

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, “universal reading screener” means [decision
4 point—add definition?]

5 (b)(1) Annually, the Agency of Education shall update and publish a list of
6 reviewed universal reading screeners and assessments used in the identification
7 of dyslexia characteristics for use by supervisory unions and approved
8 independent schools.

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

13 (A) phonemic awareness;

14 (B) letter naming;

15 (C) letter sound correspondence;

16 (D) real- and nonword reading;

17 (E) oral text reading accuracy and rate;

18 (F) comprehension;

19 (G) handwriting; and

20 (H) spelling inventory.

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

3 (A) be brief;

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

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

10 (4) The universal dyslexia screeners shall assess for dyslexia
11 characteristics as appropriate to grade level and age, in accordance with the
12 Agency’s assessment guidance. This may include assessing for some
13 combination of the skills contained in subdivision (2) of this subsection.

14 (c) All public schools and approved independent schools shall screen all
15 students in kindergarten through grade three using age and grade-level
16 appropriate universal reading screeners. The universal screeners shall be given
17 in accordance with best practices and the technical specifications of the
18 specific screener used. Screening for dyslexia characteristics shall be
19 administered for students attending kindergarten or first grade in public
20 schools and approved independent schools. The Agency shall include in its
21 guidance instances in which public and approved independent schools can

1 leverage assessments that meet overlapping requirements and guidelines to
2 maximize the use of assessments that provide the necessary data to understand
3 student needs while minimizing the number of assessments used and the
4 disruption to instructional time.

5 (d) Additional diagnostic assessment, and evidence-based curriculum and
6 instruction for students demonstrating a substantial deficit in reading or
7 dyslexia characteristics, shall be determined by data-informed decision-making
8 within existing processes in accordance with required federal and State law.
9 Specific instructional content, programs, strategies, interventions, and other
10 identified supports for individual students shall be documented in the most
11 appropriate plan informed by assessment and other data, and as determined
12 through team-based decision-making. These plans may include, as applicable,
13 an education support team (EST) plan, 504 plan, individualized education plan,
14 and a personalized learning plan. These plans shall include the following:

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

17 (2) the goals and benchmarks for growth;

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

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

1 I Public and independent schools shall use evidence-based reading
2 instructional practices, programs, or interventions pursuant to subsection (d) of
3 this section that are effective, explicit, systematic, and consistent with federal
4 and State guidance that address the foundational concepts of literacy
5 proficiency, including phonemic awareness, phonics, fluency, vocabulary, and
6 comprehension.

7 (f) The parent of any kindergarten through grade-three student who exhibits
8 a reading deficit at any time during the school year must be notified in writing
9 not later than 30 days after the identification of the reading deficit. Written
10 notification shall contain information consistent with the documentation
11 requirements contained in subsection (d) of this section. The Agency shall
12 develop a plan for the parental notification required under this subsection that
13 is consistent with applicable State and federal law and legislative intent.

14 (g) Each local school district and approved independent school shall
15 engage local stakeholders through the needs assessment and asset mapping
16 processes when developing a Local Literacy Plan to improve reading
17 proficiency.

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

1 (i) Each supervisory union board and approved independent school shall
2 annually report, in writing, to the Agency the following information and prior
3 year performance, by school:

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

7 (2) the universal reading screeners utilized;

8 (3) the number and percentage of students identified with a potential
9 reading deficit; and

10 (4) growth measure assessment data.

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

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

16 § 2903. PREVENTING EARLY SCHOOL FAILURE; READING
17 INSTRUCTION

18 (a) Statement of policy. The ability to read is critical to success in learning.
19 Children who fail to read by the end of the first grade will likely fall further
20 behind in school. The personal and economic costs of reading failure are
21 enormous both while the student remains in school and long afterward. All

1 students need to receive systematic and explicit evidence-based reading
2 instruction in the early grades from a teacher who is skilled in teaching the
3 foundational components of reading ~~through a variety of instructional~~
4 ~~strategies that take into account the different learning styles and language~~
5 ~~backgrounds of the students,~~ including phonemic awareness, phonics, fluency,
6 vocabulary, and comprehension. ~~Some students may~~ Students who require
7 ~~intensive~~ supplemental instruction tailored to the unique difficulties
8 encountered shall be provided those additional supports by an appropriately
9 licensed and trained education professional.

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

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

- 1 (1) supplemental reading instruction to any enrolled student ~~in grade~~
2 ~~four~~ whose reading proficiency falls below ~~third grade reading expectations~~
3 proficiency standards for the student’s grade level or whose reading
4 proficiency prevents success in school, as identified using the tiered system of
5 supports, as defined under ~~subdivision 164(9)~~ section 2902 of this title;
- 6 (2) supplemental reading instruction to any enrolled student ~~in grades 5–~~
7 ~~12~~ whose reading proficiency creates a barrier to the student’s success in
8 school; and
- 9 (3) support and information to parents and legal guardians.

10 Sec. 3. EFFECTIVE DATE

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

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(Committee vote: _____)

Senator _____
FOR THE COMMITTEE