

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2839

As Amended by House Committee on Education

Brief*

HB 2839, as amended, would establish the Kansas Blueprint for Literacy. The bill would create a Literacy Advisory Committee (Committee or Advisory Committee), create a Director of Literacy to be appointed and employed by the State Board of Regents, require the State Board of Education and the State Board of Regents to collaborate on a literacy micro-credential and professional development, authorize the oversight of postsecondary classes and provide an annual systemwide analysis of all literary postsecondary courses, and require a plan to create six regional centers of excellence in reading.

The bill would be in effect upon publication in the *Kansas Register*.

Findings

The bill would make three findings regarding making literacy a priority as an investment to support families and businesses and to continue the advancement of the Kansas economy and prosperity for Kansans. The support of a comprehensive approach to equipping Kansas educators with training in the science of reading, structured literacy, and literacy screening and assessment tools is described as essential.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

***Citation of Blueprint; Appropriations; Definitions
(Section 1)***

The bill would designate its sections as the Kansas Blueprint for Literacy (Blueprint) and provide that each section's provisions requiring expenditure of moneys would be subject to legislative appropriations.

Definitions

The bill would establish definitions for the following:

- "In-service," to mean a licensed individual who is employed by a school district or accredited nonpublic school as a teacher;
- "Postsecondary education institution," to mean:
 - A state educational institution, as defined in law pertaining to the State Board of Regents and management and operation of state educational institutions, which is:
 - The University of Kansas, Kansas State University of Agriculture and Applied Science, Wichita State University, Emporia State University, Pittsburg State University, and Fort Hays State University;
 - A municipal university (i.e., Washburn University); and
 - Any not-for-profit institution of postsecondary education that has its main campus or principal place of operation in Kansas, is operated independently and not controlled or administered by a state agency or subdivision of this state, maintains open enrollment, and is accredited by a nationally recognized accrediting agency for higher education in the United States;

- “Pre-service,” to mean an individual who is receiving the education and training to become a licensed teacher but is not yet licensed;
- “Science of reading,” to mean the teaching of reading using evidence-based research that includes phonemic awareness, phonics, fluency, vocabulary, and comprehension; and
- “Structured literacy,” to mean the application of knowledge from the science of reading that teaches reading in an evidence-based and systematic way.

Literacy Advisory Committee (Section 2)

The Kansas Blueprint for Literacy (Blueprint) would also create the Literacy Advisory Committee. This committee would be assigned duties and responsibilities including the submission of a plan to the State Board of Regents on the establishment of Centers of Excellence in Reading (Centers) on or before January 1, 2025. (Additional duties and responsibilities are detailed following membership information.)

Voting Membership

The Advisory Committee would consist of the following 15 voting members:

- The Director of Literacy Education (Director), as is appointed by the Executive Officer of the State Board of Regents (section 3 of this bill), who will serve as chairperson of the Literacy Advisory Committee;
- One member appointed by the Governor;

- One member of the House of Representatives or a literacy expert appointed by the Speaker of the House of Representatives;
- One member of the House of Representatives or a literacy expert appointed by the Minority Leader of the House of Representatives;
- One member of the Senate or a literacy expert appointed by the President of the Senate;
- One member of the Senate or a literacy expert appointed by the Minority Leader of the Senate;
- One member appointed by and representing the Kansas National Education Association;
- One member appointed by and representing a school of education from Emporia State University, Fort Hays State University, or Pittsburg State University;
- One member appointed by and representing a school of education from the University of Kansas, Kansas State University, or Wichita State University;
- One member appointed by and representing the Washburn University school of education;
- One member appointed by the Kansas Association of Community Colleges to represent community colleges;
- One member appointed by the Kansas Independent Colleges Association to represent a not-for-profit institution of postsecondary education school or college of education;
- One member appointed by the State Board of Education;

- One member of the State Board of Regents appointed by the State Board of Regents; and
- One member who is an expert in English for speakers of other languages (ESOL) literacy appointed by the United School Administrators of Kansas.

Nonvoting Membership

The Blueprint would also designate the following nonvoting members:

- The Commissioner of Education or the Commissioner's designee; and
- Any number of members appointed by the Director.

Terms of Membership and Meetings

The bill would permit the Committee to meet at any time and any place within the state upon the chairperson's call.

The bill would require members to be appointed on or before July 1, 2024, and voting members, excepting the Director, will serve for terms of four years.

Any vacancy in the membership of the Committee would be filled by appointment in the same manner as the original appointment. The bill would further specify that any member of the Committee who misses 3 meetings in a 12-month period would be terminated and a new member appointed.

The bill would make the Committee subject to both the Kansas Open Records Act (KORA) and the Kansas Open Meetings Act (KOMA) and require that the Committee publish each meeting agenda and all meeting documents online prior to each scheduled meeting of the Committee.

The bill would also provide that any legislative member or member appointed by a legislative member to the Committee would receive compensation, subsistence allowances, mileage, and other expenses as provided under KSA 75-3223. Any other member would be reimbursed by that member's appointing authority.

The bill would also provide that the staff of the State Board of Regents, Office of Revisor of Statutes, the Legislative Research Department, and the Division of Legislative Administrative Services will provide such assistance as may be requested by the Committee.

Duties and Responsibilities

The Blueprint would require the Literacy Advisory Committee to:

- Monitor progress of literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;
- Designate best practices for literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;
- Be responsible for achieving the goal to have 100 percent of the Kansas elementary teacher workforce achieve a micro-credential in the science of reading and structured literacy by 2030, leading to 75.0 percent or more of third through eighth graders achieving level 3 or above and at least 90.0 percent of Kansas third through eighth graders achieving upper level 2 or above on the English Language Arts state assessment by 2033;
- Make recommendations to the Director;
- Make recommendations to the State Board of Education, the State Board of Regents, and the

postsecondary educational institution presidents or chancellors on:

- Literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students; and
- Reading instruction methods based on the science of reading;
- Make recommendations to the House Committee on Education and the Senate Committee on Education on the implementation and any changes necessary to achieve of the goals of the Blueprint; and
- Submit a plan to the State Board of Regents and the Legislature on the establishment of the Centers (as outlined in section 7 of the Blueprint) on or before January 1, 2025.

Director of Literacy (Section 3)

The Blueprint would require the State Board of Regents Executive Officer to appoint the Director on or before July 1, 2024.

In addition to the previously mentioned duties assigned to the Committee and role of this appointee, the Director of Literacy would be required to:

- Implement and administer the Blueprint;
- Provide executive support to the Literacy Advisory Committee;
- Work with the State Board of Education and the State Board of Regents to ensure:

- Progress on the initiatives, objectives, and desired outcomes in the Blueprint;
- The development and utilization of the comprehensive assessment system; and
- State educational institutions and elementary and secondary schools are using tier I literacy methodologies;
- Encourage independent institutions to use tier I methodologies;
- Establish a program to track the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists, and early childhood and elementary administrators for all school districts in the state;
- Report annually, on or before January 15, to the Senate Committee on Education and the House Committee on Education on the implementation and administration of the Blueprint, including an implementation timeline, progress of initiatives, development and utilization of the comprehensive assessment system, progress toward the established goals, use of tier I methodologies, outcomes, and any proposed changes; and
- Report, on or before January 31, 2025, to the House Committee on Education and the Senate Committee on Education on the State Board of Regents' progress on utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures, and assessments in elementary and secondary schools in the state.

Postsecondary Education Institutions; Comprehensive Reading and Literacy Assessment System (Section 4)

Comprehensive Reading and Literacy Assessment System

The Blueprint would direct the State Board of Regents, in collaboration with postsecondary educational institutions and research experts, to establish a comprehensive reading and literacy assessment system (comprehensive assessment system) with universal screening measures and diagnostic, formative, and summative assessments to be used in teacher preparation programs in this state. The bill would require this comprehensive assessment system to allow teachers to adjust instruction to meet the specific needs of students, including with regard to reading difficulties and the remediation of reading and literacy skill gaps. The bill would require the State Board of Regents to make recommendations to the State Board of Education on the comprehensive assessment system and ensure that such system is available on or before May 1, 2025. The bill would clarify that this section should not be construed to include the English language arts statewide assessments.

The bill would further direct the State Board of Regents to:

- Develop training modules for the assessments on or before July 1, 2025;
- Support State Board of Education action to officially designate the science of reading as the official tier I literacy methodology;
- Support elementary and secondary schools as necessary to eliminate any discredited methodologies;
- Recommend literacy-specific universal screening measures and diagnostic, formative, and

summative assessments to the State Board of Education;

- Approve reading instruction methodologies recommended by the Advisory Committee for state educational institutions; and
- Report, on or before January 31, 2025, to the House Committee on Education and the Senate Committee on Education regarding progress toward utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures, and assessments in elementary and secondary schools in the state.

Professional Development; Micro-credential or Certification Requirements (Section 5)

The Blueprint would require the State Board of Regents and the State Board of Education to collaborate to:

- Jointly approve micro-credential requirements for in-service teachers or certification requirements for pre-service teachers at state educational institutions in the science of reading and structured literacy;
- Develop or make accessible professional development programs and micro-credential courses for all in-service early childhood teachers, general education teachers, and special education teachers at low or no cost to such teachers. The bill would require such programs and courses to be delivered by national online learning programs or accredited postsecondary educational institutions;
- Ensure all pre-service teacher preparation programs at state educational institutions are based on the science of reading and structured literacy;

- Publish standards and course progressions to achieve transparency of Kansas reading education programs; and
- Provide data for the program to the Director that tracks the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists, and early childhood and elementary administrators for all school districts in the state.

Postsecondary Education Institutions (Section 6)

The bill would provide that the president or chancellor, provost, and dean of the college or school of education of each postsecondary educational institution would jointly have oversight and supervision of undergraduate- and graduate-level reading and literacy courses at their respective institutions and must:

- Ensure explicit courses in the science of reading and structured literacy, including the five pillars of reading for all undergraduate early childhood and elementary teacher preparation programs at state educational institutions;
- Appoint one representative from each postsecondary educational institution to conduct an annual systemwide analysis of the curriculum maps across all literacy courses;
- The bill would require such analysis to include identifying clear evidence of instructional approaches and the core components of reading development;

- Present a report on such systemwide analysis and any results from such analysis to the Advisory Committee;
- Design and implement two three-credit-hour applied application courses that the bill would require to be included within the approved graduation requirements to earn a degree in elementary education on or before August 2024;
- Implement a common performance-based assessment for such courses to be used by all postsecondary educational institutions on or before August 2024;
- Assist in the development of a science of reading and structured literacy micro-credential for early childhood teachers, elementary education teachers, English for speakers of other languages teachers, reading specialists, special education teachers and paraprofessionals, and early childhood and elementary administrators that focuses on research-based fundamentals of reading instruction; and
- Provide information to the Advisory Committee.

Centers of Excellence in Reading (Section 7)

The Blueprint would also direct the Advisory Committee to develop a plan to establish six regional Centers. The bill would require that such plan:

- Provide evaluation and identification of reading difficulties and reading disabilities;
- Collaborate with school districts to develop strategic literacy plans for individual students;

- Collaborate with the State Department of Education, State Board of Regents, and postsecondary educational institutions to support pre-service and in-service teacher training;
- Support the professional development and training of school-based instructional coaches;
- Pilot structured reading applied learning simulation laboratories for pre-service and in-service teachers;
- Pilot a literacy education simulation training laboratory for pre-service elementary teachers as a controlled environment for the application of the science of reading;
- Identify projected cost, staffing, and budget impacts to develop, expand, and sustain the Centers and reading simulation laboratories; and
- Make recommendations and provide progress reports to the Advisory Committee.

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Estes.

[*Note:* The provisions of the bill are similar to those of SB 532.]

House Committee on Education

During the House Committee hearing on March 19, 2024, **proponent** testimony was provided by representatives of the State Board of Regents (KBOR), State Board of

Education (State Board), Kansas Association of School Boards (KASB), and Kansas Policy Institute. The proponents generally stated the benefits of the bill would include improving student literacy in the state by focusing on enhanced training and additional supports for both pre-service and current teachers who teach literacy in K-12 classrooms. Representatives of KASB, KBOR, and the State Board requested consideration of amendments regarding appropriations and expenditure of funds for the Blueprint, the transformational goal for achievement and literacy attainment, the use of the Comprehensive Assessment System for teacher preparation programs, and clarification of references to the State Board of Regents and the State Board of Education and duties and reporting assigned to each.

Written-only proponent testimony was provided by representatives of the Kansas National Education Association and Olathe Public Schools.

Neutral testimony was provided by a representative of the Kansas Independent College Association. The conferee generally stated that the Association is supportive of the purpose of the bill but are concerned that language within the bill would provide the State Board of Regents with oversight authority over elements of independent college curriculum.

The Committee asked questions of the conferees prior to working the bill on March 21, 2024.

The House Committee amended the bill to:

- Require that expenditure of moneys for the Kansas Blueprint (sections 1-7) be subject to legislative appropriations;
- Modify the transformational goal concerning student achievement at a certain level on English language arts (ELA) assessment by 2033 to require that 75.0 percent or more of students in grades three through eight achieve a level 3 or

above and at least 90.0 percent of Kansas students in grades three through eight achieving an upper level 2 or above on the ELA assessments; [Note: The 75.0 percent achievement level is not cumulative but would be for each grade.]

- Specify that the Advisory Committee is subject to KORA and KOMA and require meeting agendas and meeting documents to be online before each scheduled meeting;
- Replace, in language pertaining to the establishment of a comprehensive reading and assessment system, the use by each school district in the state with use in teacher preparation programs in the state;
- Clarify a reference in the bill to broaden terminology relating to teacher preparation programs in postsecondary education institutions, to specify state educational institutions encourage independent institutions in their use of tier I literacy methodologies, and expand references to microcredentialing to also include certification requirements for pre-service teachers at state educational institutions;
- Clarify that provisions pertaining to the comprehensive reading and literacy assessment system (section 4) would not be construed to include the English language arts statewide assessments; and
- Make technical and clarifying amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Board of Regents estimates State General Fund (SGF) expenditures

of \$18.5 million in FY 2025 and \$16.5 million in FY 2026, along with an additional 3.00 FTE positions if the bill is enacted. Of the FY 2025 amount, \$1.0 million would be used to develop and validate the literacy performance assessment, and \$1.0 million would be used to develop the science of reading fundamentals performance-based micro-credentials. The expenditures would be one-time only in FY 2025. The remaining amount in FY 2025 and all of the FY 2026 amount would be used for the following purposes:

- \$1.5 million for in-service teacher training stipend;
- \$250,000 for science of reading training for paraprofessionals;
- \$5.4 million for in-service teacher graduate level coursework tuition;
- \$500,000 to establish the Office of Literacy Education;
- \$414,000 for salaries and wages for the 3.0 FTEs;
- \$86,000 for other operation expenditures;
- \$6.8 million to establish the six regional centers; and
- \$2.0 million to establish the Literacy Education Simulation Lab pilot.

Legislative Administrative Services estimates expenditures of \$20,267 in FY 2025 and \$22,574 in FY 2026 from the SGF if the bill is enacted for meeting expenses for four legislators. Of the FY 2025 amount, \$15,876 would be for legislator pay, \$3,971 for a committee assistant, and \$420 for publication in the *Kansas Register*. The agency's estimates assume four legislators on the Committee and six meetings per year. The agency states that if all the legislative appointees are non-legislators, the cost for non-legislator pay

would be \$8,292. The FY 2026 estimate includes increases for legislator pay, subsistence, mileage, and tolls.

The State Department of Education states there would be no fiscal effect on agency operations if the bill is enacted, and the agency also indicates its budget includes funding for State Board member participation on committees.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2025 Governor's Budget Report*.

The KASB states it does not have enough data to estimate a fiscal effect if the bill is enacted.

Education; literacy; Board of Regents; schools; teachers; students; State Board of Education; Literacy Advisory Council; postsecondary educational institutions; teacher training; Kansas Blueprint for Literacy; State Department of Education; assessments; professional development; certificates