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:

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

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

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

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

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

4. Approved programming shall, at a minimum:

(a) have been proven to accelerate student progress in attaining reading competency according to peer reviewed studies;

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

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

(d) include evidence-based or scientifically-based reliable assessments;

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

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

5. The department shall develop a list of approved professional development programs that are related to addressing significant reading deficiencies and to applying intervention instruction and strategies, in addition to programs related to teaching general literacy. The department shall include on the approved list professional development programs that are available online. This list shall be posted on the department's website and shall at a minimum be updated annually. The department shall ensure that each professional development program included on this list:

(a) is focused on or aligns with the science of reading, including teaching in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, including oral skills, and reading comprehension; and

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

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