

SENATE No. 2940

Senate, January 29, 2026 -- Text of the Senate amendment to the House Bill relative to teacher preparation and student literacy (House, No. 4683) (being the text of Senate, No. 2924, printed as amended)

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

1 SECTION 1. The first sentence of the fifth paragraph of section 55A of chapter 15 of the
2 General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out
3 clauses (6) and (7) and inserting in place thereof the following 3 clauses:- (6) evaluate the
4 alignment of literacy instructional materials and curricula with department-recommended
5 evidence-based literacy instruction and high-quality curricula, as defined in section 1E ½ of
6 chapter 69; (7) review the progress of overall student achievement; and (8) evaluate student
7 performance, school and district management, overall district governance and any other areas
8 deemed necessary by the office.

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

11 Section 2OOOOOO. (a) There shall be established and set up on the books of the
12 commonwealth a separate, non-budgeted special revenue fund known as the Early Literacy Fund,
13 which shall be administered by the secretary of education. The fund shall be credited with: (i)
14 appropriations or other money authorized or transferred by the general court and specifically

15 designated to be credited to the fund; (ii) funds from public and private sources including, but
16 not limited to, gifts, grants and donations; and (iii) any interest earned on such money.

17 (b) Amounts credited to the fund shall be expended, without further appropriation, to: (i)
18 develop a free, complete high-quality curriculum for kindergarten through grade 3 that meets
19 frameworks established in section 1E of chapter 69; (ii) implement section 1E ½ of said chapter
20 69; and (iii) provide grants to school districts to support: (1) updating curricula to meet the
21 curriculum frameworks established in said section 1E ½ of said chapter 69; (2) purchasing
22 materials related to such curricula; (3) providing professional development to educators to
23 support implementation of the new curricula; and (4) meeting the reporting and assessment
24 requirements established in sections 57A to 57C, inclusive, of chapter 71. The department shall
25 create and maintain grant eligibility and application criteria for the distribution of the grant funds
26 pursuant to clause (iii) of the first sentence; provided, however, that the criteria shall prioritize
27 districts that are not in substantial compliance with such requirements established in said section
28 1E ½ of said chapter 69 at the time of application and shall prioritize achieving geographic and
29 funding equity; provided further, that the department shall hold at least 1 hearing in western
30 Massachusetts prior to creating such criteria; and provided further, that the department shall
31 provide technical assistance for grant applications for districts that are eligible for funding under
32 item 7061-9813 of section 2 of chapter 9 of the acts of 2025.

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

35 (d) Annually, not later than December 31, the department shall submit a report on the
36 receipts and expenditures of the fund and file the report with the clerks of the senate and the

37 house of representatives, the senate and house committees on ways and means and the joint
38 committee on education. The department shall make the report publicly available on the
39 department's website.

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

42 Section 1E ½. (a) As used in this section and section 1E ¾, the following words shall
43 have the following meanings unless the context clearly requires otherwise:

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

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

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

53 (b) A district shall select a high-quality curriculum to meet the curriculum frameworks
54 under section 1E for kindergarten through grade 3 literacy that: (i) includes instruction in the five
55 research-based areas in reading instruction and oral language development; and (ii) utilizes and
56 is based upon evidence-based literacy instruction.

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

63 (2) A waiver granted pursuant to this subsection may be approved for a period of not
64 more than 5 years; provided, however, that the department may approve the renewal of such
65 waiver if the district continues to utilize evidence-based literacy instruction and meet quality
66 standards as determined by the department. A district shall report to the department during the
67 waiver period any student data as requested by the department.

68 (3) A district that receives a waiver under this subsection shall publicly post to its website
69 any report submitted to the department with information required pursuant to paragraph (2) and
70 curriculum samples.

71 (4) The department may audit waivers approved pursuant to this subsection at any time.
72 Any audit shall include, but not be limited to, a comprehensive review of the: (i) curriculum
73 materials; (ii) instructional documentation; and (iii) instructional practices in the classroom.

74 (5) The department may rescind approval of a waiver approved pursuant to this
75 subsection based on audit findings before the expiration of the waiver; provided, however, that if
76 a waiver is rescinded, the department shall assist the district with implementing a high-quality
77 curriculum.

78 (6) The department shall provide a denial of a waiver requested pursuant to this
79 subsection in writing to the district that applied for the waiver and provide an opportunity for
80 appeal.

81 (d) The department shall maintain and make available to school districts a free, complete
82 high-quality curriculum for kindergarten through grade 3 that meets frameworks under section
83 1E; provided, however, that such free, complete high-quality curriculum or a free curriculum
84 certified pursuant to subsection (b) of section 1E ³/₄ shall meet any requirements under section
85 27C of chapter 29.

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

90 (b) The department shall create and maintain: (i) a list of department-approved
91 professional development programs and vendors aligned with evidence-based literacy instruction
92 best practices; (ii) a set of online training modules available at no cost to all teachers that provide
93 training on the foundational practices and pedagogy aligned with evidence-based literacy
94 instruction best practices; and (iii) a list of high-quality curricula. The department shall update
95 said lists and modules to account for developments in best practices and curriculum.

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

99 SECTION 5. Said section 1S of said chapter 69, as so appearing, is hereby further
100 amended by inserting after the word “subgroups”, in line 48, the following words:- ; and
101 provided further, that the district plan shall address the implementation of and compliance with
102 section 1E ½.

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

105 (h)(1) Annually, not later than August 15, the department shall identify a list of data
106 requirements that each district shall report to the department related to curricula consistent with
107 evidence-based literacy instruction under section 1E ½. The department shall make the list of
108 data requirements publicly available on the department’s website.

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

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

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

119 “Evidence-based literacy instruction”, as defined in section 1E ½ of chapter 69.

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

122 “Five research-based areas in reading instruction”, as defined in section 1E ½ of chapter
123 69.

124 SECTION 9. Section 38G of chapter 71 of the General Laws, as so appearing, is hereby
125 amended by inserting after the word “personnel”, in line 281, the following words:- ; provided,
126 however, that policies and guidelines shall align with evidence-based literacy instruction for
127 educator preparation programs to be approved by the commissioner.

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

130 Section 57A. Districts shall develop procedures or protocols to screen for students that
131 demonstrate at least 1 potential indicator of a neurological learning disability including, but not
132 limited to, dyslexia; provided, however, that the department of elementary and secondary
133 education, in consultation with the department of early education and care, shall, subject to
134 appropriation, issue guidelines to assist districts in developing such screening procedures or
135 protocols and districts shall adhere to such guidelines when developing such procedures or
136 protocols. Districts shall annually report to the department of elementary and secondary
137 education on the procedures or protocols used for screening for risk of dyslexia including, but
138 not limited to, evidence-based tools and assessments broken down by component skills for each
139 grade level and timeframes for such assessments. The commissioner shall annually make
140 publicly available on the department’s website data on which screening assessments are
141 employed by each school district, including, but not limited to, kindergarten through grade 3

142 literacy screening assessments and whether the screening assessments utilized are approved by
143 the department.

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

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

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

158 Section 57C. (a) Each district shall assess each student’s reading ability and progress in
159 literacy skills from kindergarten through at least grade 3, using a screening assessment approved
160 by the department of elementary and secondary education, at such intervals as determined by the
161 commissioner but in no event less than twice per school year. The department shall update
162 approved screening assessments to remain current with best practices and evidence-based
163 assessments. The screening assessment of the student’s reading ability and progress shall be

164 consistent with section 2 of chapter 71B, the department's dyslexia guidelines issued pursuant to
165 section 57A and literacy guidelines issued pursuant to section 57B.

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

175 SECTION 12. Notwithstanding any general or special law to the contrary, in fiscal year
176 2026, the comptroller shall transfer \$25,000,000 from the Education and Transportation
177 Innovation and Capital Fund established in section 2DDDDDD of chapter 29 of the General
178 Laws to the Early Literacy Fund established in section 2OOOOOO of said chapter 29.

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

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

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

187 SECTION 16. Prior to the beginning of the 2027-2028 school year, each school district
188 shall: (i) adopt high-quality curriculum for kindergarten through grade 3 literacy that meets the
189 curriculum frameworks pursuant to section 1E of chapter 69 of the General Laws; or (ii) have an
190 approved curriculum waiver from the department of elementary and secondary education
191 pursuant to said section 1E ½ of said chapter 69.

192 SECTION 17. Not later than 6 months following passage of this act, the department of
193 elementary and secondary education shall: (i) develop the list of high-quality curricula for
194 kindergarten through grade 3 required pursuant to subsection (b) of section 1E ¾ of chapter 69 of
195 the General Laws; and (ii) notify school districts that the free, complete high-quality curriculum
196 for kindergarten through grade 3 required pursuant to subsection (d) of section 1E ½ of said
197 chapter 69 will be available prior to the 2027-2028 school year, including, but not limited to, the
198 program components, scope, sequence, design specification and core topics and texts on said
199 curriculum.