STATE OF NEW YORK

8924

IN ASSEMBLY

January 29, 2024

Introduced by M. of A. SIMON, BICHOTTE HERMELYN, GLICK, SAYEGH -- read once and referred to the Committee on Higher Education

AN ACT in relation to authorizing the commissioner of education to conduct an audit regarding literacy instruction within the state

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 "so all can read act".

§ 2. The commissioner of education is authorized and directed to develop an auditing process that clearly documents the degree to which every educator preparation program at an institution of higher education is effectively teaching the science of reading by conducting an audit on literacy instruction at every institution of higher education that offers a graduate or undergraduate degree or certification program in education or educational administration located within the state. Such audit shall include, as appropriate, questions on how such institutions are meeting the learning standards for instruction necessary for effective literacy instruction within the current required literacy education curriculum. All programs shall be reviewed every four years thereafter to ensure continued alignment with the science of reading.

§ 3. For each postsecondary institution, audit questions shall:

(a) identify which undergraduate and/or graduate degree or certification program in education or educational administration sufficiently covers instruction in core components, characterized as the five pillars of reading by the National Reading Panel of the National Academy of Sciences in 2000, namely phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, and assess how fully and in-depth each such program covers instruction as to each core component or pillar of reading in substantial alignment with the reading foundation standards utilized by the National Council on Teacher Quality in its 2023 report on strengthening elementary reading instruction;

(b) assess the extent to which each such program covers the knowledge and skills needed to understand and convey direct and explicit language-based instruction in reading that is consistent with research-

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

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based effective methods of teaching reading, including but not limited to:

(1) phonology and phonemic awareness, and how to develop such awareness including evidence about moving rapidly from phonemes and connecting them to the relevant grapheme;

(2) alphabetic principle, orthographic mapping and an understanding of the processes the brain uses for developing reading, syllables and morphology and why they are important for both decoding and vocabulary;

(3) sound-symbol correspondences and explicit, systematic phonics to develop automaticity and fluency;

(4) syntax and text structure to support comprehension and comprehension strategies including question asking and answering, inference, and summarizing;

(5) building background knowledge;

(6) English language development focused on developing oral language which necessitates attention to those sounds in the home language that are not transferable and thus need increased explicit instruction, as well as syntax and grammar;

(7) developing an understanding of English varieties from general standard English and imparting the linguistic structure of dialects of the English language and ways to develop translanguaging and addressing phonology, morphology, syntax and semantics;

(8) how to use and interpret universal screeners and progress monitoring tools as well as understanding diagnostics;

(9) elements of instruction that are effective, including modeling (I do), guided practice (we do) and application (you do); and

(10) awareness that scientific evidence is randomized experimental and quasi-experimental studies, confirmed and replicated, and peer-reviewed studies;

(c) evaluate to what extent such program adequately prepares students on how to incorporate best practices and techniques of structured literacy in the classroom;

(d) evaluate to what extent each program currently teaches methods or strategies or otherwise uses instructional materials, including but not limited to, textbooks that are reliant on approaches which research has shown are ineffective, including three-cueing, leveled texts, miscue analysis, units of study, reading workshops, embedded or implicit phonics, or the over-reliance on assessment tools such as running records, developmental reading assessment or qualitative reading inventory; and

(e) evaluate the extent to which a program addresses the use of research-based effective methods of teaching reading, including structured literacy with various populations, including but not limited to students with learning disabilities (such as dyslexia, dysgraphia, and dyscalculia) and English language learners.

§ 4. Each audit shall also require an attestation from each institution indicating that the responsible party or parties have surveyed the undergraduate and/or graduate degree or certification program in education or educational administration at each such institution for the areas listed in section two of this act and the extent to which learning standards for instruction necessary for effective literacy instruction is provided in each such program's courses to achieve adequate competency of the body of knowledge and sufficient practice needed for pre-service educators studying any level of P-12 education or educational administration.

§ 5. Findings shall include detailed results of the audit, the extent that the audit data submitted demonstrates compliance with the learning

standards of instruction necessary for effective literacy instruction, and, if needed, recommendations to strengthen the provisions of law related to literacy instruction if such standards of instruction are not being met. Such findings shall be submitted for approval by the commissioner of education in a timeframe, and form and format, acceptable to the commissioner. A report of the findings of such audit shall be delivered to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly no later than the first of January following the effective date of this act, or one hundred fifty days after the effective date of this act, whichever is later.

§ 6. For purposes of this act, "learning standards for instruction necessary for effective literacy instruction" include literary courses offered by an institution that are training students in language-based, effective methods of teaching reading, which include instruction in delivering structured, systematic, explicit, evidence-based direct instruction in reading, also known as structured literacy.

§ 7. This act shall take effect immediately.