the education system.⁶⁷ Educators are rightly concerned about prioritizing students' learning and socioemotional needs as they return to school rather than spending time taking standardized tests. However, it is still

important—perhaps even more so—that educators are able to determine students’ reading abilities in order to administer the appropriate interventions and set reasonable expectations for growth and proficiency. For this reason, assessments should still be used for diagnostic and screening purposes.

Given the uncertainty over whether any in-person instruction will take place this school year in many places, determining whether the remote administration of these assessments is a possibility will be a necessary first step, but one worth taking so that educators, school leaders, and policymakers can make evidence-based decisions about the provision of interventions and proficiency standards for assessments and retention cut scores in 2020-21. In fact, many assessment systems that districts use for literacy benchmarking offer supports for remote administration. Educators and officials in Colorado⁶⁸ and Indiana⁶⁹ are already having conversations about how to approach this, and Michigan passed a bill in August 2020 requiring districts to select and administer benchmark assessments for the purpose of determining student achievement levels due to COVID-19.⁷⁰

3. **All states, whether or not they have a third-grade reading policy, should provide supports and resources to aid in the remote teaching of literacy.** Many districts across the country have begun the 2020-21 school year remotely, at least in part. Not only does this mean that guidance and resources will be helpful in the administration of instruction and student supports, but also in assisting educators in providing effective distance literacy instruction.

Results from a survey conducted in spring 2020 of approximately 9,000 Michigan educators indicated that teachers desire such supports. For example, 76% of teachers who responded said that digital platforms that provide regular content would be helpful to a moderate or great extent, 74% said so of virtual training resources on effective digital distance learning strategies, 76% of models of digital classroom practices, and 74% of ready-made lessons.⁷¹ The high level of desire for these resources was especially true of elementary teachers and those working in districts with low ELA achievement and low student SES. To the extent that states are able to offer such supports, they should also consider their equitable distribution.

LESSONS FOR MICHIGAN

As one of the 37 states plus D.C. with a third-grade reading policy, and one of 17 plus D.C. requiring retention, many of these lessons may be applicable to Michigan. Under Michigan’s Read by Grade Three Law, third graders who score more than one grade level behind on the state’s ELA assessment are identified for retention. The Law also calls for the use of frequent diagnostic assessments in grades kindergarten through third grade to identify students who have a “reading deficiency,” and includes provisions for tiered interventions for these students, including individual reading plans, small-group and one-on-one support, and out-of-school time interventions.

As in other states, Michigan educators and policymakers have expressed concern about the impact of the COVID-19 pandemic on literacy learning. In fact, in the spring 2020 survey of Michigan educators, teachers and principals reported that one of their top concerns about the impact of COVID-19 was students returning to school behind in literacy—with 92% of principals and 83% of teachers reporting that they were “concerned” or “extremely concerned” about this.⁷² Further,

this high level of concern was consistent across school districts with varying ELA performance, student SES, and access to broadband internet—suggesting that it is a broad-based concern among Michigan educators. This concern may be related to the Read by Grade Three Law, which has received a great deal of attention since it was passed in 2016.

Michigan educators will therefore need clear guidance related to the ongoing distance implementation of the Read by Grade Three Law. This is especially true given that the retention component of the Law was initially scheduled to go into effect for third graders in the 2019-20 school year but was waived due to the suspension of state testing. This, coupled with the introduction of Senate Bill 633 in November 2019 which would eliminate retention, has caused uncertainty about the future of retention in the Law. Some education officials, including State Superintendent Michael Rice and State Board of Education President Casandra Ulbrich, have expressed a desire to suspend state testing again in the 2020-21 school year. Michigan has already asked the U.S. Department of Education for a testing waiver, although Education Secretary Betsy DeVos has indicated that states should not anticipate such waivers.⁷³ The Michigan Department of Education (MDE) has been clear that, unless this changes, educators should anticipate state end-of-year assessments to be in place in spring 2021.⁷⁴

Beyond the retention component of the Read by Grade Three Law, Michigan has been proactive in passing legislation requiring districts to include benchmark assessments in their reopening plans for the 2020-21 school year, designed to help educators in determining student achievement levels and how to target instruction to students this school year. MDE has also released guidance on how this legislation will affect the assessment requirements under the Read by Grade Three Law, stating that the literacy screening assessments required within the first 30 days of the school year under the Read by Grade Three Law are to be conducted as usual, and students identified with a “reading deficiency” based on their results are to be given an IRIP.⁷⁵ Further, districts are to use their assessment system under the Read by Grade Three Law to continually screen and diagnose kindergarten through third grade throughout the school year.⁷⁶

Ultimately, the state has made clear that the Read by Grade Three Law, including its retention and intervention components, are all still in place for the 2020-21 school year, whether students are learning in-person or at a distance. It will be helpful for the state to continue issuing clear guidance on elements of the Law beyond retention, assessments, and IRIPs—such as early literacy coaches, Read at Home plans, and how small-group and one-on-one interventions are to work when students are learning at a distance.

Appendix A. State COVID-19 Guidance on Third-Grade Reading Policies			
State	COVID-19 Guidance	Issued by:	Issued when:
Colorado	"[Colorado Department of Education (CDE)] suspended spring 2020 K-3 READ Act and CPP Results Matter assessment requirements due to the suspension of in-person learning per the Governor's Executive Orders. The department did not collect spring reading assessment data and is basing per pupil intervention funding for the 2020-21 school year on 2019-20 information." ⁷⁷	Colorado Department of Education	n.d.
Florida	Commissioner Corcoran waived requirements in order "to allow teachers who are not certified or endorsed in reading to provide intensive reading interventions out-of-field until December 31, 2020"; "to extend the deadline for submission of Reading Plan Templates to June 30, 2020"; and "to extend the deadline for the Just Read, Florida! Office to review and approve resubmissions of Reading Add-on Plans until July 31, 2020." ⁷⁸	Commissioner of Education Richard Corcoran	5/13/20
Idaho	"The administration of the [Idaho Reading Indicator] is a statutory requirement, which has not been waived. However, its purpose this spring will be as a resource to support remote teaching and learning. Results from the assessment will not be used for statewide accountability." ⁷⁹	Idaho State Department of Education	4/22/20
Iowa	"For the remainder of the 2019-20 school year, schools will not be held accountable for providing intervention to students who did not meet benchmark in the winter. There may be circumstances where providing interventions to specific students can continue, but that is a local decision. At this time, it is expected that all public districts use Student Success in the fall of 2020 to log literacy interventions for all kindergarten through third grade students and any 4-6 students that are persistently at risk." ⁸⁰	Iowa Department of Education	4/30/20
Michigan	"Strict compliance with rules and procedures under section 1280f(5) of the School Code, MCL 380.1280f(5), is temporarily suspended so as to relieve a district of the obligations imposed by that provision for the remainder of the 2019-2020 school year, including the obligation to retain a pupil in grade 3." ⁸¹	Governor Gretchen Whitmer	4/2/20
	"Local school districts are to continue implementing all other components of the law. This includes the implementation of individual reading improvement plans; monitoring of student progress; providing appropriate interventions; and supporting all students to build their literacy skills. [Michigan Department of Education] understands that this effort looks different now than in a traditional setting, but districts are encouraged to maintain these services and address them in their continuity of learning plans, as approved by their local intermediate school district or charter school authorizer." ⁸²	Michigan Department of Education	4/29/20
Mississippi	"All students enrolled in Grade 3 in the 2019-2020 school year shall be promoted to Grade 4 for the 2020-2021 school year if the student meets all other district requirements for promotion." ⁸³	Mississippi Department of Education	n.d.

Appendix A. (continued) State COVID-19 Guidance on Third-Grade Reading Policies			
State	COVID-19 Guidance	Issued by:	Issued when:
Mississippi (continued)	"[If] districts choose to administer [K-3 Reading Screeners or Diagnostic Assessments] to K-3 students while learning from home, the results may only be used to guide learning. Screening results may NOT be used for promotion or retention (Mississippi Code 37-23-16)." ⁸⁴	Mississippi Department of Education	n.d.
	"MDE literacy coaches are providing supports to literacy support schools through virtual coaching. Supports include leveraging resources for working parents, hosting virtual professional learning opportunities for teachers, and assisting with Learning-at-Home resources." ⁸⁵		
Ohio	"Due to temporary changes in state law made in the context of the current coronavirus state of emergency, districts and public schools are not required to administer the spring 2020 Ohio's State Test for third grade English language arts." ⁸⁶	Ohio Department of Education	n.d.
	"Districts and community schools are strongly encouraged, but not required, to provide continued support for all students who did not meet the promotion threshold during the fall 2019 testing administration. Also, districts are expected to continue supporting students with Reading Improvement and Monitoring Plans for the 2019-2020 school year. However, the Ohio Department of Education is granting districts temporary flexibility in the implementation of the statutory requirements for the Reading Improvement and Monitoring Plans." ⁸⁷		
	"Newly enacted Ohio law temporarily removes the requirement that students meet the Third Grade Reading Guarantee promotion threshold for the 2019-2020 school year to advance to fourth grade." ⁸⁸	House Bill 164	3/27/20
Oklahoma	"Oklahoma schools are not expected to, and should not, administer the required end-of-year screening assessments for students in Kindergarten through grade three for the remainder of the school year. As a result of the cancellation of the third grade ELA test, schools should utilize data collected from screening, diagnostic, and progress monitoring assessments prior to March 16, 2020, to make promotion and retention decisions." ⁸⁹	Oklahoma State Department of Education	n.d.
South Carolina	"Mandatory third grade retention is based on performance on the ELA portion of SC READY, which is suspended for the current school year. Retention at third grade, as well as any other grade, should not be based on any one assessment, but a collection of data points that may include formative assessments, teacher-made assessments, quarter grades earned, and prior parent notification and input." ⁹⁰	State Superintendent Molly Spearman	3/30/20
	"During the summer of 2020, our state must make wise investments to promote student learning in ways that are developmentally appropriate and targeted to meet the unique needs of different learners... Districts should continue existing Reading Camps for 3rd graders." ⁹¹	AccelerateED Task Force	5/26/20

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