

STATE OF NEW YORK

2897

2023-2024 Regular Sessions

IN ASSEMBLY

February 1, 2023

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to early literacy education

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "right to
2 read act".

3 § 2. The education law is amended by adding a new section 817 to read
4 as follows:

5 § 817. Early literacy education. 1. Each school district shall provide
6 students in kindergarten through fifth grade programming and services
7 necessary to ensure to the greatest extent possible that students, as
8 they progress through kindergarten, first, second, third, fourth, and
9 fifth grades develop the necessary reading skills to enable them to
10 master the academic standards and expectations applicable to the sixth
11 grade curriculum and beyond. The instructional programming and services
12 for teaching students to read must be evidence-based and scientificall-
13 ly-based and must focus on reading competency in the areas of phonemic
14 awareness, phonics, vocabulary development, reading fluency, including
15 oral skills, and reading comprehension.

16 2. Every school district shall ensure that each teacher employed to
17 teach kindergarten, first, second, third, fourth, and fifth grades
18 successfully completes or has successfully completed fifty hours of
19 evidence-based or scientifically-based training in reading instruction
20 in accordance with subdivision five of this section. Each school
21 district shall submit documentation to the department that teachers
22 subject to this section have completed the required training hours and
23 have passed an assessment as designed by the department.

24 3. The department shall develop a list of approved instructional
25 programming and supporting materials, including software, in reading and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 literacy which are evidence-based, or scientifically-based according to
2 peer reviewed studies. Such list shall be posted on the department's
3 website and shall at a minimum be updated annually. Such list shall not
4 include instructional programming or materials that employ the
5 three-cueing model of reading based on meaning, structure and syntax,
6 and visual cues, which is also known as "MSV".

7 4. Approved programming shall, at a minimum:

8 (a) have been proven to accelerate student progress in attaining read-
9 ing competency according to peer reviewed studies;

10 (b) provide explicit and systematic skill development in the areas of
11 phonemic awareness, phonics, vocabulary development, reading fluency,
12 including oral skills, and reading comprehension;

13 (c) be evidence-based or scientifically-based according to peer
14 reviewed studies and be aligned with the preschool through elementary
15 and secondary education standards for reading adopted by the department;

16 (d) include evidence-based or scientifically-based reliable assess-
17 ments;

18 (e) provide initial and ongoing analysis of the student's progress in
19 attaining reading competency; and

20 (f) include texts on core academic content to assist students in main-
21 taining or meeting grade-appropriate proficiency levels in academic
22 subjects in addition to reading.

23 5. The department shall develop a list of approved professional devel-
24 opment programs that are related to addressing significant reading defi-
25 ciencies and to applying intervention instruction and strategies, in
26 addition to programs related to teaching general literacy. The depart-
27 ment shall include on the approved list professional development
28 programs that are available online. This list shall be posted on the
29 department's website and shall at a minimum be updated annually. The
30 department shall ensure that each professional development program
31 included on this list:

32 (a) is focused on or aligns with the science of reading, including
33 teaching in the areas of phonemic awareness, phonics, vocabulary devel-
34 opment, reading fluency, including oral skills, and reading comprehen-
35 sion; and

36 (b) includes rigorous evaluations of learning throughout and at the
37 end of the course a person taking the course must pass to successfully
38 complete the course.

39 § 3. This act shall take effect on the first of July next succeeding
40 the date on which it shall have become a law.