

1 H.826

2 Introduced by Representatives Buss of Woodstock, Austin of Colchester,
3 Bartley of Fairfax, Elder of Starksboro, Farlice-Rubio of Barnet,
4 Gregoire of Fairfield, Headrick of Burlington, Hyman of South
5 Burlington, Logan of Burlington, Mulvaney-Stanak of
6 Burlington, Pajala of Londonderry, Priestley of Bradford,
7 Roberts of Halifax, and Stebbins of Burlington

8 Referred to Committee on

9 Date:

10 Subject: Education; Agency of Education; literacy; educator preparation;
11 reading screening; curriculum

12 Statement of purpose of bill as introduced: This bill proposes to do the
13 following:

14 (1) create the Center of Literacy Research and Reading Success within
15 the Agency of Education to oversee Statewide literacy assessment, instruction,
16 and training;

17 (2) create requirements for screening students for reading proficiency;

18 (3) create requirements for instructional responses for students that
19 exhibit reading deficiencies;

20 (4) create requirements for scientifically based literacy instruction;

1 (5) prevent the use of instruction that incorporates the three-cueing
2 system;

3 (6) create standards for educator preparation programs and educator
4 licensing regarding literacy instruction; and

5 (7) create and fund positions within the Agency of Education to support
6 statewide literacy work.

7 An act relating to student supports and literacy

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 * * * Student Supports and Literacy * * *

10 Sec. 1. 16 V.S.A. chapter 99 is amended to read:

11 CHAPTER 99. ~~GENERAL POLICY~~ STUDENT SUPPORTS AND

12 LITERACY

13 Subchapter 1. Student Supports

14 § 2901. SUCCESS FOR ALL STUDENTS IN THE GENERAL

15 EDUCATION ENVIRONMENT

16 * * *

17 Subchapter 2. Literacy

18 § 2903. PREVENTING EARLY SCHOOL FAILURE; READING

19 INSTRUCTION

1 (a) Statement of policy. The ability to read is critical to success in learning.
2 Children who fail to read by the end of the first grade will likely fall further
3 behind in school. The personal and economic costs of reading failure are
4 enormous both while the student remains in school and long afterward. All
5 students need to receive systematic reading instruction in the early grades from
6 a teacher who is skilled in teaching reading through a variety of instructional
7 strategies that take into account ~~the different learning styles and language~~
8 ~~backgrounds of the students~~ students' specific learning needs based on
9 assessment. Some students may require intensive supplemental instruction
10 tailored to the ~~unique~~ specific difficulties encountered.

11 (b) Foundation for literacy. The Center of Literacy Research and Reading
12 Success, in collaboration with the State Board of Education, in collaboration
13 ~~with~~ the Agency of Human Services, higher education, literacy organizations,
14 and others, shall develop a plan for establishing a comprehensive system of
15 services for ~~early education in the first three grades~~ prekindergarten through
16 grade three to ensure that all students learn to read by the end of the third
17 grade. The plan shall be updated at least once every five years following its
18 initial submission in 1998.

19 (c) Reading instruction. A public school that offers instruction in grades
20 one, two, or three shall provide highly effective, research-based reading
21 instruction to all students. ~~In addition, a school shall provide:~~

1 experience in structured literacy, reading disabilities, kindergarten through
2 grade 12 education, and postsecondary education.

3 (b) Responsibilities. The Center shall:

4 (1) ensure compliance with section 1710 of this title for all Vermont
5 postsecondary education institutions that offer education programs in
6 kindergarten through grade six elementary education, grades five through
7 12 English language arts, special education, reading specialization, and school
8 administration;

9 (2) guide school districts in educator professional development in
10 structured literacy and assessment;

11 (3) review and recommend resources for universal and targeted literacy
12 instruction;

13 (4) develop reporting measures for districts to follow;

14 (5) develop a model student reading plan with a checklist of targeted
15 skills;

16 (6) review and provide feedback on data reports submitted by school
17 districts;

18 (7) engage external literacy coaches who have expertise in structured
19 literacy to support school districts in the transition to scientifically based
20 practices;

1 (8) offer financial and other incentives to encourage schools with grades
2 five through 12 and career and technical centers to screen students for reading
3 deficiencies;

4 (9) develop and pilot in-person structured literacy programs that
5 effectively close reading gaps; and

6 (10) ensure students in grades five through 12 are prepared for
7 postsecondary and career pathways.

8 (c) Report. Beginning in January 2026, notwithstanding 2 V.S.A. § 20(d),
9 annually on or before January 15, the Center shall report on the progress and
10 status of school districts and Vermont postsecondary educational institutions in
11 the implementation of and compliance with this section. The report shall also
12 include information on the status of the reading performance of students in
13 kindergarten through grade six based on screening and progress monitoring
14 assessments.

15 § 2909. SYSTEMATIC ASSESSMENT FOR READING SCREENING,

16 PROGRESS MONITORING, AND INSTRUCTIONAL RESPONSE

17 (a) Selection of a universal reading screener. On or before September 1,
18 2025, the Center of Literacy Research and Reading Success shall identify and
19 contract for a universal reading screener, with proven psychometrics for
20 validity and reliability, to be used by school districts for all students in
21 kindergarten through grade three and for students below proficiency in grades

1 four through eight. The universal reading screener shall be selected from the
2 recommendations contained in the National Council on Teacher Quality’s
3 report entitled “The Four Pillars to Reading Success.” The Agency shall make
4 the universal screener available to districts at no cost.

5 (b) Screener contents.

6 (1) The screener shall be validated for both universal screening of
7 literacy proficiency and risk factors of reading deficiencies and disabilities. It
8 shall include a data collection system and an analysis of skills appropriate to
9 grade-level literacy benchmarks in the fall, winter, and spring of the school
10 year. The assessment shall monitor the progress of those students who do not
11 meet the screening benchmarks to track institutional effectiveness. The
12 screener shall measure skills based on grade-level predictive measures,
13 including:

14 (A) letter sound and naming fluency;

15 (B) phonemic awareness;

16 (C) decoding accuracy of real and nonwords, which permits the
17 evaluation of phonics skills without the use of compensatory strategies, such as
18 memorization, whole word reading, looking at pictures, or guessing based on
19 context;

20 (D) decoding fluency of real and nonwords, which shall measure the
21 efficiency of single word reading to assess automaticity;

1 (E) oral reading fluency, which shall include rate and accuracy;

2 (F) reading comprehension;

3 (G) handwriting; and

4 (H) spelling inventory.

5 (2) The reading screener shall:

6 (A) be brief;

7 (B) assist in identifying students at risk for or currently experiencing
8 reading deficiencies; and

9 (C) produce data that:

10 (i) inform teachers' classroom instruction based on students'
11 performance and gaps in reading; and

12 (ii) inform the groupings of students based on instructional needs
13 for both in-class differentiated instruction and small-group and individual
14 intervention.

15 (c) Screening timing.

16 (1) All public schools and approved independent schools shall screen all
17 students in kindergarten through grade three using a universal reading screener
18 made available by the Agency. The universal screener shall be given in the
19 first 30 days after the start of the school year.

1 (2) For students who do not meet reading benchmarks, an instructional
2 assessment shall be conducted throughout the year to monitor reading progress
3 in response to targeted intervention and classroom instruction.

4 (3) Transfer students shall be screened within the first 30 days after the
5 student enrolls in a grade between kindergarten and grade eight if the student
6 transfers into the school or school district midyear.

7 (4) Any student at any grade level, kindergarten through grade 12, shall
8 be screened for reading deficiencies upon the request of the student, parent or
9 guardian, teacher, or other school personnel to determine if the student would
10 benefit from reading intervention within the school's multitiered system of
11 supports. This reading screening is not a comprehensive evaluation and shall
12 not be used for purposes of identifying a student with a disability or diagnosing
13 a disability.

14 (d) Instructional response.

15 (1) Each student who exhibits a reading deficiency below age-
16 appropriate benchmarks, as demonstrated through the approved universal
17 reading screener conducted in kindergarten through grade three, shall be
18 provided reading intervention within 20 school days following the
19 identification of the reading deficiency. Intervention includes the following as
20 an extension of explicit, systematic, and scientifically based core classroom
21 instruction:

1 (A) explicit, direct instruction that is systematic, sequential, and
2 cumulative without presuming prior skills or knowledge of the student outside
3 of screening and instructional assessment results;

4 (B) individualized instruction to meet the specific needs of a student
5 in a setting that uses intensive, highly concentrated instruction methods and
6 materials that maximize student engagement as indicated by the student's
7 learning needs; and

8 (C) intervention services targeting the skills below benchmark shall
9 be delivered by an individual with sufficient training in scientifically based
10 instructional approaches.

11 (2) Schools shall provide all students below proficiency a prescriptive
12 reading instruction plan, which shall include, at a minimum, the following:

13 (A) a report of the student's specific reading skill strengths and
14 deficiencies as determined by data collected by the universal reading screener,
15 instructional assessment, progress-monitoring assessment or assessments, and
16 other applicable assessments;

17 (B) individual goals and benchmarks for growth toward grade-level
18 proficiency;

19 (C) a description of instructional services and interventions the
20 student will receive, including the frequency, duration per session, group size,

1 and instructional materials used, as well as the start and end dates of the
2 service and intervention;

3 (D) the scientifically based reading curriculum program or programs
4 used in the service or intervention; and

5 (E) any additional services the teacher deems appropriate to support
6 the student's academic and emotional development, such as executive
7 functioning support or counseling.

8 (3) A school's instructional and intervention resources shall not include
9 approaches that employ the three-cueing system to identify or decode words.

10 (4) Progress shall be monitored and documented in the student reading
11 plan at least one time each in the fall, winter, and spring and shall be based on
12 the targeted reading skill deficiencies to ensure interventions are effective.

13 (5) Teachers shall analyze students' reading progress based on
14 monitoring and make appropriate changes to enhance student growth. Changes
15 may include curricular programs, instructional approaches, and group size,
16 frequency, and duration.

17 (e) Parent notification. The parent or guardian of any student who
18 performs below grade level in reading at any time during the school year shall
19 be notified in a dated, written communication, not later than 14 calendar days
20 after the identification of the reading deficiency, and the written notification
21 shall include the following:

1 (1) notification that the student has been identified as having a
2 deficiency in reading and a reading improvement plan will be developed by the
3 teacher, principal or designee, reading specialist, and other applicable school
4 personnel;

5 (2) an invitation to the parent or guardian to participate in the creation
6 and support of the reading plan;

7 (3) the importance of students performing at grade-level reading
8 proficiency; and

9 (4) notification that the parent or guardian will be informed in writing of
10 the student's progress towards grade-level reading proficiency based on
11 assessments conducted in the fall, winter, and spring of the school year, which
12 shall include percentiles or benchmarks to demonstrate the student's progress.

13 § 2910. LITERACY CURRICULUM AND INSTRUCTION FOR ALL
14 STUDENTS

15 (a) Structured literacy. School districts that provide elementary education
16 and prekindergarten through grade 12 special education shall provide
17 measurable, scientifically based instruction in literacy for all students from
18 kindergarten through grade five. Structured literacy includes explicit, direct
19 instruction that is systemic, sequential, and cumulative and provides time for
20 sufficient practice for attaining skill mastery. Literacy instruction and
21 instructional materials shall be scientifically based and grounded in scientific

1 research. Scientifically based reading instruction shall have an ultimate goal of
2 promoting reading accuracy, automaticity, and comprehension and shall
3 include the following specific essential components:

4 (1) oral language development;

5 (2) phonemic awareness;

6 (3) letter name knowledge;

7 (4) handwriting;

8 (5) understanding of the alphabetic principle;

9 (6) morphology;

10 (7) spelling;

11 (8) semantics or vocabulary;

12 (9) syntax;

13 (10) verbal reasoning; and

14 (11) text structures.

15 (b) Prohibition on three-cueing system. Beginning in the 2024–2025
16 school year, school districts and approved independent schools that intend to
17 accept public tuition shall be prohibited from providing instruction that
18 incorporates the three-cueing system in the reading curriculum or supplemental
19 materials, including materials used for reading intervention, for any grade
20 level.

1 § 2911. READING OUTCOME REPORT

2 Notwithstanding 2 V.S.A. § 20(d), annually on or before each September 1,
3 each school board shall report, in writing, the following information from the
4 prior school year to the Agency:

5 (1) by grade and school, the number and percentage of students screened
6 using the universal reading screener;

7 (2) by grade and school, the number and percentage of students
8 identified with a reading deficiency;

9 (3) by grade and school, the number and percentage of teachers trained
10 in structured literacy among general and special education faculty; and

11 (4) the number of training hours, training providers, and materials for
12 teacher training and classroom use, including curriculum and instruction.

13 Sec. 2. AGENCY OF EDUCATION; POSITIONS; APPROPRIATIONS

14 (a) Positions. The following positions are created in the Agency of
15 Education:

16 (1) one full-time, permanent, exempt Director for the Center of Literacy
17 Research and Reading Success;

18 (2) two full-time, permanent, classified positions to staff the Center of
19 Literacy Research and Reading Success; and

1 (3) three full-time, permanent classified positions to provide ongoing
2 development and coaching content related to scientifically based reading
3 instruction.

4 (b) Appropriations.

5 (1) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary,
6 the sum of \$450,000.00 is appropriated from the Education Fund to the
7 Agency of Education in fiscal year 2025 for salary, benefits, and operating
8 expenses for the Center of Literacy Research and Reading Success positions
9 created under subdivisions (a)(1) and (2) of this section.

10 (2) The sum of \$200,000.00 is appropriated from the General Fund to
11 the Agency of Education in fiscal year 2025 to fund expenses related to
12 curriculum development and literacy coaching provided by the Center of
13 Literacy Research and Reading Success pursuant to 16 V.S.A. § 2908.

14 (3) Notwithstanding any provision of 16 V.S.A. § 4025 to the contrary,
15 the sum of \$450,000.00 is appropriated from the Education Fund to the
16 Agency of Education in fiscal year 2025 for salary, benefits, and operating
17 expenses for the three positions created to provide ongoing development and
18 coaching content related to tiered systems of supports and educational support
19 teams under subdivision (a)(3) of this section.

1 * * * Educator Preparation and Licensing * * *

2 Sec. 3. 16 V.S.A. § 1709 is added to read:

3 § 1709. STRUCTURED LITERACY EDUCATOR TRAINING

4 (a) All professionally licensed educators with endorsements in elementary
5 education, English language arts, or special education, as well as literacy
6 coaches, reading specialists, English learner teachers, and other educators
7 providing literacy instruction or intervention, shall participate in professional
8 development or coursework in structured literacy. Elementary principals,
9 curriculum directors, special education directors, and members of literacy and
10 multitiered systems of support teams shall participate in structured literacy
11 professional development or coursework suitable for such supervisory roles.
12 Educators working in other subjects, such as social sciences, mathematics, the
13 sciences, physical health and education, the arts, and school counseling shall
14 be encouraged to pursue professional training in structured literacy,
15 particularly for teaching morphology, vocabulary, comprehension, and writing.

16 (b) Structured literacy training pursuant to subsection (a) of this section
17 shall amount to a minimum of five days or 30 hours, followed by continuing
18 professional development and support from the school system.

19 (c) The Agency of Education shall ensure that educator professional
20 development and coursework meet the criteria for effective structured literacy

1 curriculum, instruction, and assessment, using the following standards as a
2 guide:

3 (1) knowledge of foundations of literacy acquisition, which includes
4 understanding the language processing requirement and the reciprocal
5 relationships of proficient reading and writing, which include phonological,
6 orthographic, semantic, syntactic, and discourse;

7 (2) knowledge of diverse reading profiles, which includes:

8 (A) knowing the fundamental provisions of federal and State laws
9 that pertain to learning disabilities;

10 (B) identifying the distinguishing characteristics of reading
11 disabilities;

12 (C) understanding how reading difficulties vary in presentation and
13 degree; and

14 (D) understanding how and why symptoms of reading difficulty are
15 likely to change over time in response to development and instruction;

16 (3) knowledge of assessment, which includes:

17 (A) understanding the differences among and purposes for screening,
18 progress-monitoring, diagnostic, and outcome assessments;

19 (B) understanding basic principles of test construction and formats
20 such as reliability, validity, criterion, and normed;

1 (C) knowing and utilizing in practice informal diagnostic surveys of
2 phonological and phoneme awareness, decoding skills, oral reading fluency,
3 comprehension, spelling, and writing; and

4 (D) knowing how to read and interpret the most common diagnostic
5 tests used by psychologists, speech-language professionals, and educational
6 evaluators;

7 (4) knowledge of structured literacy instruction, which includes:

8 (A) understanding and teaching the general principles and practices
9 of structured language and literacy teaching, including explicit, systematic,
10 cumulative, and teacher-directed instruction;

11 (B) understanding the rationale for and teaching multimodal language
12 learning techniques;

13 (C) phonology, which means understanding the rationale for and
14 being able to identify, pronounce, classify, and compare all of the consonant
15 phonemes and all of the vowel phonemes of English;

16 (D) orthography, which means understanding and teaching the
17 structure of English orthography and the patterns and rules that inform the
18 teaching of single and multisyllabic regular word reading;

19 (E) fluency, which means understanding and teaching the role of
20 fluent word level skills in automatic word reading, oral reading fluency,
21 reading comprehension, and motivation to read;

1 (F) vocabulary, which means understanding and teaching vocabulary
2 development and vocabulary knowledge in oral and written language
3 comprehension;

4 (G) comprehension, which means understanding and teaching the
5 factors that contribute to deep comprehension and application of explicit
6 comprehension strategy instruction, as supported by research;

7 (H) text types, which means understanding and teaching instructional
8 routines appropriate for each major genre, including informational text,
9 narrative text, and argumentation; and

10 (I) written expression, which means understanding and teaching in
11 major skill domains that contribute to written expression, including:

12 (i) research-based principles for teaching letter formation, both
13 manuscript and cursive;

14 (ii) research-based principles for teaching written spelling and
15 intuition;

16 (iii) research-based principles for teaching syntax, sentence
17 writing, and paragraph writing;

18 (iv) developmental phases of the writing process; and

19 (v) appropriate uses of assistive technology in written expression;

20 and

21 (5) professional dispositions, which includes:

1 (A) striving to do no harm and to act in the best interest of readers
2 with reading difficulties, including dyslexia;

3 (B) maintaining the public trust by providing accurate information
4 about currently accepted and scientifically supported best practices in the field;

5 (C) avoiding misrepresentation of the efficacy of educational or other
6 treatments or the proof for or against those treatments;

7 (D) respecting objectivity by reporting assessment and treatment
8 results accurately, honestly, and truthfully;

9 (E) avoiding making unfounded claims of any kind regarding the
10 training, experience, credentials, affiliations, and degrees of those providing
11 services;

12 (F) avoiding conflicts of interest when possible and acknowledging
13 conflicts of interest when they occur;

14 (G) supporting just treatment of individuals with reading difficulties,
15 dyslexia, and other learning differences;

16 (H) respecting the confidentiality of students or clients; and

17 (I) respecting the intellectual property of others.

18 (d) Newly licensed educators shall complete the professional development
19 or coursework required under this section within the first six months following
20 the date of hire by a school district.

1 Sec. 4. STRUCTURED LITERACY EDUCATOR TRAINING

2 TRANSITION

3 (a) Educators with endorsements in elementary education, English
4 language arts, or special education, as well as literacy coaches, reading
5 specialists, English learner teachers, and other educators providing literacy
6 instruction or intervention, who hold a valid educator license on July 1, 2024
7 shall comply with the professional development requirements contained in
8 16 V.S.A. § 1709 not later than September 1, 2026. School boards shall be
9 responsible for ensuring compliance under this subsection.

10 (b) Elementary principals, curriculum directors, special education directors,
11 and members of literacy and multitiered systems of support teams who hold a
12 valid educator license shall comply with the professional development
13 requirements contained in 16 V.S.A. § 1709 not later than September 1, 2026.
14 School boards shall be responsible for ensuring compliance with this
15 subsection.

16 Sec. 5. 16 V.S.A. § 1710 is added to read

17 § 1710. LITERACY PRESERVICE TRAINING AND LICENSURE

18 (a) The Standards Board for Professional Educators shall ensure that its
19 standards for Vermont educator preparation programs offering education
20 programs in elementary education, English language arts, special education,

1 reading specialization, and school administration require undergraduate and
2 graduate students to successfully complete coursework grounded in:

3 (1) structured literacy; and

4 (2) research in the science of reading, focused on:

5 (A) reading and writing curriculum;

6 (B) instruction; and

7 (C) assessment.

8 (b) The standards required under subsection (a) of this section shall
9 prohibit a Vermont educator preparation program from teaching approaches
10 and programs that recommend or employ the three-cueing system.

11 (c) Beginning June 1, 2026, the Standards Board shall ensure that its
12 standards for obtaining an educator endorsement in elementary education,
13 reading specialist, or literacy coach require candidates to earn a passing score
14 on a standardized examination assessing knowledge of the foundations of
15 reading, selected by the Center of Literacy Research and Reading Success, in
16 consultation with the Standards Board.

17 Sec. 6. LITERACY PRESERVICE TRAINING AND LICENSURE

18 TRANSITION

19 (a) The Standards Board for Professional Educators shall ensure that all
20 applicable Vermont postsecondary educational institutions comply with
21 16 V.S.A. § 1710(a) not later than September 1, 2025.

1 (b) The Center of Literacy Research and Reading Success, in consultation
2 with the Standards Board, shall select the standardized exam required under
3 16 V.S.A. § 1710(c) on or before June 1, 2025.

4 Sec. 7. POSTSECONDARY EDUCATIONAL INSTITUTIONS

5 COMPLIANCE; REPORT

6 (a) On or before November 1, 2026, the Standards Board for Professional
7 Educators shall issue a written report to the General Assembly regarding the
8 progress of all Vermont postsecondary educational institutions that offer
9 educator preparation programs in elementary education, English language arts,
10 special education, reading specialization, and school administration in
11 complying with the requirements of Sec. 4 of this act.

12 (b) The report shall describe how each institution addresses the components
13 of explicit, direct, systematic, sequential, and cumulative structured literacy,
14 including the following concepts:

15 (1) beginning to advanced concepts in oral language development;

16 (2) phoneme awareness;

17 (3) letter name and letter sound knowledge;

18 (4) handwriting;

19 (5) understanding of the alphabetic principle;

20 (6) spelling;

21 (7) morphology;

1 (8) semantics or vocabulary;

2 (9) syntax;

3 (10) verbal reasoning;

4 (11) text structures, with the goals of reading accuracy, automaticity,
5 and comprehension;

6 (12) the administration, recording, and analysis of reliable, valid reading
7 assessments for informing instruction;

8 (13) the creation of instructional groups; and

9 (14) the remediation of deficiencies.

10 (c) The report shall further include the following information regarding the
11 literacy courses offered by applicable institutions:

12 (1) course titles, descriptions, and credit worth;

13 (2) recommended sequence of course competition; and

14 (3) graduation requirements for completing educator preparation
15 programs in:

16 (A) elementary education;

17 (B) English language arts;

18 (C) English learner education;

19 (D) special education;

20 (E) reading specialization; and

21 (F) school administration.

1 * * * Effective Date * * *

2 Sec. 8. EFFECTIVE DATE

3 This act shall take effect on passage.