

An Act relative to teacher preparation and student literacy

SECTION 1. The first sentence of the fifth paragraph of section 55A of chapter 15 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out clauses (6) and (7) and inserting in place thereof the following 3 clauses:-

(6) evaluate the alignment of literacy instructional materials and curricula with department-recommended evidence-based literacy instruction and high-quality curricula, as defined in section 1E½ of chapter 69; (7) review the progress of overall student achievement; and (8) evaluate student performance, school and district management, overall district governance and any other areas deemed necessary by the office.

SECTION 2. Chapter 29 of the General Laws is hereby amended by inserting after section 2NNNNNN the following section:-

Section 2000000. (a) There shall be established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund known as the Early Literacy Fund, which shall be administered by the secretary of education. The fund shall be credited with: (i) appropriations or other money authorized or transferred by the general court and specifically designated to be credited to the fund; (ii) funds from public and private sources including, but not limited to, gifts, grants and donations; and (iii) any interest earned on such money.

(b) Amounts credited to the fund shall be expended, without further appropriation, to: (i) develop a free, complete high-quality curriculum for kindergarten through grade 3 that meets frameworks established in section 1E of chapter 69; (ii) implement section 1E½ of said chapter 69; and (iii) provide grants to school districts to support: (1) updating curricula to meet the curriculum frameworks established in said section 1E½ of said chapter 69; (2) purchasing materials related to such curricula; (3) providing professional development to educators to support implementation of the new curricula; and (4) meeting the reporting and assessment requirements established in sections 57A to 57C, inclusive, of chapter 71. The department shall create and maintain grant eligibility and application criteria for the distribution of the grant funds pursuant to clause (iii) of the first sentence; provided, however, that the criteria shall prioritize districts that are not in substantial compliance with such requirements established in said section 1E½ of said chapter 69 at the time of application and shall prioritize achieving geographic and funding equity; provided further, that the department shall hold at least 1 hearing in western Massachusetts prior to creating such criteria; and provided further, that the department shall provide technical assistance for grant

applications for districts that are eligible for funding under item 7061-9813 of section 2 of chapter 9 of the acts of 2025.

(c) Any unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years.

(d) Annually, not later than December 31, the department shall submit a report on the receipts and expenditures of the fund and file the report with the clerks of the senate and the house of representatives, the senate and house committees on ways and means and the joint committee on education. The department shall make the report publicly available on the department's website.

SECTION 3. Chapter 69 of the General Laws is hereby amended by inserting after section 1E the following 2 sections:-

Section 1E¹/₂. (a) As used in this section and section 1E³/₄, the following words shall have the following meanings unless the context clearly requires otherwise:

"District", public education entities in the commonwealth including but not limited to public school districts, school departments of a city or town, charter schools, commonwealth virtual schools, regional school districts, independent vocational schools, vocational schools and agricultural schools operated by a county.

"Evidence-based literacy instruction", literacy instruction that: (i) is based on methods backed by scientific research; and (ii) has a demonstrated record of success in increasing student competency in reading ability, vocabulary, oral language and comprehension through well-designed and well-implemented studies to produce measurable and positive effects on student learning outcomes.

"Five research-based areas in reading instruction", phonemic awareness, phonics, fluency, vocabulary and comprehension; provided, however, that comprehension shall include oral reading, oral communication skills and reading comprehension.

"High-quality curriculum", a curriculum reviewed and approved by the department.

(b) A district shall select a high-quality curriculum to meet the curriculum frameworks under section 1E for kindergarten through grade 3 literacy that: (i) includes instruction in the five research-based areas in reading instruction and oral language development; and (ii) utilizes and is based upon evidence-based literacy instruction. No curricula selected to meet a curriculum framework pursuant to section 1E for kindergarten through grade 3 literacy shall include implicit or incidental instruction in word reading, visual memorization of whole words or guessing from context and picture cues, also known as MSV or three-cueing, as a substitute for identifying a word.

(c)(1) A district may apply for and the department may grant a waiver for the district to use a kindergarten through grade 3 literacy instruction curriculum that does not appear on the department's list of high-quality curricula and that has not already been reviewed by the department; provided, however, that any such literacy instruction curriculum shall utilize and be based on evidence-based literacy instruction and meet quality standards determined by the department.

(2) When applying for a waiver under this subsection, a district shall submit a report to the department detailing: (i) the degree to which the curriculum's instructional approach is supported by some degree of scientific research; (ii) the demographic results of the curriculum; (iii) the duration of any such instruction using the curriculum; and (iv) any other considerations that the department deems relevant to the quality and fairness of the waiver application. (3) In determining whether to approve a district's application for a waiver pursuant to this subsection, the department shall assess the quality of the waiver application, including information received pursuant to paragraph (2).

(4) Curriculum used in a waiver application that is assessed and approved by the department shall be allowed to continue as an approved literacy curriculum used for instruction in the district unless the waiver is rescinded pursuant to paragraph (7).

(5) A district that receives a waiver pursuant to this subsection shall publicly post to its website the report submitted to the department pursuant to paragraph (2) and curriculum samples.

(6) The department may audit approved waivers at any time. The audit shall include but shall not be limited to: (i) an in-depth review of curriculum materials; (ii) instructional documentation; and (iii) instructional practices in the classroom.

(7) The department may rescind waivers based on audit findings.

(d) The department shall maintain and make available to school districts a free, complete high-quality curriculum for kindergarten through grade 3 that meets frameworks under section 1E; provided, however, that such free, complete high-quality curriculum or a free curriculum certified pursuant to subsection (b) of section 1E³/₄ shall meet any requirements under section 27C of chapter 29.

(e) The department shall promulgate regulations to implement this section.

Section 1E³/₄. (a) The department shall provide tools and resources to aid districts in providing professional development aligned with evidence-based literacy instruction for literacy teachers, special education teachers, paraprofessionals and reading specialists in kindergarten through grade 3.

(b) The department shall create and maintain: (i) a list of department-approved professional development programs and vendors aligned with evidence-based literacy instruction best practices; (ii) a set of online training modules available at no cost to all teachers that provide training on the foundational practices and pedagogy aligned with evidence-based literacy instruction best practices; and (iii) a list of high-quality curricula.

SECTION 4. Section 1S of said chapter 69, as appearing in the 2024 Official Edition, is hereby amended by striking out, in line 41, the words “and (J)” and inserting in place thereof the following words:- (J) implementing evidence-based literacy instruction; and (K).

SECTION 5. Said section 1S of said chapter 69, as so appearing, is hereby further amended by inserting after the word “subgroups”, in line 48, the following words:- ; and provided further, that the district plan shall address the implementation of and compliance with section 1E½.

SECTION 6. Said section 1S of said chapter 69, as so appearing, is hereby further amended by adding the following 2 subsections:-

(h)(1) Annually, not later than August 15, the department shall identify a list of data requirements that each district shall report to the department related to curricula consistent with evidence-based literacy instruction under section 1E½. The department shall make the list of data requirements publicly available on the department’s website.

(2) Annually, not later than October 31, each district shall report to the department the data required by the department pursuant to paragraph (1).

(i) Annually, not later than December 31, the department shall: (i) aggregate data collected from each district pursuant to subsection (h); (ii) prepare and publish a report on the aggregated data; and (iii) file the report with the clerks of the senate and the house of representatives and the joint committee on education. The department shall make the report publicly available on the department’s website.

SECTION 7. Section 2 of chapter 70 of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Equalized property valuation” the following definition:-

“Evidence-based literacy instruction”, as defined in section 1E½ of chapter 69.

SECTION 8. Said section 2 of said chapter 70, as so appearing, is hereby further amended by inserting after the definition of “Excess effort” the following definition:-

“Five research-based areas in reading instruction”, as defined in section 1E½ of chapter 69.

SECTION 9. Section 38G of chapter 71 of the General Laws, as so appearing, is hereby amended by striking out the twenty-fourth paragraph and inserting in place thereof the following 2 paragraphs:-

For the purposes of certifying educators, the board shall establish policies and guidelines and the commissioner may approve preparation programs devoted to the preparation of teachers and other educational personnel. Said policies and guidelines shall include alignment with evidence-based literacy instruction for educator preparation programs. The department shall require a fee for any application submitted to the department for review and approval of an educator preparation program. The secretary of administration and finance shall annually set the fee pursuant to section 3B of chapter 7 and the fee shall cover the costs pursuant to this paragraph. A college or university or school or district or other institution offering such an approved program shall certify to the commissioner that a candidate has demonstrated satisfactory competence in the skills and knowledge expected of college graduates in the most advanced nations and has completed the approved program.

The commissioner shall evaluate approved educator preparation programs to ensure that candidates are prepared to meet the needs of all students in the commonwealth. The commissioner shall differentiate the performance of individual approved educator preparation program providers, including, but not limited to, quality and outcomes of candidates once they are employed. The review shall include, but shall not be limited to: (i) program implementation of evidence-based preparation in the five research-based areas in reading instruction; and (ii) the extent to which new teachers' effectiveness addresses persistent disparities in achievement. The commissioner shall annually publish data on approved programs, including, but not limited to, the current approval status, enrollment, demographics of candidates, areas of licensure being pursued and employment rate of graduates.

SECTION 10. Said chapter 71 is hereby further amended by striking out section 57A, as so appearing, and inserting in place thereof the following section:-

Section 57A. Districts shall develop procedures or protocols to screen for students that demonstrate at least 1 potential indicator of a neurological learning disability including, but not limited to, dyslexia; provided, however, that the department of elementary and secondary education, in consultation with the department of early education and care, shall, subject to appropriation, issue guidelines to assist districts in developing such screening procedures or protocols and districts shall adhere to such guidelines when developing such procedures or protocols. Districts shall annually report to the department of elementary and secondary education on the procedures or protocols used for screening for risk of dyslexia including, but not limited to, evidence-based tools and assessments broken down by component skills for each grade level

and timeframes for such assessments. The commissioner shall annually make publicly available on the department's website data on which screening assessments are employed by each school district, including, but not limited to, kindergarten through grade 3 literacy screening assessments and whether the screening assessments utilized are approved by the department.

SECTION 11. Said chapter 71 is hereby further amended by inserting after section 57A the following 2 sections:-

Section 57B. (a) For the purposes of this section and section 57C, the term "screening assessments" shall mean tools and assessments that can be used to identify students at risk for poor academic outcomes as determined by the department.

(b) The commissioner, in consultation with the department of early education and care, shall issue regulations requiring districts to adopt screening procedures and protocols for reading ability and progress in literacy skills for all students in kindergarten through grade 3 using screening assessments. The regulations shall include a threshold at which a student is determined to be significantly below the grade level benchmark; provided, however, that said screening procedures and protocols shall account for the needs of English language learners. The commissioner shall annually make publicly available on the department's website data on which screening assessments are employed by each district to conduct reading screening.

Section 57C. (a) Each district shall assess each student's reading ability and progress in literacy skills from kindergarten through at least grade 3, using a screening assessment approved by the department of elementary and secondary education, not less than twice per school year. The department shall update approved screening assessments to remain current with best practices and evidence-based assessments. The screening assessment of the student's reading ability and progress shall be consistent with section 2 of chapter 71B, the department's dyslexia guidelines issued pursuant to section 57A and literacy guidelines issued pursuant to section 57B.

(b) If a screening assessment determines that a student is significantly below relevant grade level benchmarks in specific literacy skills, the district shall determine which actions within the general education program will meet the student's needs, including, but not limited to, differentiated or supplementary evidence-based reading instruction and ongoing monitoring of progress. Not later than 30 days after a screening result that determines that a student is significantly below the relevant grade level benchmark, the district shall inform the student's parent or guardian of the screening results and the school's response on what actions within the general education program will meet the student's needs and shall offer the student's parent or guardian the opportunity for a follow-up discussion.

SECTION 12. Chapter 238 of the acts of 2024 is hereby amended by striking out section 290 and inserting in place thereof the following section:-

Section 290. (a) As used in this section, “high-needs district” shall mean a school or district with a high percentage of low-income students and English learners, which may include a school or district implementing turnaround plans.

(b) The department of elementary and secondary education shall, subject to appropriation, develop and administer a pilot program, in partnership with a college, university, school, district or other institution offering an educator preparation program approved pursuant to section 38G of chapter 71 of the General Laws, for teacher apprenticeships during which participants shall complete a paid teaching apprenticeship in a high-needs district in a classroom with a highly proficient mentor teacher. The department of elementary and secondary education shall determine qualifications of a highly proficient mentor teacher using factors, including, but not limited to, recent evaluation ratings, student growth data and demonstrated evidence-based practices. The program shall provide funds to candidates to support earning a competitive wage, including, but not limited to, support for childcare, transportation, textbooks and other core expenses, to ensure a diverse cohort are able to fully participate.

(c) The department of elementary and secondary education shall promulgate regulations defining the apprenticeship and the target candidates to be admitted to the program.

(d)(1) Not later than 1 year after the completion of the pilot program, the department of elementary and secondary education shall file a report with the clerks of the house of representatives and the senate and the joint committee on education on the outcome of the pilot program. The report shall include but shall not be limited to: (i) data on the demographics of participants, participants’ licensure pass rates on the Massachusetts Tests for Educator Licensure and hiring rates; and (ii) an assessment of the feasibility of applying for status as a United States Registered Apprenticeship.

(2) Not later than 3 years after the completion of the pilot program, the department of elementary and secondary education shall file a report with the clerks of the house of representatives and the senate and the joint committee on education, which shall include, but shall not be limited to, an evaluation of the impact of apprentices on student outcomes as compared to teachers not participating in the pilot program using student growth measures and an assessment of the feasibility of expanding to a teacher apprenticeship for all teacher candidates or all candidates in high-needs districts.

SECTION 13. The department of elementary and secondary education shall promulgate regulations to implement this act and to ensure that high-quality curricula meet the needs of all students, including students with disabilities and English language learners.

SECTION 14. School districts shall begin reporting required pursuant to paragraph (2) of subsection (h) of section 1S of chapter 69 of the General Laws in the 2027-2028 school year.

SECTION 15. Not later than December 31, 2027, the department of elementary and secondary education shall make publicly available on the department's website the first report required pursuant to subsection (i) of section 1S of chapter 69 of the General Laws.

SECTION 16. Prior to the beginning of the 2027-2028 school year, each school district shall: (i) adopt high-quality curriculum for kindergarten through grade 3 literacy that meets the curriculum frameworks pursuant to section 1E of chapter 69 of the General Laws; or (ii) have an approved curriculum waiver from the department of elementary and secondary education pursuant to section 1E $\frac{1}{2}$ of said chapter 69.

SECTION 17. Not later than 6 months following passage of this act, the department of elementary and secondary education shall: (i) develop the list of high-quality curricula for kindergarten through grade 3 required pursuant to subsection (b) of section 1E $\frac{3}{4}$ of chapter 69 of the General Laws; and (ii) notify school districts that the free, complete high-quality curriculum for kindergarten through grade 3 required pursuant to subsection (d) of section 1E $\frac{1}{2}$ of said chapter 69 shall be available prior to the 2027-2028 school year, including, but not limited to, the program components, scope, sequence, design specification and core topics and texts on said curriculum.