

TO: Vermont Legislators Serving on the Senate and House Education Committees  
FROM: Dorinne Dorfman, Ed. S., Ed. D., OG/A, Fulbright Scholar  
RE: **Support for S.15, An act relating to providing supplemental reading instruction in all schools**  
DATE: Thursday, February 20, 2025

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### **Testimony**

My name is Dr. Dorinne Dorfman and I have served as a teacher and principal in Vermont schools for nearly thirty years. In 2021, after earning a Master's Degree to become an Educational Specialist in Language/Literacy Science, I left school administration to teach evidence-aligned reading and writing to students in grades 5 through 8 at Barre Town Middle and Elementary School. I made this decision after witnessing the school failure, behavioral problems, mental-health issues, and truancy among middle and high school students struggling in literacy, most of whom had not been identified with a disability, but nevertheless needed effective supplementary instruction by knowledgeable, trained professional educators. I needed to become that educator. Today I present to the Senate Education Committee as a private citizen and not as a representative of my school or any organization. This testimony is in support of [Senate Bill 15, An act relating to providing supplemental reading instruction in all schools](#). This is a small bill, akin to a technical correction, and one that can greatly improve student reading outcomes.

### **How did we get here?**

Last May the Vermont Legislature passed into law an evidence-based reading bill, [Act 139, An act relating to supporting Vermont’s young readers through evidence-based literacy instruction](#). This has ushered in long-needed change, from leadership at the Vermont Agency of Education and teacher professional development to school-wide assessments and classroom instruction. As often happens in the Legislature, two competing bills required reconciliation in a conference committee, where proceedings are closed to the public. This resulted in a complete surprise: changing a longstanding Vermont State Statute, 16 V.S.A § 2903 PREVENTING EARLY SCHOOL FAILURE; READING INSTRUCTION. Before Act 139, the law stated that (emphasis added)

a school shall provide

- (1) supplemental reading instruction to any enrolled student in grade four whose reading proficiency falls below third grade reading expectations, as defined under subdivision 164(9) of this title; proficiency standards for the student’s grade level or whose reading proficiency prevents progress in school.
- (2) supplemental reading instruction to any enrolled student in grades 5-12 whose reading proficiency creates a barrier to the student’s success in school;

Our statute had prioritized grade 4 and made the provision for students in grades 5-12 to receive supplemental reading instruction if below proficient. However Act 139 changed this section to include only schools that teach students in grades K, 1, 2, or 3. The language pertaining to

supplemental reading instruction for grades 4-12 was replaced with the limiting term of “such schools,” as shown below.

(c) Reading instruction. A public school or approved independent school that is eligible to receive public tuition that offers instruction in grades kindergarten, one, two, or three shall provide ~~highly effective, research-based~~ systematic and explicit evidence-based reading instruction to all students. In addition, ~~a school~~ **such schools** shall provide:

(1) supplemental reading instruction to any enrolled student ~~in grade four~~ whose reading proficiency falls below ~~third grade reading expectations, as defined under subdivision 164(9) of this title;~~ proficiency standards for the student’s grade level or whose reading proficiency prevents progress in school.

(2) supplemental reading instruction to any enrolled student ~~in grades 5–12~~ whose reading proficiency creates a barrier to the student’s success in school; and

The term, “such schools,” has been interpreted by legal council to mean only schools with K-3 students. That means struggling readers in grades 4-12 shall have access to supplemental instruction in the general education program *only if their school also houses grade K, 1, 2, or 3.* Struggling readers who attend middle and high school no longer have the right to foundational reading instruction in general education. This is not just an enormous inequity between the supplemental instruction schools provide, but even within districts that include schools with different grade configurations.

Vermont’s passage of Act 139 was both long overdue and behind other states. The law aligns with reading research, stating (**emphasis added**):

All students need to receive systematic and explicit evidence-based reading instruction in the early grades from a teacher who is skilled in teaching the foundational components of reading including phonemic awareness, phonics, fluency, vocabulary, and comprehension. Students who require intensive supplemental instruction tailored to the unique difficulties encountered shall be provided those additional supports by an appropriately trained education professional.

Unfortunately right now, that supplemental instruction is only available to grades K-3 and to a very limited number of students in grades 4-12.

### **Where do we go from here?**

I do not believe that any Vermont legislator knowingly voted to abolish supplemental reading instruction in grades 4-12 in schools without K-3 students. Yet this is the effect of current language in Vermont reading law. Senate Bill 15 makes a small change to restore the previous language that was on the books for many years. If passed, 16 V.S.A. § 2903 PREVENTING EARLY SCHOOL FAILURE; READING INSTRUCTION would be amended to read:

(c) Reading instruction. A public school or approved independent school that is eligible to receive public tuition that offers instruction in grades kindergarten, one, two, or three shall provide systematic and explicit evidence based reading instruction to all students. In addition, ~~such~~ all public schools and approved independent schools that are eligible to receive public tuition shall provide supplemental reading instruction to any enrolled student whose reading proficiency falls below proficiency standards for the student's grade level or whose reading proficiency prevents progress in school.

S.15 will restore the prior language, strengthened by the positive impact of Act 139.

The people of Vermont have committed to students receiving evidence-based reading instruction and supplemental intervention, so that all can access challenging opportunities in all subject areas, to pursue higher education options of their choice, to thrive in promising careers, and to achieve their dreams of lifelong learning. Passing Senate Bill 15 into law is a minor adjustment, more like a technical correction, to restore equity across our schools and help more students learn to read well. Thank you for your consideration and dedication to the success of Vermont's children.

Included with my written testimony are two appendices. One shares the performance of Vermont 4th and 8th graders on the 2024 NAEP reading assessment, which has further declined. The other is my testimony given a year ago that explains why our state needed literacy law grounded in reading science.

## **Appendices**

Appendix I: Performance of Vermont 4th and 8th graders on the National Assessment of Educational Progress (NAEP), the Nation's Report Card

Appendix II: Testimony in Support of S.214 (Act 139), January 2024