

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 304
3 entitled “An act relating to supporting Vermont’s young readers through
4 evidence-based literacy instruction” respectfully reports that it has considered
5 the same and recommends that the House propose to the Senate that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

8 * * * Findings * * *

9 Sec. 1. FINDINGS

10 The General Assembly finds that:

11 (1) In its December 2023 report to the General Assembly, the Advisory
12 Council on Literacy found the following:

13 (A) Explicit and systematic instruction on code-based and
14 comprehension-based reading skills and needs-based support are the most
15 effective literacy practices for the early grades.

16 (B) A strong focus is needed on phonemic awareness, phonics,
17 fluency, vocabulary, and comprehension for all students, and needs-based tiers
18 and layers of support are critical for struggling learners.

19 (2) Reading instruction is interwoven into the principles of creating
20 culturally responsive and inclusive environments for all students. The
21 availability and use of texts that are culturally relevant and representative of

1 historically underrepresented voices is critical to ensure that all students can
2 connect their experiences to the text they are reading.

3 * * * Reading Assessment and Intervention * * *

4 Sec. 2. 16 V.S.A. § 2907 is added to read:

5 § 2907. KINDERGARTEN THROUGH GRADE-THREE READING
6 ASSESSMENT AND INTERVENTION

7 (a) The Agency of Education, in collaboration with the Council on
8 Literacy, shall review, score, and publish guidance on universal reading
9 screeners based on established criteria that are based on technical adequacy,
10 attention to linguistic diversity, administrative usability, and valid measures of
11 the developmental skills in early literacy, including phonemic awareness,
12 phonics, fluency, vocabulary, and comprehension.

13 (b) Each public and approved independent school shall screen all students
14 in kindergarten through grade three using age and grade-level appropriate
15 universal reading screeners. The universal screeners shall be given in
16 accordance with best practices and the technical specifications of the specific
17 screeener used.

18 (c) If such screenings determine that a student is significantly below
19 relevant benchmarks as determined by the screener’s guidelines for **age-level**
20 **or grade-level typical** development in specific literacy skills, the school shall
21 determine which actions within the general education program will meet the

1 student’s needs, including differentiated or supplementary evidence-based
2 reading instruction and ongoing monitoring of progress. Within 30 calendar
3 days of a screening result that is significantly below the relevant benchmarks,
4 the school shall inform the student’s parent or guardian of the screening results
5 and the school’s response.

6 (d) Evidence-based reading instructional practices, programs, or
7 interventions provided pursuant to subsection (c) of this section shall be
8 effective, explicit, systematic, and consistent with federal and State guidance
9 and shall address the foundational concepts of literacy proficiency, including
10 phonemic awareness, phonics, fluency, vocabulary, and comprehension.
11 Strategies such as the three-cueing system shall not be used in a manner that
12 supplants decoding instruction.

13 (e) Each supervisory union and approved independent school shall annually
14 report to the Agency, in a format prescribed by the Agency, the following
15 information and prior year performance, by school:

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

19 (2) the universal reading screeners utilized.

20 (f) On or before January 15 of each year, the Agency shall issue a written
21 report to the Governor and the Senate and House Committees on Education on

1 the status of State progress to improve literacy learning. The report shall
2 include the information required pursuant to subsection (a) of this section.

3 Sec. 3. PARENTAL NOTIFICATION; AGENCY OF EDUCATION
4 RECOMMENDATIONS

5 On or before November 1, 2024, the Agency of Education shall develop and
6 issue recommendations for the substance and form of the parental or guardian
7 notification required under 16 V.S.A. § 2907(d). The Agency's
8 recommendations shall be consistent with applicable State and federal law as
9 well as legislative intent.

10 Sec. 4. REVIEWED READING SCREENERS; AGENCY OF EDUCATION;
11 REPORT

12 On or before January 15, 2025, the Agency of Education shall submit a
13 written report to the Senate and House Committees on Education with a list of
14 the reviewed screening instruments it has published pursuant to 16 V.S.A.
15 § 2907. The Agency shall include any information it deems relevant to
16 provide an understanding of the list of reviewed screening instruments.

17 Sec. 5. 16 V.S.A. § 2903 is amended to read:

18 § 2903. PREVENTING EARLY SCHOOL FAILURE; READING
19 INSTRUCTION

20 (a) Statement of policy. The ability to read is critical to success in learning.
21 Children who fail to read by the end of the first grade will likely fall further

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

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

1 (c) Reading instruction. A public school or approved independent school
2 that is eligible to receive public tuition that offers instruction in grades
3 prekindergarten, kindergarten, one, two, or three shall provide ~~highly effective,~~
4 ~~research-based~~ systemic and explicit evidence-based reading instruction to all
5 students. In addition, ~~a school~~ such schools shall provide:

6 (1) supplemental reading instruction to any enrolled student ~~in grade~~
7 ~~four~~ whose reading proficiency falls below third grade reading expectations, as
8 defined under subdivision 164(9) of this title proficiency standards for the
9 student's grade level or whose reading proficiency prevents success in school;
10 and

11 (2) supplemental reading instruction to any enrolled student in grades 5-
12 12 whose reading proficiency creates a barrier to the student's success in
13 school; and

14 (3) support and information to parents and legal guardians regarding the
15 student's current level of reading proficiency, which shall be based on valid
16 and reliable assessments.

17 * * * Literacy Professional Learning* * *

18 Sec. 6. 16 V.S.A. § 1710 is added to read:

19 § 1710. LITERACY PROFESSIONAL DEVELOPMENT

20 (a) Each supervisory union and each approved independent school that is
21 eligible to receive public tuition shall provide professional development to

1 kindergarten through grade-three educators, including all teachers and
2 administrators, on implementing a reading screening assessment, interpreting
3 the results, determining instructional practices for students, and
4 communicating with families regarding screening results in a supportive way.
5 The instructional practices shall be evidence-based and effective and shall
6 address the foundational concepts of literacy proficiency, including phonemic
7 awareness, phonics, fluency, vocabulary, and comprehension.

8 (b) Each supervisory union and approved independent school that is
9 eligible to receive public tuition shall maintain a record of completion of
10 professional development consistent with this section.

11 Sec. 7. RESULTS-ORIENTED PROGRAM APPROVAL

12 (a) On or before July 1, 2025, the Agency of Education shall submit
13 recommendations to the Vermont Standards Board for Professional Educators
14 on how to strengthen educator preparation programs' teaching of evidence-
15 based literacy practices. The Agency shall also simultaneously communicate
16 its recommendations to Vermont's educator preparation programs and submit
17 its recommendations in writing to the Senate and House Committees on
18 Education.

19 (b) On or before July 1, 2026, the Vermont Standards Board for
20 Professional Educators shall consider the Agency's recommendations pursuant
21 to subsection (a) of this section and, as appropriate, update the educator

1 preparation requirements in Agency of Education, Licensing of Educators and
2 the Preparation of Educational Professionals (5000) (CVR 022-000-010).

3 (c) As part of its review under subsection (a) of this section, the Agency
4 shall make recommendations to the Vermont Standards Board for Professional
5 Educators regarding whether an additional mandatory examination is needed to
6 assess candidates for educator licensure skills in mathematics and English
7 language arts fundamentals, as well as candidates' understanding of the
8 importance of evidence-based approaches to literacy and numeracy, beyond
9 the requirements in Agency of Education, Licensing of Educators and the
10 Preparation of Educational Professionals (5000) (CVR 022-000-010) in effect
11 during the period of the Agency's review.

12 * * * Advisory Council on Literacy * * *

13 Sec. 8. 16 V.S.A. § 2903a is amended to read:

14 § 2903a. ADVISORY COUNCIL ON LITERACY

15 (a) Creation. There is created the Advisory Council on Literacy. The
16 Council shall advise the Agency of Education, the State Board of Education,
17 and the General Assembly on how to improve proficiency outcomes in literacy
18 for students in prekindergarten through grade 12 and how to sustain those
19 outcomes.

20 (b) Membership. The Council shall be composed of the following ~~16~~ 19
21 members:

1 (1) ~~eight~~ nine members who shall serve as ex officio members:

2 (A) the Secretary of Education or designee;

3 (B) a member of the Standards Board for Professional Educators who
4 is knowledgeable in licensing requirements for teaching literacy, appointed by
5 the Standards Board;

6 (C) the Executive Director of the Vermont Superintendents
7 Association or designee;

8 (D) the Executive Director of the Vermont School Boards
9 Association or designee;

10 (E) the Executive Director of the Vermont Council of Special
11 Education Administrators or designee;

12 (F) the Executive Director of the Vermont Principals' Association or
13 designee;

14 (G) the Executive Director of the Vermont Independent Schools
15 Association or designee; ~~and~~

16 (H) the Executive Director of the Vermont-National Education
17 Association or designee; ~~and~~

18 (I) the State Librarian or designee; and

19 (J) the Executive Director of the Vermont Curriculum Leaders

20 Association or designee; and

21 (2) eight members who shall serve two-year terms:

1 (A) ~~a representative, appointed by the Vermont Curriculum Leaders~~
2 ~~Association; [Repealed.]~~

3 (B) three teachers, appointed by the Vermont-National Education
4 Association, who teach literacy, one of whom shall be a special education
5 literacy teacher and two of whom shall teach literacy to students in
6 prekindergarten through grade three;

7 (C) three community members who have struggled with literacy
8 proficiency or supported others who have struggled with literacy proficiency,
9 one of whom shall be a high school student, appointed by the Agency of
10 Education in consultation with the Vermont Family Network; and

11 (D) one member appointed by the Agency of Education who has
12 expertise in working with students with dyslexia; and

13 (3) two faculty members of approved educator preparation programs
14 located in Vermont, one of whom shall be employed by a private college or
15 university, appointed by the Agency of Education in consultation with the
16 Association of Vermont Independent Colleges, and one of whom shall be
17 employed by a public college or university, appointed by the Agency of
18 Education in consultation with the University of Vermont and State
19 Agricultural College and the Vermont State Colleges Corporation.

20 * * *

1 (d) Powers and duties. The Council shall advise the Agency Secretary of
2 Education, ~~the State Board of Education, and the General Assembly~~ on how to
3 improve proficiency outcomes in literacy for students in prekindergarten
4 through grade 12 and how to sustain those outcomes and shall:

5 (1) advise the ~~Agency of Education~~ Secretary on how to:

6 (A) update section 2903 of this title;

7 (B) implement the statewide literacy plan required by section 2903 of
8 this title and whether, based on its implementation, changes should be made to
9 the plan; and

10 (C) maintain the statewide literacy plan;

11 (2) advise the ~~Agency of Education~~ Secretary on what services the
12 Agency should provide to school districts to support implementation of the
13 plan and on staffing levels and resources needed at the Agency to support the
14 statewide effort to improve literacy;

15 (3) develop a plan for collecting literacy-related data that informs:

16 (A) literacy instructional practices;

17 (B) teacher professional development in the field of literacy;

18 (C) what proficiencies and other skills should be measured through
19 literacy assessments and how those literacy assessments are incorporated into
20 local assessment plans; and

1 (D) how to identify school progress in achieving literacy outcomes,
2 including closing literacy gaps for students from historically underserved
3 populations;

4 (4) recommend **evidence-based** best practices for Tier 1, Tier 2, and Tier
5 3 literacy instruction within the multitiered system of supports required under
6 section 2902 of this title to best improve and sustain literacy proficiency; and

7 (5) review literacy assessments and outcomes and provide ongoing
8 advice as to how to continuously improve those outcomes and sustain that
9 improvement.

10 * * *

11 (f) Meetings.

12 (1) The Secretary of Education shall call the first meeting of the Council
13 to occur on or before August 1, 2021.

14 (2) The Council shall select a chair from among its members.

15 (3) A majority of the membership shall constitute a quorum.

16 (4) The Council shall meet not more than ~~eight~~ four times per year.

17 (g) Assistance. The Council shall have the administrative, technical, and
18 legal assistance of the Agency of Education.

19 (h) Compensation and reimbursement. Members of the Council shall be
20 entitled to per diem compensation and reimbursement of expenses as permitted

1 under 32 V.S.A. § 1010 for not more than ~~eight~~ four meetings of the Council
2 per year.

3 Sec. 9. 2021 Acts and Resolves No. 28, Sec. 7 is amended to read:

4 Sec. 7. REPEAL; ADVISORY COUNCIL ON LITERACY

5 16 V.S.A. § 2903a (Advisory Council on Literacy) as added by this act is
6 repealed on June 30, ~~2024~~ 2027.

7 * * * Agency of Education Literacy Position * * *

8 Sec. 10. POSITION; AGENCY OF EDUCATION; LITERACY

9 One new permanent classified position is converted from a limited position
10 created in 2021 Acts and Resolves No. 28, Sec. 4 in the Agency of Education
11 in fiscal year 2025 to provide support to the Agency in its evidence-based
12 literacy work.

13 * * * Expanding Early Childhood Literacy Resources * * *

14 Sec. 11. EXPANDING EARLY CHILDHOOD LITERACY RESOURCES;
15 REPORT

16 On or before January 15, 2025, the Department of Libraries shall submit a
17 written report to the Senate and House Committees on Education with
18 recommendations for expanding access to early childhood literacy resources
19 with a focus on options that target low-income or underserved areas of the
20 State. Options considered shall include State or local partnership with or
21 financial support for book gifting programs, book distribution programs, and

1 any other compelling avenue for supporting early childhood literacy in
2 Vermont.

3 * * * Effective Date * * *

4 Sec. 12. EFFECTIVE DATE

5 This act shall take effect on passage.

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE