

1 Sec. 1. 16 V.S.A. § 2907 is added to read:

2 § 2907. READING ASSESSMENT AND INTERVENTION

3 (a) As used in this section:

4 (1) “Dysgraphia” means a disorder of writing ability at any stage,  
5 including problems with letter formation and legibility, letter spacing, spelling,  
6 fine motor coordination, rate of writing, grammar, and composition.

7 (2) “Dyslexia” means a specific learning disability that is  
8 neurobiological in origin and characterized by difficulties with accurate and  
9 fluent word recognition and poor spelling and decoding abilities and can have  
10 secondary consequences such as reading comprehension problems and reduced  
11 reading experience that can impede growth of vocabulary and background  
12 knowledge.

13 (b)(1) Annually, the Agency of Education shall include a list of reviewed  
14 universal reading screeners and assessments used in the identification of  
15 dyslexia characteristics in the guidance and technical assistance it issues  
16 related to Local Comprehensive Assessment Systems, for use by supervisory  
17 unions and approved independent schools.

18 (2) The Agency’s guidance shall include a review of the evidence base  
19 of the universal screeners and assessments for reading and dyslexia  
20 characteristics and shall include guidance on measuring skills based on grade-  
21 level predictive measures, including:

1           (A) phonemic awareness;

2           (B) letter naming;

3           (C) letter sound correspondence;

4           (D) real- and non word reading;

5           (E) oral text reading accuracy and rate;

6           (F) comprehension;

7           (G) handwriting; and

8           (H) spelling inventory.

9           (3) The screeners shall align with assessment guidance from the  
10 Agency, including that they shall, at a minimum:

11           (A) be brief;

12           (B) assist in identifying students at risk for or currently experiencing  
13 reading deficits; and

14           (C) produce data that inform decisions related to the need for  
15 additional, targeted assessments and necessary layered supports,  
16 accommodations, interventions, or services for students, in accordance with  
17 existing federal and State law.

18           (4) The universal dyslexia screeners shall assess for dyslexia  
19 characteristics as appropriate to grade level and age, in accordance with the  
20 Agency's assessment guidance. This may include assessing for some  
21 combination of the skills contained in subdivision (b)(2) of this section.

1       (c) All public schools and approved independent schools shall screen all  
2       students in kindergarten through grade three using age and grade-level  
3       appropriate universal reading screeners. The universal screeners shall be given  
4       in accordance with best practices and the technical specifications of the  
5       specific screener used. Screening for dyslexia characteristics shall be  
6       administered for students attending kindergarten or first grade in public  
7       schools and approved independent schools. The Agency shall include in its  
8       guidance instances where public and approved independent schools can  
9       leverage assessments that meet overlapping requirements and guidelines to  
10       maximize the use of assessments that provide the necessary data to understand  
11       student needs while minimizing the number of assessments used and the  
12       disruption to instructional time.

13       (d) Additional diagnostic assessment, and evidence-based curriculum and  
14       instruction for students demonstrating a substantial deficit in reading or  
15       dyslexia characteristics, shall be determined by data-informed decision-making  
16       within existing processes in accordance with required federal and State law.  
17       Public and approved independent schools shall follow Agency guidance related  
18       to multitiered system of supports and education support teams, Section 504 of  
19       the Rehabilitation Act of 1973, 29 U.S.C., § 794, and the Individuals with  
20       Disabilities Education Act, 20 U.S.C. § 1400 et seq.; Agency of Education,  
21       Education Quality Standards (CVR 22-000-003); and Local Literacy Plans

1 aligned to the State Literacy Plan. Specific instructional content, programs,  
2 strategies, interventions, and other identified supports for individual students  
3 shall be documented in the most appropriate plan informed by assessment and  
4 other data, and as determined through team-based decision-making. These  
5 plans may include an education support team (EST) Plan, 504 plan,  
6 individualized education plan, and, if appropriate, a personalized learning plan.

7 These plans may include the following:

8 (1) the student’s specific reading deficit as determined or identified by  
9 diagnostic assessment data;

10 (2) the goals and benchmarks for growth;

11 (3) the type of evidence-based instruction and supports the student will  
12 receive; and

13 (4) the strategies and supports available to the student’s parent or legal  
14 guardian to support the student to achieve reading proficiency.

15 (e) Public and independent schools shall not use reading instructional  
16 practices, programs, or interventions pursuant to subsection (d) of this section  
17 that do not have an evidence base consistent with federal and State guidance  
18 that address the foundational concepts of literacy proficiency, including  
19 phonemic awareness, phonics, fluency, vocabulary, and comprehension.

20 (f) The parent of any kindergarten through grade-three student who exhibits  
21 a reading deficit at any time during the school year must be notified in writing

1 not later than 30 days after the identification of the reading deficit. Written  
2 notification shall contain information consistent with the documentation  
3 requirements contained in subsection (d) of this section. Parental notification  
4 of student progress shall correspond with the goals and benchmarks for student  
5 growth outlined in the student’s support plan pursuant to subsection (d) of this  
6 section. Parental notification may also occur through a school’s progress  
7 reporting mechanism.

8 (g) Each local school district and approved independent school shall  
9 engage local stakeholders through the needs assessment and asset mapping  
10 processes when developing a Local Literacy Plan to improve reading  
11 proficiency.

12 (h) The Agency shall provide professional learning opportunities for  
13 educators in evidence-based reading instructional practices that address the  
14 areas of phonemic awareness, phonics, fluency, vocabulary, and  
15 comprehension.

16 (i) In accordance with the State’s continuous improvement plan timeline,  
17 each supervisory union board and approved independent school shall annually  
18 report, in writing, to the Agency the following Local Literacy Plan information  
19 and prior year performance by school:

1           (1) the number and percentage of students in kindergarten through grade  
2 three performing below proficiency on local and statewide reading  
3 assessments, as applicable;

4           (2) the universal reading screeners utilized; and

5           (3) the number and percentage of students identified with a potential  
6 reading deficit.

7           (j) On or before January 15 of each year, the Agency shall issue a written  
8 report to the Governor and the Senate and House Committees on Education on  
9 the status of State progress to improve literacy learning. The report shall  
10 include the information required pursuant to subsection (i) of this section.

11       Sec. 2. 16 V.S.A. § 2903 is amended to read:

12           (a) Statement of policy. The ability to read is critical to success in learning.  
13 Children who fail to read by the end of the first grade will likely fall further  
14 behind in school. The personal and economic costs of reading failure are  
15 enormous both while the student remains in school and long afterward. All  
16 students need to receive systematic and explicit evidence-based reading  
17 instruction in the early grades from a teacher who is skilled in teaching the  
18 foundational components of reading through a variety of instructional  
19 strategies that take into account the different learning styles and language  
20 backgrounds of the students, including phonemic awareness, phonics, fluency,  
21 vocabulary, and comprehension. Some students may Students who require

1 intensive supplemental instruction tailored to the unique difficulties  
2 encountered shall be provided those additional supports by an appropriately  
3 licensed and trained education professional.

4 (b) Foundation for literacy. The State Board Agency of Education, in  
5 collaboration with the State Board of Education, the Agency of Human  
6 Services, higher education, literacy organizations, and others, shall develop a  
7 plan for establishing a comprehensive system of services for early education in  
8 the first three grades prekindergarten through third grade to ensure that all  
9 students learn to read by the end of the third grade. The plan shall be updated  
10 at least once every five years following its initial submission in 1998.

11 (c) Reading instruction. A public school that offers instruction in grades  
12 prekindergarten, kindergarten, one, two, or three shall provide ~~highly effective,~~  
13 ~~research-based~~ systemic and explicit evidence-based reading instruction to all  
14 students. In addition, a school shall provide:

15 (1) supplemental reading instruction to any enrolled student in grade four  
16 whose reading proficiency falls below ~~third grade reading expectations~~  
17 proficiency standards for the student's grade level or whose reading  
18 proficiency prevents success in school, as identified using the tiered system of  
19 supports, as defined under ~~subdivision 164(9)~~ section 2902 of this title;

- 1           (2) supplemental reading instruction to any enrolled student ~~in grades 5-~~
- 2           ~~12~~ whose reading proficiency creates a barrier to the student’s success in
- 3           school; and
- 4           (3) support and information to parents and legal guardians.

5           Sec. 3. EFFECTIVE DATE

6           This act shall take effect on July 1, 2024.

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13           (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE