



SPONSOR: Sen. Sturgeon & Sen. Bonini & Sen. S. McBride & Rep. K. Williams & Rep. Heffernan
Sens. Brown, Ennis, Gay, Hansen, Hocker, Lawson, Lockman, Lopez, Mantzavinos, Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sokola, Townsend, Walsh, Wilson; Reps. Baumbach, Dukes, Griffith, Morrison, Osienski, Shupe

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 4

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EVIDENCE-BASED READING CURRICULA.

1 WHEREAS, reading is the foundation for learning and lifelong success; and
2 WHEREAS, only 36% of Delaware’s fourth graders scored proficient or advanced on the National Assessment of
3 Educational Progress, placing the State below the national average; and
4 WHEREAS, based on 2019 data, in Delaware, 84% of Black students were not proficient in reading by 4th grade,
5 78% of Hispanic students were not proficient in reading by fourth grade, and 83% of students who were eligible for free or
6 reduced lunch were not proficient in reading by fourth grade; and
7 WHEREAS, Delaware’s economically-disadvantaged students are performing below the national average; and
8 WHEREAS, since 2002, Delaware’s reading scores have dropped from sixth in the nation to thirty-seventh; and
9 WHEREAS, only 51% of third graders score at or above grade level in English Language Arts on Delaware’s state
10 assessment, with gaps in achievement among racial and socioeconomic subgroups; and
11 WHEREAS, advances in understanding how children learn to read has produced a body of research by linguists,
12 psychologists, and cognitive scientists known as the “science of reading”; and
13 WHEREAS, the science of reading reflects a conclusion that effective early reading instruction has 6 essential
14 components: phonemic awareness, phonics, reading fluency, vocabulary, text comprehension, and oral language; and
15 WHEREAS, research shows that children who do not achieve sound reading skills at an early age fall behind their
16 peers and that the gap between proficient readers and those who struggle continues to widen over time; and
17 WHEREAS, proficient third grade readers are nearly 5 times more likely to graduate from high school than their
18 struggling peers; and

19 WHEREAS, in the last decade, states that have adopted science of reading policy standards have seen dramatic
20 gains in reading achievement; and

21 WHEREAS, there are no State standards in Delaware for instructional materials based on the science of reading or
22 requirements that State funds must be used on these materials; and

23 WHEREAS, curriculum, which includes evidence-based practices, instructional materials, and assessment and
24 screening tools, is part of the approach educators use to support students' success in literacy; and

25 WHEREAS, educators deserve support in selecting and implementing high-quality, research-based instructional
26 materials based on the science of reading.

27 NOW, THEREFORE:

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

29 Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and
30 insertions as shown by underline as follows:

31 § 4144. Evidence-based reading curricula.

32 (a)(1) The Department of Education (Department) shall maintain a list of evidence-based, reading instruction
33 curricula for grades kindergarten through 3 in school districts and charter schools. A curriculum on this list must meet all of
34 the following requirements:

35 a. Align with evidence-based reading instruction in the essential components of reading based on science
36 of reading research, as listed under § 1280(c)(3) of this title.

37 b. Include a logical scope and sequence that is sequential, systematic, and cumulative.

38 c. Include or support the use of high-quality instructional materials.

39 (2) The Department shall maintain all of the following on the Department website:

40 a. The current list of curricula under paragraph (a)(1) of this section.

41 b. The criteria and rubric used to identify high-quality curriculum under paragraph (a)(1) of this section.

42 (3)a. The Department shall provide a process through which school districts and charter schools can submit an
43 application for Department approval of an alternative curriculum that meets the requirements under paragraph (a)(2)b.
44 of this section.

45 b. The Department shall add curricula approved under paragraph (a)(3)a. of this section to the list under
46 paragraph (a)(2)a. of this section.

47 (b) If a school district or charter school serves students in 1 or more of the grades kindergarten through 3, the
48 school district or charter school must do all of the following before the beginning of the 2027 – 2028 school year:

49 (1) For students served in grades kindergarten through 3, adopt a reading instruction curriculum from the list
50 under subsection (a) of this section.

51 (2) Approve competency-based professional development for educators providing reading instruction. This
52 professional development must be completed during the contractual day and must be high-quality professional learning
53 aligned with the essential components of evidence-based reading instruction, including any of the following:

54 a. Professional learning associated with the curriculum adopted under paragraph (b)(1) of this section.

55 b. Attainment of micro-credentials.

56 (3) Identify a literacy coordinator, which is a school-based supervisory position responsible for assisting with
57 the implementation of the curricula adopted under paragraph (b)(1) of this section.

58 (4) Demonstrate that all educators responsible for reading instruction or coaching have completed approved
59 professional development under paragraph (b)(2) of this section, including all educators identified or certified as any of
60 the following:

61 a. Elementary teacher.

62 b. School reading specialist.

63 c. Reading interventionist.

64 d. Special education teacher of students with disabilities.

65 e. Literacy coordinator, under paragraph (b)(3) of this section.

66 f. Literacy coach.

67 g. A literacy cadre position.

68 (c) Beginning October 31, 2023, each school district and charter school shall annually report all of the following to
69 the Department for the Department's annual report:

70 (1) The curricula adopted under this section.

71 (2) The individuals identified under paragraph (b)(3) of this section and each individual's responsibilities for
72 approving and providing professional development required under paragraphs (b)(2) and (b)(4) of this section.

73 (3) How the school district or charter school will ensure that educators have access to and have successfully
74 completed the professional development required under paragraph (b)(4) of this section.

75 (d)(1) Beginning December 31, 2023, the Department shall produce an annual report that provides all of the
76 following:

77 a. A list of the curricula adopted under subsection (a) of this section and the number of schools that have
78 adopted each curriculum listed.

79 b. The number of educators who have received each type of professional development provided under
80 paragraph (b)(2) of this section.

81 c. The percentage of the educators required to receive professional development under paragraph (b)(4) of
82 this section that have successfully completed that professional development.

83 (2) The Department shall send the report required under this subsection to the President Pro Tempore of the
84 Senate and the Speaker of the House of Representatives, the members of the House and Senate Education Committees,
85 the Governor, State Board of Education, P-20 Council, Professional Standards Board, the Director and the Librarian of
86 the Division of Research of Legislative Council, and the Delaware Public Archives.

87 Section 2. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and
88 insertions as shown by underline as follows and redesignating accordingly:

89 § 4144. Evidence-based reading curricula.

90 (d)(2) The report required under paragraph (d)(1) of this section may be consolidated with the report required
91 under § 158 of this title and submitted as a single report.

92 Section 3. If House Bill No. 304 is also enacted into law, Section 2 of this Act takes effect January 1, 2023.

93 Section 4. If House Bill No. 304 is not enacted into law, Section 2 of this Act does not take effect.

SYNOPSIS

Like Senate Bill No. 4, Senate Substitute No. 1 for Senate Bill No. 4 requires the Department of Education (Department) to maintain and publish a list of evidence-based, reading instruction curricula for grades kindergarten through 3. Each curriculum on this list must align with the essential components of literacy, known as the “science of reading” and use high-quality instructional materials. School districts and charter schools must provide an annual report to the Department regarding the implementation of these requirements and the Department must produce an annual report summarizing this information. The information required in the Department’s report may be consolidated into a single report with the requirements under § 158 of Title 14, if House Bill No. 304 is also enacted this year.

Like Senate Bill No. 4, Senate Substitute No. 1 for Senate Bill No. 4 also requires that by the beginning of the 2027-2028 school year, school districts and charter schools serving students in grades kindergarten through 3 do all of the following:

1. Adopt a reading instruction curriculum from the Department list.
2. Demonstrate that all educators who teach reading successfully complete professional development aligned with the essential components of evidence-based reading instruction.
3. Identify a school-based supervisory position responsible for assisting with the implementation of the adopted curriculum.

Senate Substitute No. 1 for Senate Bill No. 4 differs from Senate Bill No. 4 by doing all of the following:

1. Requires the Department to maintain, on its website, the criteria and rubric used to identify high-quality curriculum.
2. Allows school districts and charter schools to apply to have alternative curriculum that meet these criteria approved.
3. Clarifies the requirements.
4. Adds to the list of positions that are responsible for reading instruction and coaching.
5. Makes technical corrections.

Author: Senator Sturgeon