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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4065

03/04/2020 Authored by Robbins, Erickson, Kresha, Nash, Scott and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying requirements for reading proficiency, retention,
1.3 promotion, and literacy incentive aid; requiring a report; amending Minnesota
1.4 Statutes 2018, sections 120B.12, as amended; 120B.30, subdivision 1a; 122A.185,
1.5 subdivision 1; 124D.98, as amended; proposing coding for new law in Minnesota
1.6 Statutes, chapters 120B; 122A.

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

1.8 Section 1. Minnesota Statutes 2018, section 120B.12, as amended by Laws 2019, First
1.9 Special Session chapter 11, article 2, section 2, is amended to read:

1.10 120B.12 READING PROFICIENTLY NO LATER THAN THE END OF GRADE
1.11 3.

1.12 Subdivision 1. Literacy goal. The legislature seeks to have every child reading at or
1.13 above grade level no later than the end of grade 3, including English learners, and that
1.14 teachers provide comprehensive, scientifically based reading instruction consistent with
1.15 section 122A.06, subdivision 4.

1.16 Subd. 1a. Promotion to grade 4. Beginning in the 2022-2023 school year, a student
1.17 who does not meet state reading standards and whose reading deficiency is not remedied
1.18 by the end of grade 3 must not be promoted to grade 4. A student's reading achievement
1.19 level for purposes of promotion to grade 4 must be determined based on the student's
1.20 performance on the grade 3 statewide assessment in reading or an approved alternate
1.21 assessment for grade 3.

1.22 Subd. 1b. Good cause exemption. (a) A student in grade 3 who does not meet the
1.23 academic requirements for promotion to grade 4 may be promoted by the school district
1.24 only for good cause. Good cause exemptions for promotion are limited to the following:

2.1 (1) a student with limited English proficiency and less than two years of instruction in
2.2 an English language learner program;

2.3 (2) a student with a disability whose individualized education program indicates that
2.4 participation in the statewide accountability assessment program is not appropriate, as
2.5 authorized under state law;

2.6 (3) a student with a disability who participates in the state annual accountability
2.7 assessment and who has an individualized education program or a section 504 plan that
2.8 reflects that the student has received intensive remediation in reading for more than two
2.9 years but still demonstrates a deficiency in reading or was previously retained in kindergarten
2.10 or grade 1, 2, or 3;

2.11 (4) a student who demonstrates an acceptable level of reading proficiency on an
2.12 alternative standardized assessment approved by the commissioner of education; and

2.13 (5) a student who received intensive intervention in reading for two or more years but
2.14 still demonstrates a deficiency in reading and was previously retained in kindergarten or
2.15 grade 1, 2, or 3 for a total of two years and has not met exceptional education criteria.

2.16 (b) A student who is promoted to grade 4 through a good cause exemption must be
2.17 provided an individual reading plan that outlines intensive reading instruction and
2.18 intervention informed by specialized diagnostic information and delivered through specific
2.19 instructional strategies to meet the needs of the student. The school district must assist
2.20 schools and teachers in implementing instructional research-based strategies to improve
2.21 reading among students with persistent reading difficulties.

2.22 (c) A request for a good cause exemption for a student in grade 3 to be promoted to
2.23 grade 4 must include: (1) documentation that the student qualifies for a good cause
2.24 exemption, and (2) documentation from the student's teacher indicating that the promotion
2.25 is appropriate based upon the student's record. The school principal must review and discuss
2.26 a good cause exemption request with the student's teacher and parent or guardian and
2.27 determine whether to recommend the student for promotion to grade 4 based on the
2.28 requirements in this section. If the principal determines promotion is appropriate based on
2.29 the documentation provided, the principal must make the recommendation in writing to the
2.30 district superintendent. A parent or guardian may appeal the recommendation of a principal
2.31 to retain a student in grade 3 by submitting reasons for the appeal to the district superintendent
2.32 within 15 days of receiving notice of the recommendation. The superintendent must accept
2.33 or reject the principal's recommendation in writing. A parent or guardian of a student in

3.1 grade 3 promoted to grade 4 may choose that the student be retained for one year, even if
 3.2 the principal and superintendent determine promotion is appropriate.

3.3 Subd. 2. **Identification; report.** (a) Each school district must ~~identify before the end of~~
 3.4 ~~kindergarten, grade 1, and grade 2 all students who are not reading at grade level~~ assess the
 3.5 reading skills of a student in kindergarten through grade 3 at the beginning, middle, and
 3.6 end of the school year; identify students not reading at grade level; and use the assessments
 3.7 to recommend appropriate interventions for students not reading at grade level. Students
 3.8 identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must
 3.9 be screened, in a locally determined manner, for characteristics of dyslexia.

3.10 (b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom
 3.11 teacher must be screened, in a locally determined manner, for characteristics of dyslexia,
 3.12 unless a different reason for the reading difficulty has been identified.

3.13 (c) Reading assessments in English, and in the predominant languages of district students
 3.14 where practicable, must identify and evaluate students' areas of academic need related to
 3.15 literacy. The district also must monitor the progress and provide reading instruction
 3.16 appropriate to the specific needs of English learners. The district must use a locally adopted,
 3.17 developmentally appropriate, and culturally responsive assessment and annually report
 3.18 summary assessment results to the commissioner by July 1.

3.19 (d) The district also must annually report to the commissioner by July 1 a summary of
 3.20 the district's efforts to screen and identify students with:

3.21 (1) dyslexia, using screening tools such as those recommended by the department's
 3.22 dyslexia specialist; or

3.23 (2) convergence insufficiency disorder.

3.24 (e) A student identified under this subdivision must be provided with alternate instruction
 3.25 under section 125A.56, subdivision 1.

3.26 Subd. 2a. **Parent notification and involvement.** (a) Within two weeks of assessing a
 3.27 student's reading skills under subdivision 2, paragraph (a), schools, ~~at least annually,~~ must
 3.28 give the parent of each student who is not reading at or above grade level timely information
 3.29 about:

3.30 (1) the student's reading proficiency as measured by a locally adopted assessment;

3.31 (2) reading-related services currently being provided to the student and the student's
 3.32 progress; ~~and~~

4.1 (3) strategies for parents to use at home in helping their student succeed in becoming
 4.2 grade-level proficient in reading in English and in their native language; and

4.3 (4) the grade retention requirements in this section for a student whose reading deficiency
 4.4 is not remediated by the end of grade 3.

4.5 (b) A district may not use this section to deny a student's right to a special education
 4.6 evaluation.

4.7 (c) A school must provide the parent or guardian of a student who is retained in grade
 4.8 3 with written notification that the student has not met the proficiency level required for
 4.9 promotion and whether the student is eligible for a good cause exemption, in addition to
 4.10 any report cards or student progress reports provided by the student's teacher. The notification
 4.11 must include a description of proposed interventions and supports to be provided to the
 4.12 student to remediate the identified areas of reading deficiency, as outlined in the student's
 4.13 individual reading plan. The notification must be provided in a format determined by the
 4.14 commissioner.

4.15 Subd. 3. **Intervention.** (a) For each student identified under subdivision 2, the district
 4.16 ~~shall~~ must provide intensive reading instruction and intervention to accelerate student growth
 4.17 and reach the goal of reading at or above grade level by the end of the current grade and
 4.18 school year. If a student does not read at or above grade level by the end of grade 3, the
 4.19 district must continue to provide reading intervention until the student reads at grade level.
 4.20 District intervention methods ~~shall~~ must encourage family engagement and, where possible,
 4.21 collaboration with appropriate school and community programs. Intervention methods may
 4.22 include, but are not limited to, requiring attendance in summer school, intensified reading
 4.23 instruction that may require that the student be removed from the regular classroom for part
 4.24 of the school day, extended-day programs, or programs that strengthen students' cultural
 4.25 connections. A school district may contract with an accredited literacy specialist to provide
 4.26 intervention services.

4.27 (b) A school district or charter school ~~is strongly encouraged to~~ must provide a personal
 4.28 learning plan for a student who is unable to demonstrate grade-level proficiency, as measured
 4.29 by the statewide reading assessment ~~in grade 3~~. The district or charter school must determine
 4.30 the format of the personal learning plan in collaboration with the student's educators and
 4.31 other appropriate professionals. The school must develop the learning plan in consultation
 4.32 with the student's parent or guardian. The personal learning plan must address knowledge
 4.33 gaps and skill deficiencies through strategies such as specific exercises and practices during
 4.34 and outside of the regular school day, periodic assessments, and reasonable timelines. The

5.1 personal learning plan for a student in kindergarten, grade 1, or grade 2 may include grade
5.2 retention, if it is in the student's best interest. A school must maintain and regularly update
5.3 and modify the personal learning plan until the student reads at grade level. This paragraph
5.4 does not apply to a student under an individualized education program.

5.5 (c) Beginning in the 2022-2023 school year, a school district must take the following
5.6 actions for each student retained in grade 3:

5.7 (1) provide the student with intensive instructional services, progress monitoring
5.8 measures, and supports to remediate the identified areas of reading deficiency, as outlined
5.9 in the student's reading plan, including a minimum of 90 minutes during regular school
5.10 hours of daily, scientific research-based reading instruction that includes phonemic awareness,
5.11 phonics, fluency, vocabulary, and comprehension, and other strategies recommended by
5.12 the school district, including but not limited to:

5.13 (i) small group instruction;

5.14 (ii) reduced teacher-student ratios;

5.15 (iii) tutoring in scientific research-based reading services outside of the regular school
5.16 day;

5.17 (iv) the option of transition classes designed to provide intensive instruction and
5.18 intervention to produce learning gains sufficient to meet current grade-level performance
5.19 standards while remediating the reading deficiency to advance the student to the next grade;
5.20 and

5.21 (v) an extended school day, week, or year;

5.22 (2) provide written notification to the parent or guardian of a student who is retained in
5.23 grade 3, in accordance with subdivision 2a;

5.24 (3) provide a student who is retained in grade 3 with scientific research-based reading
5.25 instruction in the summer, at a site selected by the parent;

5.26 (4) provide a student who is retained in grade 3 with a high-performing teacher, as
5.27 determined by student performance data, particularly related to student growth in reading,
5.28 above-satisfactory performance data, and training in research-based reading instruction;

5.29 (5) provide the parent or guardian of a student who is retained in grade 3 with a "Read
5.30 at Home" plan outlined in a parental contract that includes participation in regular
5.31 parent-guided home reading; and

6.1 (6) allow a student who is retained in grade 3 the opportunity to advance to grade 4 if
6.2 the student shows sufficient growth in reading.

6.3 Subd. 4. **Staff development.** Each district shall use the data under subdivision 2 to
6.4 identify the staff development needs so that:

6.5 (1) elementary teachers are able to implement comprehensive, scientifically based reading
6.6 and oral language instruction in the five reading areas of phonemic awareness, phonics,
6.7 fluency, vocabulary, and comprehension as defined in section 122A.06, subdivision 4, and
6.8 other literacy-related areas including writing until the student achieves grade-level reading
6.9 proficiency;

6.10 (2) elementary teachers have sufficient training to provide comprehensive, scientifically
6.11 based reading and oral language instruction that meets students' developmental, linguistic,
6.12 and literacy needs using the intervention methods or programs selected by the district for
6.13 the identified students;

6.14 (3) licensed teachers employed by the district have regular opportunities to improve
6.15 reading and writing instruction;

6.16 (4) licensed teachers recognize students' diverse needs in cross-cultural settings and are
6.17 able to serve the oral language and linguistic needs of students who are English learners by
6.18 maximizing strengths in their native languages in order to cultivate students' English language
6.19 development, including oral academic language development, and build academic literacy;
6.20 and

6.21 (5) licensed teachers are well trained in culturally responsive pedagogy that enables
6.22 students to master content, develop skills to access content, and build relationships.

6.23 Subd. 4a. **Local literacy plan.** (a) Consistent with this section, a school district must
6.24 adopt a local literacy plan to have every child reading at or above grade level no later than
6.25 the end of grade 3, including English learners. The plan must be consistent with section
6.26 122A.06, subdivision 4, and include the following:

6.27 (1) a process to assess students' level of reading proficiency and data to support the
6.28 effectiveness of an assessment used to screen and identify a student's level of reading
6.29 proficiency;

6.30 (2) a process to notify and involve parents;

6.31 (3) a description of how schools in the district will determine the proper reading
6.32 intervention strategy for a student and the process for intensifying or modifying the reading
6.33 strategy in order to obtain measurable reading progress;

7.1 (4) evidence-based intervention methods for students who are not reading at or above
 7.2 grade level and progress monitoring to provide information on the effectiveness of the
 7.3 intervention; and

7.4 (5) identification of staff development needs, including a program to meet those needs.

7.5 (b) The district must post its literacy plan on the official school district website.

7.6 Subd. 5. **Commissioner.** The commissioner shall recommend to districts multiple
 7.7 assessment tools to assist districts and teachers with identifying students under subdivision
 7.8 2. The commissioner shall also make available examples of nationally recognized and
 7.9 research-based instructional methods or programs to districts to provide comprehensive,
 7.10 scientifically based reading instruction and intervention under this section.

7.11 Subd. 6. **Minnesota Reading Panel.** (a) The commissioner must establish a Minnesota
 7.12 Reading Panel to collaborate with the department in recommending appropriate assessments
 7.13 and scores to be used to determine promotion to grade 4 for students in grade 3 who are not
 7.14 proficient in reading based on the student's performance on the Minnesota Comprehensive
 7.15 Assessment or who were unable to take the Minnesota Comprehensive Assessment.

7.16 (b) The panel must make recommendations to the commissioner on the adoption or
 7.17 development of a universal screener to identify reading deficiencies and determine progress
 7.18 for required use in schools selected by the commissioner as most in need of a reading
 7.19 intervention program.

7.20 (c) The panel must consist of the following six members:

7.21 (1) the commissioner or commissioner's designee, who must chair the panel;

7.22 (2) the chair of the house of representatives Education Policy Committee or the chair's
 7.23 designee;

7.24 (3) the chair of the senate Education Policy Committee or the chair's designee;

7.25 (4) one member appointed by the governor; and

7.26 (5) two members appointed by the commissioner.

7.27 Subd. 7. **Approved reading curricula.** The commissioner of education must adopt a
 7.28 list of approved scientific research-based reading curricula for students in kindergarten
 7.29 through grade 3. The commissioner may reduce the literacy incentive aid of a district that
 7.30 does not use an approved curriculum starting in the 2021-2022 school year.

7.31 Subd. 8. **Reporting.** (a) By September 1 of each year, a school district must submit a
 7.32 report, in the format determined by the commissioner, to the commissioner and the Minnesota

8.1 Reading Panel and publish the report on the district website. The report must include the
 8.2 following information relating to the preceding school year:

8.3 (1) the district's policies relating to grade retention and promotion;

8.4 (2) the number and percentage of all students, by grade, performing at each level of
 8.5 achievement on the reading and math Minnesota Comprehensive Assessments, the number
 8.6 and percentage of students given an approved alternative standardized reading assessment,
 8.7 and the percentage of students performing at each achievement level on the alternative
 8.8 standardized reading assessment;

8.9 (3) the number and percentage of all students, by grade, retained in kindergarten through
 8.10 grade 8;

8.11 (4) the number and percentage of students who were promoted for good cause, by each
 8.12 category listed in subdivision 1b; and

8.13 (5) any revisions to the school board's policy on student retention and promotion from
 8.14 the prior school year.

8.15 (b) The commissioner must annually compile the information reported by districts under
 8.16 paragraph (a), including state-level summary information, and report the information to the
 8.17 chairs and ranking minority members of the legislative committees with jurisdiction over
 8.18 education. The commissioner must also publish the information on the department's website.

8.19 **EFFECTIVE DATE.** This section is effective July 1, 2020.

8.20 Sec. 2. **[120B.121] SCHOOL RECOGNITION PROGRAM.**

8.21 Subdivision 1. **Establishment.** The commissioner must establish a school recognition
 8.22 program to reward school sites that provide scientific research-based reading instruction
 8.23 and improve the reading skills of students in kindergarten through grade 3. The program
 8.24 must award school sites whose students make demonstrable improvement in reading skills
 8.25 with up to \$100 per pupil, depending on the availability of funds appropriated and the
 8.26 number and size of schools selected to receive the award.

8.27 Subd. 2. **Use of funds.** (a) A school site must establish a staff advisory council to
 8.28 determine how to use funds awarded under this section. A school site may use recognition
 8.29 award funds for:

8.30 (1) nonrecurring bonuses to the teachers and other staff;

8.31 (2) nonrecurring expenses for educational equipment or materials to assist in maintaining
 8.32 or improving student performance; or

9.1 (3) temporary personnel for the school to assist in maintaining and improving student
 9.2 performance.

9.3 (b) If the staff advisory council cannot reach agreement by February 1, the award funds
 9.4 must be equally distributed to all classroom teachers currently teaching in the school.

9.5 (c) Notwithstanding any law to the contrary, incentive awards for the school recognition
 9.6 program are not subject to collective bargaining.

9.7 **EFFECTIVE DATE.** This section is effective July 1, 2020.

9.8 Sec. 3. Minnesota Statutes 2018, section 120B.30, subdivision 1a, is amended to read:

9.9 Subd. 1a. **Statewide and local assessments; results.** (a) For purposes of this section,
 9.10 the following definitions have the meanings given them.

9.11 (1) "Computer-adaptive assessments" means fully adaptive assessments.

9.12 (2) "Fully adaptive assessments" include test items that are on-grade level and items that
 9.13 may be above or below a student's grade level.

9.14 (3) "On-grade level" test items contain subject area content that is aligned to state
 9.15 academic standards for the grade level of the student taking the assessment.

9.16 (4) "Above-grade level" test items contain subject area content that is above the grade
 9.17 level of the student taking the assessment and is considered aligned with state academic
 9.18 standards to the extent it is aligned with content represented in state academic standards
 9.19 above the grade level of the student taking the assessment. Notwithstanding the student's
 9.20 grade level, administering above-grade level test items to a student does not violate the
 9.21 requirement that state assessments must be aligned with state standards.

9.22 (5) "Below-grade level" test items contain subject area content that is below the grade
 9.23 level of the student taking the test and is considered aligned with state academic standards
 9.24 to the extent it is aligned with content represented in state academic standards below the
 9.25 student's current grade level. Notwithstanding the student's grade level, administering
 9.26 below-grade level test items to a student does not violate the requirement that state
 9.27 assessments must be aligned with state standards.

9.28 (b) The commissioner must use fully adaptive mathematics and reading assessments for
 9.29 grades 3 through 8.

9.30 (c) For purposes of conforming with existing federal educational accountability
 9.31 requirements, the commissioner must develop and implement computer-adaptive reading
 9.32 and mathematics assessments for grades 3 through 8, state-developed high school reading

10.1 and mathematics tests aligned with state academic standards, a high school writing test
10.2 aligned with state standards when it becomes available, and science assessments under
10.3 clause (2) that districts and sites must use to monitor student growth toward achieving those
10.4 standards. The commissioner must not develop statewide assessments for academic standards
10.5 in social studies, health and physical education, and the arts. The commissioner must require:

10.6 (1) annual computer-adaptive reading and mathematics assessments in grades 3 through
10.7 8, and high school reading, writing, and mathematics tests; and

10.8 (2) annual science assessments in one grade in the grades 3 through 5 span, the grades
10.9 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the
10.10 commissioner must not require students to achieve a passing score on high school science
10.11 assessments as a condition of receiving a high school diploma.

10.12 (d) The commissioner must ensure that for annual computer-adaptive assessments:

10.13 (1) individual student performance data and achievement reports are available within
10.14 three school days of when students take an assessment except in a year when an assessment
10.15 reflects new performance standards;

10.16 (2) growth information is available for each student from the student's first assessment
10.17 to each proximate assessment using a constant measurement scale;

10.18 (3) parents, teachers, and school administrators are able to use elementary and middle
10.19 school student performance data to project students' secondary and postsecondary
10.20 achievement; and

10.21 (4) useful diagnostic information about areas of students' academic strengths and
10.22 weaknesses is available to teachers and school administrators for improving student
10.23 instruction and indicating the specific skills and concepts that should be introduced and
10.24 developed for students at given performance levels, organized by strands within subject
10.25 areas, and aligned to state academic standards.

10.26 (e) The commissioner must ensure that all state tests administered to elementary and
10.27 secondary students measure students' academic knowledge and skills and not students'
10.28 values, attitudes, and beliefs.

10.29 (f) Reporting of state assessment results must:

10.30 (1) provide timely, useful, and understandable information on the performance of
10.31 individual students, schools, school districts, and the state;

10.32 (2) include a growth indicator of student achievement; and

11.1 (3) determine whether students have met the state's academic standards.

11.2 (g) Consistent with applicable federal law, the commissioner must include appropriate,
11.3 technically sound accommodations or alternative assessments for the very few students with
11.4 disabilities for whom statewide assessments are inappropriate and for English learners.

11.5 (h) A school, school district, and charter school must administer statewide assessments
11.6 under this section, as the assessments become available, to evaluate student progress toward
11.7 career and college readiness in the context of the state's academic standards. A school,
11.8 school district, or charter school may use a student's performance on a statewide assessment
11.9 as one of multiple criteria to determine grade promotion or retention, consistent with section
11.10 120B.12. A school, school district, or charter school may use a high school student's
11.11 performance on a statewide assessment as a percentage of the student's final grade in a
11.12 course, or place a student's assessment score on the student's transcript.

11.13 Sec. 4. Minnesota Statutes 2018, section 122A.185, subdivision 1, is amended to read:

11.14 Subdivision 1. **Tests.** (a) The Professional Educator Licensing and Standards Board
11.15 must adopt rules requiring a candidate to demonstrate a passing score on a board-adopted
11.16 examination of skills in reading, writing, and mathematics before being granted a Tier 4
11.17 teaching license under section 122A.184 to provide direct instruction to pupils in elementary,
11.18 secondary, or special education programs. Candidates may obtain a Tier 1, Tier 2, or Tier
11.19 3 license to provide direct instruction to pupils in elementary, secondary, or special education
11.20 programs if candidates meet the other requirements in section 122A.181, 122A.182, or
11.21 122A.183, respectively.

11.22 (b) The board must adopt rules requiring candidates for Tier 3 and Tier 4 licenses to
11.23 pass an examination of general pedagogical knowledge and examinations of licensure field
11.24 specific content. The content examination requirement does not apply if no relevant content
11.25 exam exists.

11.26 (c) Candidates for initial Tier 3 and Tier 4 licenses to teach elementary students must
11.27 pass test items assessing the candidates' knowledge, skill, and ability in comprehensive,
11.28 scientifically based reading instruction under section 122A.06, subdivision 4, knowledge
11.29 and understanding of the foundations of reading development, development of reading
11.30 comprehension and reading assessment and instruction, and the ability to integrate that
11.31 knowledge and understanding into instruction strategies under section 122A.06, subdivision
11.32 4.

12.1 (d) The requirement to pass a board-adopted reading, writing, and mathematics skills
 12.2 examination does not apply to nonnative English speakers, as verified by qualified Minnesota
 12.3 school district personnel or Minnesota higher education faculty, who, after meeting the
 12.4 content and pedagogy requirements under this subdivision, apply for a teaching license to
 12.5 provide direct instruction in their native language or world language instruction under section
 12.6 120B.022, subdivision 1.

12.7 (e) The board must adopt rules establishing a reading endorsement for kindergarten
 12.8 through grade 3 teachers. The rules must require a candidate to demonstrate a passing score
 12.9 on a board-adopted examination of skills in comprehensive, scientific research-based reading
 12.10 instruction to earn an endorsement. The board may adopt rules providing candidates an
 12.11 alternate way to earn an endorsement. The board must require a candidate applying after
 12.12 July 1, 2022, for a license to teach kindergarten through grade 3 to qualify for a reading
 12.13 endorsement as a condition of licensure.

12.14 **EFFECTIVE DATE.** This section is effective July 1, 2020.

12.15 Sec. 5. **[122A.77] SUMMER TEACHER TRAINING PROGRAM.**

12.16 Subdivision 1. **Establishment.** The Professional Educator Licensing and Standards
 12.17 Board and commissioner of education must collaborate to establish a five-day professional
 12.18 development training program for kindergarten through grade 3 teachers in June, July, or
 12.19 August of each year. The training program must provide instruction in comprehensive
 12.20 reading instruction techniques and curriculum, based on scientific research, and must provide
 12.21 participating teachers an opportunity to practice skills developed in the training.

12.22 Subd. 2. **Teacher participation.** A teacher who participates in the summer professional
 12.23 development training program must receive compensation from the employing school
 12.24 district. A district must not require that a teacher participate in the training program as a
 12.25 term or condition of employment. Neither participation in the training program or
 12.26 compensation for participation are subject to collective bargaining.

12.27 Subd. 3. **District participation.** The Department of Education must assign a reading
 12.28 coach to a school district that employs one or more teachers who participate in the summer
 12.29 professional development training program. The reading coach must work with participating
 12.30 teachers during the following school year to further develop teachers' skills, improve
 12.31 instruction techniques, and answer teacher questions about skills developed in the training.

13.1 Sec. 6. Minnesota Statutes 2018, section 124D.98, as amended by Laws 2019, First Special
13.2 Session chapter 11, article 2, section 22, is amended to read:

13.3 **124D.98 LITERACY INCENTIVE AID.**

13.4 Subdivision 1. **Literacy incentive aid.** A district's literacy incentive aid equals the sum
13.5 of the proficiency aid under subdivision 2, and the growth aid under subdivision 3.

13.6 Subd. 2. **Proficiency aid.** The proficiency aid for each school in a district that has
13.7 submitted to the commissioner its local literacy plan under section 120B.12, subdivision
13.8 4a, is equal to the product of the school's proficiency allowance times the number of ~~third~~
13.9 ~~grade~~ pupils enrolled in grade 3 at the school on October 1 of the previous fiscal year. A
13.10 school's proficiency allowance is equal to the percentage of students in each building that
13.11 meet or exceed proficiency on the ~~third~~ grade 3 reading Minnesota Comprehensive
13.12 Assessment, averaged across the previous three test administrations, times \$530.

13.13 Subd. 3. **Growth aid.** The growth aid for each school in a district that has submitted to
13.14 the commissioner its local literacy plan under section 120B.12, subdivision 4a, is equal to
13.15 the product of the school's growth allowance times the number of ~~fourth-grade~~ pupils enrolled
13.16 in grade 4 at the school on October 1 of the previous fiscal year. A school's growth allowance
13.17 is equal to the percentage of students at that school making medium or high growth, under
13.18 ~~section 120B.299~~ subdivision 4, on the ~~fourth~~ grade 4 reading Minnesota Comprehensive
13.19 Assessment, averaged across the previous three test administrations, times \$530.

13.20 Subd. 4. **Medium and high growth.** (a) The definitions in this subdivision apply to this
13.21 section.

13.22 (b) "Medium growth" is an assessment score within one-half standard deviation above
13.23 or below the average year-two assessment scores for students with similar year-one
13.24 assessment scores.

13.25 (c) "High growth" is an assessment score one-half standard deviation or more above the
13.26 average year-two assessment scores for students with similar year-one assessment scores.

13.27 **Subd. 5. Revenue uses.** A school district must use literacy aid received under this section
13.28 for:

13.29 (1) developing and implementing the district's local literacy plan under section 120B.12;

13.30 (2) assessing students' reading skills;

13.31 (3) providing intensive reading instruction and intervention to students;

13.32 (4) contracting with literacy specialists;

14.1 (5) staff development focused on reading instruction for reading specialists, teachers,
14.2 and other staff providing direct reading instruction to students as provided under section
14.3 120B.12, subdivision 4;

14.4 (6) paying program costs and compensation for teachers attending a summer teacher
14.5 training program, including the summer professional development training program offered
14.6 under section 122A.77; and

14.7 (7) paying costs for the school recognition program under section 120B.121.

14.8 Subd. 6. Revenue distribution among eligible uses. To the extent practicable, a school
14.9 district's literacy incentive aid received under this section must be spent for the uses listed
14.10 in subdivision 5 consistent with the guidelines of the district's local literacy plan under
14.11 section 120B.12, subdivision 4a.