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2025-2026 Regular Sessions

IN ASSEMBLY

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Introduced by M. of A. R. CARROLL, SHIMSKY, GALLAGHER, SEAWRIGHT, ANDERSON, RAGA, HEVESI, SIMON, CUNNINGHAM, WOERNER, K. BROWN, DAVILA, McMATHON, WEPRIN, MEEKS, TAYLOR, ROSENTHAL, LUNSFORD, GONZALEZ-ROJAS, ZACCARO, SMULLEN, JENSEN, LEVENBERG, BRONSON, TAPIA, DINOWITZ, SEPTIMO, REYES, WALKER, SCHIAVONI, CHLUDZINSKI, BUTTENSCHON, STECK, CLARK, MOLITOR, MANKTELOW, DeSTEFANO, HYNDMAN, SIMONE -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

3 § 2. The education law is amended by adding a new section 819 to read
4 as follows:

5 § 819. Early literacy education. 1. For purposes of this section, the
6 following terms shall have the following meanings:

7 (a) "Evidence-based" means the instruction or item described is based
8 on rigorous, reliable, trustworthy and valid scientific evidence and has
9 demonstrated a record of success in addressing students' reading compe-
10 tency in the areas of phonemic awareness, phonics, vocabulary develop-
11 ment, reading fluency and comprehension, including background knowledge
12 oral language and writing.

13 (b) "Phonemic awareness" means the ability to notice, think about and
14 manipulate individual sounds in spoken syllables and words.

15 (c) "Vocabulary development" means the process of acquiring new words.
16 "Vocabulary development" includes improving all areas of communication,

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

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1 including listening, speaking, reading and writing which is directly
2 related to school achievement and is a strong predictor for reading
3 success.

4 (d) "Reading fluency" means the ability to read words, phrases and
5 sentences accurately, at an appropriate speed, and with expression.

6 (e) "Reading comprehension" means a function of word recognition
7 skills and language comprehension skills and shall include having suffi-
8 cient background information and vocabulary in order for the reader to
9 understand the words in front of them. "Reading comprehension" also
10 includes the active process that requires intentional thinking during
11 which meaning is constructed through interactions between the text and
12 reader. Comprehension skills are taught explicitly by demonstrating,
13 explaining, modeling and implementing specific cognitive strategies to
14 help beginning readers derive meaning through intentional, problem-solv-
15 ing thinking processes.

16 (f) "Three-cueing", or "meaning structure visual" (MSV) means a method
17 that teaches students to use meaning, structure and syntax, and visual
18 cues when attempting to read an unknown word.

19 (g) "Cultural responsiveness" means alignment with the New York state
20 culturally-responsive sustaining education (CRSE) framework.

21 (h) "Culturally-responsive sustaining education (CRSE) framework"
22 means a framework that helps educators create student-centered learning
23 environments that: affirm racial, linguistic and cultural identities;
24 prepare students for rigor and independent learning, develop students'
25 abilities to connect across lines of difference; elevate historically
26 marginalized voices; and empower students as agents of social change.

27 2. Commencing the school year following the publication of the
28 approved instructional programming as set forth in subdivision five of
29 this section, each school district shall provide all students in pre-
30 kindergarten through fifth grade programming and services necessary to
31 ensure to the greatest extent possible that students, as they progress
32 through pre-kindergarten, kindergarten, first, second, third, fourth
33 and fifth grades develop the necessary foundational reading skills to
34 enable them to master the academic standards and expectations applicable
35 to the sixth grade curriculum and beyond. The instructional programming
36 and services for teaching students to read must be evidence-based and
37 scientifically-based, must focus on reading competency in the areas of
38 phonemic awareness, phonics, vocabulary development, reading fluency,
39 comprehension, including background knowledge, oral language and writ-
40 ing, oral skill development, and must align with CRSE framework.
41 Districts shall ensure that all early literacy programming and services
42 are part of an aligned and coherent plan designed to improve student
43 reading outcomes in grades pre-kindergarten through five.

44 3. Commencing the school year following the publication of the
45 approved professional development programs as set forth in subdivision
46 seven of this section, every school district shall ensure that all
47 teachers employed to teach pre-kindergarten, kindergarten, first,
48 second, third, fourth and fifth grades, including teachers with multiple
49 subject and education specialist teaching credentials, possess adequate
50 capabilities to teach literacy using evidence-based instruction. Teach-
51 ers employed by a district before or on the effective date of this
52 section may meet this requirement by presenting evidence of their profi-
53 ciency in reading instruction through completion of professional learn-
54 ing courses including, but not limited to, evidence-based means of
55 teaching foundational reading skills in print concepts, phonological
56 awareness, phonics and word recognition, comprehension and supporting

1 reading fluency for all pupils, including establishing tiered supports
2 for students with reading difficulties including those with character-
3 istics of dyslexia and dysgraphia, English learners and students with
4 exceptional needs. Teachers employed by a district after the effective
5 date of this section shall meet this requirement by successfully
6 completing at least thirty-five hours of evidence-based training in
7 reading instruction in accordance with subdivision seven of this
8 section. Alternatively, current and future educators can provide
9 evidence that their teacher preparation program adequately covered all
10 of these topics during their enrollment. To the extent possible, school
11 leaders of elementary schools should also meet the requirements of this
12 section.

13 4. The department shall provide grants to BOCES and/or school
14 districts to hire onsite literacy coaches trained in the science of
15 reading, focusing on high need districts with at least seventy-five
16 percent of third graders reading below proficiency based on the two
17 thousand twenty-four--two thousand twenty-five New York state English
18 language arts assessment.

19 5. Following consultation with the city school districts of the
20 cities of New York, Buffalo, Rochester, Syracuse, and Yonkers, the
21 department shall develop a list of approved, evidence-based curricula
22 that meets the definition set forth in paragraph (a) of subdivision one
23 of this section. Such list shall be posted on the department's website
24 and shall at a minimum be updated annually. Such list shall not include
25 instructional programming or materials that employ three-cueing or mean-
26 ing structure visual (MSV). Approved curricula shall at a minimum:

27 (a) have been proven to accelerate student progress in attaining read-
28 ing competency;

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

32 (c) be evidence-based and be aligned with the preschool through
33 elementary and secondary education standards for reading adopted by the
34 department;

35 (d) include evidence-based valid and reliable assessments that provide
36 initial and ongoing analysis of a student's progress in attaining read-
37 ing competency at least three times per year, beginning in kindergarten;
38 and

39 (e) include texts on core academic content to assist students in main-
40 taining or meeting grade-appropriate proficiency levels in academic
41 subjects in addition to reading, while ensuring alignment with the
42 state's CRSE framework.

43 6. The department shall develop a competitive grant program that
44 allows districts to replace non-evidence-based curricula with curricula
45 from the approved department list of evidence-based curricula. Funds
46 from this grant may be used to provide professional learning for educa-
47 tors to effectively implement the new evidence-based curricula.

48 7. (a) The department shall develop a list of approved professional
49 development programs that are evidence-based and provide opportunities
50 for practical application of evidence-based literacy instruction in the
51 classroom. Programs should address significant reading deficiencies and
52 apply intervention strategies for struggling students including students
53 with characteristics of dyslexia and dysgraphia, in addition to teaching
54 general, evidence-based literacy instructional approaches for all
55 students. The department shall include on such list the approved profes-
56 sional development programs that are available online. Such list shall

1 be posted on the department's website and shall at a minimum be updated
2 annually. The department shall ensure that each professional development
3 program included on such list:

4 (i) is focused on or aligns with the science of reading, and is
5 comprehensive and research-based, including the following:

6 (1) the study of organized, systematic, explicit skills including
7 phonemic awareness, direct, systematic, explicit phonics, and decoding
8 strategies;

9 (2) a strong literature, language and comprehension component encom-
10 passing both oral and written language;

11 (3) ongoing screening techniques to inform teaching;

12 (4) early intervention measures; and

13 (5) guided practice in a clinical setting;

14 (ii) includes rigorous evaluations of learning both throughout and at
15 the conclusion of the course, which a participant must pass to success-
16 fully complete the course; and

17 (iii) aligns with the approved instructional programming published in
18 accordance with subdivision five of this section.

19 (b) For purposes of this subdivision, "direct, systematic, explicit
20 phonics" means phonemic awareness, spelling patterns, the direct
21 instruction of sound/symbol codes and practice in connected text, and
22 the relationship of direct, systematic, explicit phonics.

23 8. (a) Every school district, at least three times per year, shall
24 give the parent or guardian of each student in pre-kindergarten through
25 grade five a progress report about such student's literacy progress. For
26 pre-kindergarten students, such report shall include an assessment of
27 cognitive abilities, including executive function, and social-emotional
28 learning. For kindergarten through grade five, such progress report
29 shall include information about the following:

30 (i) the student's reading proficiency as measured by district reading
31 assessments and screeners;

32 (ii) information about the literacy programming and services being
33 provided to the student, including curriculum; and

34 (iii) list of evidence-based home and community resources that fami-
35 lies and caregivers can use to support their child's reading and
36 language development.

37 (b) The department shall develop a progress report template for
38 districts to meet the requirements set forth pursuant to this subdivi-
39 sion.

40 9. (a) By September fifteenth of the school year subsequent to the
41 school year school districts are required to commence providing the
42 programming and services set forth in subdivision two of this section,
43 and on an annual basis thereafter, the commissioner shall submit a
44 report to the legislative committees with jurisdiction over pre-kinder-
45 garten through grade twelve education summarizing, at minimum, the
46 state's performance on each of the following metrics:

47 (i) students' literacy and reading progression using state growth
48 measures. The commissioner shall analyze the state's progress in regard
49 to students' reading and literacy using the state's educational assess-
50 ment system. The system shall measure individual students' educational
51 growth in the area of reading based on indicators of current achievement
52 growth, and each individual student's growth must be shown relative to
53 the student's prior achievement. Indicators of achievement and prior
54 achievement shall be based on highly reliable statewide assessments. The
55 commissioner shall include aggregated data and disaggregated data show-
56 ing educational growth by school site, grade and race/ethnicity;

1 (ii) by school site and grade, the percentage of teachers required to
2 possess capabilities in research-based literacy instruction as specified
3 under subdivision three of this section that have successfully completed
4 training or otherwise demonstrated knowledge in evidence-based literacy
5 instruction;

6 (iii) by school site and grade, the names of the approved professional
7 development programs in accordance with subdivision seven of this
8 section used by teachers; and

9 (iv) by school site and grade, the names of the approved instructional
10 programming and supporting materials as specified under subdivision five
11 of this section that were used at the beginning and end of the school
12 year.

13 (b) The department shall publish this information on its website in a
14 clear and accessible format.

15 § 3. Section 3004 of the education law is amended by adding a new
16 subdivision 7 to read as follows:

17 7. a. The commissioner shall prescribe regulations requiring that all
18 persons applying on or after September second, two thousand twenty-six
19 for a teaching certification or license valid for service in the early
20 childhood or elementary grades shall, in addition to all the other
21 certification or licensing requirements, have completed course work or
22 training in evidence-based literacy instruction that meets the require-
23 ments set forth in subdivision seven of section eight hundred nineteen
24 of this chapter.

25 b. The commissioner shall ensure that teacher preparation insti-
26 tutions, starting in the two thousand twenty-six--two thousand twenty-
27 seven academic year, include evidence-based literacy instruction that
28 meets the requirements set forth in subdivision seven of section eight
29 hundred nineteen of this chapter.

30 § 4. This act shall take effect immediately.