

MN ASSOCIATION OF CHARTER SCHOOLS – NEW LAW PRIMER 2024

READ ACT 2.0 - (MN Statutes 120B.118 to 120B.124)

READ ACT 2.0 builds off of the sweeping literacy instructional changes from last year, titled the READ Act (for a summary of the original law, please see [here](#)).

NEW: TIMELINE CHANGES FOR REQUIRED TRAINING 120B.123 subd.5

- Every school **must provide teachers and instructional support staff with MDE approved evidenced-based reading instruction.**
- **PHASE 1 priority instructional educators – MUST be trained by July, 2026**
 - **PHASE 1 educators** include:
 - Any reading interventionist teacher, grades k-12
 - Classroom teachers Pre-k - 3rd grade
 - Special education teachers
 - Curriculum directors
 - Instructional support staff, contractors, and volunteers who assist in providing Tier 2 interventionists
 - Employees who select literacy instructional materials for a school
 - Teachers licensed to teach English to multilingual learners
- **PHASE 2 educators MUST be trained by July of 2027**
 - **PHASE 2 educators** include:
 - teachers who provide reading instruction to students in grades 4 to 12
 - teachers who provide instruction to students in a state-approved alternative program

EFFECTIVE – MAY 17, 2024

NEW: PRE-KINDERGARTEN TEACHER TRAINING 120B.12 subd.4

- If a school offers early childhood programs, including voluntary pre-k, early childhood special education, and school readiness programs, they **must** provide classroom teachers in early childhood programs with MDE-approved training.
- The training **must** explicitly cover systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.

EFFECTIVE - JULY 1, 2024

NEW: FUNDING FOR TEACHER TRAINING STIPENDS Session Law 2024, Chapter 115, Sec. 7 Subd. 1

AMOUNT AND USE

- Schools will receive **\$36 per pupil or \$2,000** (whichever is greater) for teacher training stipends for training outside of work hours or to compensate substitutes for training during the workday.

TIMELINE

- The lump sum will be paid to schools from MDE by October of 2024, and must be kept in a reserve account.

STIPEND PLAN

- Charter school leaders, in consultation with teachers (unless they have a collective bargaining unit, which then would require the plan to be agreed to in a MOU) **must develop a plan** for compensating teachers. Examples in statute are given, but not required components. Examples include:
 - *Will teachers receive the equivalent of their hourly rate based on their salary?*
 - *Will teachers be compensated for previous training they paid for that meets requirements (evidence-based structured literacy training)? Partially compensated?*
- Any stipends owed to teachers under the details of the plan **must be paid** within 30 days of adoption of the plan.

- MSBA and Education Minnesota are encouraged to develop and make available a model Stipend Plan by July, 2024.

TAX

124D.98, 120B.12 & 2024 Session Law, Chapter 115, Article 3, Sec. 7, Subd. 5

- Teacher stipends under the Read Act ARE taxable income for purposes of state and federal income tax. They are also taxable for medicare and social security purposes and should be reported to TRA.
- Teacher stipends under the Read Act are NOT considered income for purposes of determining eligibility for some income-based assistance programs such as:
 - Child care assistance programs and early learning scholarships
 - General assistance, Minnesota supplemental aid, and food support
 - Housing support under Minnesota Statutes
 - The Minnesota family investment program (MFIP) and diversionary work program
 - Economic assistance programs
 - Determining medical assistance eligibility or calculating premiums

EFFECTIVE - JULY 1, 2024

NEW: REDUCTION IN REQUIRED INSTRUCTIONAL HOURS 120B.123 subd.5

A charter school may reduce the number of instructional hours (*required under section 120A.41*) for elementary students by 5-1/2 hours to provide teachers with at least 5-1/2 hours of evidence-based training on a day when other students receive instruction.

- The school must consult with its teachers
- If the **charter school has a collective bargaining unit**, the school and unit would have to enter into an agreement that requires teachers to receive the training mentioned above during an instructional day

EFFECTIVE – MAY 17, 2024

NEW: ADDS TWO ADDITIONAL SCREENERS 120B.123 subd.1

- Starting in the 2024-2025 school year, schools **must** administer three approved screeners for students in grades K through 3.
 - Screener 1 – Within the first six weeks of the school year
 - Screener 2 – By February 15
 - Screener 3 – Within the last six weeks of the school year
- Schools **can only use** screeners that have been approved by MDE.

EFFECTIVE - JULY 1, 2024

NEW: EVIDENCE-BASED INTERVENTIONS 120B.12 subd.3

TIMELINE

- Starting in the 2025-2026 school year, a school **must** use only evidence-based literacy interventions.
 - Schools are strongly encouraged to use intervention materials approved by MDE under the Read Act.
 - An approved list of at least 15 approved interventions will be available by November 1, 2025 (MDE listing them as they are approved, prior to the November deadline).

TRAINING TO PROVIDE TIER 2 INTERVENTIONS

- CAREI and the Regional Centers **must** develop READ Act training for unlicensed staff and volunteers who provide Tier 2 interventions.
- These trainings must not exceed 8 hours.

SUPERVISION OF UNLICENSED STAFF AND VOLUNTEERS

- Tier 2 interventions provided by paras, unlicensed staff or volunteers must be supervised by a licensed teacher who has taken READ Act training (or a training that exceeds Read Act training, as determined by MDE). Paras and volunteers must also receive training (listed above and below).

READING CORP AND VOLUNTEERS

- **Training requirements:** Both Reading Corp. Americorp members and ServeMinnesota Americorp members need to be trained using evidence-based structured literacy material. ServeMinnesota Americorp members need to be trained at a level that meets or exceeds the READ Act training requirements.
- **Supervision:** Reading Corp and ServeMinnesota Americorp members who are providing Tier 2 interventions need to be supervised by a licensed teacher who has been trained under the READ Act.

EFFECTIVE - JULY 1, 2024

NEW: LOCAL LITERACY PLANS 120B.12 subd.4a

REQUIRED COMPONENTS OF LITERACY PLANS

- READ ACT 2.0 expands on the required components of the literacy plans, due to MDE by June 15 of each year, by adding the following reporting categories:
 - If applicable, the school's plan and timeline for adopting approved curricula and materials starting in the 2025-2026 school year
 - The number of teachers and other staff proposed for training in structured literacy
 - How the school used funding provided under the READ Act to implement the requirements of the READ Act

EFFECTIVE – MAY 17, 2024

NEW: CURRICULUM REIMBURSEMENT CHANGES, LITERACY AID INCREASED

Laws 2023, Chapter 55, Article 3, Sec. 11, Subd. 4

LITERACY AID

Schools will get **\$39.94 per pupil (or \$2,000 if that's greater)** to be used under allowable uses for literacy aid and the READ Act.

Allowable uses for literacy aid:

- Training for
 - kindergarten through grade 3 teachers
 - early childhood educators, special education teachers
 - reading intervention teachers working with students in kindergarten through grade 12
 - curriculum directors
 - instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools
- Evidence-based training using a training program approved by MDE under the Read Act
- Employing or contracting with a literacy lead
- Employing an intervention specialist
- Approved screeners, materials, training, and ongoing coaching to ensure reading interventions under are evidence based
- Costs of substitute teachers to allow teachers to complete required training during the school day
- Stipends for teachers completing training required under the READ Act outside of the school day

EFFECTIVE - JULY 1, 2024

LEGAL DEFINITIONS

Certified trained facilitator – "Certified trained facilitator" means a person employed by a school or regional literacy network who has completed professional development approved by the Department of Education in structured literacy, completed the vendor's certification prerequisites and facilitator training requirements, completed the vendor's annual recertification requirements, remains in good standing with the sponsoring agency and vendor, uses the vendor's training materials with fidelity, and participates in mentoring or coaching provided by CAREI and the Department of Education on facilitating literacy training. A literacy lead who meets the requirements under this subdivision may be a certified trained facilitator.

Oral Language – "Oral language," also called "spoken language," includes speaking and listening, and consists of five components: phonology, morphology, syntax, semantics, and pragmatics. Oral language also includes sign language, in which speaking and listening skills are defined as expressive and receptive skills, and consists of phonology, including sign language phonological awareness, morphology, syntax, semantics, and pragmatics.

Evidence-based – "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system.

EFFECTIVE - JULY 1, 2024