

1 TO THE HOUSE OF REPRESENTATIVES:

2       The Committee on Education to which was referred House Bill No. 101  
3       entitled “An act relating to the implementation of 2018 Acts and Resolves  
4       No. 173 by providing grant funding to build systems-driven, sustainable  
5       literacy support for all students” respectfully reports that it has considered the  
6       same and recommends that the bill be amended by striking out all after the  
7       enacting 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      with measurable outcomes.

13 Sec. 2. FINDINGS

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

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

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

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

19          (d) In Act 173, the General Assembly provided additional staff and  
20         resources to the Agency of Education to support its work with supervisory

1       unions and schools that are transitioning to the best practices recommended in  
2       the Report.

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

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

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

17      Sec. 3. LITERACY GRANT PROGRAM

18      (a) Definitions. As used in this section:  
19            (1) “Eligible applicant” means a supervisory union, or, if multiple  
20            supervisory unions choose to collaborate in applying together for the grant  
21            funding, those supervisory unions.

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

2                   (3) “Participating supervisory union” means each supervisory union that  
3                   applies for the grant funding under the same application.

4                   (4) “Participating supervisory union leadership team” means the  
5                   superintendent or designee of each participating supervisory union and two  
6                   representatives of schools within each participating supervisory union  
7                   appointed by its superintendent.

8                   (5) “Program” means the Literacy Grant Program created by this  
9                   section.

10                  (b) Program creation and grant authorization.

11                  (1) The Literacy Grant Program is created to enable supervisory unions  
12                  to adopt best practices in teaching literacy instruction to students in  
13                  prekindergarten through grade 3.

14                  (A) In recognition that literacy proficiency is a foundational learning  
15                  skill, this Program is designed to assist supervisory unions implement 2018  
16                  Acts and Resolves No. 173 by providing students with the literacy skills  
17                  necessary to ensure that core instruction meets most needs of most students  
18                  and that students who struggle receive all instruction from highly skilled  
19                  teachers.

20                  (B) Supervisory unions are encouraged to work together in a  
21                  sustained and targeted manner to improve literacy outcomes by applying

1       together for the grant funding or otherwise working collaboratively in a  
2       manner that uses resources in an effective and efficient manner.

3           (C) Subject to the terms of the Program, grants shall be awarded to  
4       eligible applicants for three consecutive years.

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

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

11           (1) On or before July 15, 2021, the Agency of Education shall develop  
12       the application for the grant program and post the application on the Agency's  
13       website.

14           (2) The application for the grant shall include:

15            (A) the members of the participating supervisory union leadership  
16       team and a description of its governance structure;

17            (B) the person or persons who will disperse the grant funds among  
18       the participating supervisory unions, a description of the fiscal controls to  
19       ensure proper accounting of these funds, and the eligible applicant's Program  
20       budget;

1                   (C) the literacy indicators and outcomes the eligible applicant seeks  
2                   to improve, which shall include each of phonemic awareness, phonics, reading  
3                   fluency, vocabulary, and comprehension, and may include any other areas of  
4                   current best practices in teaching literacy;

5                   (D) the priority problems of practice in teaching and improving  
6                   literacy outcomes, including shared problems of practice across the  
7                   participating supervisory unions;

8                   (E) the eligible applicant's plan for improving literacy teaching and  
9                   outcomes, including how the proposed plan will strengthen the applicant's  
10                  process towards ensuring that:

11                  (i) core literacy instruction meets most needs of most students;  
12                  and

13                  (ii) students who struggle with literacy proficiency receive all  
14                  instruction from highly skilled teachers;

15                  (F) how the eligible applicant will implement its plan for literacy  
16                  teaching and outcomes and a description of how it will achieve the purpose of  
17                  this act;

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

19                  (H) how the eligible applicant will improve its tier 1 education under  
20                  16 V.S.A. § 2902 through this process; and

1           (I) how systems and processes developed through the grant funding  
2           will be sustained.

3           (3) The Agency shall develop application scoring criteria consistent with  
4           subdivisions (2)(A)–(I) of this subsection (c). On or before July 31, 2021, the  
5           Agency shall send a copy of the grant application and scoring criteria, review  
6           process, and selection criteria to the House and Senate Committees on  
7           Education.

8           (4) Eligible applicants shall submit applications for grant funding to the  
9           Agency of Education, which shall review those applications.  
10          Following the application review process, the Agency shall recommend  
11          applications to the Secretary for funding based on the review scores, funding  
12          dollars available, and the Agency’s view of the applicant’s need for literacy  
13          instructional support as compared with other applicants. The Secretary shall  
14          make the final grant funding determination.

15          (5) Based on the Secretary’s determination, the Agency of Education  
16          shall, on or before September 1, 2021, award the first year of grant funding, up  
17          to \$100,000.00 per application, to successful applicants. The amount of this  
18          funding shall be based on the applicant’s proposed budget, total availability of  
19          funds, and the applicant’s need for literacy instructional support as compared  
20          with other applicants. If the amount appropriated for this purpose is

1       insufficient to fully fund the grants under that section, then the grant amounts  
2       that are awarded shall be prorated.

3       (6) The Agency of Education shall, on or before each of September 1, 2022  
4       and 2023, award the second year and third year of grant funding, respectively,  
5       of up to \$100,000.00 per eligible applicant per year. The amount of this  
6       funding shall be based on the applicant's proposed budget, total availability of  
7       funds, and the Secretary's assessment of the eligible applicant's progress  
8       towards implementing its action plan to improve literacy teaching and  
9       outcomes under subdivision (2)(F) of this subsection. The Secretary may deny  
10      or reduce second- or third-year grant funding if the Secretary finds that the  
11      applicant has made insufficient progress towards implementing its action plan.  
12      If the amount appropriated for this purpose is insufficient to fully fund the  
13      grants under that section, then the grant amounts that are awarded shall be  
14      prorated.

15      (d) Use of grant funds.

16      (1) Grant funds shall be used to:  
17        (A) establish the participating supervisory union leadership team and  
18        its governance structure;  
19        (B) implement the eligible applicant's action plan to improve literacy  
20       teaching and outcomes under subdivision (c)(2)(F) of this section; and

1                   (C) measure the literacy results and outcomes under subdivision

2                   (c)(2)(G) of this section.

3                   (2) Grant funds may be used to:

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

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

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

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

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

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

1           (G) employ evidence-based structured literacy instruction, including  
2           for students at risk for dyslexia or diagnosed with dyslexia; and  
3           (H) employ any other proven method that builds sustainable  
4           systemwide improvement in literacy delivery and outcomes.

5           (3) Required activities shall not be duplicative of existing programs and  
6           activities.

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

11          (e) Evaluation and reporting.

12          (1) Not later than 30 calendar days after the one-year anniversary of  
13          receiving a grant award under this section, the eligible applicant shall submit to  
14          the Agency of Education a report that describes progress and concerns with the  
15          implementation of the eligible applicant's action plan to improve literacy  
16          teaching and outcomes under subdivision (c)(2)(F) of this section.

17          (2) On or before January 15, 2025, the Agency of Education shall report  
18          to the General Assembly and the Governor on the impact of the grant program.  
19          The report shall be made publicly available on the Agency of Education's  
20          website.

21          Sec. 4. APPROPRIATION OF FUNDS

1           (a) Notwithstanding any provision of law to the contrary, \$2,000,000.00 is  
2 appropriated from [federal funds] to the Agency of Education for fiscal year  
3           2022 designated for Program grants under Sec. 3 of this act.

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

5           (1) not more than \$16,000.00 for informational and technical assistance  
6        for eligible applicants as defined under Sec. 3(a)(2) of this act; and  
7           (2) not more than \$16,000.00 for the evaluations required under Sec.  
8        3(e)(1) of this act.

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

## 10 § 261a. DUTIES OF SUPERVISORY UNION BOARD

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

12 \* \* \*

13                   (18) Adopt a benchmark literacy assessment for all students in  
14                   prekindergarten–grade 3 with scores that can be reported in a format  
15                   determined by the Secretary after consulting with the stakeholders in the field  
16                   and outside experts in early literacy. The benchmark literacy assessment shall  
17                   include an assessment of each of phonemic awareness, phonics, reading  
18                   fluency, vocabulary, and comprehension.

19 \* \* \*

20 Sec. 6. TEACHER PREPARATION PROGRAMS; REVIEW

1       On or before December 15, 2021, the Agency of Education shall review  
2       teacher preparation programs and report to the General Assembly on to what  
3       extent these programs prepare teacher candidates to use science-based literacy  
4       materials and programs.

5       Sec. 7. EFFECTIVE DATE

6       This act shall take effect on passage.

7

8       (Committee vote: \_\_\_\_\_)

9

10      Representative \_\_\_\_\_

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FOR THE COMMITTEE