

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.