

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 3759**

(SENATE AUTHORS: DUCKWORTH)

DATE  
02/15/2024

D-PG  
11610 Introduction and first reading  
Referred to Education Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; amending the Read Act; authorizing rulemaking;  
1.3 appropriating money; amending Minnesota Statutes 2023 Supplement, sections  
1.4 120B.1117; 120B.1118, subdivision 4, by adding a subdivision; 122A.091,  
1.5 subdivision 1; 122A.185, subdivision 1; Laws 2023, chapter 55, article 3, section  
1.6 11, subdivision 3; repealing Laws 2023, chapter 55, article 10, section 4.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2023 Supplement, section 120B.1117, is amended to read:

1.9 **120B.1117 TITLE; THE READ ACT.**

1.10 Subdivision 1. Title. Sections 120B.1117 to 120B.124 may be cited as the "Reading to  
1.11 Ensure Academic Development Act" or the "Read Act."

1.12 Subd. 2. Policy. It is the intent of the legislature that public schools promote foundational  
1.13 literacy and grade-level reading proficiency through the use of curriculum, textbooks,  
1.14 instructional materials, instructional practices, interventions, and teacher development and  
1.15 training based solely on the science of reading.

1.16 Sec. 2. Minnesota Statutes 2023 Supplement, section 120B.1118, subdivision 4, is amended  
1.17 to read:

1.18 Subd. 4. **Evidence-based.** "Evidence-based" or "science of reading" means the instruction  
1.19 or item described is based on reliable, trustworthy, and valid evidence and has demonstrated  
1.20 a record of success in increasing students' reading competency in the areas of phonological  
1.21 and phonemic awareness, phonics, vocabulary development, reading fluency, and reading  
1.22 ~~comprehension~~ science-based reading research. Evidence-based literacy instruction is  
1.23 explicit, systematic, and includes phonological and phonemic awareness, phonics and

2.1 decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be  
2.2 differentiated to meet the needs of individual students. Evidence-based instruction does not  
2.3 include the three-cueing system, as defined in subdivision 16.

2.4 Sec. 3. Minnesota Statutes 2023 Supplement, section 120B.1118, is amended by adding  
2.5 a subdivision to read:

2.6 Subd. 14a. **Science-based reading research.** "Science-based reading research" means  
2.7 research that:

2.8 (1) applies rigorous, systematic, and objective observational or experimental procedures  
2.9 to obtain knowledge relevant to reading development, reading instruction, and reading and  
2.10 writing difficulties; and

2.11 (2) explains how proficient reading and writing develop, why some children have  
2.12 difficulties developing key literacy skills, and how schools can best assess and instruct early  
2.13 literacy, including the use of evidence-based literacy instruction practices to promote reading  
2.14 and writing achievement.

2.15 Sec. 4. Minnesota Statutes 2023 Supplement, section 122A.091, subdivision 1, is amended  
2.16 to read:

2.17 Subdivision 1. **Teacher and administrator preparation and performance data;**  
2.18 **report.** (a) The Professional Educator Licensing and Standards Board and the Board of  
2.19 School Administrators, in cooperation with board-approved teacher or administrator  
2.20 preparation programs, annually must collect and report summary data on teacher and  
2.21 administrator preparation and performance outcomes, consistent with this subdivision. The  
2.22 Professional Educator Licensing and Standards Board and the Board of School Administrators  
2.23 annually by July 1 must update and post the reported summary preparation and performance  
2.24 data on teachers and administrators from the preceding school years on their respective  
2.25 websites.

2.26 (b) Publicly reported summary data on teacher preparation providers must include:

2.27 (1) summary data on teacher educator qualifications and their years of experience either  
2.28 as birth through grade 12 classroom teachers or school administrators;

2.29 (2) the current number and percentage of enrolled candidates who entered the program  
2.30 through a transfer pathway disaggregated by race, except when disaggregation would not  
2.31 yield statistically reliable results or would reveal personally identifiable information about  
2.32 an individual;

3.1 (3) the current number and percentage of program completers by program who received  
3.2 a Tier 3 or Tier 4 license disaggregated by race, except when disaggregation would not  
3.3 yield statistically reliable results or would reveal personally identifiable information about  
3.4 an individual;

3.5 (4) the current number and percentage of program completers who entered the program  
3.6 through a transfer pathway and received a Tier 3 or Tier 4 license disaggregated by race,  
3.7 except when disaggregation would not yield statistically reliable results or would reveal  
3.8 personally identifiable information about an individual;

3.9 (5) the current number and percentage of program completers who were hired to teach  
3.10 full time in their licensure field in a Minnesota district or school in the preceding year  
3.11 disaggregated by race, except when disaggregation would not yield statistically reliable  
3.12 results or would reveal personally identifiable information about an individual;

3.13 (6) the current number and percentage of program completers who entered the program  
3.14 through a transfer pathway and who were hired to teach full time in their licensure field in  
3.15 a Minnesota district or school in the preceding year disaggregated by race, except when  
3.16 disaggregation would not yield statistically reliable results or would reveal personally  
3.17 identifiable information about an individual;

3.18 (7) board-adopted survey results measuring initial licensure program quality and structure  
3.19 in the preceding school year disaggregated by race, except when disaggregation would not  
3.20 yield statistically reliable results or would reveal personally identifiable information about  
3.21 an individual;

3.22 (8) board-adopted survey results from school principals or supervisors on initial licensure  
3.23 program quality and structure; and

3.24 (9) the number and percentage of program completers who met or exceeded the state  
3.25 threshold score on ~~the~~ a board-adopted teacher examination or performance assessment  
3.26 required under section 122A.185.

3.27 Program reporting must be consistent with subdivision 2.

3.28 (c) Publicly reported summary data on administrator preparation programs approved by  
3.29 the Board of School Administrators must include:

3.30 (1) summary data on faculty qualifications, including at least the content areas of faculty  
3.31 undergraduate and graduate degrees and the years of experience either as kindergarten  
3.32 through grade 12 classroom teachers or school administrators;

4.1 (2) the average time program graduates in the preceding year needed to complete the  
4.2 program;

4.3 (3) the current number and percentage of students who graduated, received a standard  
4.4 Minnesota administrator license, and were employed as an administrator in a Minnesota  
4.5 school district or school in the preceding year disaggregated by race, except when  
4.6 disaggregation would not yield statistically reliable results or would reveal personally  
4.7 identifiable information about an individual;

4.8 (4) the number of credits by graduate program that students in the preceding school year  
4.9 needed to complete to graduate;

4.10 (5) survey results measuring student, graduate, and employer satisfaction with the  
4.11 program in the preceding school year disaggregated by race, except when disaggregation  
4.12 would not yield statistically reliable results or would reveal personally identifiable  
4.13 information about an individual; and

4.14 (6) information under subdivision 3, paragraphs (c) and (d).

4.15 Program reporting must be consistent with section 122A.14, subdivision 10.

4.16 Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended  
4.17 to read:

4.18 Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and  
4.19 Tier 4 licenses to pass an examination or performance assessment of general pedagogical  
4.20 knowledge and examinations or assessments of licensure field specific content. An applicant  
4.21 is exempt from the examination requirements if the applicant completed:

4.22 (1) a board-approved teacher preparation program;

4.23 (2) licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio  
4.24 has been approved; or

4.25 (3) a state-approved teacher preparation program in another state and passed licensure  
4.26 examinations in that state, if applicable. The content examination requirement does not  
4.27 apply if no relevant content exam exists.

4.28 (b) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses in  
4.29 elementary education to pass an examination or performance assessment of knowledge,  
4.30 skill, and ability to teach the science of reading, as defined in section 120B.1118.

4.31 ~~(b)~~ (c) All testing centers in the state must provide monthly opportunities for untimed  
4.32 content and pedagogy examinations. These opportunities must be advertised on the test

5.1 registration website. The board must require the exam vendor to provide other equitable  
 5.2 opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify  
 5.3 for federal grants; (2) providing free, multiple, full-length practice tests for each exam and  
 5.4 free, comprehensive study guides on the test registration website; (3) making content and  
 5.5 pedagogy exams available in languages other than English for teachers seeking licensure  
 5.6 to teach in language immersion programs; and (4) providing free, detailed exam results  
 5.7 analysis by test objective to assist applicants who do not pass an exam in identifying areas  
 5.8 for improvement. Any applicant who has not passed a required exam after two attempts  
 5.9 must be allowed to retake the exam, including new versions of the exam, without being  
 5.10 charged an additional fee.

5.11 Sec. 6. Laws 2023, chapter 55, article 3, section 11, subdivision 3, is amended to read:

5.12 Subd. 3. **Read Act curriculum and intervention materials reimbursement.** (a) To  
 5.13 reimburse school districts, charter schools, and cooperative units for evidence-based literacy  
 5.14 supports for children in prekindergarten through grade 12 based on structured literacy:

5.15 \$ 35,000,000 ..... 2024

5.16 \$ 50,000,000 ..... 2025

5.17 (b) The commissioner must use this appropriation to reimburse school districts, charter  
 5.18 schools, and cooperatives for approved evidence-based structured literacy curriculum and  
 5.19 supporting materials, and intervention materials purchased after July 1, 2021. An applicant  
 5.20 must apply for the reimbursement in the form and manner determined by the commissioner.

5.21 (c) The commissioner must report to the legislative committees with jurisdiction over  
 5.22 kindergarten through grade 12 education the districts, charter schools, and cooperative units  
 5.23 that receive literacy grants and the amounts of each grant, by January 15, 2025, according  
 5.24 to Minnesota Statutes, section 3.195.

5.25 (d) A school district, charter school, or cooperative unit must purchase curriculum and  
 5.26 instructional materials that reflect diverse populations.

5.27 (e) Of this amount, up to \$250,000 is available for grant administration.

5.28 (f) This is a onetime appropriation and is available until June 30, 2028.

5.29 Sec. 7. **TEACHER PREPARATION IN READING INSTRUCTION.**

5.30 A teacher preparation program approved by the Professional Educator Licensing and  
 5.31 Standards Board for teachers of elementary education must require instruction in  
 5.32 understanding and applying the science of reading. The board must complete audits of all

6.1 approved teacher preparation programs by September 1, 2024, to determine whether the  
6.2 program provides students instruction in reading in accordance with section 122A.092,  
6.3 subdivision 5. The board must place a program not in compliance on immediate probation.  
6.4 A program placed on probation must develop and implement an action plan to comply with  
6.5 this section.

6.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.7 Sec. 8. **REPEALER.**

6.8 Laws 2023, chapter 55, article 10, section 4, is repealed.

*Laws 2023, chapter 55, article 10, section 4*

Sec. 4. **APPROPRIATION; VOLUNTARY PREKINDERGARTEN RESERVE.**

Subdivision 1. Department of Education. The sums indicated in this section are appropriated from the general fund to the Department of Education in the fiscal years designated.

Subd. 2. Voluntary prekindergarten reserve. (a) The commissioner must reserve the following amount for future allocation towards 3,000 voluntary prekindergarten seats:

\$	<u>0</u>	<u>.....</u>	<u>2024</u>
\$	<u>50,000,000</u>	<u>.....</u>	<u>2025</u>

(b) The 2024 legislature must provide direction to the commissioner on allocating the money reserved under paragraph (a).

(c) This is a onetime appropriation and is available until June 30, 2026.