

STATE OF NEW YORK

9196

IN SENATE

May 3, 2024

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

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 Assembly, 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 certif-
17 ication 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
24 utilized by the National Council on Teacher Quality in its 2023 report
25 on strengthening elementary reading instruction;

26 (b) assess the extent to which each such program covers the knowledge
27 and skills needed to understand and convey direct and explicit

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

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1 language-based instruction in reading that is consistent with research-
2 based effective methods of teaching reading, including but not limited
3 to:

- 4 (1) phonology and phonemic awareness, and how to develop such aware-
5 ness including evidence about moving rapidly from phonemes and connect-
6 ing them to the relevant grapheme;
- 7 (2) alphabetic principle, orthographic mapping and an understanding of
8 the processes the brain uses for developing reading, syllables and
9 morphology and why they are important for both decoding and vocabulary;
- 10 (3) sound-symbol correspondences and explicit, systematic phonics to
11 develop automaticity and fluency;
- 12 (4) syntax and text structure to support comprehension and comprehen-
13 sion strategies including question asking and answering, inference, and
14 summarizing;
- 15 (5) building background knowledge;
- 16 (6) English language development focused on developing oral language
17 which necessitates attention to those sounds in the home language that
18 are not transferable and thus need increased explicit instruction, as
19 well as syntax and grammar;
- 20 (7) developing an understanding of English varieties from general
21 standard English and imparting the linguistic structure of dialects of
22 the English language and ways to develop translanguaging and addressing
23 phonology, morphology, syntax and semantics;
- 24 (8) how to use and interpret universal screeners and progress monitor-
25 ing tools as well as understanding diagnostics;
- 26 (9) elements of instruction that are effective, including modeling (I
27 do), guided practice (we do) and application (you do); and
- 28 (10) awareness that scientific evidence is randomized experimental and
29 quasi-experimental studies, confirmed and replicated, and peer-reviewed
30 studies;

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

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

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

46 § 4. Each audit shall also require an attestation from each institu-
47 tion indicating that the responsible party or parties have surveyed the
48 undergraduate and/or graduate degree or certification program in educa-
49 tion or educational administration at each such institution for the
50 areas listed in section two of this act and the extent to which learning
51 standards for instruction necessary for effective literacy instruction
52 is provided in each such program's courses to achieve adequate competen-
53 cy of the body of knowledge and sufficient practice needed for pre-ser-
54 vice educators studying any level of P-12 education or educational
55 administration.

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

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

20 § 7. This act shall take effect immediately.