

MN ASSOCIATION OF CHARTER SCHOOLS – NEW LAW PRIMER 2023

NEW: READ ACT - (MN Statutes 120B.1117)

LEGAL DEFINITIONS

"**Evidence-based**" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system.

DISTRICT – means a school district, **charter school**, or cooperative unit

LITERACY GOALS

- **Every child** is reading at or above grade level every year beginning in Kindergarten (*with multilingual learners and special education students achieving their individualized goals*).
- **All school districts** must provide evidence-based reading instruction that is proven to effectively teach children to read by 2026-27

REQUIRED TRAINING OF INSTRUCTIONAL STAFF

- Every district **must provide teachers and instructional support staff with training** on MDE approved evidence-based reading instruction. (*Training for the following staff must be available beginning July 1, 2024*)
 - Intervention teachers K-12
 - Classroom teachers K-3 and Pre-K
 - Special education teachers
 - Curriculum directors
 - Instructional support staff who provide reading instruction
 - Employees who select literacy instructional materials for a district
- All other teachers & instructional staff must complete this training by no later than **July 1, 2027**. *Staff who work with students with disabilities, English learners, and students who qualify for graduation incentives program should be prioritized.*

- **MDE APPROVED PROGRAMS** - MDE will partner with CAREI to approve professional development programs and will regularly provide districts with information about training opportunities throughout the state on evidence-based reading instruction.
- **RECONSIDERATION PROCESS** - Schools can request MDE add a specific curriculum or professional development program that demonstrates the requirements of the Read Act.

SCREENING / REPORTING REQUIREMENTS

- **K-3 SCREENING** - Twice per year each school **must screen every K-3 student** using an MDE approved screening tool. (*within first six weeks and again within last six weeks of the school year*)
 - Screening must be on mastery of foundational reading skills including phonemic awareness, phonics, decoding, fluency, oral language, and characteristics of dyslexia.
 - **MDE APPROVED LIST OF SCREENERS:** *MDE will publish a list of approved evidence-based screeners and screening tools by July 1, 2023.*
- **GRADE 4 & ABOVE SCREENING** - Schools must screen students Grades 4 and above who do not demonstrate mastery of foundational reading skills using a MDE approved screening tool.
 - Students must continue to receive evidence based-instruction, interventions, and progress monitoring until they are at grade-level proficiency.
 - Parents may opt students out of screeners (in consultation with a teacher) but students must still receive progress monitoring and literacy interventions.
- **MULTILINGUAL LEARNER SCREENING** - Schools must screen multilingual learners with an appropriate approved screener and submit summary results to MDE by June 15th.
- **PARENT NOTIFICATION** - Schools must give parents of students who are not reading at or above grade level timely information about reading proficiency, services being provided, student's progress, and at-home strategies. (*Bi-annually after screenings*)
- **REPORTING** - Schools must submit data on K-3 student performance to MDE in the annual **local literacy plan**. (*first data due June 15, 2024*)
- **MDE LITERACY PLAN TEMPLATE** - MDE will develop a streamlined template for local literacy plans.

MONITORING STUDENT PROGRESS

- Schools must implement progress monitoring for students not reading at grade level.

INTERVENTION

- Intervention programs **must be taught by a certified or licensed reading specialist** who has completed approved training by 2025-26 school year.
- Students **cannot be retained solely due** to delays in literacy or not demonstrating grade-level proficiency in personal learning plans.

CURRICULUM REQUIREMENTS

- Schools must use evidence-based curriculum and intervention materials **at every grade level**.
- All **new curriculum, intervention, or supplementary materials** purchased must be evidence-based starting July 1, 2023.
- MDE will identify **at least 5 literacy curricula and supporting materials** that are evidence-based or focused on structured-literacy on the MDE website by January 1, 2024.

MTSS FRAMEWORK

- **Districts are strongly encouraged to adopt a MTSS** (Multitiered System of Support) and data-based decision-making process to determine evidence-based core reading instruction and Tier 2 / Tier 3 interventions.

DISTRICT STAFFING

- **LITERACY LEAD** – every district **must employ or contract with a literacy lead**, or be actively supporting a designated literacy specialist through the process of becoming one by August 30, 2025.

LITERACY INCENTIVE AID USES

- Literacy incentive aid must be used in the following ways:
 - **TRAINING:** *Training on using evidence-based screening and progress monitoring tools for K-3 teachers, early childhood educators, special education teachers, reading intervention teachers, curriculum directors, instructional support staff that provide reading instruction – Or - MDE evidence-based training programs*
 - **LITERACY LEAD:** *Employing or contracting with a literacy lead*
 - **INTERVENTIONS:** *Materials, training, and ongoing coaching to ensure reading interventions are evidence-based*
 - **SUBSTITUTE TEACHERS:** *Cost of substitute teachers to allow teachers to complete required training during the school day*

EFFECTIVE DATE of the LAW - JULY 1, 2023