

Learn about the opportunities that Act 139 provides for teaching all students to read.

Act 139 Vermont's Literacy Law

The goal of Act 139 is to teach all students to read, using evidence-based instruction and assessments, teacher training, parental notification, and data collection. It has been in effect since its passage on May 11, 2024.

Children in kindergarten through 3rd grade, schools, teachers, principals, and parents/guardians are all affected by Act 139.

What are the five components of reading that are the foundation of evidence-based instruction?

- **Phonemic Awareness** - ability to hear and change the sounds in spoken words
- **Phonics** - knowing how sounds match up with letters so you can read and write words
- **Vocabulary** - knowing what words and phrases mean
- **Fluency** - reading smoothly, accurately, and with expression
- **Comprehension** - understanding the meaning of the text you read

What instruction and assessment is required by Act 139?

Reading instruction involves an **explicit approach** that models and breaks down complex concepts step-by-step, while students respond to show their understanding, and teachers provide immediate feedback to help them improve. It includes a **systematic approach** with a planned sequence of skills that moves from simple to complex and from common to less common, focusing on filling any reading gaps. It employs a **code-based approach** that teaches students how sounds match with letters, syllable patterns, word parts, and spelling rules. This **comprehension-based approach** helps students envision text meaning, look up new words, discuss what they read, and connect it to their prior knowledge.

What reading instruction is required in Act 139?

Public schools should use "evidence-based reading instruction" and check students' progress regularly. Reading lessons should happen every day and be included in all subjects. These lessons should follow a K-3 instructional sequence, teaching the skills students need for reading, from simpler to more complex.

Act 139 states that, "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."

In addition, Act 139 requires that supplemental instruction will be "tailored to the unique difficulties" students show and they "shall be provided those additional supports by an appropriately trained education professional." Act 139 specifically states that "any enrolled student in kindergarten through third grade whose reading proficiency falls below grade level or whose reading proficiency prevents progress in school" will receive "supplemental reading instruction."



What are the requirements for approved independent schools?

Independent schools must create a reading literacy plan that include:

- Student reading needs based on assessment data
- Reading assessment, instruction, intervention, and monitoring student progress
- Professional development for teachers

An independent school's plan may also include a literacy vision, goals, and priorities.

What does the law say about dyslexia?

If parents/guardians are informed that their child is significantly below the standard levels for reading or showing signs of dyslexia, or if they think their child might have dyslexia, they can contact the school for additional testing. Reach out to VFN for a sample letter to request an initial special education evaluation.

How do schools show that teachers have completed training in teaching and assessment?

Parents/guardians can ask the school about the evidence-based training that teachers have received for teaching students reading. They can also request the names of the literacy programs that the teachers use and the training received.

What should schools be sharing with parents/guardians?

Within 30 days of a school conducting screening assessments in grades K-3 reading, the school will notify parents/guardians if their child performs significantly below expectations. The notification letter will include:

- the name of the reading assessment and that date it was administered
- the screening results that show the student is significantly below grade expectation in reading
- the school's actions to address the student's gaps using differentiated or additional instruction using evidence-based literacy practices
- resources parents can use to help support their child's reading growth

Schools may also choose to include this additional information in the letter, or parents/guardians may request this from the school:

- the student's strengths and weaknesses in the five components of reading
- the grade-level benchmark proficiency of the assessment
- whether the student shows characteristics of dyslexia
- if further testing is recommended
- the process for tracking how the student is growing in their reading abilities
- future reporting on the student's reading progress that school year

Schools are encouraged to contact parents/guardians by both email and regular mail and ensure this notification is accessible for speakers of other languages. Schools must notify parents/guardians at least annually in grades K-3.

Schools should provide proof that a student is making progress and will be able to catch up to their classmates and perform at grade level in a reasonable amount of time.

What can a parent request of their school if their student is not improving in reading?

After months of teaching, reading help, and special education services, if a student still isn't making progress or is doing worse on assessments, the school's literacy team needs to think about their reading program. Here are some steps they can take:

- Review the teaching methods and assessments to see how they address the student's reading gaps. They should also check for other issues, like missing many school days, that may set back the student's reading further. These issues should be addressed along with the reading difficulties.
- Adjust the instruction to focus on the specific areas where the student needs help.
- Change the group size for instruction, either to a small group (fewer than 5 students) or one-on-one teaching.
- Increase how often or how long the targeted reading lessons happen.
- Work together with other providers to support the targeted instruction throughout the school day.
- Keep parents/guardians informed about the student's progress and involve them in planning the next steps.



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What is recommended as evidence-based screeners?

Effective screening of elementary literacy skills should include the following grade-level measures:

- Letter sound and naming fluency
- Phonemic awareness
- Decoding accuracy for real words and made-up words
- Decoding fluency for real words and made-up words
- Oral reading fluency (how quickly and accurately a student reads)
- Reading comprehension (understanding what has been read)
- Handwriting
- Spelling (including regular and irregular spelling patterns)

It's not recommended to use certain tools that don't follow the principles of the science of reading. Some of these tools, which were used in many schools before, rely on the three-cueing system for reading words. This method is not supported by current research and consensus in the field. Three-cueing does not support student development in the five components of reading. Instead of teaching students to sound out words, the three-cueing system encourages students to guess words by looking at the picture or adding words they think could make sense in the sentence.



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In spring 2024, the Vermont Legislature passed Act 139, recognizing that not all schools were providing evidence-based reading instruction, and for years students' reading performance had steadily declined. Many researchers now believe that 95% of students can learn to read well when they receive evidence-based instruction in grades K-3. Act 139 is Vermont's commitment to fulfilling that promise, ensuring every student learns to read well and can access greater educational and career opportunities.

Additional Resources:

[International Dyslexia Organization](#)

[National Center on Improving Literacy](#)

[Overview of Act 139 Requirements and Recommendations for Local Education Authorities \(LEAs\) and Approved Independent Schools](#)

[Reading Rockets](#)

[Vermont Agency of Education - Read Vermont](#)

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