

HOUSE No. 4423

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 26, 2024.

The committee on Education, to whom was referred the petition (accompanied by bill, House, No. 579) of Danillo A. Sena and others for legislation to promote high-quality comprehensive literacy instruction in schools, reports recommending that the accompanying bill (House, No. 4423) ought to pass.

For the committee,

DENISE C. GARLICK.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to promote high-quality early literacy instruction and improve student outcomes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 55A of chapter 15 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the words “curriculum and assessments;”
3 in line 56, the following language:-

4 (6) evaluate the alignment of literacy instructional materials and curricula with
5 department-recommended high quality literacy instructional materials and curricula, as per
6 section 1E of chapter 69;

7 SECTION 2. Said section 55A of chapter 15, as so appearing, is hereby further amended
8 by striking the language “(6) review the progress of overall student achievement and; (7)
9 evaluate student performance, school and district management, overall district governance and
10 any other areas deemed necessary by the office.” in lines 56 through 59, and replacing it with the
11 following language:-

12 (7) review the progress of overall student achievement and; (8) evaluate student
13 performance, school and district management, overall district governance and any other areas
14 deemed necessary by the office.

15 SECTION 3. Section 1E of chapter 69 of the General Laws, as appearing in the 2022
16 Official Edition, is hereby amended by adding at the end of the first paragraph the following
17 sentence:-

18 Curricula selected to meet the curriculum frameworks for elementary literacy must be
19 aligned with evidence-based literacy instruction.

20 SECTION 4. Subsection (c)(ii) of section 1S of chapter 69 of the General Laws, as so
21 appearing, is hereby amended by striking out, in line 41, the words “and (J)”, and inserting in
22 place thereof the following words:- (J) implementing evidence-based literacy instruction; and
23 (K)

24 SECTION 3. Said subsection (c)(ii) of section 1S of chapter 69, as so appearing, is
25 hereby further amended by striking out, in line 44, the word “(I)”, and inserting in place thereof
26 the following word:- (J)

27 SECTION 5. Section 38G of chapter 71 of the General Laws, as so appearing, is hereby
28 amended by inserting after the word “personnel”, in line 281, the following:-

29 ; provided that policies and guidelines must include alignment with evidence-based
30 literacy instruction for educator preparation programs to be approved.

31 SECTION 6.

32 Section 1. Notwithstanding any general or special law to the contrary, as used in this bill,
33 the following words shall, unless the context requires otherwise, have the following meanings:-

34 “department” means the Department of Elementary and Secondary Education

35 “Evidence-based literacy instruction" means structured instructional practices, including
36 sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable,
37 trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in
38 core or general instruction, supplemental instruction, intervention services, and intensive
39 intervention services; (iii) have a demonstrated record of success in adequately increasing
40 students' reading competency, vocabulary, oral language, and comprehension and in building
41 mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic
42 principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in
43 order to meet the individual needs of students. Evidence-based literacy instruction should align
44 with scientifically based reading research standards set forth in 20 USC 6368 (3)(4)(5)(6)(7).

45 "Science-based reading research" means research that (i) applies rigorous, systematic,
46 and objective observational or experimental procedures to obtain valid knowledge relevant to
47 reading development, reading instruction, and reading and writing difficulties and (ii) explains
48 how proficient reading and writing develop, why some children have difficulties developing key
49 literacy skills, and how schools can best assess and instruct early literacy, including the use of
50 evidence-based literacy instruction practices to promote reading and writing achievement.

51 Section 2. (a) The department shall provide tools and resources to aid districts in
52 providing adequate professional development aligned with evidence-based literacy instruction

53 and science-based reading research for literacy teachers, paraprofessionals, and reading
54 specialists in grades pre-kindergarten through third grade.

55 (b) The department shall create and maintain

56 i. A list of department-approved, high-quality professional development programs and
57 vendors aligned with evidence-based literacy instruction best practices and science-based reading
58 research.

59 ii. A set of online training modules available and free to all teachers that provide training
60 on the foundational practices and pedagogy aligned with evidence-based literacy instruction best
61 practices and science-based reading research.

62 Section 3: Each school district shall at least two times per year assess each student's
63 reading ability and progress in literacy skills, from kindergarten through at least third grade,
64 using a valid, developmentally appropriate screening instrument approved by the department.
65 Consistent with section 2 of chapter 71B of the general laws and the department's dyslexia and
66 literacy guidelines, if such screenings determine that a student is significantly below relevant
67 benchmarks for age-typical development in specific literacy skills, the school shall determine
68 which actions within the general education program will meet the student's needs, including
69 differentiated or supplementary evidence-based literacy instruction and ongoing monitoring of
70 progress. Within 30 school days of a screening result that is significantly below the relevant
71 benchmarks, the school shall inform the student's parent or guardian of the screening results and
72 the school's response and shall offer them the opportunity for a follow-up discussion.

73 Section 4: (a) The department shall create guidelines for districts to use to determine if
74 any students exhibit a reading deficiency. Guidelines shall include the steps that districts must

75 follow to address and remedy such reading deficiencies. The department shall consult experts to
76 identify and make available to districts literacy intervention approaches that are aligned with the
77 essential components of evidence-based literacy instruction and science-based reading research.

78 (b) Districts shall follow department guidelines established in subsection (a) for any
79 student in kindergarten through grade 3 who exhibits a deficiency in reading.

80 Section 5: (a)(1) The department shall identify a list of data requirements for reporting
81 purposes in order to ensure that districts are implementing evidence-based literacy instruction
82 under this bill. The department shall publish reporting requirements by the start of each school
83 year.

84 (2) Beginning in 2025, each district shall report annually to the department, on or before
85 October 31, the data reporting requirements set out in subsection (a)(1).

86 (b) Annually, beginning no later than December 31, 2025, the department shall aggregate
87 data collected from each district under this section and file a report with the clerks of the senate
88 and house of representatives, the joint committee on education and made public on the
89 department's website.

90 Section 6. The department shall convene a panel of expert stakeholders to study the early
91 literacy education landscape in the Commonwealth and draft recommendations to maximize
92 dissemination of evidence-based literacy instruction best practices among the educator workforce
93 in Massachusetts, which shall include, but not be limited to, pre-service training for teachers,
94 administrators, and related school-based service providers; professional development for in-
95 service teachers, administrators, and related school-based service providers; best practices related
96 to educator licensure, license endorsements or similar credentials intended to demonstrate

97 advanced knowledge of evidence-based literacy instruction best practices; and such other matters
98 as the panel may determine would advance more equitable literacy outcomes for all
99 Massachusetts students.

100 Said recommendations shall be published in a report filed with the clerks of the senate
101 and the house of representatives, the joint committee on education and made public on the
102 department's website no later than December 31, 2025.

103 Section 7. The department shall promulgate such rules and regulations as it deems
104 necessary to implement the provisions of this bill.