

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 four or more supervisory unions, where
20 each supervisory union is geographically adjacent, or would be geographically

1 adjacent but for a lake or river, to one or more of the other supervisory unions
2 applying for the same grant under this section.

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

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

6 (5) “Program” means the Literacy Grant Program created by this
7 section.

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

12 (b) Program creation and grant authorization.

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

1 Subject to the terms of the program, grants shall be provided to eligible
2 applicants for each of two consecutive years.

3 (2) The Agency of Education shall inform supervisory unions of the
4 availability of grants under this act and provide technical assistance to eligible
5 applicants in applying for these funds. The Agency of Education shall also
6 advise supervisory unions of other sources of funding that may be available to
7 advance the purpose of this act.

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

9 (1) On or before July 31, 2020, the Advisory Group shall create a
10 uniform application for the grant, which shall be posted on the Agency of
11 Education website, 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 theory of improvement for literacy

7 teaching and outcomes;

8 (F) an action plan to implement the eligible applicant’s theory of

9 improvement for literacy teaching and outcomes and a description of how it

10 will achieve the purpose of this act;

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

12 (I) how the eligible applicant will improve its tier 1 education under

13 16 V.S.A. § 2902 through this process; and

14 (J) how systems and processes developed through the grant funding

15 will be sustained.

16 (2) An eligible applicant shall submit an application for grant funding to
17 the Advisory Group.

18 (3) The Advisory Group shall review applications for grant funding and
19 shall, within 30 calendar days after receipt of the application, recommend
20 approval of the grant funding if it finds that the application is complete and
21 that granting the application satisfies the purpose of this act. If the Advisory

1 Board recommends approval of an application, it shall, within five calendar
2 days of making its decision, send to the Agency of Education a written
3 notification of, and explanation for, its recommendation. If the Advisory
4 Board does not recommend approval of an application, it may provide the
5 applicant with additional time to supplement its application.

6 (4)(A) The Agency of Education shall award the first year of grant
7 funding in the amount of \$150,000.00 to an eligible applicant if it finds, after
8 consideration of the recommendation of the Advisory Group under subdivision
9 (c)(3) of this section, that the application is complete and that granting the
10 application satisfies the purpose of this act. If the Agency makes these
11 findings, the Agency shall award the grant funding within 30 calendar days
12 after receipt from the Advisory Group of its recommendation to approve the
13 grant funding.

14 (B) The Agency of Education shall award the second year of a grant
15 funding in the amount of \$150,000.00 to an eligible applicant if it finds that,
16 under subdivision (e)(1)(A) of this section, that the eligible applicant has or
17 will make sufficient progress in implementing its action plan under that
18 subdivision. The Agency shall make this award within five calendar days after
19 making this determination.

20 (d) Use of grant funds.

21 (1) Grant funds shall be used to:

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

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

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

(2) Grant funds may be used to:

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

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

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

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

(E) provide focused training on the literacy indicators and outcomes the eligible applicant seeks to improve, which, if offered, shall include

1 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and
2 any other areas of focus in teaching literacy;

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

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

7 (H) employ any other proven method that builds sustainable system-
8 wide improvement in literacy delivery and outcomes.

9 (3) Required activities shall not be duplicative of existing programs and
10 activities.

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

15 (e) Evaluation and reporting.

16 (1)(A) At the end of the first year of the two-year grant period of a grant
17 award, each eligible applicant shall submit to the Advisory Group and the
18 Agency of Education a report that describes progress and concerns with the
19 implementation of the eligible applicant's action plan to improve literacy
20 teaching and outcomes under subdivision (c)(1)(F) of this section. If the
21 Agency of Education, in consultation with the Advisory Group, does not

1 believe sufficient progress has been made by the eligible applicant to
2 implement its action plan, then the Agency shall request an explanation and a
3 plan from the eligible applicant to address the concerns raised by the Agency,
4 and the Agency shall release the grant funding for the second year only if it is
5 satisfied that the plan will satisfy the purpose of this act.

6 (B) At the end of the second year of the two-year grant period of a
7 grant award, each eligible applicant shall submit to the Advisory Group and the
8 Agency of Education a report that describes progress and concerns with the
9 implementation of the eligible applicant’s action plan to improve literacy
10 teaching and outcomes under subdivision (c)(1)(F) of this section.

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

15 Sec. 4. APPROPRIATION OF FUNDS

16 (a) Notwithstanding any provision of law to the contrary, \$900,000.00 is
17 appropriated from the Education Fund to the Agency of Education for fiscal
18 year 2021 designated for program grants under Sec. 3 of this act. The Agency
19 shall include in its budget request to the General Assembly for fiscal year 2022
20 the amount of \$900,000.00 for program grants under Sec. 3 of this act.

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

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

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

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to providing assistance to supervisory unions in their implementation of 2018 Acts and Resolves No. 173 by providing grant funding to build systems-driven, sustainable literacy support for all students”

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE