

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred Senate Bill No. 204
3 entitled “An act relating to reading assessment and intervention” respectfully
4 reports that it has considered the same and recommends that the bill be
5 amended by striking out all after the enacting clause and inserting in lieu
6 thereof the following:

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

8 § 2907. READING ASSESSMENT AND INTERVENTION

9 (a) As used in this section:

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

13 (2) “Dyslexia” means a specific learning disability that is
14 neurobiological in origin and characterized by difficulties with accurate and
15 fluent word recognition and poor spelling and decoding abilities and can have
16 secondary consequences such as reading comprehension problems and reduced
17 reading experience that can impede growth of vocabulary and background
18 knowledge.

19 (b)(1) Annually, the Agency of Education shall include a list of reviewed
20 universal reading screeners and assessments used in the identification of
21 dyslexia characteristics in the guidance and technical assistance it issues

1 related to Local Comprehensive Assessment Systems, for use by supervisory
2 unions and approved independent schools.

3 (2) The Agency's guidance shall include a review of the evidence base
4 of the universal screeners and assessments for reading and dyslexia
5 characteristics and shall include guidance on measuring skills based on grade-
6 level predictive measures, including:

7 (A) phonemic awareness;

8 (B) letter naming;

9 (C) letter sound correspondence;

10 (D) real- and non word reading;

11 (E) oral text reading accuracy and rate;

12 (F) comprehension;

13 (G) handwriting; and

14 (H) spelling inventory.

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

17 (A) be brief;

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

20 (C) produce data that inform decisions related to the need for
21 additional, targeted assessments and necessary layered supports,

1 accommodations, interventions, or services for students, in accordance with
2 existing federal and State law.

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

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

19 (d) Additional diagnostic assessment, and evidence-based curriculum and
20 instruction for students demonstrating a substantial deficit in reading or
21 dyslexia characteristics, shall be determined by data-informed decision-making

1 within existing processes in accordance with required federal and State law.
2 Public and approved independent schools shall follow Agency guidance related
3 to multitiered system of supports and education support teams, Section 504 of
4 the Rehabilitation Act of 1973, 29 U.S.C., § 794, and the Individuals with
5 Disabilities Education Act, 20 U.S.C. § 1400 et seq.; Agency of Education,
6 Education Quality Standards (CVR 22-000-003); and Local Literacy Plans
7 aligned to the State Literacy Plan. Specific instructional content, programs,
8 strategies, interventions, and other identified supports for individual students
9 shall be documented in the most appropriate plan informed by assessment and
10 other data, and as determined through team-based decision-making. These
11 plans may include an education support team (EST) Plan, 504 plan,
12 individualized education plan, and, if appropriate, a personalized learning plan.
13 These plans may include the following:
14 (1) the student’s specific reading deficit as determined or identified by
15 diagnostic assessment data;
16 (2) the goals and benchmarks for growth;
17 (3) the type of evidence-based instruction and supports the student will
18 receive; and
19 (4) the strategies and supports available to the student’s parent or legal
20 guardian to support the student to achieve reading proficiency.

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

6 (f) The parent of any kindergarten through grade-three student who exhibits
7 a reading deficit at any time during the school year must be notified in writing
8 not later than 30 days after the identification of the reading deficit. Written
9 notification shall contain information consistent with the documentation
10 requirements contained in subsection (d) of this section. Parental notification
11 of student progress shall correspond with the goals and benchmarks for student
12 growth outlined in the student’s support plan pursuant to subsection (d) of this
13 section. Parental notification may also occur through a school’s progress
14 reporting mechanism.

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

19 (h) The Agency shall provide professional learning opportunities for
20 educators in evidence-based reading instructional practices that address the

1 areas of phonemic awareness, phonics, fluency, vocabulary, and
2 comprehension.

3 (i) In accordance with the State's continuous improvement plan timeline,
4 each supervisory union board and approved independent school shall annually
5 report, in writing, to the Agency the following Local Literacy Plan information
6 and prior year performance by school:

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

10 (2) the universal reading screeners utilized; and

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

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

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

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 four~~
2 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