



**Testimony Provided to:** Vermont Senate Education  
**From:** The Vermont Council of Special Education Administrators (VCSEA)  
The Vermont Curriculum Leaders Association (VTCLA)  
**Topic:** S.204: Reading Assessment and Intervention  
**Date:** February 7, 2024

Over the last several years, the Vermont legislature has heard from a number of stakeholders, including experts, about literacy instruction and what we need to do to address struggling learners. The Vermont Council of Special Education Administrators (VCSEA) and the Vermont Curriculum Leaders Association (VTCLA) support efforts to improve reading achievement, with a particular focus on grades K-3. We believe that it is critical to improve instructional practice and have schools provide the necessary interventions to support struggling learners to ensure that all learners are successful readers.

VCSEA and VTCLA offer the following input on S.204:

1. **The AOE will approve Universal Screeners for use by public schools and approved independent schools:** Choosing Universal Screeners should remain with the Local Education Agent (LEA). As outlined in Vermont's Education Quality Standards (Series 2000, section 2123.2) school systems have a requirement to develop and implement a Local Comprehensive Assessment System to assess state-approved standards, and the local proficiencies and priority standards. In addition, 16 V.S.A. § 2902, and VTmtss Field Guide outline requirements to provide universal and needs-based follow-up assessment to inform student support (2123.2.e). School systems have already developed their assessment systems, dedicating resources (time and money) to train educators, adopt screeners, and use these assessments to inform needs-based intervention and support.
2. **School Districts and approved independent schools to screen students in K-3 using universal reading screeners. Screening for dyslexia characteristics shall be administered for students in Kindergarten and 1st grade, and when students show deficits in reading and spelling.** We have concerns about requiring a single dyslexia screener for students K-12 for the following reasons:
  - The Individuals with Disabilities Education Act (IDEA) and the Vermont Special Education Rules and Regulations already require school districts to identify students who may have an IDEA-eligible disability through our ChildFind requirements ((IDEA 34 C.F.R § 300.111 and VT Special Education Rules and Regulations Rule 2360.3).
  - There is little research to support the effectiveness of a dyslexia screening tool:

- a. Screeners have an extremely high rate of “false positives” - some studies point to a 50-60% error rate
  - b. Identifying all struggling readers as possibly having dyslexia masks the true problem with literacy instruction: a lack of effective, expert reading instruction for all learners (good first instruction).
  - c. Screening instruments are inherently inconsistent across schools, resulting in very limited predictive validity.
  - d. There is no direct positive relationship between screening assessments and reading outcomes.
- Screening instruments do not provide diagnostic or instructional information as to why the student is underperforming. Without information to inform instruction, educators cannot take action on behalf of the student.
  - Universal and follow-up screenings and benchmark assessments are already a part of a comprehensive assessment system within MTSS.

Schools across the state currently use universal screening and follow-up assessment in areas of early literacy including alphabetic principles, phonemic awareness, phonics, fluency, vocabulary and comprehension.

### **3. School Districts and approved independent schools to provide reading intervention**

**for students who exhibit substantial deficiencies in reading.** This provision creates policy redundancy and may disrupt systems recently put in place. Vermont has existing state policy (16 V.S.A. § 2902, VTmtss Field Guide, and Act 173) requiring schools to provide multi-tiered systems of support (VTmtss) for needs-based supports. School systems must develop and implement assessments within a Comprehensive Local Assessment System and a multi-tiered system of support to assess state standards, and to implement needs-based support and intervention for students below proficiency. VT special education rules and regulations also require MTSS data to answer the specific learning disability question in a special education evaluation (IDEA 34 C.F.R. § 300.307-300.311 and VT Special Education Rules and Regulations Rule 2362.2.5). The VT AOE has provided schools with guidance for determining a specific learning disability which includes requiring schools to provide evidence of scientific research-based instruction and interventions. [K-12 Special Education Evaluation Implementation Guide](#) (please see pages 21-23, and 59).

### **4. School Districts and approved independent schools to provide families with**

**notifications of identified reading deficiencies.** This provision creates policy redundancy and could serve to confuse currently required parental notification systems. This rule currently exists within VT schools’ Multi-tiered Systems of Support (VTmtss) and the new special education rules for determining a specific learning disability. Documentation of parental notification throughout the layers of support is required. [K-12 Special Education Evaluation Implementation Guide](#) (please see page 59).

### **5. School Districts and approved independent schools to report certain reading performance data to the AOE.**

*(k) Students who do not make meaningful gains to lessen a reading deficiency after a General education intervention program shall be referred for special education Evaluation, or sooner if an educational disability is suspected.*

This provision creates policy redundancy and could create confusion with the special education rules and regulations that are already in place. The federal Individuals with Disabilities Education Act (IDEA) and the Vermont Special Education Rules and Regulations require Districts to follow

Child Find procedures when a child is suspected of having a possible disability (IDEA 34 C.F.R § 300.111 and VT Special Education Rules and Regulations Rule 2360.3). Additional guidance has been provided to VTschools in the VT AOE [K-12 Special Education Evaluation Implementation Guide](#) (pp.26-32).

**6. Some students require intensive supplemental instruction tailored to the unique difficulties encountered, which a school reading specialist shall provide.**

We agree that struggling learners require the most qualified educator to deliver their instruction. With current staffing challenges across the state and schools with educators with varied endorsements, flexibility in the role may be needed. Some schools have master educators with literacy expertise but they may lack a literacy specialist endorsement. We ask you to consider this as you discuss amendments to the bill. The current staffing challenges across the state coupled with the budget constraints will make it difficult for Districts to hire licensed reading specialists.

**7. The bill is slated to go into effect July 1, 2024.** Time will be needed for schools to develop and implement the provisions of this proposed bill. **Consider moving the implementation date to January 1, 2026.**

**8. The bill changes the process for curriculum and assessment development.** Current policy and requirements (Education Quality Standards, Act 173, Act 77) authorize school systems with the development and implementation of curriculum aligned to approved state standards and local proficiencies. Similarly, Act 77 and 173 emphasize a balance between establishing rigorous learning expectations for all with a need to personalize learning and provide flexible pathways. Additional mandates potentially disrupt that balance and compromise districts' capacity to provide authentic personalized learning and flexible pathways. Mandates outside the current policy requirements take the statutory authority away from school systems, and could serve to disrupt systems designed to encourage personalized learning.

Our organizations are appreciative of the focus and effort to improve literacy achievement. As you work on this bill we ask you to consider ways to align this bill with existing federal and state requirements in order to avoid policy redundancy and systemic confusion, as well as consider the time needed to develop and implement shifts in literacy assessment, instruction and support.

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**Four Dyslexia Screening Myths That Cause More Harm than Good in Preventing Reading Failure and What You Can Do Instead**

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