

CYNTHIA GARDNER-MORSE, M. Ed.
Literacy Tutor
Cold Spring Farm
Calais, Vermont 05648
tutoringgm@gmail.com

Testimony to the Senate Education Committee
February 20, 2025

Thank you for taking testimony on S.15, An act relating to providing supplemental reading instruction in all schools. Though I am a member of the Advisory Council on Literacy, I am not here representing the Council. I am speaking only for myself.

For the record, I am Cynthia Gardner-Morse. I am here because I am a concerned citizen. I am the parent of three well-educated, gainfully employed, tax-paying people with dyslexia. I live in Calais where I grew up, in an 1850's farmhouse built by my ancestors. I attended one-room schools and then U-32 High School which opened in time for my freshman year. I trained at UVM to become a teacher, and, frustrated when my Cabot first graders struggled to learn to read, I was fortunate to attend Harvard's Masters in Education program where I learned reading science.

I followed the testimony on the bill that resulted in Act 139 very closely. I was surprised and puzzled to learn that the new literacy law had changed § 2903 to include some, but not all, older struggling readers from receiving services.

As a literacy tutor, I have worked with many middle schoolers and adolescents who struggle to read. Almost always, my tutoring support is sought because a student is acting out in school. Once our tutoring begins to improve the student's reading skills, behaviors improve as well.

Reading is an absolutely fundamental skill in our literate society. Students who cannot read well are six times more likely to drop out of high school. 85% of youth in the juvenile court system are functionally illiterate. These students struggle with low self-esteem, emotional and

social issues, and face not only much-reduced educational and career opportunities, but poorer health outcomes.

Act 139 is bringing evidence-based instruction and assessment to Vermont's elementary schools. It requires parental notification when children are significantly below grade level. However, the specific language of Act 139 has created confusion for schools. Act 139 modified the previous wording in 16 V.S.A § 2903 that provided supplemental reading instruction for students at any grade level.

The question about this supplementary instruction for struggling readers in the upper grades arose at the September, 2024 meeting of the Vermont Advisory Council on Literacy. Literacy Council members interpreted the phrase, "such schools," differently. Did this include just schools with grades K, 1, 2, or 3, or schools of all grade configurations? When legal counsel determined that "such schools" referred to schools with grades K-3, this meant that under Act 139, struggling readers in schools without grades K-3 are not guaranteed the right to reading instruction in general education.

Before this Literacy Council discussion, I never questioned whether Act 139 covered all students or was limited to certain grade levels. This ambiguity was brought to the attention of the Vermont Agency of Education, among others, including Senator Martine Gulick, who then worked with legislative counsel to draft S.15. On February 6, Senator Gulick introduced this critical bill to eliminate the inequity and unfairness for struggling readers in grades 4-12 and restore prior intent to 16 V.S.A § 2903. She clarified that the intent of Act 139 was to bring the science of reading into schools by screening students in kindergarten through third grade, while also making sure that everyone was getting the supports they need regardless of where they were in school.

Senator Williams and Senator Weeks, who were both on the Senate Education Committee last year, agreed that this was indeed the intent of S.204, which became Act 139. Weakening existing education laws already on the books was never intended. Yet that is the result of the wording change.

Last December, I consulted an AOE staff member involved in Act 139, the new Read Vermont initiative. The employee stated:

We certainly are in agreement about the importance of supporting older readers, especially those whose proficiency falls below grade level and need additional supports.

Ensuring that all students have the support they need is a top priority.

AOE leadership has shown its commitment under Act 139 to improve literacy instruction K-12. They have invested staff and professional resources on K-3 screening, while making sure that teacher training and support includes grades K-12. The AOE's actions are in line with the legislative intent of Act 139. Restoring the intent of §2903 by passing S.15 makes legal sense.

Why not just wait and see how Act 139 works? Educational equity is expected in Vermont law. If this discrepancy of access to supplemental reading instruction remains in Vermont Statute, we are leaving schools and the state open to a lawsuit. This inequity can be found even within supervisory unions, where there are K-6, K-8, and K-12 schools, such as in the Greater Rutland County Supervisory Union.

I hope that the Vermont Legislature will promptly pass S.15 into law. S.15 is a minor language change that will make a big impact on student learning. Instead of limiting reading intervention to schools serving grades K-3, all public and approved independent schools would be included in this provision. All Vermont students not yet proficient in reading would receive evidence-aligned intervention to become proficient readers.