



Reading/Literacy

Preschool to third grade

Education Commission of the States

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Third-grade reading policies

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The third-grade year is considered a pivotal point in a child's educational career, as a critical shift in learning takes place — one where basic reading skills are established and can begin to be utilized for more complex learning.

If children do not have proficient reading skills by third grade, their ability to progress through school and meet grade-level expectations diminishes significantly. These students are at a much greater risk of dropping out, which often leads to high rates of unemployment and increased risk of participation in the criminal justice and welfare systems. Research shows that:

- Children who are not reading proficiently by third grade are four times less likely to graduate high school on time.
- More than half of all students (63 percent) who did not graduate from high school on time were not reading proficiently in third grade.ⁱ

State policymakers are well aware of the importance of ensuring that all students are reading at grade level by the end of third grade. The Education Commission of the States (ECS) has seen a flurry of policies passed recently that are geared toward improving third grade reading through identification of reading deficiencies with state or local assessments, provision of interventions for struggling readers in grade K-3 and retention of outgoing third graders not meeting grade-level expectations. Including retention in this analysis should not be considered an endorsement but rather a recognition that it is an available strategy some states have chosen to use. With little consensus regarding its efficacy, the most effective policies must undertake a comprehensive approach that begins with early, high-quality instruction and rapid, effective interventions. A critical component not addressed in this report is the need for high-quality, well-trained teachers. Some states like Ohio and Connecticut now require that teachers pass a rigorous examination of principles of scientifically research-based reading instruction as a requirement of certification.

The following report provides statutory provisions on the identification of, intervention for and retention of struggling readers in the preK-3 grades.

Key Takeaways

- 36 states plus the District of Columbia require a reading assessment in at least one grade, preK-3, with the primary purpose to identify reading deficiencies. The assessments are a mix of state-mandated and locally determined approaches.
- 33 states plus D.C. require or recommend that districts offer some type of intervention or remediation for struggling readers for a P-3 grade. Some states require specific interventions while others let districts choose from a list of suggested interventions.
- 16 states plus D.C. require the retention of third-grade students who do not meet grade-level expectations in reading. Three additional states allow students to be retained based on a recommendation from teacher, parent or superintendent.

A glance around the country: Highlights of third grade reading policies

Assessments are required in the following grades:

- Grades preK-3 (5 states)
- Grades K-3 (25 states plus DC)
- Grades 2-3 (2 states)
- Grade 3 only (4 states)
- Grades K & 2 (1 state)

Interventions required or recommended by states:

- Instruction outside of school hours including extended day/extended year (21 states plus D.C.)
- Supplemental instruction during regular schools hours (21 states)
- Summer school or summer reading program (18 states plus D.C.)
- Individual or group tutoring (15 states plus D.C.)
- Instruction tailored specifically to a student's need (13 states plus D.C.)
- Academic Improvement Program (11 states)
- Implementation of a Home Reading Program (12 states)
- Assignment to a different teacher (7 states plus D.C.)
- Involvement of a reading specialist (6 states)
- Online or computer-based instruction (4 states)
- Transition class (4 states)

Twenty-four states plus the D.C. require parental notification of a student's reading need, interventions in place and, if applicable, the possibility a student may be retained.

Of the 16 states plus D.C. that retain students:

- 12 will promote students if they participate in an intervention.
- 16 states plus D.C. provide good cause exemptions for at least one of the following reasons:
 - ❖ Students receiving special education services (14 states plus D.C.)
 - ❖ Students previously retained either once or twice on the basis of a reading deficiency (10 states plus D.C.)
 - ❖ English language learners (11 states plus D.C.)
 - ❖ Recommendation from a principal or teacher (2 states)
 - ❖ Parental appeal (1 state)

See the chart below for a state-by-state breakdown.

Interventions include:

AIP: Assignment to an Academic Improvement Program
DT: Assignment to a different teacher
HRP: Implementation of a Home Reading Program
OI: Online or computer-based instruction
OS: Instruction outside of school hours including extended day and extended year

TC: Transition classes (multiple grade levels)
RS: Involvement of a Reading Specialist
SI: Supplemental instruction (during school)
SS: Summer school or summer reading program
T: Individual or group tutoring
TI: Instruction tailored specifically to students' need

Exemptions of retention include:

ELL: English Language Learners
SPED: Students receiving special education services

1x: Have previously been retained once solely on the basis of reading
2x: Have previously been retained twice solely on the basis of reading

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Alabama	-	-	-	-	-	-	-	-
Alaska 4 AAC 06.713	Local: K-3 ¹	-	-	-	-	-	-	-
Arizona §15-701; §15-704	State: PreK-3	K-3	SS, OS, OI, DT	HRP	Yes	Yes	No	ELL, SPED
Arkansas §6-15-2009; §6-15-420; §6-15-433	Local: K-2 State: 3	K-3	AIP, SI, TI	-	Yes	Yes	Yes	SPED
California §48070.5; §60642.5	State: 2, 3	2-3	-	SS, OS	Yes	Yes	Yes	Teacher Recommends

¹ Only administered to third-grade students identified as experiencing delays in attaining early literacy skills during the second grade.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Colorado §22-7-1205; §22-7-1206	Local: K-3	K-3	AIP, SI, TI, HRP	SS	Yes	Allowed ²	No	1x, ELL, SPED
Connecticut ³ §10-14u; §10-265g; §10-265l	State or Local: K-3	K-3	AIP, RS, SI, SS ⁴	T, OS, HRP	Yes	Yes	Yes ⁵	Principal recommends
Delaware HB 334 (2014); §14.1-151; §14.1-153	State: K & 3 Local: 1 & 2 ⁶	3	AIP	SS, OS, T	Yes	No ⁷	-	-
District of Columbia LB 311 (2014); §38-1803.11, §38-1803.21; §38-755.03; Rule: 5-E2200.9	Local: K-3	K-3	SS	T, OS, TI, DT	Yes	Yes	No ⁸	1x, ELL, SPED
Florida §1008.25;	State or Local: PreK, ⁹	K-3	AIP, SI, SS ¹⁰	DT, TC, OS, T, SI, RS, TI, HRP	Yes	Yes	No	2x, ¹¹ ELL, SPED

² The parent, teacher or other personnel are required to meet and consider retention. Beginning in 2016-17, advancement of a student with a reading deficiency must be approved by the superintendent.

³ Specific identification, intervention and retention policies are laid out in statute for priority school districts only.

⁴ Summer school is subject to available appropriations.

⁵ The superintendent of schools may exempt an individual student from having to attend summer school in order to be promoted, upon the recommendation of the school principal, based on the student's progress with the student's personal reading plan.

⁶ DE ADC 14 100 requires the statewide assessment (DCAS) for grade 2, however, as of 2015, that assessment is being replaced with the SBAC which begins at grade 3.

⁷ SB 255 (2014), section 316 on page 212 states that all consequences related to the Statewide Assessment System for individual students including retention are eliminated until the Statewide Assessment System is fully implemented.

⁸ Students will be re-evaluated following the completion of summer school and must receive a passing grade.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
§1011.62; §1002.67	1-2 State: K & 3							
Georgia §20-2-153; §20-2-283	Local: K-2 State: 3	K-4	-	SI, TI	Yes	Yes	No	Parental appeal
Hawaii	-	-	-	-	-	-	-	-
Idaho §33-1614; §33-1615	State: K-3	K-3	OS	-	-	No	-	-
Illinois SB 3412 (2014)	State: 3	-	-	-	-	-	-	-
Indiana §20-32-8.5-1; 511 IAC 6.2-3.1-1 et seq.	Local: K-2 State: 3	K-3	TI, DT ¹²	T, HRP, OS ¹³	Yes	Yes	No	2x, ELL, ¹⁴ SPED ¹⁵
Iowa §279.68	State or Local: K-3	K-3	HRP, SI, SS ¹⁶	OS, T, TI	Yes	Yes	Yes	1x, ELL, SPED
Kansas	-	-	-	-	-	-	-	-

⁹ Contingent upon legislative appropriation, each private prekindergarten provider and public school in the Voluntary Prekindergarten Education Program is required to implement an evidence-based pre- and post-assessment.

¹⁰ For students retained in third grade only.

¹¹ Students can only be retained once in third grade

¹² Different teacher required for retained students only

¹³ For retained students, at least one of the specified options must be selected.

¹⁴ Only if a specified committee determines that promotion is appropriate based on the implementation of researched-based instructional practices outlined in the student's individual learning plan.

¹⁵ Only if a case conference committee has determined that promotion is appropriate.

¹⁶ Summer school required for students whose reading deficiency is not remedied by the end of third grade.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Kentucky §158.791; §158.305; §158.840	Local: K-3	K-3	SI, TI	-	-	No	-	-
Louisiana LAC 28: CXV §2307	Local: K-3	K-3	-	-	-	No	-	-
Maine	-	-	-	-	-	-	-	-
Maryland §7-202	Local: 2-3	3	SI	-	-	Yes	Yes	1x, SPED
Massachusetts	-	-	-	-	-	-	-	-
Michigan	-	-	-	-	-	-	-	-
Minnesota §120B.12; §120B.30	Local: K-2 State: 3	K-3	-	SI, SS, OS, T	Yes	No	-	-
Mississippi § 37-177-1	State or Local: K-3	K-3	TI, SI ¹⁷	T, TC, OS, SS, DT, HRP ¹⁸	Yes	Yes	No	2x, ELL, SPED
Missouri §167.645; §162.1100	Local: 3	3	AIP, OS, SS	-	Yes	Yes	Yes	1x, ELL, SPED
Montana	-	-	-	-	-	-	-	-
Nebraska	-	-	-	-	-	-	-	-
Nevada	-	-	-	-	-	-	-	-
New Hampshire	-	-	-	-	-	-	-	-

¹⁷ Supplemental instruction required only for students retained in third grade.

¹⁸ For students retained in third grade only.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
New Mexico §22-13-1; §22-13-1.3; §22-2C-4	Local: K-2 State: 3	-	AIP, OS, RS	-	-	No	-	-
New York CR 117.3; §3208; §3602-e; §3211-a	Local: PreK-2 State: 3	K-3	TI	-	Yes	No	-	-
North Carolina H.B. 230 (2014); §115C-105.41; §115C-81.2; §115C-83.1; §115C-105.27; §115C-174.11	State: K-3 ¹⁹	K-3	AIP, HRP, DT, SI, TI	OS, SS, T	Yes	Yes	No	2x, ELL, SPED
North Dakota §15.1-07; §15.1-21-08	Local: K-2 State: 3	K-3	T	-	-	No	-	-
Ohio §3313.608; §3301.0710	State: K-3	K-3	AIP, SI, HRP	DT, OS, SS, T	Yes	Yes	Yes	1x, ELL, SPED

¹⁹ Requires the State Board to provide valid and reliable alternative assessments to LEAs.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Oklahoma HB 2625 (2014); §70-1210.508C; §70-1210.508E	Local: K-2 State: 3	K-3	AIP, SI, TI, DT ²⁰	OS, SS, T, OI, HRP, RS, TC	Yes	Allowed ²¹	Yes ²²	2x, ELL, SPED
Oregon	-	-	-	-	-	-	-	-
Pennsylvania	-	-	-	-	-	-	-	-
Rhode Island §16-67-2	Local: K-2 State: 3	K-3	SI	-	-	No	-	-
South Carolina ²³ §59-18-310; §59-155-120; §59-155-150; §59-155-160	Local: PreK-2 State: 3	K-3	TI, SI, T	SS, OS, TC	Yes	Yes ²⁴	Yes ²⁵	1x, ELL, SPED
South Dakota	-	-	-	-	-	-	-	-
Tennessee §49-6-3115; §49-6-6002; §49-6-702	State: 3	3	-	-	-	Yes	Yes	SPED

²⁰ Assignment to a different teacher pertains only to those students retained in third grade.

²¹ For the 2013-14 and 2014-15 school years, a student not qualified for automatic promotion may be evaluated for “probationary promotion” by a team of a parent, teachers, principal and reading specialist to determine whether a student should be promoted to the fourth grade. Beginning with the 2015-16 school year, students scoring an unsatisfactory level will be retained.

²² A teacher may recommend promotion contingent upon a student's participation in intervention, but does not have to.

²³ All intervention and retention components and the addition of preK and kindergarten to those grades assessed are contingent on available state funding per S.B. 516 (2014).

²⁴ Retention of students begins in the 2017-18 school year.

²⁵ Students will be re-evaluated following the completion of summer school and must score at least one level above the lowest level on the state assessment.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Texas §28.006; §28.0211	Local: K-2 State: 3	K-3	SI	OS, SS	Yes	No	-	-
Utah §53A-1-606.5-7; §53A-17a-150	State: K-3	1-3	TI, HRP	T, OS, SS, OI, RS	Yes	No	-	-
Vermont 16 V.S.A. §2903; 16; V.S.A. §164	State: 3	4	SI	HRP	Yes	No	-	-
Virginia §22.1-253.13:1	State: K-3	K-3	-	RS, T, OI, SI, OS,SS	Yes	No	-	-
Washington §28A.300.310; §28A.300.320; §28A.150.315	State: K-4 ²⁶	K-4 ²⁷	-	T, SS, OS	Yes	Yes	Yes	ELL, SPED
West Virginia §18-2E-10	Local: K-3	K-3	SI	OS	-	Allowed ²⁸	Yes ²⁹	SPED
Wisconsin §118.016; §121.02	Local: PreK-2 State: 3	K-3	SI	-	Yes	No	-	-

²⁶ The state superintendent is to develop 2nd-grade assessments and passages for districts to choose from to assess oral reading accuracy and fluency skills. Washington currently has a voluntary pilot program for 2nd-grade reading assessments.

²⁷ Schools where more than 40% of the tested students received a score of basic or below basic on the 3rd-grade reading assessment must implement an intensive reading and literacy improvement strategy for *all* students in grades K-4.

²⁸ Classroom teachers can recommend the grade level retention of a student.

²⁹ Student *may* be required to participate in an intervention as a condition of promotion under specified circumstances. Teachers can still recommend a student be retained.

State	Annual Reading Assessment	Intervention			Parental Notification Required	Retention		Exemptions to Retention
		Grades Provided	Required	Recommended		Required	Promoted if Participate in Intervention	
Wyoming §21-3-401	Local: K-3	K-3	AIP	-	-	No	-	-

This is an update to a [2012 report](#) on third-grade reading policies.

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Endnote

ⁱ Donald J. Hernandez, *Double Jeopardy: How Third Grade Reading Skills And Poverty Influence High School Graduation* (Baltimore: Annie E. Casey Foundation, 2012). <http://www.aecf.org/m/resourcedoc/AECF-DoubleJeopardy-2012-Full.pdf>