

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; literacy; teacher training

4 Statement of purpose of bill as introduced: This bill proposes to continue  
5 the ongoing work to improve literacy for all students in the State, while  
6 recognizing that achieving this goal will require a multi-year and multi-  
7 dimensional effort requiring continued focus by the General Assembly, the  
8 Administration, and school leaders.

9 An act relating to improving prekindergarten through grade 12 literacy within  
10 the State

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. FINDINGS

13 (a) Addressing literacy outcomes is a key strategy for the successful  
14 implementation of 2018 Acts and Resolves No. 173. The following findings  
15 from the report entitled “Expanding and Strengthening Best-Practice Supports  
16 for Students who Struggle” issued by the District Management Group in  
17 November 2017, which informed the development of Act 173, support the  
18 urgency to improve Vermont’s literacy outcomes relative to special education  
19 reform:

20 (1) “Investing in the effectiveness of core reading instruction is critical  
21 for students in general education and students with disabilities.”

1           (2) “Students with mild-to-moderate disabilities who struggle with  
2           reading may not be supported by teachers skilled in the teaching of reading.”

3           (3) “While some special education teachers across the supervisory  
4           unions had a strong background in the teaching of reading, others indicated  
5           that they did not have the training or background to be effective supporting  
6           students struggling in reading.”

7           (b) The data indicate Vermont needs to improve its literacy outcomes at the  
8           early grades:

9           (1) Smarter Balanced Assessment Consortium results from 2016 to 2018  
10           indicate that only about 50 percent of students in grade 3 were proficient in  
11           English Language Arts in each of these years.

12           (2) From 2015 to 2019, Vermont’s average scale in grade 4 reading on  
13           the National Assessment of Educational Progress dropped every year from a  
14           high of 230 to a low score of 222.

15           (c) The COVID-19 emergency has adversely affected student academic and  
16           developmental progress. Failure to address literacy outcomes now could  
17           significantly impact student development for many years to come since literacy  
18           is foundational to the success of each student.

19           Sec. 2. PURPOSE

20           The purpose of this act is to continue the ongoing work to improve literacy  
21           for all students in the State, while recognizing that achieving this goal will

1 require a multi-year and multi-dimensional effort requiring continued focus by  
2 the General Assembly, the Administration, and school leaders.

3 Sec. 3. LITERACY GRANT FUNDING; APPROPRIATION

4 The sum of \$3,000,000.00 is appropriated from [federal funds] for fiscal  
5 year 2022 to the Agency of Education. The Agency shall use this  
6 appropriation to provide grants to supervisory districts and supervisory unions,  
7 on behalf of their member school districts, to provide professional  
8 development for teachers in methods of teaching literacy. The Agency shall  
9 administer the grant program and determine which supervisory districts and  
10 supervisory unions are eligible and the amount to be granted to each applicant  
11 based on its assessment of the relative need for this funding, taking into  
12 account the following factors across applicants:

13 (1) literacy assessments of students;

14 (2) the number of literacy instructors per enrolled students;

15 (3) the percentage of students eligible for free or reduced-priced meals;

16 (4) discrepancies in outcome data on literacy for students from  
17 historically underserved populations, including, to the extent that data is  
18 available in compliance with privacy laws, students who are Black,  
19 Indigenous, and people of color and students on individualized education  
20 programs; and

1           (5) the extent to which teacher professional development is integrated  
2           with multi-tiered system of supports.

3           **Sec. 4. AGENCY OF EDUCATION; STAFFING**

4           The following position is created in the Agency of Education: one full-  
5           time, director level, classified position to serve as the Statewide Literacy  
6           Coordinator in the Office of the Secretary. There is appropriated to the Agency  
7           of Education from the General Fund for fiscal year 2022 the amount of  
8           \$150,000.00 for salary, benefits, and operating expenses for this position.

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

10          **§ 2903. PREVENTING EARLY SCHOOL FAILURE; ~~READING~~**  
11          **LITERACY INSTRUCTION**

12          (a) Statement of policy. ~~The ability to read~~ Literacy proficiency is critical to  
13          success in learning. Children who fail to ~~read~~ attain age appropriate literacy  
14          proficiency by the end of the first grade will likely fall further behind in  
15          school. The personal and economic costs of ~~reading~~ literacy proficiency failure  
16          are enormous both while the student remains in school and long afterward. All  
17          students need to receive systematic ~~reading~~ literacy instruction in the early  
18          grades from a teacher who is skilled in teaching ~~reading~~ literacy through a  
19          variety of instructional strategies that take into account the different learning  
20          styles and language backgrounds of the students. Some students may require

1 intensive supplemental instruction tailored to the unique difficulties  
2 encountered.

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

10 (c) ~~Reading~~ Literacy instruction. A public school that offers instruction in  
11 ~~grades one, two, or three~~ any of prekindergarten through grade three shall  
12 provide highly effective, ~~research-based reading~~ evidence-based literacy  
13 instruction to all students. In addition, a school shall provide:

14 (1) supplemental ~~reading~~ literacy instruction to any enrolled student in  
15 grade four whose reading proficiency falls below third grade reading  
16 expectations, as defined under subdivision 164(9) of this title;

17 (2) supplemental ~~reading~~ literacy instruction to any enrolled student in  
18 grades 5-12 whose ~~reading~~ literacy proficiency creates a barrier to the student's  
19 success in school; and

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

1        (d) As used in this section, “evidence-based literacy instruction” means  
2        reading, writing, and spelling instruction that is supported by high-quality  
3        research that meets rigorous standards and is proven to translate effectively to  
4        classroom practices.

5        Sec. 6. V.S.A. § 2903a is added to read:

6        § 2903a. ADVISORY COUNCIL ON LITERACY

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

12       (b) Membership. The Council shall be composed of the following 18  
13       members:

14           (1) the Statewide Literacy Coordinator at the Agency of Education;

15           (2) a member appointed of the Standards Board for Professional  
16        Educators who is knowledgeable in licensing requirements for teaching  
17        literacy, appointed by the Standards Board;

18           (3) a representative appointed by the Vermont Curriculum Leaders  
19        Association;

20           (4) the Executive Director of the Vermont Superintendents Association  
21        or designee;

1           (5) the Executive Director of the Vermont School Boards Association or  
2           designee;

3           (6) the Executive Director of the Vermont Council of Special Education  
4           Administrators or designee;

5           (7) the Executive Director of the Vermont Principals' Association or  
6           designee;

7           (8) the Executive Director of the Vermont Independent Schools  
8           Association or designee;

9           (9) the Executive Director of the Vermont-National Education  
10          Association or designee;

11          (10) four teachers appointed by the Vermont-National Education  
12          Association who teach literacy, one of whom shall be a special education  
13          literacy teacher and at least two of whom shall teach literacy to students in  
14          prekindergarten through grade three;

15          (11) two family members, guardians, or education surrogates of  
16          students who struggle or have struggled with literacy proficiency, appointed by  
17          the Vermont Family Network;

18          (12) two student representatives who struggle or have struggled with  
19          literacy proficiency, appointed by the Vermont Family Network; and

20          (13) one member appointed by the Vermont Legal Aid Disability Law  
21          Project.

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

5                   (1) advise the State Board of Education on how to update the State-wide  
6                   literacy plan required under section 2903 of this title and maintain that plan;

7                   (2) advise the Agency of Education on what services the Agency should  
8                   provide to school districts to support implementation of the plan and on  
9                   staffing levels and resources needed at the Agency to support the Statewide  
10                  Literacy Coordinator;

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

12                           (A) literacy instructional practices;

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

14                           (C) what proficiencies and other skills should be measured through  
15                   literacy assessments and how those literacy assessments are incorporated into  
16                   local assessment plans; and

17                           (D) how to identify schools progress in achieving literacy outcomes,  
18                   including closing literacy gaps for students from historically underserved  
19                   populations;

1           (4) review literacy assessments and outcomes and provide ongoing  
2 advice as to how to continuously improve those outcomes and sustain that  
3 improvement.

4           (e) Report. Notwithstanding 2 V.S.A. § 20(d), annually on or before  
5 December 15, the Council shall submit a written report to the House and  
6 Senate Committees on Education with its findings, any recommendations for  
7 legislative action, progress toward outcomes identified in this section, and  
8 recommendations for priorities for the biennium.

9           (f) Meetings.

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

12           (2) The Council shall select a chair from among its members at the  
13 first meeting.

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

15           (4) The Council shall meet not more than eight times per year.

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

18           (h) Compensation and reimbursement. Members of the Council shall be  
19 entitled to per diem compensation and reimbursement of expenses as permitted  
20 under 32 V.S.A. § 1010 for not more than eight meetings of the Council per  
21 year.

1 **Sec. 7. APPROPRIATION; ADVISORY COUNCIL ON LITERACY**

2 The sum of \$10,000.00 is appropriated from the General Fund in fiscal year  
3 2022 to the Agency of Education for per diem and reimbursement of expenses  
4 for members of the Advisory Council on Literacy created under Sec. 6 of this  
5 act.

6 **Sec. 8. AGENCY OF EDUCATION; ANNUAL BUDGET REQUEST**

7 The Agency of Education shall, in its annual budget request to the General  
8 Assembly, include the amount of \$10,000.00 for per diem and reimbursement  
9 of expenses for members of the Advisory Council on Literacy created under  
10 Sec. 6 of this act.

11 **Sec. 9. STATE BOARD OF EDUCATION; LITERACY PLAN**

12 On or before December 1, 2021, the State Board of Education shall, in  
13 collaboration with the Advisory Council on Literacy created by Sec. 6 of this  
14 act, update the State-wide literacy plan required under 16 V.S.A. § 2903.

15 **Sec. 10. TEACHER PREPARATION PROGRAMS; REVIEW**

16 (a) On or before December 1, 2021, the Agency of Education in  
17 collaboration with the Standards Board for Professional Educators shall  
18 review:

- 19 (1) teacher preparation programs to assess to what extent these programs  
20 prepare teacher candidates to use “evidence-based literacy instruction;” and  
21 (2) licensing and re-licensing criteria as it pertains to literacy instruction.

1           **(b) “Evidence-based literacy instruction” means reading, writing, and**  
2           **spelling instruction that is supported by high-quality research that meets**  
3           **rigorous standards and is proven to translate effectively to classroom practices.**

4           Sec. 11. AGENCY OF EDUCATION; REPORTS

5           (a) On or before December 15, 2021, the Agency of Education shall report  
6           its findings and recommendation under this act, and its progress in achieving  
7           the purpose of this act, to the General Assembly.

8           (b) On or before each of December 15, 2022 and 2023, the Agency of  
9           Education shall report the State-wide progress in achieving the purpose of this  
10          act to the General Assembly.

11          Sec. 12. EFFECTIVE DATE

12          This act shall take effect on passage.