

**Memorandum**

**To: Interested Parties**

**From: Superintendent Mark Johnson**

**Re: State Board of Education's and bureaucrats' violation of Read to Achieve Law**

**Statement from Superintendent Mark Johnson**

It is disappointing, but not surprising, that we once again have uncovered evidence that bureaucrats in state government have sought to aggressively undermine clear, unambiguous legislative directives. The NC State Board of Education was tasked with implementing the Read to Achieve legislation. Read to Achieve specifically directed the State Board of Education to end social promotion of 3<sup>rd</sup> graders – promoting students from one grade level to the next on the basis of age rather than academic ability. Sadly, the State Board's policy aggressively avoided that directive.

Our state's leaders can and should have productive conversations about whether retaining students works or not. As a former 9<sup>th</sup> grade teacher, I can tell you that I believe social promotion hurts students, hampers teachers, and negatively affects our schools and families. Others might point to evidence that retention may not be effective. But we need an honest and transparent discussion on the matter, not bureaucrats crafting a policy to ignore lawmakers' intent.

Rather than actually retaining students who were not reading at grade level, the State Board's policy placed a hollow label of "retained" on these students' school records. They were labeled "retained" but kept being advanced through grades, almost all of them falling further and further behind grade level each year.

I have said before that you could not create a better system for non-accountability than what I faced when I walked in the door at DPI, and this is yet another example of the broken system. The unelected State Board of Education members will face no accountability. The DPI employee who crafted this policy left DPI early in my tenure, apparently not caring for my system of greater transparency and accountability. But the simple reality is that with NC state government stuck with 20<sup>th</sup> century bureaucracy, no one can be held accountable for failing these 70,000 students, their parents, their teachers, their schools, and their communities.

We need a government that is more accountable to the people, more efficient for the people, and more transparent with the people.

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## **Executive Summary**

The Read to Achieve legislation directed the NC State Board of Education (SBE) to eliminate “social promotion” of 3<sup>rd</sup> graders in an effort to ensure students were better prepared for advancing in school. Following an extensive investigation, DPI leadership has now uncovered that the policy enacted by the SBE gutted the no social promotion language via aggressive work-arounds. Over 10,000 third graders per year – more than 70,000 students since Read to Achieve was enacted – were improperly socially promoted to the 4<sup>th</sup> grade. DPI leadership is now assessing the full consequences and working with local superintendents on measured approaches to fix this inappropriate guidance and improve the Read to Achieve Program.

The SBE’s work-around to allow social promotion is as follows.

Per Read to Achieve Guidebook instructions to local school districts, if a 3<sup>rd</sup> grader does not display reading proficiency, the student can still advance to the 4<sup>th</sup> grade but is tagged with a “Retained Reading Label” on their student record. These students are in 4<sup>th</sup> grade classrooms, engage in 4<sup>th</sup> grade classwork, and take 4<sup>th</sup> grade tests. Sadly, most of these students did not show reading proficiency by the end of 4<sup>th</sup> grade either, but they were moved along to 5<sup>th</sup> grade.

Put another way, these students were retained in a file, but not in reality. Third graders who were not reading at grade level by the end of 3<sup>rd</sup> grade have been socially promoted despite the specific directive of the Read to Achieve legislation.

The SBE rules pass the buck and ultimately place the decision with the principal at each school to make the decision on implementing pro-or-anti social promotion policies. Superintendent Johnson and DPI do not blame principals or local superintendents on this matter. They were given SBE guidance that ignored the law and clearly delineated that the elimination of social promotion was not a priority. The direction from the SBE actually indicated to principals and local superintendents a different goal – find a way not to hold the student back.

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## **Brief Timeline**

**2012** – General Assembly passes the Read to Achieve legislation, which includes a section entitled “Elimination of social promotion.” The law requires that:

- the SBE retain students in the 3<sup>rd</sup> grade if they are not proficient readers and don’t qualify for an exemption,
- such retained students shall be placed in an “accelerated reading class” (designed to give the retained 3<sup>rd</sup> graders more reading support during the school day) or a “transitional third and fourth grade class combination” (designed to remediate the retained 3<sup>rd</sup> graders while producing learning gains to help reach 4<sup>th</sup> grade standards) § 115C-83.8. Successful reading development for retained students and § 115C-83.3. Definitions.

**2013** – SBE approves and implements the Read to Achieve Guidebook that directs schools how to treat 3<sup>rd</sup> graders who are not proficient readers and do not qualify for exemptions.

The *only* way a student is to be retained in the 3<sup>rd</sup> grade is if a non-proficient student, who doesn’t qualify for an exemption, does not attend a Summer Reading Camp.

Otherwise:

- All non-proficient students advance to the 4<sup>th</sup> grade with a “retained” label in their student record,
- All students, regardless of proficiency, “take the 4<sup>th</sup> grade EOG,” and
- Schools can then move non-proficient students to the 5<sup>th</sup> grade, “but the third-grade retention label remains.”

**Fall 2014** – First group of “retained” 3<sup>rd</sup> graders advances to 4<sup>th</sup> grade.

**Fall 2015** – First group of “retained” 3<sup>rd</sup> graders advances to 5<sup>th</sup> grade.

**Fall 2015** – SBE approves revisions to the Read to Achieve Guidebook that leaves *no* requirement to retain non-proficient 3<sup>rd</sup> graders in the 3<sup>rd</sup> grade:

- Eliminates the requirement to retain non-proficient 3<sup>rd</sup> graders who do not attend Summer Reading Camps.
- For all non-proficient 3<sup>rd</sup> graders, who do not qualify for an exemption, directs schools to choose whether to (1) retain in 3<sup>rd</sup> grade classes, (2) advance to 3<sup>rd</sup>/4<sup>th</sup> grade transition classes as 4<sup>th</sup> graders with the “Retained Reading Label,” or (3) advance to “accelerated reading” 4<sup>th</sup> grade classes as 4<sup>th</sup> graders with the “Retained Reading Label.”

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## **Brief Data Snapshot**

For the first group of 3<sup>rd</sup> graders (2013-14) under Read to Achieve, 12,657 3<sup>rd</sup> graders were placed in 4<sup>th</sup> grade when, according to the law, they should have been retained in 3<sup>rd</sup> grade. Some of these 3<sup>rd</sup> graders may have reached proficiency during their 4<sup>th</sup> grade year; however, most did not. Fewer than 1 in 10 of these students scored proficient on the 4<sup>th</sup> grade EOG at the end of the school year. The first cohort of 3<sup>rd</sup> graders under Read to Achieve are now 9<sup>th</sup> graders.

For a more recent group of 3<sup>rd</sup> graders (2017-18) under Read to Achieve, 830 students repeated 3<sup>rd</sup> grade and 17,065 3<sup>rd</sup> graders, who should have been retained in 3<sup>rd</sup> grade, were placed in 4<sup>th</sup> grade. Some of these 3<sup>rd</sup> graders may have reached proficiency during their 4<sup>th</sup> grade year; however, most did not. Again, fewer than 1 in 10 of these students scored proficient on the 4<sup>th</sup> grade EOG at the end of the school year, and most of them still had the “Reading Retained Label” on their records at the end of 4<sup>th</sup> grade.

Last school year (2018-19), 1 out of every 8 students sitting in a 5<sup>th</sup> grade class had not passed Read to Achieve standards in 3<sup>rd</sup> grade in 2016-17 and had not scored proficient on their 4<sup>th</sup> grade EOG in 2017-18.

## **Why is this just now being discovered?**

There have been numerous stories in recent months focused directly or indirectly on the efficacy of Read to Achieve and the reading diagnostic tools used for Read to Achieve. Superintendent Johnson directed senior staff to review the Read to Achieve program starting with the actual requirements of the legislation, and it was during this review process that this unlawful SBE guidance was discovered.

## **What's Next?**

Superintendent Johnson has already discussed this issue with local superintendents. Together, Superintendent Johnson, local superintendents, and other stakeholders will work to address this issue. The group will restructure the policies implementing Read to Achieve and seek to improve the program.