

1 H.101

2 Introduced by Representatives Austin of Colchester and Jerome of Brandon

3 Referred to Committee on

4 Date:

5 Subject: Education; literacy support; grants

6 Statement of purpose of bill as introduced: This bill proposes to provide
7 assistance to supervisory unions in their implementation of 2018 Acts and
8 Resolves No. 173 by providing grant funding to build systems-driven,
9 sustainable literacy support for all students with measurable outcomes.

10 An act relating to the implementation of 2018 Acts and Resolves No. 173
11 by providing grant funding to build systems-driven, sustainable literacy
12 support for all students with measurable outcomes

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

14 Sec. 1. PURPOSE

15 The purpose of this act is to provide assistance to supervisory unions in
16 their implementation of 2018 Acts and Resolves No. 173 by providing grant
17 funding to build systems-driven, sustainable literacy support for all students
18 with measurable outcomes.

19 Sec. 2. FINDINGS

20 (a) In 2016 Acts and Resolves No. 148, the General Assembly directed the
21 Agency of Education to contract with a consulting firm to review current

1 practices and recommend best practices for the delivery of special education
2 services in school districts. The Agency of Education contracted with the
3 District Management Group, which issued in November 2017 its report entitled
4 “Expanding and Strengthening Best-Practice Supports for Students who
5 Struggle” (Report).

6 (b) This Report made the following five recommendations on best practices
7 for the delivery of special education services:

8 (1) ensure core instruction meets most needs of most students;

9 (2) provide additional instructional time outside core subjects to students
10 who struggle rather than providing interventions instead of core instruction;

11 (3) ensure students who struggle receive all instruction from highly
12 skilled teachers;

13 (4) create or strengthen a systems-wide approach to supporting positive
14 student behaviors based on expert support; and

15 (5) provide specialized instruction from skilled and trained experts to
16 students with more intensive needs.

17 (c) In enacting 2018 Acts and Resolves No. 173, the General Assembly’s
18 goal was to enhance the effectiveness, availability, and equity of services
19 provided to all students who require additional support in Vermont’s school
20 districts, recognizing that changing the models for delivery of services and
21 funding for students who require additional support is a significant change for

1 school systems and their constituencies, and that they will require time and
2 assistance in making necessary accommodations.

3 (d) In Act 173, the General Assembly provided additional staff and
4 resources to the Agency of Education to support its work with supervisory
5 unions and schools that are transitioning to the best practices recommended in
6 the Report.

7 (e) Further support for supervisory unions and schools that are transitioning
8 to the best practices recommended in the Report are necessary, particularly in
9 the area of teaching literacy to students in kindergarten through grade 3, given
10 that proficiency in reading is an essential foundational skill for educational
11 success. According to a paper published by the World Literacy Foundation
12 website in April 2020 entitled “The Economic and Social Cost of Illiteracy: A
13 Snapshot of Illiteracy in a Global Context,” “UNESCO defines functional
14 illiteracy as ‘measured by assessing reading, writing, and mathematical skills
15 in the various domains of social life which influence individual identity and
16 insertion into society.’ From this perspective, literacy involves not only
17 reading and writing but also the acquisition of skills necessary for productive
18 performance within society.”

19 (f) According to the 2019 assessment of reading proficiency by the
20 National Assessment of Educational Progress, only 37 percent of Vermont

1 students in fourth grade were proficient in reading, and that percentage has
2 declined from 2002 (39 percent) and 2017 (43 percent).

3 (g) Ensuring that students in kindergarten through grade 3 learn to read at a
4 proficient level advances the best practices recommended in the Report, in
5 particular ensuring core instruction meets most needs of most students and
6 ensuring that students who struggle receive all instruction from highly skilled
7 teachers.

8 (h) According to new research reported in an article published by the New
9 York Times on June 5, 2020 entitled “Research Shows Students Falling
10 Months Behind Due to Virus Disruptions,” “by September 2020, most students
11 will have fallen behind where they would have been if they had stayed in
12 classrooms, with some losing the equivalent of a full year’s worth of academic
13 gains. Racial and socioeconomic achievement gaps will most likely widen
14 because of disparities in access to computers, home internet connections and
15 direct instructions from teachers.”

16 (i) According to a paper published on the Annenberg Institute at Brown
17 University website in June 2020 entitled “Projecting the Potential Impact of
18 COVID-19 School Closures on Academic Achievement,” “[s]tudents are likely
19 to return to school in the fall of 2020 with approximately 63-68% of the
20 learning gain in reading relative to a typical school year and with 37-50% of
21 the learning gains in math. However, we estimate that losing ground during

1 COVID-19 school closures would not be universal, with the top third of
2 students potentially making gains in reading. Thus, preparing for fall 2020
3 educators will likely need to consider ways to support students who are
4 academically behind and further differentiate instruction.”

5 Sec. 3. LITERACY GRANT PROGRAM

6 (a) Definitions. As used in this section:

7 (1) “Eligible applicant” means three or more supervisory unions
8 applying together for the same grant under this section.

9 (2) “Grant” means a grant provided under this section.

10 (3) “Participating supervisory unions” means the supervisory unions that
11 are applying together as an eligible applicant.

12 (4) “Program” means the Literacy Grant Program created by this
13 section.

14 (5) “Regional leadership team” means the superintendent or designee of
15 each participating supervisory union included in the grant application by the
16 eligible applicant, and two representatives of schools within those participating
17 supervisory unions appointed by the superintendent.

18 (b) Program creation and grant authorization.

19 (1) The Literacy Grant Program is created to enable supervisory unions
20 to work together in a sustained and targeted manner to adopt best practices in
21 teaching literacy instruction to students in kindergarten through grade three. In

1 recognition that literacy proficiency is a foundational learning skill, this
2 program is designed to assist supervisory unions implement 2018 Acts and
3 Resolves No. 173 by providing students with the literacy instruction necessary
4 to ensure that core instruction, to the extent practicable, is designed to
5 differentiate between students' different learning styles and abilities and that
6 students who are not attaining grade level benchmarks are identified and
7 instruction is delivered by master teachers experienced in the advancement of
8 the targeted grade level skills and understanding. Subject to the terms of the
9 program, grants shall be awarded to eligible applicants for two consecutive
10 years.

11 (2) The Agency of Education shall inform supervisory unions of the
12 availability of grants under this act and provide technical assistance to eligible
13 applicants in applying for these funds. The Agency of Education shall also
14 advise supervisory unions of other sources of funding that may be available to
15 advance the purpose of this act.

16 (c) Application for, and approval of, grant funding.

17 (1) On or before July 15, 2021, the Agency of Education shall develop
18 the application for the grant program and post the application on the Agency's
19 website.

20 (2) The application for the grant shall include:

1 (A) the members of the eligible applicant’s regional leadership team
2 and a description of its governance structure;

3 (B) the person or persons who will disperse the grant funds among
4 the participating supervisory unions, a description of the fiscal controls to
5 ensure proper accounting of these funds, and the eligible applicant’s program
6 budget;

7 (C) the literacy indicators and outcomes the eligible applicant seeks
8 to improve, which shall include each of phonemic awareness, phonics, reading
9 fluency, vocabulary, and comprehension, and any other areas of current best
10 practices in teaching literacy;

11 (D) the priority problems of practice in teaching and improving
12 literacy outcomes, including shared problems of practice across the
13 participating supervisory unions;

14 (E) the eligible applicant’s plan for improving literacy teaching and
15 outcomes, including how the proposed plan will strengthen the applicant’s
16 process towards ensuring that:

17 (i) core literacy instruction is designed, to the extent practicable,
18 to differentiate between students’ different learning styles and abilities; and

19 (ii) students who are not attaining grade level benchmarks are
20 identified and that instruction is delivered by master teachers experienced in
21 the advancement of the targeted grade level skills and understanding;

1 (F) how the eligible applicant will implement its plan for literacy
2 teaching and outcomes and a description of how it will achieve the purpose of
3 this act;

4 (G) how literacy results and outcomes will be measured and reported;

5 (H) how the eligible applicant will improve its tier 1 education under
6 16 V.S.A. § 2902 through this process; and

7 (I) how systems and processes developed through the grant funding
8 will be sustained.

9 (3) The Agency shall develop application scoring criteria consistent with
10 subdivisions (2)(A)–(I) of this subsection (c). On or before July 31, 2021, the
11 Agency shall send a copy of the grant application and scoring criteria, review
12 process, and selection criteria to the House and Senate Committees on
13 Education.

14 (4) Eligible applicants shall submit applications for grant funding to the
15 Agency of Education, which shall review those applications.

16 Following the application review process, the Agency shall recommend
17 applications to the Secretary for funding based on the review scores, funding
18 dollars available, and the Agency’s view of the applicant’s need for literacy
19 instructional support as compared with other applicants. The Secretary shall
20 make the final grant funding determination.

1 (5) Based on the Secretary’s determination, the Agency of Education
2 shall, on or before September 1, 2021, award the first year of grant funding, up
3 to \$100,000.00 per application, to successful applicants. The amount of this
4 funding shall be based on the applicant’s proposed budget, total availability of
5 funds, and the applicant’s need for literacy instructional support as compared
6 with other applicants. If the amount appropriated for this purpose is
7 insufficient to fully fund the grants under that section, then the grant amounts
8 that are awarded shall be prorated.

9 (6) The Agency of Education shall, on or before September 1, 2022,
10 award the second year of grant funding of up to \$100,000.00 per eligible
11 applicant. The amount of this funding shall be based on the applicant’s
12 proposed budget, total availability of funds, and the Secretary’s assessment of
13 the eligible applicant’s progress towards implementing its action plan to
14 improve literacy teaching and outcomes under subdivision (2)(F) of this
15 subsection. The Secretary may deny or reduce second-year grant funding if the
16 Secretary finds that the applicant has made insufficient progress towards
17 implementing its action plan. If the amount appropriated for this purpose is
18 insufficient to fully fund the grants under that section, then the grant amounts
19 that are awarded shall be prorated.

20 (d) Use of grant funds.

21 (1) Grant funds shall be used to:

1 (A) establish the eligible applicant’s regional leadership team and its
2 governance structure;

3 (B) implement the eligible applicant’s action plan to improve literacy
4 teaching and outcomes under subdivision (c)(2)(F) of this section; and

5 (C) measure the literacy results and outcomes under subdivision
6 (c)(2)(G) of this section.

7 (2) Grant funds may be used to:

8 (A) build literacy instructional leadership capacity to lead the
9 improvement of the quality of literacy teaching and for the improvement of
10 student learning;

11 (B) implement an instructional coaching model, as described in the
12 guidelines for implementing effective coaching systems issued by the Agency
13 of Education in March 2016 (Coaching Guidelines);

14 (C) implement a systems’ coaching model, as described in the
15 Coaching Guidelines;

16 (D) support educators in using collaborative data systems to promote
17 continuous improvement of literacy teaching and outcomes;

18 (E) provide focused training on the literacy indicators and outcomes
19 the eligible applicant seeks to improve, which, if offered, shall include each of
20 phonemic awareness, phonics, reading fluency, vocabulary, and
21 comprehension, and any other areas of focus in teaching literacy;

1 (F) employ universal design for literacy learning, which is a
2 framework to improve teaching and learning for all students based on scientific
3 research on how people learn;

4 (G) employ evidence-based structured literacy instruction, including
5 for students at risk for dyslexia or diagnosed with dyslexia; and

6 (H) employ any other proven method that builds sustainable
7 systemwide improvement in literacy delivery and outcomes.

8 (3) Required activities shall not be duplicative of existing programs and
9 activities.

10 (4) Grant funds may be used for hiring additional staff, providing
11 additional compensation to existing staff, or contracting with another entity or
12 entities to aid in the implementation activities under subdivision (1) of this
13 subsection.

14 (e) Monitoring, evaluation, and reporting.

15 (1) Each eligible applicant that receives a grant under this section shall
16 monitor the literacy skills of students in grades four through six who were
17 identified, when they were in kindergarten through grade three, as not meeting
18 grade level literacy benchmarks to determine if the literacy skills and
19 understandings from the additional literacy instruction under this act have been
20 sustained and mastered. Notwithstanding 2 V.S.A. § 20(d):

1 (A) on or before September 30, each eligible applicant that receives a
2 grant under this section shall report its monitoring findings to the Agency of
3 Education for each prior school year commencing with the 2022–2023 school
4 year and ending with the 2029–2030 school year; and

5 (B) on or before December 15 of each of 2023 through 2030, the
6 Agency of Education shall report to the General Assembly and the Governor
7 on the monitoring performed by eligible applicants for the prior school year,
8 with the results collated from all reporting eligible applicants in a readily
9 understood format and made publicly available on the Agency of Education’s
10 website.

11 (2) Not later than 30 calendar days after the one-year anniversary of
12 receiving a grant award under this section, the eligible applicant shall submit to
13 the Agency of Education a report that describes progress and concerns with the
14 implementation of the eligible applicant’s action plan to improve literacy
15 teaching and outcomes under subdivision (c)(2)(F) of this section.

16 (3) Notwithstanding 2 V.S.A. § 20(d), on or before each of January 15,
17 2024, 2027, and 2030, the Agency of Education shall report to the General
18 Assembly and the Governor on the overall impact of the grant program. The
19 report shall be made publicly available on the Agency of Education’s website.

1 Sec. 4. APPROPRIATION OF FUNDS

2 (a) Notwithstanding any provision of law to the contrary, \$800,000.00 is
3 appropriated from the Education Fund to the Agency of Education for fiscal
4 year 2022 designated for program grants under Sec. 3 of this act.

5 (b) The Agency of Education may set aside:

6 (1) not more than two percent of funds for informational and technical
7 assistance for eligible applicants as defined under Sec. 3(a)(1) of this act; and

8 (2) not more than two percent of funds for the evaluations required
9 under Sec. 3(f)(1) of this act.

10 Sec. 5. 16 V.S.A. § 261a is amended to read:

11 § 261a. DUTIES OF SUPERVISORY UNION BOARD

12 (a) Duties. The board of each supervisory union shall:

13 * * *

14 (18) Adopt a benchmark literacy assessment for all students in
15 kindergarten–grade three with scores that can be reported in a format
16 determined by the Secretary. The benchmark literacy assessment shall include
17 an assessment of each of phonemic awareness, phonics, reading fluency,
18 vocabulary, and comprehension.

19 * * *

20 Sec. 6. EFFECTIVE DATE

21 This act shall take effect on passage.