

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. KINDERGARTEN THROUGH GRADE THREE READING

9 ASSESSMENT AND INTERVENTION

10 (a) As used in this section, “universal reading screener” means [decision
11 point—add definition?]

12 (b)(1) Annually, the Agency of Education shall update and publish a list of
13 reviewed universal reading screeners and assessments, to be used by
14 supervisory unions and approved independent schools, for determining reading
15 skills and identifying students in kindergarten through grade three
16 demonstrating reading struggles or showing characteristics associated with
17 dyslexia.

18 (2) The Agency’s review of universal reading screeners and assessments
19 shall include a review of the evidence base of the screeners and assessments.
20 In publishing a list required under subdivision (1) of this subsection, the

1 Agency shall issue guidance on measuring skills based on grade-level

2 predictive measures, including:

3 (A) phonemic awareness;

4 (B) letter naming;

5 (C) letter sound correspondence;

6 (D) real- and nonword reading;

7 (E) oral text reading accuracy and rate;

8 (F) comprehension;

9 (G) handwriting; and

10 (H) spelling inventory.

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

13 (A) be brief;

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

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

20 (4) The universal dyslexia screeners shall assess for dyslexia
21 characteristics as appropriate to grade level and age, in accordance with the

1 Agency’s assessment guidance. This may include assessing for some
2 combination of the skills contained in subdivision (2) of this subsection.

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

16 (d) Additional diagnostic assessment, and evidence-based curriculum and
17 instruction for students demonstrating a substantial deficit in reading or
18 dyslexia characteristics, shall be determined by data-informed decision-making
19 within existing processes in accordance with required federal and State law.
20 Specific instructional content, programs, strategies, interventions, and other
21 identified supports for individual students shall be documented in the most

1 appropriate plan informed by assessment and other data and as determined
2 through team-based decision-making. These plans may include, as applicable,
3 an education support team (EST) plan, 504 plan, individualized education plan,
4 and a personalized learning plan. These plans shall include the following:

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

7 (2) the goals and benchmarks for growth;

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

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

12 (e) Public and independent schools shall use evidence-based reading
13 instructional practices, programs, or interventions pursuant to subsection (d) of
14 this section that are effective, explicit, systematic, and consistent with federal
15 and State guidance that address the foundational concepts of literacy
16 proficiency, including phonemic awareness, phonics, fluency, vocabulary, and
17 comprehension.

18 (f) The parent or guardian of any kindergarten through grade-three student
19 who exhibits a reading deficit at any time during the school year must be
20 notified in writing not later than 30 days after the identification of the reading
21 deficit. Written notification shall contain information consistent with the

1 documentation requirements contained in subsection (d) of this section and
2 shall follow the Agency’s recommendations for such notification.

3 (g) Each local school district and approved independent school shall
4 engage local stakeholders through the needs assessment and asset mapping
5 processes when developing a Local Literacy Plan to improve reading
6 proficiency.

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

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

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

17 (2) the universal reading screeners utilized;

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

20 (4) growth measure assessment data.

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

5 **Sec. 2. PARENTAL NOTIFICATION; AGENCY OF EDUCATION**

6 **RECOMMENDATIONS**

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

12 Sec. 3. 16 V.S.A. § 2903 is amended to read:

13 § 2903. PREVENTING EARLY SCHOOL FAILURE; READING

14 INSTRUCTION

15 (a) Statement of policy. The ability to read is critical to success in learning.
16 Children who fail to read by the end of the first grade will likely fall further
17 behind in school. The personal and economic costs of reading failure are
18 enormous both while the student remains in school and long afterward. All
19 students need to receive systematic and explicit evidence-based reading
20 instruction in the early grades from a teacher who is skilled in teaching the
21 foundational components of reading through a variety of instructional

1 ~~strategies that take into account the different learning styles and language~~
2 ~~backgrounds of the students, including phonemic awareness, phonics, fluency,~~
3 ~~vocabulary, and comprehension. Some students may~~ Students who require
4 ~~intensive~~ supplemental instruction tailored to the unique difficulties
5 encountered shall be provided those additional supports by an appropriately
6 licensed and trained education professional.

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

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

18 (1) supplemental reading instruction to any enrolled student ~~in grade~~
19 ~~four~~ whose reading proficiency falls below ~~third grade reading expectations~~
20 proficiency standards for the student's grade level or whose reading

1 proficiency prevents success in school, as identified using the tiered system of
2 supports, as defined under ~~subdivision 164(9)~~ section 2902 of this title;

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

6 (3) support and information to parents and legal guardians.

7 Sec. 4. EFFECTIVE DATE

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

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15 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE