

AMENDMENTS TO SENATE BILL NO. 801

Sponsor: SENATOR AUMENT

Printer's No. 898

1 Amend Bill, page 1, line 5, by inserting after "thereto,"
2 in certification of teachers, further providing for teacher
3 support in the structured literacy program; and

4 Amend Bill, page 1, lines 7 through 9, by striking out all of
5 said lines and inserting

6 Section 1. Section 1205.8(a), (b), (c) and (g) of the act of
7 March 10, 1949 (P.L.30, No.14), known as the Public School Code
8 of 1949, added July 8, 2022 (P.L.620, No.55), are amended to
9 read:

10 Section 1205.8. [Teacher] Educator Support in the Structured
11 Literacy Program.--(a) (1) It is the intent of the General
12 Assembly that [teachers] educators be equipped to facilitate
13 high-quality reading instruction grounded in structured literacy
14 and intervention services to address student reading needs.

15 (2) The program provided in this section will assist
16 [participating] school entities in providing professional
17 development for [teachers] educators in foundational skills and
18 instructional interventions based on structured literacy and
19 providing opportunities for school personnel to serve as reading
20 coaches to support [teachers] educators in delivering high-
21 quality reading instruction.

22 (b) (1) Beginning with the 2022-2023 school year, the
23 department shall establish a program of professional development
24 and applied practice in structured literacy for school personnel
25 that includes in-class demonstration, modeling and coaching
26 support to improve reading and literacy outcomes.

27 (2) School personnel selected by the [participating] school
28 entity to serve as professional coaches for this program must
29 have at least five years of experience in teaching of reading
30 and be able to demonstrate their skills in the instruction of
31 and intervention with students, including those with dyslexia
32 and other language-related disabilities.

33 (3) The department may contract with multiple service
34 providers, including school entities and institutions of higher
35 education with demonstrated experience in structured literacy,
36 to develop and implement the program so that experienced support
37 is available locally.

1 (4) A service provider, including a school entity or
2 approved educator preparation program that demonstrates
3 successful implementation of literacy outcomes, is eligible to
4 provide professional development and onsite demonstration and
5 coaching support in the program.

6 (5) A [participating] school entity shall adopt high-quality
7 instructional materials grounded in [scientific-based reading
8 research] evidence-based reading instruction in accordance with
9 the State academic standards approved by the State Board of
10 Education.

11 (c) (1) The continuing professional education plan of each
12 school entity shall satisfy the continuing education
13 requirements of 22 Pa. Code § 49.17 (relating to continuing
14 professional education), including training in structured
15 literacy for professional employees who hold instructional
16 certificates in early childhood, elementary-middle level,
17 Special Education-PK-12, English as a second language and
18 reading specialist. To ensure that school personnel have the
19 knowledge and skill to teach all students to read, including
20 students with dyslexia and other language-based learning
21 disabilities, training shall address, but shall not be limited
22 to:

23 (i) Evidence-based intervention practices on structured
24 literacy.

25 (ii) Explicit and systematic instruction in phonological and
26 phonemic awareness.

27 (iii) The alphabetic principle, decoding and encoding,
28 fluency and vocabulary.

29 (iv) Reading comprehension and building content knowledge.

30 (2) School employees required to undergo continuing
31 professional education under section 1205.1, 1205.2 or 1205.5
32 shall receive credit toward the school employee's continuing
33 professional education requirements [if the training program has
34 been approved by the department].

35 * * *

36 (g) As used in this section, the following words and phrases
37 shall have the meanings given to them in this subsection unless
38 the context clearly indicates otherwise:

39 "Approved educator preparation program." A sequence of
40 courses and experiences offered by a preparing institution or
41 alternative provider that is reviewed and approved by the
42 department.

43 "Chief school administrator." The superintendent of a school
44 district, executive director of an intermediate unit,
45 administrative director of an area career and technical school
46 or chief executive officer of a charter school, cyber charter
47 school or regional charter school.

48 "Department." The Department of Education of the
49 Commonwealth.

50 "Educator." As defined in section 1501-N.

51 "Evidence-based reading instruction." As defined in section

1 1501-N.

2 ["Participating school entity." A school entity that elects
3 to take part in the Structured Literacy Program.]

4 "School entity." A school district, intermediate unit, area
5 career and technical school, charter school, cyber charter
6 school or regional charter school.

7 "Structured literacy." Systemic, explicit instruction that:

8 (1) provides a strong core of foundational skills in the
9 language systems of English;

10 (2) integrates listening, speaking, reading, spelling and
11 writing; and

12 (3) emphasizes the structure of language across the speech
13 sound system, the writing system, the structure of sentences,
14 the meaningful parts of words, the relationship among words and
15 the organization of spoken and written discourse.

16 Section 2. The act is amended by adding an article to read:

17 Amend Bill, page 1, by inserting between lines 17 and 18

18 "Core curriculum." The curriculum for English language arts
19 that is adopted for tier 1 instruction to all students.

20 "Council." The reading leadership council required to be
21 established by the department under section 1502-N(a)(5).

22 Amend Bill, page 2, by inserting between lines 5 and 6

23 "Educator." An individual who has completed approved
24 professional development under section 1205.8 and is responsible
25 for providing or supervising reading instruction, intervention
26 or coaching, including an elementary teacher, school reading
27 specialist, reading interventionist, special education teacher,
28 literacy coach, principal or chief school administrator.

29 Amend Bill, page 2, line 6, by inserting after "of"

30 structured

31 Amend Bill, page 2, line 10, by inserting after "decoding,"

32 encoding,

33 Amend Bill, page 2, line 11, by inserting after "knowledge."

34 The instruction may not include strategies for teaching
35 students to read based on meaning, structure and syntax and
36 visual cues, which may also be known as MSV.

37 Amend Bill, page 2, by inserting between lines 28 and 29

38 "Structured literacy." The term shall have the same meaning
39 as provided in section 1205.8.

40 Amend Bill, page 3, line 1, by striking out "multitiered

41 system of"

1 Amend Bill, page 3, line 1, by inserting after "support"
2 system, for example, a multitiered system of support,
3 Amend Bill, page 3, lines 10 through 12, by striking out "
4 the alphabetic" in line 10 and all of lines 11 and 12 and
5 inserting
6 understanding of the alphabetic principle, decoding
7 and encoding skills, fluency, vocabulary and
8 comprehension.
9 Amend Bill, page 3, line 16, by striking out "students" and
10 inserting
11 students' reading knowledge and skills
12 Amend Bill, page 3, lines 19 through 22, by striking out
13 "provide a process through which" in line 19 and all of lines 20
14 through 22 and inserting
15 develop a process for a vendor to submit an evidenced-
16 based reading instruction curriculum for review by the
17 department, in consultation with the council, for inclusion
18 on the list developed and maintained under paragraph (2).
19 Amend Bill, page 3, line 23, by striking out "The" and
20 inserting
21 By December 1, 2024, the
22 Amend Bill, page 3, line 24, by striking out "department-
23 approved,"
24 Amend Bill, page 3, lines 27 through 30; page 4, line 1; by
25 striking out all of said lines on said pages and inserting
26 (i) Be aligned with the Commonwealth's academic
27 standards and the science of reading.
28 (ii) Include a logical scope and sequence for
29 implementing curriculum that is systematic and
30 cumulative.
31 Amend Bill, page 4, lines 6 through 11, by striking out "The
32 criteria and rubric used to identify high" in line 6 and all of
33 lines 7 through 11 and inserting
34 The criteria and rubrics used to identify high-quality

curriculum under paragraph (2) and to approve universal reading screeners under section 1503-N(d)(1). The criteria and rubrics must be developed in consultation with the council.

(4) The department shall provide a process through which a school entity can submit an application for additional curriculum that meets the requirements under paragraph (2) for inclusion on the list developed and maintained by the department under paragraph (2).

Amend Bill, page 4, lines 12 and 13, by striking out "add curricula approved under" in line 12 and all of line 13 and inserting

establish a reading leadership council that shall advise the department on the development and maintenance of the list of reading instruction curricula required under paragraph (2), the list of universal reading screeners and the list of structured literacy intervention approaches required under section 1503-N(d)(1). The following shall apply:

(i) The council shall have 20 members appointed by the department who have expertise in structured literacy and shall include public school elementary school staff, including the following:

(A) Primary classroom teachers in kindergarten through third grade.

(B) Reading specialists.

(C) Literacy coaches.

(D) Elementary special education teachers.

(E) A learning support employee with experience working with subgroups as defined in the Every Student Succeeds Act (Public Law 114-95, 129 Stat. 1802).

(ii) Membership on the council shall reflect geographic representation of school districts, including diversity of district types, including rural, urban and suburban.

(iii) The council shall meet at least once every two months at dates and times determined by the department.

(iv) In performing its work, the council may consult with other professionals and nonprofit organizations with expertise in structured literacy.

(6) This subsection shall expire five years from the effective date of this paragraph.

Amend Bill, page 4, lines 14 through 17, by striking out "If a school entity serves" in line 14 and all of lines 15 through 17 and inserting

1 A school entity shall do all of the following beginning with
2 the 2025-2026 school year:

3 Amend Bill, page 4, line 19, by striking out "from the list
4 under subsection (a)"

5 Amend Bill, page 4, line 20, by striking out "education" and
6 inserting

7 development

8 Amend Bill, page 4, line 23, by striking out "individual" and
9 inserting

10 educator

11 Amend Bill, page 4, lines 26 through 30; page 5, lines 1
12 through 8; by striking out all of said lines on said pages and
13 inserting

14 (4) Demonstrate that each educator responsible for
15 providing reading instruction or coaching is in the process
16 of completing approved professional development under
17 paragraph (2). An educator must complete approved
18 professional development under paragraph (2) no later than
19 the beginning of the 2027-2028 school year.

20 Amend Bill, page 5, line 10, by striking out "2024" and
21 inserting

22 2025

23 Amend Bill, page 5, lines 12 through 18, by striking out all
24 of said lines and inserting

25 for reading competency three times each school year, once at
26 the beginning of the school year, once during the middle of the
27 school year and once at the end of the school year. In
28 conducting the screening, the school entity shall use a
29 universal reading screener chosen from the list of approved
30 universal reading screeners under subsection (d).

31 Amend Bill, page 5, lines 19 through 26, by striking out "A
32 school entity shall provide:" in line 19 and all of lines 20
33 through 26 and inserting

34 A school entity shall provide educators time during the
35 contractual school day to complete data entry and compilation
36 associated with the screener, to communicate with families

and carry out any other responsibility required under this section. Nothing in this article shall be construed to supersede or preempt the rights, remedies and procedures afforded to school employees or labor organizations under Federal or State law or any provision of a collective bargaining agreement negotiated between a school employer and an exclusive representative of the employees in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act.

Amend Bill, page 5, lines 29 and 30; page 6, lines 1 and 2; by striking out all of lines 29 and 30 on page 5, all of line 1 and "(2)" in line 2 on page 6 and inserting

(1)

Amend Bill, page 6, line 4, by striking out "plan" and inserting

program

Amend Bill, page 6, line 5, by striking out "(3)" and inserting

(2)

Amend Bill, page 6, lines 10 through 13, by striking out "evidence-based" in line 10, all of lines 11 and 12 and "teachers and elementary special education teachers," in line 13 and inserting

the council,

Amend Bill, page 6, line 16, by inserting after "of"

structured

Amend Bill, page 6, line 18, by inserting after "decoding,"

encoding,

Amend Bill, page 6, line 20, by striking out "2023" and inserting

2024

Amend Bill, page 7, lines 3 through 15, by striking out all of lines 3 through 14 and "(4)" in line 15 and inserting

(3)

1 Amend Bill, page 7, line 15, by striking out "learning" and
2 inserting
3 development

4 Amend Bill, page 7, lines 22 and 23, by striking out
5 "identifies the student at risk for reading failure under
6 section 1503-N" and inserting
7 administered under section 1503-N identifies the student at
8 risk for reading failure

9 Amend Bill, page 7, lines 27 through 29, by striking out "the
10 threshold level on an approved" in line 27 and all of lines 28
11 and 29 and inserting

12 an identified threshold level using at least three data
13 points, which may include results on a universal reading
14 screeners, the educator's professional judgment on a student's
15 performance, progress monitoring outcomes, diagnostic
16 assessments, benchmark assessments and formative or summative
17 assessments.

18 Amend Bill, page 8, line 2, by striking out "having a reading
19 deficiency" and inserting
20 being in need of reading interventions

21 Amend Bill, page 8, line 8, by striking out "to ensure" and
22 inserting
23 with the goal of ensuring

24 Amend Bill, page 8, lines 11 and 12, by striking out "the
25 teacher, principal or other professional employee who has
26 specialized training in reading intervention" and inserting
27 an educator

28 Amend Bill, page 8, lines 13 and 14, by striking out "be
29 provided in addition to core reading instruction that" and
30 inserting

31 , at a minimum, include reading intervention approaches and
32 be provided in addition to what

33 Amend Bill, page 8, lines 16 through 26, by striking out "The

1 reading intervention plan shall:" in line 16 and all of lines 17
2 through 26

3 Amend Bill, page 8, line 30; page 9, lines 1 through 20; by
4 striking out "no later than" in line 30 on page 8 and all of
5 lines 1 through 20 on page 9 and inserting

6 after the identification of the reading deficiency,
7 including periodic updates three times per year regarding the
8 student's progress.

9 Amend Bill, page 9, line 29, by striking out "filed" and
10 inserting

11 submitted

12 Amend Bill, page 10, line 11, by striking out "2024" and
13 inserting

14 2025

15 Amend Bill, page 10, line 17, by striking out "pursuant to
16 the screening" and inserting

17 at the beginning of the school year pursuant to the
18 first screening of the school year

19 Amend Bill, page 10, lines 20 through 28, by striking out all
20 of said lines and inserting

21 (2) The number and percentage of students, disaggregated
22 by grade and by individual school, identified with a
23 potential reading deficiency, including characteristics of
24 dyslexia, at the end of the school year pursuant to the final
25 screening of the school year required under section 1503-N.

26 (3) The evidence-based reading instruction curricula
27 adopted by each school entity under this article.

28 (4) The number of educators in the school entity who
29 have received professional development under section 1502-
30 N(b)(2) and the type of professional development received.

31 Amend Bill, page 10, line 29, by striking out "2024" and
32 inserting

33 2025

34 Amend Bill, page 11, lines 1 through 16, by striking out "all
35 of the following:" in line 1 and all of lines 2 through 16 and

1 inserting
2 the information reported to the department under
3 subsection (a).
4 (c) Report data.--Data included in the report shall be de-
5 identified and comply with the Family Educational Rights and
6 Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. § 1232g).
7 Amend Bill, page 11, line 17, by striking out "(c)" and
8 inserting
9 (d)
10 Amend Bill, page 11, lines 23 and 24, by striking out all of
11 line 23 and "(4)" in line 24 and inserting
12 (3)
13 Amend Bill, page 11, line 25, by striking out "(5)" and
14 inserting
15 (4)
16 Amend Bill, page 11, line 26, by striking out "(6)" and
17 inserting
18 (5)
19 Amend Bill, page 11, line 28, by striking out "(7)" and
20 inserting
21 (6)
22 Amend Bill, page 11, line 30, by striking out "60" and
23 inserting
24 90