

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

16 (2) The Agency’s review of universal reading screeners and assessments
17 shall include a review of the evidence base of the screeners and assessments.

18 In publishing the list required under subdivision (1) of this subsection, the
19 Agency shall issue guidance on measuring skills based on grade-level
20 predictive measures, including:

21 (A) phonemic awareness;

1 (B) letter naming;

2 (C) letter sound correspondence;

3 (D) real- and nonword reading;

4 (E) oral text reading accuracy and rate;

5 (F) comprehension;

6 (G) handwriting; and

7 (H) spelling inventory.

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

10 (A) be brief;

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

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

17 (4) The universal dyslexia screeners shall assess for dyslexia
18 characteristics as appropriate to grade level and age, in accordance with the
19 Agency’s assessment guidance. This may include assessing for some
20 combination of the skills contained in subdivision (2) of this subsection.

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

11 (c) Additional diagnostic assessment, and evidence-based curriculum and
12 instruction for students demonstrating a substantial deficit in reading or
13 dyslexia characteristics, shall be determined by data-informed decision-making
14 within existing processes in accordance with required federal and State law.
15 Specific instructional content, programs, strategies, interventions, and other
16 identified supports for individual students shall be documented in the most
17 appropriate plan informed by assessment and other data and as determined
18 through team-based decision-making. These plans may include, as applicable,
19 an education support team (EST) plan, 504 plan, individualized education plan,
20 and a personalized learning plan. These plans shall include the following:

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

3 (2) the goals and benchmarks for growth;

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

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

8 (d) Public and approved independent schools shall not use instructional
9 strategies that do not have an evidence base, such as the three-cueing system.

10 Evidence-based reading instructional practices, programs, or interventions
11 provided pursuant to subsection (c) of this section shall be effective, explicit,
12 systematic, and consistent with federal and State guidance, and shall address
13 the foundational concepts of literacy proficiency, including phonemic
14 awareness, phonics, fluency, vocabulary, and comprehension.

15 (e) The parent or guardian of any kindergarten through grade-three student
16 who exhibits a reading deficit at any time during the school year shall be
17 notified in writing not later than 30 days after the identification of the reading
18 deficit. Written notification shall contain information consistent with the
19 documentation requirements contained in subsection (d) of this section and
20 shall follow the Agency’s recommendations for such notification.

1 (f) Each local school district and approved independent school shall engage
2 local stakeholders to discuss the importance of reading and solicit suggestions
3 for improving literacy and plans to increase reading proficiency.

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

8 (h) Each supervisory union and approved independent school shall
9 annually report, in writing, to the Agency the following information and prior
10 year performance, by school:

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

14 (2) the universal reading screeners utilized;

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

17 (4) growth measure assessment data.

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

1 Sec. 2. PARENTAL NOTIFICATION; AGENCY OF EDUCATION
2 RECOMMENDATIONS

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

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

9 § 2903. PREVENTING EARLY SCHOOL FAILURE; READING

10 INSTRUCTION

11 (a) Statement of policy. The ability to read is critical to success in learning.
12 Children who fail to read by the end of the first grade will likely fall further
13 behind in school. The personal and economic costs of reading failure are
14 enormous both while the student remains in school and long afterward. All
15 students need to receive systematic and explicit evidence-based reading
16 instruction in the early grades from a teacher who is skilled in teaching the
17 foundational components of reading ~~through a variety of instructional~~
18 ~~strategies that take into account the different learning styles and language~~
19 ~~backgrounds of the students,~~ including phonemic awareness, phonics, fluency,
20 vocabulary, and comprehension. ~~Some students may~~ Students who require
21 intensive supplemental instruction tailored to the unique difficulties

1 encountered shall be provided those additional supports by an appropriately
2 licensed and trained education professional.

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

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

14 (1) supplemental reading instruction to any enrolled student ~~in grade~~
15 ~~four~~ whose reading proficiency falls below ~~third grade reading expectations~~
16 proficiency standards for the student's grade level or whose reading
17 proficiency prevents success in school, as identified using the tiered system of
18 supports, as defined under ~~subdivision 164(9)~~ section 2902 of this title;

19 (2) supplemental reading instruction to any enrolled student ~~in grades 5-~~
20 ~~12~~ whose reading proficiency creates a barrier to the student's success in
21 school; and

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

2 Sec. 4. EFFECTIVE DATE

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

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10 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE