

**120B.123 READ ACT IMPLEMENTATION.**

Subdivision 1. **Approved screeners.** (a) A district must administer an approved evidence-based reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, by February 15 each year, and again within the last six weeks of the school year. The screener must be one of the screening tools approved by the Department of Education. A district must identify any screener it uses in the district's annual literacy plan, and submit screening data with the annual literacy plan by June 15.

(b) Starting in the 2024-2025 school year, district staff and external partners offering literacy supports in schools may only use screeners that have been approved by the Department of Education.

Subd. 2. **Progress monitoring.** A district must implement progress monitoring, as defined in section 120B.119, for a student not reading at grade level.

Subd. 3. **Curriculum.** A district must use evidence-based curriculum and intervention materials at each grade level that are designed to ensure student mastery of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Starting July 1, 2023, when a district purchases new literacy curriculum, or literacy intervention or supplementary materials, the curriculum or materials must be evidence-based as defined in section 120B.119.

Subd. 4. **MTSS framework.** A district is encouraged to use a data-based decision-making process within the MTSS framework to determine the evidence-based core reading instruction and Tier 2 or Tier 3 intervention required to meet a student's identified needs.

Subd. 5. **Professional development.** (a) A district must provide training from a menu of approved evidence-based training programs to the following teachers and staff by July 1, 2026:

- (1) reading intervention teachers working with students in kindergarten through grade 12;
- (2) all classroom teachers of students in kindergarten through grade 3 and children in prekindergarten programs;
- (3) kindergarten through grade 12 special education teachers responsible for foundational reading instruction;
- (4) curriculum directors;
- (5) instructional support staff, contractors, and volunteers who assist in providing reading interventions under the oversight and monitoring of a trained licensed teacher;
- (6) employees who select literacy instructional materials for a district; and
- (7) teachers holding English as a second language teaching licenses.

(b) A district must provide training from a menu of approved evidence-based training programs to the following teachers by July 1, 2027:

- (1) teachers who provide foundational reading instruction to students in grades 4 to 12;
- (2) teachers who provide instruction to students in a state-approved alternative program; and
- (3) teachers who provide instruction to students in dual language immersion programs.

(c) The commissioner of education may grant a district an extension to the deadlines in this subdivision.

(d) Training provided by the following may satisfy the professional development requirements under this subdivision:

(1) a certified trained facilitator; or

(2) a training program that the department has determined meets the professional development requirements under the Read Act.

(e) Beginning July 1, 2027, an educator required to receive training under paragraph (a), who is new to the state of Minnesota or is a newly licensed teacher who did not receive instruction in the teaching of foundational reading skills based on structured literacy, must complete one of the approved required trainings. Training must be offered through the regional literacy network and facilitated by a local certified trained facilitator. The Department of Education must review district literacy lead waiver requests and grant waivers to educators new to the state or educators who provide reading instruction exclusively using alternatives to sound-based approaches, and who have completed the professional development requirements consistent with this subdivision.

(f) For the 2024-2025 and 2025-2026 school years only, the hours of instruction requirement under section 120A.41 for students in elementary and secondary school, as defined in section 120A.05, subdivisions 9 and 13, is reduced by 5-1/2 hours for a district that enters into an agreement with the exclusive representative of the teachers that requires teachers to receive at least 5-1/2 hours of approved evidence-based training required under this subdivision, on a day when other students in the district receive instruction. If a charter school's teachers are not represented by an exclusive representative, the charter school may reduce the number of instructional hours for students in elementary and secondary school, as defined in section 120A.05, subdivisions 9 and 13, by 5-1/2 hours after consulting with its teachers in order to provide teachers with at least 5-1/2 hours of evidence-based training required under this subdivision on a day when other students receive instruction. The hours of instruction reduction for secondary school students is applicable only for the 2025-2026 school year.

**Subd. 5a. Teacher licensure; renewal.** (a) Starting July 1, 2027, a Tier 1 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, and is licensed under section 122A.181 for their first licensure renewal must demonstrate that they are registered for, are currently taking, or have completed evidence-based structured literacy training consistent with training approved by the Department of Education. A Tier 1 teacher may demonstrate evidence of progress in meeting the subject matter reading standards for reading in administrative rule through evidence-based structured literacy coursework or through employer verification. The training required must be in progress before a second renewal of the Tier 1 license. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(b) Starting, July 1, 2027, a Tier 2 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, and is licensed under section 122A.182, for their first licensure renewal must demonstrate that they are registered for,

currently taking, or have completed evidence-based structured literacy training consistent with training approved by the Department of Education. A Tier 2 teacher may demonstrate evidence of progress in meeting the subject matter reading standards for reading in administrative rule through evidence-based structured literacy coursework or through employer verification. The training required must be in progress before the first renewal of the Tier 2 license is granted. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(c) Starting July 1, 2027, a Tier 2 early childhood education teacher, elementary education teacher, special education teacher who is responsible for teaching reading, kindergarten through grade 12 English as a second language teacher, grade 4 through 12 classroom teacher responsible for foundational reading skills instruction, teacher who provides instruction to students in a state-approved alternative program, or a teacher who is responsible for selecting literacy curriculum materials for grades 6 through 12, who demonstrates field-specific teaching experience to complete the coursework requirements under section 122A.183, subdivision 2, clause (5), must demonstrate they have completed evidence-based structured literacy training required under subdivision 5 before the Professional Educator Licensing and Standards Board issues the Tier 3 license. The board must not deny a Tier 3 license to an educator who has made progress toward completion, but has not completed, the required training. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(d) Starting July 1, 2027, a teacher with a kindergarten through grade 12 reading endorsement or kindergarten through grade 12 English as a second language license from the Professional Educator Licensing and Standards Board must demonstrate to the school's relicensure committee they have completed evidence-based structured literacy training equivalent to the training required in subdivision 5. A hiring district, cooperative, or charter school is responsible for any fees and enrollment costs associated with completing these professional development requirements. An individual educator must not be financially responsible for the initial enrollment costs associated with the training needed to meet these requirements.

(e) An educator that fails to complete the required professional development within a vendor's subscription window due to medical, personal, or family leave or for reasons tied to a learning disability, must not be held financially responsible for the costs of extending the training. An educator that fails to complete the required professional development within a vendor's subscription window for reasons of insubordination or willful refusal to comply with state and district directives regarding the professional development are subject to the disciplinary procedures outlined in their collective bargaining agreement or set by their hiring charter school or cooperative.

**Subd. 6. Literacy lead.** (a) By August 30, 2025, a district must employ or contract with a literacy lead, or be actively supporting a designated literacy specialist through the process of becoming a literacy lead. A board may satisfy the requirements of this subdivision by contracting with another school board or cooperative unit under section 123A.24 for the services of a literacy lead by August 30, 2025.

(b) A district literacy lead must collaborate with district administrators and staff to support the district's implementation of requirements under the Read Act.

**Subd. 7. Department of Education.** (a) By July 1, 2023, the department must make available to districts a list of approved evidence-based screeners in accordance with section 120B.12. A district must use an

approved screener to assess students' mastery of foundational reading skills in accordance with section 120B.12.

(b) The Department of Education must partner with CAREI as required under section 120B.124 to approve professional development programs, subject to final determination by the department. After the implementation partnership under section 120B.124 ends, the department must continue to regularly provide districts with information about professional development opportunities available throughout the state on reading instruction that is evidence-based.

(c) The department and CAREI must identify training required for a literacy lead and literacy specialist employed by a district or Minnesota service cooperatives.

(d) The department must employ one or more literacy specialists to provide support to districts implementing the Read Act and coordinate duties assigned to the department under the Read Act. The literacy specialist must work on state efforts to improve literacy tracking and implementation.

(e) The department must develop a template for a local literacy plan in accordance with section 120B.12, subdivision 4a.

(f) The department must partner with CAREI as required under section 120B.124 to approve literacy intervention models, subject to final determination by the department. The department must make a list of the approved evidence-based intervention models available to districts as they are approved by the department and CAREI, starting November 1, 2025. Upon approval of the evidence-based intervention models, the department must ensure the models are reviewed by a contracted third party for culturally responsive guidance and materials, and make those findings available to districts once the review process is complete. The department must notify districts of the two-step review process for all materials approved under the Read Act for effectiveness as evidence-based structured literacy, and for cultural responsiveness. The department may identify additional literacy intervention models after the partnership with CAREI has ended.

(g) The department must provide ongoing coaching, mentoring, and support to certified trained facilitators.

**History:** 2023 c 55 art 3 s 5; 2024 c 109 art 4 s 11-14,20; 1Sp2025 c 10 art 4 s 12-15