

## MEMORANDUM

TO: House Education Committee  
FROM: Jeff Fannon, Executive Director, Vermont-NEA  
DATE: April 25, 2024  
RE: S.204 - Literacy Bill

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Thank you for inviting me to speak with you about S.204. We share your intention to ensure that every Vermont student knows how to read and improves their reading competencies. We have concerns with the bill as passed by the Senate, but if you think it necessary, we believe the bill needs to be amended to make sure it doesn't conflict with state policies and federal laws, to ensure it doesn't create redundancies in the school delivery system, and assure it doesn't impinge on teachers' ability to teach all students how to read. The Advisory Council on Literacy did some very good work and continues its work, and the Council should be allowed to continue its work, which will require legislative action that is currently contained in the bill.

As the December 2023 report to this committee made clear,<sup>1</sup> the Advisory Council on Literacy believes it is accomplishing very good work researching, advising the field, and improving how teachers teach students how to read. The Council added to its recommendations a request that it be allowed to continue its work, which, again, S.204 currently includes and we support.

Education research is an ongoing process, and the education profession continues to be informed by teachers in the field and neuroscientists in their laboratories as to what is the most effective teaching for all readers, and it is ever evolving, as it should be. While some say the science is clear and absolute, in truth academic research on reading and how students learn to read is a robust debate in the profession, and educators already continuously improve their practices based on solid research, but we do not want to become beholden to one particular instructional practice because it happens to be politically popular or touted by the press. For example, in 2007 the United Kingdom went down the reading road contemplated by some here now, but a recent academic examination of the results do not make a compelling case for adopting a phonics only approach to teaching reading.<sup>2</sup> Indeed, that paper calls for scrapping the phonics approach adopted in 2007 for a more comprehensive alternative approach to teaching reading. While Vermont educators are informed by the research in the teaching of phonics, they are most effective when they take a comprehensive and flexible approach to literacy instruction to meet the individual needs of each student.

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<sup>1</sup> [LEGISLATIVE REPORT: Report of the Advisory Council on Literacy \(vermont.gov\)](#)

<sup>2</sup> Professor Jeffrey S. Bowers, University of Bristol, "Reconsidering the evidence that systematic phonics is more effective than alternative methods of reading instruction" [phonics-educational-psychology-review-in-press-1.pdf \(bpb-eu-w2.wpmucdn.com\)](#).

The Advisory Council is comprised of, among others, teachers who work in classrooms every day with students who present with a myriad of challenges and success when it comes to reading. Teachers are the experts, and while they certainly can advance their craft, they teach our students with much success as compared to other states that adopted a one-size fits all only approach. For example, Mississippi's success with 4<sup>th</sup> grade NAEP scores is touted as a great success story; however, the scores there are suspect for two reasons. First, Mississippi's 4<sup>th</sup> grade success is built on its retention of a high number of 3<sup>rd</sup> grade students. While retention may be good for their 4<sup>th</sup> grade scores, retaining students comes at a cost to their social emotional health because of the stain of "failing" a grade. Second, the NAEP scores touted as demonstrating Mississippi's reading success in 4<sup>th</sup> grade drop significantly by 8<sup>th</sup> grade—Vermont was in the top 5 states and Mississippi dropped to third from last. In other words, Mississippi's success was fleeting. Looking at the states that scored well throughout, Massachusetts and New Jersey, it is worth noting that they do not mandate a one-size only approach to reading.

What teachers say they need most to teach all readers is flexibility. I heard that repeatedly and it makes sense. Each student brings different strengths to the classroom. Every student is different, and different learners require different pathways to reading proficiency. Teachers need flexibility and the resources to meet every child's unique needs, and requiring a single approach for all students will necessarily fail some students.

The science of teaching students to read is based on a large body of research that contains five interrelated components. All students need explicit instruction in the five essential components of reading: phonological awareness, phonics, fluency, vocabulary, and reading comprehension.<sup>3</sup> While the bill mentions these five components, S.204 places too much emphasis on one aspect of the research, phonics, while minimizing the importance of others; however, the interconnectedness and interdependence of all of the essential components cannot be overstated. That singular focus may harm certain students who may excel with different approaches to teaching them to read.

As I said above, we have concerns with the bill but want to improve it before passage. Vermont-NEA believes the bill's mention and ongoing appropriation for the AOE Act 28 literacy project manager position is a must do. Previously, I sat in this chair and criticized the Agency for shortcomings, but I want to be clear, given resources, as was the case with the Act 28 literacy position, the Agency has served a vital role for literacy specialists, special educators, and regular education classroom teachers throughout Vermont. Please maintain your support for that position.

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<sup>3</sup> National Reading Panel. (2002), "Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications."  
[nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf](http://nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf).

Additionally, in examining the success of other states, Massachusetts has high literacy rates in both 4<sup>th</sup> and 8<sup>th</sup> grade. Its literacy law is remarkable succinct, and we should adopt it wholesale and delete section 2 of S.204 in favor of the Massachusetts approach.

As passed by the Senate, section 2 is exactly the type of directive teachers are saying they do not need or want. The flexibility to meet every student's needs is critical to teachers being able to succeed with students. Moreover, our position as to this specific issue is consistent with Vermont-NEA's long-held position that curriculum matters should not be the subject of legislative action.

Our specific edits to the bill are as follows:

#### Sec. 1. FINDINGS

The General Assembly finds that:

(1) Literacy, particularly in early grades, is critical for success in future education, work, and life.

(2) Roughly half of Vermont students are still at or below proficiency.

(3) The Advisory Council on Literacy is comprised of a variety of voices who all want every Vermont student to read well, and the Council has made progress in recommending changing teaching methods to achieve the best results for all students. Academic research on literacy best practices is ever evolving and, therefore, teaching methods must constantly be updated to follow these evidence-based best practices. ~~Research in recent years is clear. We know how to teach reading in a proven, evidence-based manner. Yet outdated practices linger in classrooms and in educator preparation programs.~~

Delete section 2 of the bill entirely and replace it with a simpler approach such as that found in Massachusetts. If we are singularly going to focus on 4<sup>th</sup> grade scores on a standardized test, which we believe is unwise, then we should look to the top state, our neighbor just to the south, Massachusetts, and follow its lead. The Massachusetts approach has four key points to its literacy laws and regulations:

1. Assessment Frequency:
  - Twice per year, each school district must assess reading abilities and early literacy skills for students from kindergarten through at least third grade.
2. Screening Instrument:
  - Schools should use a valid, developmentally appropriate screening instrument approved by the Department of Elementary and Secondary Education.
3. Response to Screening Results:
  - If a student's screening results indicate that they are significantly below relevant benchmarks for age-typical development in specific literacy skills, the school must take action.

- The school’s response may include differentiated or supplementary evidence-based reading instruction and ongoing monitoring of progress.
4. Parent Communication:
- Within 30 school days of receiving screening results significantly below benchmarks, the school must inform the student’s parent or guardian of the results and the school’s response.
  - Parents or guardians should be offered the opportunity for a follow-up discussion.

This simpler, understandable, and asset-based mindset gives teachers the autonomy they need, which will address a top reason why teachers are leaving the profession—a loss of a feeling of professionalism. It will also be easier for school districts to understand and implement. Overly complex directives, as contained in section 2 of the bill, are redundant to and perhaps in conflict with Act 173 and federal IDEA laws and regulations. Complex new mandates are not wanted by schools and will add to school districts’ unfunded burdens.

Section 5 of the bill should be amended to include in subsection (b) the following:

(b) Foundation for literacy.

(1) The ~~State Board~~ Agency of Education, in collaboration with the State Board of Education, the Agency of Human Services, higher education, curriculum directors, reading coaches, reading specialists, and classroom teachers, literacy organizations, and others, shall develop a plan for establishing a comprehensive system of services for early education in ~~the first three grades~~ prekindergarten through third grade to ensure that all students learn to read by the end of the third grade. The plan shall be updated at least once every five years following its initial submission in 1998.

As for subsection (2) of section 5, it is inexplicable why private schools and pre-k programs that receive public funding shouldn’t be subject to the same literacy requirements. The “plan for establishing a comprehensive system of services for early education in prekindergarten through third grade to ensure that all students learn to read by the end of the third grade” should be applied to any entity receiving public funding.

The same issue and solution should be addressed in section 6, i.e., private schools that receive public funding should be held to the same literacy standards as required of public schools.

Section 7 concerns professional development of licensed and unlicensed teachers employed by schools that are publicly funded. The Vermont Standards Board of Professional Educators is the entity best suited to establish the program of professional learning for all licensed and unlicensed teachers. That body is supported by the Agency of Education, but it is an independent body found at 16 VSA § 1693 et seq., *see specifically* the “Powers and duties of the Standards Board . . .” wherein, among other things, the Board establishes teachers licensing standards, re-licensure standards, and the standards for educator prep programs. Instead of creating a new mandate that

conflates the role of the Agency with the Standards Board, the section should make clear to the Standards Board, as does Section 8, that the Standards Board should be empowered to establish revised standards, including evidence-based literacy standards, for all teachers, including unlicensed teachers employed by any school that receives public funding.

Section 9, which changes the composition of the Advisory Council on Literacy, should be deleted. As stated previously, the Council has performed very good work, as currently composed, and no changes are warranted.

We approve of the remaining sections of the bill—10, 11, 12, and 13.