

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 668
3 entitled “An act relating to evidence-based structured literacy instruction for
4 students in kindergarten–grade 3 and students with dyslexia and to teacher
5 preparation programs” respectfully reports that it has considered the same and
6 recommends that the bill be amended by striking out all after the enacting
7 clause and inserting in lieu thereof the following:

8 Sec. 1. PURPOSE

9 The purpose of this act is to provide assistance to supervisory unions in
10 their implementation of 2018 Acts and Resolves No. 173 by providing grant
11 funding to build systems-driven, sustainable literacy support for all students.

12 Sec. 2. FINDINGS

13 (a) In 2016 Acts and Resolves No. 148, the General Assembly directed the
14 Agency of Education to contract with a consulting firm to review current
15 practices and recommend best practices for the delivery of special education
16 services in school districts. The Agency of Education contracted with the
17 District Management Group, which issued in November 2017 its report entitled
18 “Expanding and Strengthening Best-Practice Supports for Students who
19 Struggle” (Report).

20 (b) This Report made the following five recommendations on best practices
21 for the delivery of special education services:

- 1 (1) ensure core instruction meets most needs of most students;
- 2 (2) provide additional instructional time outside core subjects to students
- 3 who struggle rather than providing interventions instead of core instruction;
- 4 (3) ensure students who struggle receive all instruction from highly
- 5 skilled teachers;
- 6 (4) create or strengthen a systems-wide approach to supporting positive
- 7 student behaviors based on expert support; and
- 8 (5) provide specialized instruction from skilled and trained experts to
- 9 students with more intensive needs.

10 (c) In enacting 2018 Acts and Resolves No. 173, the General Assembly’s
11 goal was to enhance the effectiveness, availability, and equity of services
12 provided to all students who require additional support in Vermont’s school
13 districts, recognizing that changing the models for delivery of services and
14 funding for students who require additional support is a significant change for
15 school systems and their constituencies, and that they will require time and
16 assistance in making necessary adjustments.

17 (d) In Act 173, the General Assembly provided additional staff and
18 resources to the Agency of Education to support its work with supervisory
19 unions and schools that are transitioning to the best practices recommended in
20 the Report.

1 (e) Further support for supervisory unions and schools that are transitioning
2 to the best practices recommended in the Report are necessary, particularly in
3 the area of teaching literacy to students in prekindergarten through grade 3,
4 given that proficiency in reading is an essential foundational skill for
5 educational success.

6 (f) According to the 2019 assessment of reading proficiency by the
7 National Assessment of Educational Progress, only 37 percent of Vermont
8 students in fourth grade were proficient in reading, and that percentage has
9 declined from 2002 (39 percent) and 2017 (43 percent).

10 (g) Ensuring that students in prekindergarten through grade 3 learn to read
11 at a proficient level advances the best practices recommended in the Report, in
12 particular ensuring core instruction meets most needs of most students and
13 ensuring that students who struggle receive all instruction from highly skilled
14 teachers.

15 Sec. 3. LITERACY GRANT PROGRAM

16 (a) Definitions. As used in this section:

17 (1) “Advisory Group” means the Census-based Funding Advisory
18 Group created by 2018 Acts and Resolves No. 173, Sec. 9.

19 (2) “Eligible applicant” means three or more supervisory unions
20 applying together for the same grant under this section.

21 (3) “Grant” means a grant provided under this section.

1 (4) “Participating supervisory unions” means the supervisory unions that
2 are applying together as an eligible applicant.

3 (5) “Program” means the Literacy Grant Program created by this
4 section.

5 (6) “Regional leadership team” means the superintendent or designee of
6 each participating supervisory union included in the grant application by the
7 eligible applicant, and two representatives of schools within those participating
8 supervisory unions appointed by the superintendent.

9 (b) Program creation and grant authorization.

10 (1) The Literacy Grant Program is created to enable supervisory unions
11 to work together in a sustained and targeted manner to adopt best practices in
12 teaching literacy instruction to students in prekindergarten through grade 3. In
13 recognition that literacy proficiency is a foundational learning skill, this
14 program is designed to assist supervisory unions implement 2018 Acts and
15 Resolves No. 173 by providing students with the literacy skills necessary to
16 ensure that core instruction meets most needs of most students and that
17 students who struggle receive all instruction from highly skilled teachers.
18 Subject to the terms of the program, grants shall be awarded to eligible
19 applicants for two consecutive years.

20 (2) The Agency of Education shall inform supervisory unions of the
21 availability of grants under this act and provide technical assistance to eligible

1 applicants in applying for these funds. The Agency of Education shall also
2 advise supervisory unions of other sources of funding that may be available to
3 advance the purpose of this act.

4 (c) Application for, and approval of, grant funding.

5 (1) On or before July 31, 2020, the Agency of Education, in partnership
6 with three members selected by the Advisory Group, one of whom shall have
7 expertise in early literacy for students who require additional support, and who
8 shall not apply for or directly benefit fiscally from the grant program
9 (Advisory Group participants), shall develop an application and application
10 criteria for the grant program, which shall be posted on the Agency’s website,
11 and shall include:

12 (A) the members of the eligible applicant’s regional leadership team
13 and a description of its governance structure;

14 (B) the person or persons who will disperse the grant funds among
15 the participating supervisory unions, a description of the fiscal controls to
16 ensure proper accounting of these funds, and the eligible applicant’s program
17 budget;

18 (C) the literacy indicators and outcomes the eligible applicant seeks
19 to improve, which shall include phonemic awareness, phonics, reading fluency,

1 vocabulary, and comprehension, and any other areas of focus in teaching

2 literacy;

3 (D) the priority problems of practice in teaching and improving

4 literacy outcomes, including shared problems of practice across the

5 participating supervisory unions;

6 (E) the eligible applicant's **plan for improving** literacy teaching and

7 outcomes, **including how the proposed plan will strengthen the applicant's**

8 **process towards ensuring that:**

9 **(i) core literacy instruction meets most needs of most students;**

10 **and**

11 **(ii) students who struggle with literacy proficiency receive all**

12 **instruction from highly skilled teachers.**

13 (F) **how the eligible applicant will implement** its plan for literacy

14 teaching and outcomes and a description of how it will achieve the purpose of

15 this act;

16 (G) **how literacy results and outcomes will be measured and reported;**

17 (H) **how the eligible applicant will improve its tier 1 education under**

18 **16 V.S.A. § 2902 through this process; and**

19 (I) **how systems and processes developed through the grant funding**

20 **will be sustained.**

1 (2)(A) Advisory Group participants shall work with the Agency to
2 develop application scoring criteria consistent with subdivisions (1)(A)–(I) of
3 this subsection (c), and shall be members of a review panel, including Agency
4 personnel, that shall jointly review and score grant applications based on the
5 scoring criteria (review panel).

6 (B) On or before July 15, 2020, the review panel shall send a copy of
7 the grant application and scoring criteria, timeline for posting the request for
8 grant applications, submission deadline, review panel process and selection
9 criteria, and anticipated final first year grant award date, to the House and
10 Senate Committees on Education.

11 (3) Eligible applicants shall submit applications for grant funding to the
12 Agency of Education, and the review panel shall review those applications.
13 Following the application review process, the review panel shall recommend
14 applications to the Secretary for funding based on the review scores and
15 funding dollars available. The Secretary shall make the final grant funding
16 determination. This process shall be concluded within 60 calendar days after
17 the application deadline, and applicants shall be notified of funding decisions
18 within five business days after this 60-day period.

19 (4) Based on the Secretary’s determination, the Agency of Education
20 shall, within 10 business days after the 60-day period under subdivision (3) of
21 this subsection (3), award the first year of grant funding, up to \$150,000.00 per

1 application, to successful applicants. The amount of this funding shall be based
2 on applicant's proposed budget and total availability of funds.

3 (5) The Agency of Education shall, on the anniversary of the first-year
4 grant award, award the second year of grant funding of up to \$150,000.00 per
5 eligible applicant. The amount of this funding shall be based on applicant's
6 proposed budget, total availability of funds, and the Secretary's assessment of
7 the eligible applicant's progress towards implementing its action plan to
8 improve literacy teaching and outcomes under subdivision (1)(F) of this
9 subsection. The Secretary may deny or reduce second-year grant funding if the
10 Secretary finds that the applicant has made insufficient progress towards
11 implementing its action plan.

12 (d) Use of grant funds.

13 (1) Grant funds shall be used to:

14 (A) establish the eligible applicant's regional leadership team and its
15 governance structure;

16 (B) implement the eligible applicant's action plan to improve literacy
17 teaching and outcomes under subdivision (c)(1)(F) of this section; and

18 (C) measure the literacy results and outcomes under subdivision
19 (c)(1)(G) of this section.

20 (2) Grant funds may be used to:

1 (A) build literacy instructional leadership capacity to lead the
2 improvement of the quality of literacy teaching and for the improvement of
3 student learning;

4 (B) implement an instructional coaching model, as described in the
5 guidelines for implementing effective coaching systems issued by the Agency
6 of Education in March 2016 (Coaching Guidelines);

7 (C) implement a systems' coaching model, as described in the
8 Coaching Guidelines;

9 (D) support educators in using collaborative data systems to promote
10 continuous improvement of literacy teaching and outcomes;

11 (E) provide focused training on the literacy indicators and outcomes
12 the eligible applicant seeks to improve, which, if offered, shall include
13 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and
14 any other areas of focus in teaching literacy;

15 (F) employ universal design for literacy learning, which is a
16 framework to improve teaching and learning for all students based on scientific
17 research on how people learn;

18 (G) employ evidence-based structured literacy instruction; and

19 (H) employ any other proven method that builds sustainable
20 systemwide improvement in literacy delivery and outcomes.

1 (3) Required activities shall not be duplicative of existing programs and
2 activities.

3 (4) Grant funds may be used for hiring additional staff, providing
4 additional compensation to existing staff, or contracting with another entity or
5 entities to aid in the implementation activities under subdivision (1) of this
6 subsection.

7 (e) Evaluation and reporting.

8 (1) Not later than 30 calendar days after the one-year anniversary of
9 receiving a grant award under this section, the eligible applicant shall submit to
10 the Advisory Group and the Agency of Education a report that describes
11 progress and concerns with the implementation of the eligible applicant's
12 action plan to improve literacy teaching and outcomes under subdivision
13 (c)(1)(F) of this section.

14 (2) On or before December 15, 2022, the Agency of Education shall
15 report to the General Assembly and the Governor on the impact of the grant
16 program. The report shall be made publicly available on the Agency of
17 Education's website.

18 Sec. 4. APPROPRIATION OF FUNDS

19 (a) Notwithstanding any provision of law to the contrary, \$1,800,000.00 is
20 appropriated from the Education Fund to the Agency of Education for fiscal
21 year 2021 designated for program grants under Sec. 3 of this act.

1 (b) The Agency of Education may set aside:

2 (1) not more than two percent of funds for informational and technical
3 assistance for eligible applicants as defined under Sec. 3(a)(2) of this act; and

4 (2) not more than two percent of funds for the evaluations required
5 under Sec. 3(e)(1) of this act.

6 Sec. 5. 16 V.S.A. § 261a is amended to read:

7 § 261a. DUTIES OF SUPERVISORY UNION BOARD

8 (a) Duties. The board of each supervisory union shall:

9 * * *

10 (18) Adopt a benchmark literacy assessment for all students in
11 prekindergarten–grade 3 with scores that can be reported in a format
12 determined by the Secretary. The benchmark literacy assessment shall include
13 an assessment of phonemic awareness, phonics, reading fluency, vocabulary,
14 and comprehension.

15 * * *

16 Sec. 6. 2018 Acts and Resolves No. 173, Sec. 9, is amended to read:

17 Sec. 9. CENSUS-BASED FUNDING ADVISORY GROUP

18 * * *

19 (e) Meetings.

20 * * *

1 (4) The Advisory Group shall cease to exist on ~~June 30, 2022~~ December
2 15, 2022.

3 * * *

4 (g) Reimbursement. Members of the Advisory Group who are not
5 employees of the State of Vermont and who are not otherwise compensated or
6 reimbursed for their attendance shall be entitled to per diem compensation and
7 reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than
8 eight meetings per year in calendar years 2018 and 2019, and 12 meetings per
9 year in calendar years 2020, 2021, and 2022.

10 (h) Appropriation. The sum of \$5,376.00 is appropriated for fiscal year
11 2018 from the General Fund to the Agency of Education to provide funding for
12 per diem compensation and reimbursement under subsection (g) of this section.
13 The Agency shall include in its budget request to the General Assembly for
14 fiscal year 2020 the amount of \$5,376.00, and for each of fiscal years 2020,
15 2021, and 2022 the amount of \$5,376.00 9,018.00, to provide funding for per
16 diem compensation and reimbursement under subsection (g) of this section.

17 Sec. 7. EFFECTIVE DATE

18 This act shall take effect on passage.

19 and that after passage the title of the bill be amended to read: "An act
20 relating to providing assistance to supervisory unions in their implementation

1 of 2018 Acts and Resolves No. 173 by providing grant funding to build
2 systems-driven, sustainable literacy support for all students”

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9 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE