

STATE OF NEW YORK

8924--A

IN ASSEMBLY

January 29, 2024

Introduced by M. of A. SIMON, BICHOTTE HERMELYN, GLICK, SAYEGH, LUNSFORD
-- Multi-Sponsored by -- M. of A. COOK -- read once and referred to
the Committee on Higher Education -- committee discharged, bill
amended, ordered reprinted as amended and recommitted to said commit-
tee

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

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

1 Section 1. This act shall be known and may be cited as the "so all can
2 read act".
3 § 2. The commissioner of education is authorized and directed to
4 develop an auditing process that clearly documents the degree to which
5 every educator preparation program at an institution of higher education
6 is effectively teaching the science of reading by conducting an audit on
7 literacy instruction at every institution of higher education that
8 offers a graduate or undergraduate degree or certification program in
9 education or educational administration located within the state. Such
10 audit shall include, as appropriate, questions on how such institutions
11 are meeting the learning standards for instruction necessary for effec-
12 tive literacy instruction within the current required literacy education
13 curriculum. All programs shall be reviewed every four years thereafter
14 to ensure continued alignment with the science of reading.
15 § 3. For each postsecondary institution, audit questions shall:
16 (a) identify which undergraduate and/or graduate degree or certifi-
17 cation program in education or educational administration sufficiently
18 covers instruction in core components, characterized as the five pillars
19 of reading by the National Reading Panel of the National Academy of
20 Sciences in 2000, namely phonemic awareness, phonics, reading fluency,
21 vocabulary, and comprehension, and assess how fully and in-depth each
22 such program covers instruction as to each core component or pillar of
23 reading in substantial alignment with the reading foundation standards

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

LBD11787-05-4

1 utilized by the National Council on Teacher Quality in its 2023 report
2 on strengthening elementary reading instruction;

3 (b) assess the extent to which each such program covers the knowledge
4 and skills needed to understand and convey direct and explicit
5 language-based instruction in reading that is consistent with research-
6 based effective methods of teaching reading, including but not limited
7 to:

8 (1) phonology and phonemic awareness, and how to develop such aware-
9 ness including evidence about moving rapidly from phonemes and connect-
10 ing them to the relevant grapheme;

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

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

16 (4) syntax and text structure to support comprehension and comprehen-
17 sion strategies including question asking and answering, inference, and
18 summarizing;

19 (5) building background knowledge;

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

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

28 (8) how to use and interpret universal screeners and progress monitor-
29 ing tools as well as understanding diagnostics;

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

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

35 (c) evaluate to what extent such program adequately prepares students
36 on how to incorporate best practices and techniques of structured liter-
37 acy in the classroom;

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

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

50 § 4. Each audit shall also require an attestation from each institu-
51 tion indicating that the responsible party or parties have surveyed the
52 undergraduate and/or graduate degree or certification program in educa-
53 tion or educational administration at each such institution for the
54 areas listed in section two of this act and the extent to which learning
55 standards for instruction necessary for effective literacy instruction
56 is provided in each such program's courses to achieve adequate competen-

1 cy of the body of knowledge and sufficient practice needed for pre-ser-
2 vice educators studying any level of P-12 education or educational
3 administration.

4 § 5. Findings shall include detailed results of the audit, the extent
5 that the audit data submitted demonstrates compliance with the learning
6 standards of instruction necessary for effective literacy instruction,
7 and, if needed, recommendations to strengthen the provisions of law
8 related to literacy instruction if such standards of instruction are not
9 being met. Such findings shall be submitted for approval by the commis-
10 sioner of education in a timeframe, and form and format, acceptable to
11 the commissioner. A report of the findings of such audit shall be deliv-
12 ered to the governor, the temporary president of the senate, the speaker
13 of the assembly, the minority leader of the senate, and the minority
14 leader of the assembly no later than the first of January following the
15 effective date of this act, or one hundred fifty days after the effec-
16 tive date of this act, whichever is later.

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

23 § 7. This act shall take effect immediately.