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State of Minnesota

HOUSE OF REPRESENTATIVES

A bill for an act

NINETY-THIRD SESSION

H. F. No. 3744

Authored by Edelson, Tabke, Clardy and Pérez-Vega The bill was read for the first time and referred to the Committee on Education Policy 02/13/2024

1.2 1.3	relating to education; literacy; amending the Read Act; requiring a report; appropriating money; amending Minnesota Statutes 2023 Supplement, sections
1.4	120B.1117; 120B.1118, subdivisions 4, 7, by adding subdivisions; 120B.12,
1.5	subdivisions 1, 2a, 4, 4a; 120B.123, subdivisions 1, 5, by adding a subdivision;
1.6	120B.124, subdivision 1; 124D.42, subdivision 8; 124D.98, subdivision 5; Laws
1.7	2023, chapter 55, article 3, section 11, subdivisions 2, 4.
1.8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.9	Section 1. Minnesota Statutes 2023 Supplement, section 120B.1117, is amended to read
1.10	120B.1117 TITLE; THE READ ACT.
1.11	Sections 120B.1117 120B.118 to 120B.124 may be cited as the "Reading to Ensure
1.12	Academic Development Act" or the "Read Act."
1.13	Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding
1.14	a subdivision to read:
1.15	Subd. 2a. Culturally responsive pedagogy. "Culturally responsive pedagogy" means
1.16	practices and dispositions that convey respect and concern for students and include:
1.17	(1) recognizing students' culturally grounded experiences as a foundation on which to
1.18	build knowledge;
1.19	(2) cultural competency in interacting with students and families;
1.20	(3) an ethic of deep care and affirming views of students; and
1.21	(4) a critical consciousness and sense of efficacy about learning and creating
1.22	equity-oriented changes in the status quo that is consciously transmitted to students.

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Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 4, is amended to read:

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- Subd. 4. **Evidence-based.** "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, <u>word study, spelling, fluency, vocabulary, oral language</u>, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system, as defined in subdivision 16.
- Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 7, is amended to read:
 - Subd. 7. **Literacy specialist.** "Literacy specialist" means a person licensed by the Professional Educator Licensing and Standards Board as a teacher of reading, a special education teacher, or a kindergarten through grade 6 teacher, who has completed professional development approved by the Department of Education in structured literacy. A literacy specialist employed by the department under section 120B.123, subdivision 7, or by a district as a literacy lead, is not required to complete the approved training before August 30, 2025.
- Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding a subdivision to read:
- 2.22 <u>Subd. 18.</u> <u>Word study.</u> "Word study" includes instruction in word analysis or syllables,
 2.23 structural analysis or morphemes, and etymology.
- Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 1, is amended to read:
 - Subdivision 1. **Literacy goal.** (a) The legislature seeks to have every child reading at or above grade level every year, beginning in kindergarten, and to support multilingual learners and students receiving special education services in achieving their individualized reading goals in order to meet grade level proficiency. By the 2026-2027 school year, districts must provide evidence-based reading instruction through a focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language, vocabulary, and reading comprehension skills. Students

Sec. 6. 2

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must receive evidence-based instruction that is proven to effectively teach children to read, consistent with sections 120B.1117 to 120B.124.

- (b) To meet this goal, each district must provide teachers and instructional support staff with responsibility for teaching reading with training on evidence-based reading instruction that is approved by the Department of Education by the deadlines provided in this subdivision. The commissioner may grant a district an extension to the deadlines in this paragraph. Beginning July 1, 2024, a district must provide access to the training required under section 120B.123, subdivision 5, to:
- 3.9 (1) <u>reading</u> intervention teachers working with students in kindergarten through grade 3.10 12;
 - (2) all classroom teachers of students in kindergarten through grade 3 and children in prekindergarten programs;
- 3.13 (3) special education teachers;
- 3.14 (4) curriculum directors; and

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- 3.15 (5) instructional support staff who provide reading instruction; and
- $\frac{(6)}{(5)}$ (5) employees who select literacy instructional materials for a district.
- 3.17 (e) All other teachers and instructional staff required to receive training under the Read
 3.18 Act must complete the training no later than July 1, 2027.
- 3.19 (c) The following other teachers and instructional staff must complete the training
 3.20 required under the Read Act by July 1, 2027:
- 3.21 (1) teachers who provide reading instruction to students in grades 4 to 12;
- 3.22 (2) teachers of multilingual students; and
- (3) teachers who provide instruction to students who qualify for the graduation incentives
 program under section 124D.68.
 - (d) Districts are strongly encouraged to adopt a MTSS framework. The framework should include a process for monitoring student progress, evaluating program fidelity, and analyzing student outcomes and needs in order to design and implement ongoing evidenced-based instruction and interventions.

Sec. 6. 3

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Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 2a, is amended to read:

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- Subd. 2a. **Parent notification and involvement.** A district must administer a an approved reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, and again within the last six weeks of the school year. Starting in the 2024-2025 school year, a district must also administer the approved screener in the middle of the school year. Schools, at least biannually after administering each screener, must give the parent of each student who is not reading at or above grade level timely information about:
- (1) the student's reading proficiency as measured by a screener approved by the Department of Education;
- 4.12 (2) reading-related services currently being provided to the student and the student's4.13 progress; and
- 4.14 (3) strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.
- A district may not use this section to deny a student's right to a special education evaluation.
- Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4, is amended to read:
 - Subd. 4. **Staff development.** (a) A district must provide training on evidence-based reading structured literacy instruction to teachers and instructional staff in accordance with subdivision 1, paragraph (b). The training must include teaching in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading comprehension, and culturally and linguistically responsive pedagogy.
 - (b) Each district shall use the data under subdivision 2 to identify the staff development needs so that:
 - (1) elementary teachers are able to implement explicit, systematic, evidence-based instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension with emphasis on mastery of foundational reading skills as defined in section 120B.1118 and other literacy-related areas including writing until the student achieves grade-level reading and writing proficiency;

Sec. 8. 4

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(2) elementary teachers have sufficient receive training to provide students with evidence-based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the district for the identified students;

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- (3) licensed teachers employed by the district have regular opportunities to improve reading and writing instruction through professional development identified in the local literacy plan;
- (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are multilingual learners by maximizing strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and
- (5) licensed teachers are well trained in culturally responsive pedagogy that enables students to master content, develop skills to access content, and build relationships.
- (c) A district must provide staff in early childhood programs sufficient training approved by the Department of Education to provide children in early childhood programs with explicit, systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.
- Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.12, subdivision 4a, is amended to read:
 - Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level every year beginning in kindergarten and to support multilingual learners and students receiving special education services in achieving their individualized reading goals. A district must update and submit the plan to the commissioner by June 15 each year. The plan must be consistent with the Read Act, and include the following:
- (1) a process to assess students' foundational reading skills, oral language, and level of reading proficiency and the screeners used, by school site and grade level, under section 120B.123;
 - (2) a process to notify and involve parents;
- 5.31 (3) a description of how schools in the district will determine the targeted reading 5.32 instruction that is evidence-based and includes an intervention strategy for a student and

Sec. 9. 5

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the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;

- (4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention;
 - (5) identification of staff development needs, including a plan to meet those needs;
- (6) the curricula used by school site and grade level;
 - (7) a statement of whether the district has adopted a MTSS framework;
- 6.9 (8) student data using the measures of foundational literacy skills and mastery identified 6.10 by the Department of Education for the following students:
- (i) students in kindergarten through grade 3;

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- 6.12 (ii) students who demonstrate characteristics of dyslexia; and
 - (iii) students in grades 4 to 12 who are identified as not reading at grade level; and
- 6.14 (9) the number of teachers and other staff that have completed training approved by the department.
 - (b) The district must post its literacy plan on the official school district website and submit it to the commissioner of education using the template developed by the commissioner of education beginning June 15, 2024.
 - (c) By March 1, 2024, the commissioner of education must develop a streamlined template for local literacy plans that meets the requirements of this subdivision and requires all reading instruction and teacher training in reading instruction to be evidence-based. The template must require a district to report information using the student categories required in the commissioner's report under paragraph (d). The template must focus district resources on improving students' foundational reading skills while reducing paperwork requirements for teachers.
 - (d) By December 1, 2025, the commissioner of education must submit a report to the legislative committees with jurisdiction over prekindergarten through grade 12 education summarizing the local literacy plans submitted to the commissioner. The summary must include the following information:
- (1) the number of teachers and other staff that have completed training approved by theDepartment of Education;

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(2) by school site and grade, the screeners used at the beginning and end of the school year and the reading curriculum used; and

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- (3) by school site and grade, using the measurements of foundational literacy skills and mastery identified by the department, both aggregated data and disaggregated data using the student categories under section 120B.35, subdivision 3, paragraph (a), clause (2).
- Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 1, is amended 7.6 to read: 7.7
- Subdivision 1. Approved screeners. A district must administer an approved evidence-based reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, and again within the last six weeks of the school year. Starting 7.10 in the 2024-2025 school year, a district must also administer the screener in the middle of the school year. The screener must be one of the screening tools approved by the Department 7.12 of Education. A district must identify any screener it uses in the district's annual literacy plan, and submit screening data with the annual literacy plan by June 15. 7.14
- Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.123, subdivision 5, is amended 7.15 to read: 7.16
 - Subd. 5. **Professional development.** (a) A district must provide training from a menu of approved evidence-based training programs to all reading intervention teachers, literacy specialists, and other teachers and staff identified in section 120B.12, subdivision 1, paragraph (b), by July 1, 2025; and by July 1, 2027, to other teachers in the district who provide reading instruction or reading interventions, prioritizing teachers who work with students with disabilities, English learners, and students who qualify for the graduation incentives program under section 124D.68.
- (b) A district must provide training approved by the Department of Education to 7.24 instructional support staff, volunteers, and other persons who provide reading instruction 7.25 or interventions to students in kindergarten through grade 12 by July 1, 7.26
- (c) The commissioner of education may grant a district an extension to the deadlines in 7.27 this subdivision. 7.28
- Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.123, is amended by adding 7.29 a subdivision to read: 7.30
- Subd. 8. Special revenue fund. An account is established in the special revenue fund 7.31 known as the "Read Act program account." All amounts appropriated under Laws 2023, 7.32

Sec. 12. 7

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chapter 55, article 3, that are unobligated and unencumbered as of June 30, 2028, must be transferred to the Read Act program account. Remaining unspent funds from previously obligated or encumbered appropriations under the Read Act cancel to the Read Act program account.

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- 8.5 Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.124, subdivision 1, is amended to read:
 - Subdivision 1. **Resources.** The Department of Education must partner with CAREI for two years beginning July 1, 2023, until August 30, 2025, to support implementation of the Read Act. The department and CAREI must jointly:
 - (1) identify at least five literacy curricula and supporting materials that are evidence-based or focused on structured literacy by January 1, 2024, and post a list of the curricula on the department website. The list must include curricula that use culturally and linguistically responsive materials that reflect diverse populations and, to the extent practicable, curricula that reflect the experiences of students from diverse backgrounds, including multilingual learners, biliterate students, and students who are Black, Indigenous, and People of Color. A district is not required to use an approved curriculum, unless the curriculum was purchased with state funds that require a curriculum to be selected from a list of approved curricula;
 - (2) identify at least three professional development programs that focus on the five pillars of literacy and the components of structured literacy by August 15, 2023, subject to final approval by the department. The department must post a list of the programs on the department website. The programs may include a program offered by CAREI. The requirements of section 16C.08 do not apply to the selection of a provider under this section;
 - (3) identify evidence-based literacy intervention materials for students in kindergarten through grade 12;
 - (4) develop an evidence-based literacy lead training program that trains literacy specialists throughout Minnesota to support schools' efforts in screening, measuring growth, monitoring progress, and implementing interventions in accordance with subdivision 1;
 - (5) identify measures of foundational literacy skills and mastery that a district must report on a local literacy plan;
- 8.30 (6) provide guidance to districts about best practices in literacy instruction, and practices that are not evidence-based;
 - (7) develop MTSS model plans that districts may adopt to support efforts to screen, identify, intervene, and monitor the progress of students not reading at grade level; and

Sec. 13. 8

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(8) ensure that teacher professional development options and MTSS framework trainings 9.1 are geographically equitable by supporting trainings through the regional service 9.2 cooperatives:; and 9.3 (9) identify or develop one or more professional development programs for unlicensed 9.4 school staff, volunteers, and other persons that provide literacy instruction or intervention 9.5 to students in Minnesota school districts, charter schools, or cooperative units by January 9.6 10, 2025, subject to final approval by the department. The training must be ten to 25 hours 9.7 long. 9.8 Sec. 14. Minnesota Statutes 2023 Supplement, section 124D.42, subdivision 8, is amended 9.9 to read: 9.10 Subd. 8. Minnesota reading corps program. (a) A Minnesota reading corps program 9.11 is established to provide ServeMinnesota AmeriCorps members with a data-based 9.12 problem-solving model of literacy instruction to use in helping to train local Head Start 9.13 program providers, other prekindergarten program providers, and staff in schools with 9.14 students in kindergarten through grade 3 to evaluate and teach early literacy skills, including 9.15 9.16 evidence-based literacy instruction under sections 120B.1117 to 120B.124, to children age 3 to grade 3 and interventions for children in kindergarten to grade 12 3. 9.17 (b) Literacy programs under this subdivision must comply with the provisions governing 9.18 literacy program goals and data use under section 119A.50, subdivision 3, paragraph (b). 9.19 (c) Literacy programs under this subdivision must demonstrate to the Department of 9.20 Education that they meet or exceed the training requirements for volunteers under section 9.21 120B.12. 9.22 (e) (d) The commission must submit a biennial report to the committees of the legislature 9.23 with jurisdiction over kindergarten through grade 12 education that records and evaluates 9.24 program data to determine the efficacy of the programs under this subdivision. 9.25 Sec. 15. Minnesota Statutes 2023 Supplement, section 124D.98, subdivision 5, is amended 9.26 to read: 9.27 Subd. 5. Literacy incentive aid uses. A school district must use its literacy incentive 9.28 aid to support implementation of evidence-based reading instruction. The following are 9.29 eligible uses of literacy incentive aid: 9.30 (1) training for kindergarten through grade 3 teachers, early childhood educators, special 9.31 education teachers, reading intervention teachers working with students in kindergarten 9.32

Sec. 15. 9

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through grade 12, curriculum directors, and instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools;

- 10.3 (2) evidence-based training using a training program approved by the Department of Education;
- 10.5 (3) employing or contracting with a literacy lead, as defined in section 120B.1118;
- 10.6 (4) employing an intervention specialist;
- 10.7 (4) (5) screeners, materials, training, and ongoing coaching to ensure reading interventions 10.8 under section 125A.56, subdivision 1, are evidence-based; and
- 10.9 (5) (6) costs of substitute teachers to allow teachers to complete required training during
 10.10 the teachers' contract day-; and
- 10.11 (7) stipends for teachers completing training required under the Read Act.
- Sec. 16. Laws 2023, chapter 55, article 3, section 11, subdivision 2, is amended to read:
- Subd. 2. **CAREI.** (a) To contract with the Center for Applied Research and Educational Improvement at the University of Minnesota for the Read Act implementation partnership under section 120B.124:
- 10.16 \$ 4,200,000 2024
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- 10.18 \$ 4,200,000 2025
- 10.19 (b) This appropriation is available until June 30, 2026 2028. Any unspent funds do not cancel but are transferred to the Read Act program account in the special revenue fund.
- (c) The base for fiscal year 2026 and later is \$0.
- Sec. 17. Laws 2023, chapter 55, article 3, section 11, subdivision 4, is amended to read:
- Subd. 4. **Read Act professional development.** (a) For evidence-based training on structured literacy for teachers working in school districts, charter schools, and cooperatives:
- 10.25 \$ 34,950,000 2024
- 10.28 (b) Of the amount in paragraph (a) for fiscal year 2024, \$18,000,000 is for the Department
 10.29 of Education and the regional literacy networks and \$16,700,000 is for statewide training.
 10.30 The department must use the funding to develop a data collection system to collect and
 10.31 analyze the submission of the local literacy plans and student-level universal screening data;

Sec. 17. 10

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establish the regional literacy networks as a partnership between the department and the Minnesota service cooperatives, and to administer statewide training based in structured literacy to be offered free to school districts and charter schools and facilitated by the regional literacy networks and the department. The regional literacy networks must focus on implementing comprehensive literacy reform efforts based on structured literacy. Each regional literacy network must add a literacy lead position and establish a team of trained literacy coaches to facilitate evidence-based structured literacy training opportunities and ongoing supports to school districts and charter schools in each of their regions. For fiscal year 2025, faculty teaching literacy instruction at state-approved teacher preparation programs in Minnesota are eligible to receive training in structured literacy under this subdivision at no cost.

- (c) Of the amount in paragraph (a), \$250,000 each year is for administration.
- (d) If funds remain unspent on July 1, 2026, the commissioner must expand eligibility for approved training to include principals and other district, charter school, or cooperative administrators.
 - (e) The commissioner must report to the legislative committees with jurisdiction over kindergarten through grade 12 education the number of teachers from each district who received approved structured literacy training using funds under this subdivision, and the amounts awarded to districts, charter schools, or cooperatives.
 - (f) The regional literacy networks and staff at the Department of Education must provide ongoing support to school districts, charter schools, and cooperatives implementing evidence-based literacy instruction.
 - (g) This appropriation is available until June 30, 2028. <u>Any unspent funds do not cancel</u> but are transferred to the Read Act program account in the special revenue fund. The base for fiscal year 2026 and later is \$7,750,000, of which \$6,500,000 is for the regional literacy networks and \$1,250,000 is for statewide training.

Sec. 18. PELSB READING AUDIT REPORT.

The Professional Educator Licensing and Standards Board must evaluate how approved teacher training programs provide instruction to teacher candidates on literacy instruction, and whether the instruction is consistent with the Read Act. The board must submit an initial report with its findings to the legislative committees with jurisdiction over kindergarten through grade 12 and higher education by January 15, 2025, and a final report by February 1, 2026.

Sec. 18.

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Sec. 19. APPROPRIATION; SUPPLEMENTAL READ ACT FUNDING.

12.1

Subdivision 1. **Department of Education.** The sums indicated in this section are 12.2 appropriated from the general fund to the Department of Education in the fiscal years 12.3 designated. 12.4 12.5 Subd. 2. **Training incentives.** (a) For incentives for teachers to complete literacy training: <u>.....</u> <u>20</u>24 \$ 12.6 \$ <u>.....</u> <u>2025</u> 12.7 (b) The commissioner of education must administer a payment of \$150 to each teacher 12.8 who completes an evidence-based professional development program approved under section 12.9 12.10 120B.124. To be eligible for the payment, a teacher must have a license to teach in Minnesota; work for a school district, charter school, or cooperative; and complete a 12.11 professional development program completed between July 1, 2024, and July 1, 2027. 12.12 (c) This appropriation is available until July 1, 20... Any unspent funds do not cancel 12.13 but are transferred to the Read Act program account in the special revenue fund on June 12.14 12.15 30, 20... Subd. 3. Read Act supplemental curriculum and intervention materials. (a) To 12.16 12.17 partially reimburse school districts, charter schools, and cooperative units for evidence-based literacy curriculum and supporting materials, and intervention materials for children in 12.18 prekindergarten through grade 12 based on structured literacy: 12.19 \$ 2025 12.20 (b) The commissioner must use this appropriation to partially reimburse school districts, 12.21 12.22 charter schools, and cooperatives for approved evidence-based structured literacy curriculum and supporting materials, and intervention materials purchased after July 1, 2023. An 12.23 applicant must apply for the reimbursement in the form and manner determined by the 12.24 commissioner. 12.25 (c) The commissioner must report to the legislative committees with jurisdiction over 12.26 12.27 kindergarten through grade 12 education the districts, charter schools, and cooperative units that receive literacy grants and the amounts of each grant, by January 15, 2025, according 12.28 12.29 to Minnesota Statutes, section 3.195. The commissioner must, to the extent practicable, award grants in a regionally equitable manner. 12.30 (d) To be eligible for the partial reimbursement, a school district, charter school, or 12.31 cooperative unit must purchase literacy curriculum and instructional materials that reflect 12.32 diverse populations. 12.33

Sec. 19. 12

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(e) Of this amount, up to \$..... is available for grant administration. 13.1

(f) This is a onetime appropriation and is available until June 30, 2028. Any unspent 13.2 13.3 funds do not cancel but are transferred to the Read Act program account in the special revenue fund on June 30, 2028. 13.4

13.5 Subd. 4. Unlicensed staff and volunteer training. (a) For training for unlicensed school staff and volunteers on structured literacy: 13.6

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(b) The commissioner must partner with CAREI and the regional literacy networks to develop training for unlicensed school staff, volunteers, and other persons that provide literacy instruction or intervention to students in Minnesota school districts, charter schools, 13.10 or cooperative units. 13.11

(c) This appropriation is available until June 30, 2028. Any unspent funds do not cancel but are transferred to the Read Act program account in the special revenue fund on June 30, 2028. The base for fiscal year 2026 and later is \$0.

Sec. 20. **REVISOR INSTRUCTION.**

13.16 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference 13.17 changes consistent with the renumbering. The revisor shall also make any technical and 13.18 other changes necessitated by the renumbering and cross-reference changes in this act. 13.19

13.20	Column A	Column B
13.21	<u>120B.1117</u>	<u>120B.118</u>
13.22	120B.1118	120B.119

Sec. 20. 13