



**WILTON PUBLIC SCHOOLS**  
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December 14, 2023

Dear Commissioner Russell-Tucker,

I am writing in response to the reading curriculum or program waiver determination we received at 7:20pm on December 1st, 2023. The Connecticut State Department of Education (the "Department") denied our district's waiver application. In its denial, the Department offered a follow-up meeting with our district, to include a member of the Center for Literacy Research and Reading Success and the chair of our board of education. Our district is requesting such a meeting. We are formally requesting reconsideration of the Department's waiver determination. Our district believes that our reading curriculum meets the requirements of Section 10-14hh, and consequently the Department is required to issue a waiver. Given that the completed waiver template that we received from the Department is both incomplete and inaccurate, we do not have an accurate and complete understanding of the basis for the Department's denial of the waiver. Below we outline a number of our concerns with the Department's decision based on the information provided to us in the waiver template.

Wilton Public Schools meets the standards of 10-14hh

The district's reading curriculum or program meets the requirements for a waiver. Specifically, our reading curriculum or model is (1) evidenced-based and scientifically-based, and (2) focused on competency in the following areas of reading: Oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic name or letter name fluency and reading comprehension.

Evidence-based and scientifically-based curriculum or program

Wilton should have received a waiver from the Department based on the statutory criteria.

The statute (Section 10-14hh) provides that:

The Commissioner of Education, in consultation with the director of the Center for Literacy Research and Reading Success, *shall*, upon request of a local or regional board of education, *grant a waiver from the provisions of subsection (a) of this section to* such board to implement a reading curriculum model or program other than a model

or program reviewed and recommended pursuant to section 10-14ii, if the commissioner determines that *such other reading curriculum or model is (1) evidenced-based and scientifically-based, and (2) focused on competency in the following areas of reading: Oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic name or letter name fluency and reading comprehension.*

A request for a waiver under this subsection shall include (A) data collected from the reading assessments described in section 10-14t that has been disaggregated by race, ethnicity, gender, eligibility for free or reduced priced lunches, students whose primary language is not English and students with disabilities, and (B) a strategy to address remaining reading achievement gaps, as defined in section 10-14u.

As set forth in the waiver application, the district's curriculum meets the requirements outlined above. The Department's Waiver Review Tool provided on December 1, 2023 did not determine otherwise. More specifically, the Review Tool did not reach any negative conclusion regarding the evidence basis and scientific basis of the district's reading curriculum. Indeed, the district's application is aligned with the Department's requirements, as announced in December 2022, for demonstrating that its curriculum is evidenced-based and scientifically-based. The district submitted documentation demonstrating that the evidence basis and scientific basis supporting its curriculum, including:

- In Section II: The scope and sequence of the comprehensive programming "leverages findings from researchers" (and their evidence-based studies), including Dr. Nell Duke (2000, 2011, 2020), Dr. Susan Brady (2020, 2021), Dr. David Kilpatrick (2016), Dr. Elfrieda Hiebert, (2005, 2019), Dr. Patricia Cunningham, (2000), Dr. Donald Bear, (2018), Dr. Linnea Ehri, (2005, 2014), Dr. Tim Rasinski, (2021), Dr. Daniel Willingham, (2009, 2017), Dr. Isabel Beck, (2002), Dr. R.E. O'Connor (as retrieved from the What Works Clearinghouse, 2022), P. David Pearson, (2021). The Department is compelled to evaluate the instructional strategies *contained within a program*, not label a product/program. Instructional strategies in our comprehensive program draw on the non-exhaustive list of evidence-based research noted above. A link to the Abbreviated Literature Review that undergirds the 2022 Reading Units of Study, one component of our comprehensive K-2 literacy programming, was provided on page 6 of our waiver application.

The district notes that the Department without legal basis announced – eight months after school districts submitted waiver applications and without reopening the waiver process – that curriculum submitted by school districts must meet the standards of CURATE or EdReports, or be on a list of reading programs approved for Colorado school districts. The Department's actions are not authorized by the law. The statute does not permit the Department to impose additional criteria on districts. Further, the language of the statute does not in any way require districts to rely on specific sources or third-party lists in demonstrating compliance with the statutory criteria.

The Department's completed Review Tool document, with outcomes that appear to be generated through computer "autopopulation" and replete with serious errors, further demonstrates that reconsideration and reversal are warranted. The district seeks a fair and individualized reconsideration

based on the legal criteria established by statute. Alternatively, the district asks the Department to reopen its waiver application.

Wilton's curriculum or program addresses all areas of literacy identified in Section 10-14hh

As detailed in the Wilton's waiver application, the district's curriculum or program is focused on competency in oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic naming or letter naming fluency and reading comprehension as specified by the evidence-based research noted in Section II of the waiver application. The district's application details the specific ways in which each area of literacy is addressed. Some examples include:

- All program components rely on this phonics scope and sequence. As with sequences used by CSDE programs, our sequence "starts with the sound, builds to the phoneme, moves to writing and decoding, and skills practice builds in complexity as students progress through the grades (Amplify, *Program Guide*, 2022).
- The Units of Study Series in Reading (2022), Writing (2023), and Phonics (2017) offer extensive support for the development of foundational skills as specified by the evidence-based body of research outlined in Section II of our waiver application.
- The reading and phonics units offer evidence-based, explicit and systematic instruction to develop students' phonemic awareness and phonics knowledge and to help them draw on this knowledge as they read.
- Children are taught to word-solve by working on words in isolation as well as in context as specified by the body of evidence-based research outlined in Section II of our waiver application.
- There are many opportunities for children to rely on additive blending (Duke, 2016).
- There is consistent support for orthographic mapping to help students increase their sight vocabulary and automatize decoding so they can gradually focus more on higher-level comprehension skills (Kilpatrick, 2015).
- Phonological awareness extensions are included in every session of K–1 reading and writing units (Duke, 2016).

Reconsideration is appropriate here because the Waiver Review Tool document demonstrates that the Department failed to consider the district's curriculum model or program submitted in its application. The district's application included units of study published in 2017, 2022, and 2023. The Department, however, based its review on units of study published in 2018. While not a comprehensive list, the Department therefore failed to consider the following differences in the units of study that were reviewed:

- The 2022 Reading Units of Study in K–2 offer teachers concrete ways to bring the science of reading research—including explicit teaching of phonics application (from the 2017 Phonics Units of Study), engaging decodable texts, and an emphasis on knowledge generation—to early literacy classrooms. The differences in the areas of phonological and phonemic awareness, phonics, oral language development, fluency, rapid automatized naming, and reading comprehension are documented in sections III–XI of

our waiver. The 2022 reading units of study, the 2023 writing units of study, and the 2017 phonics units of study provide coherence of the planned progression of reading concepts across grades. Instructional sequences and strategies draw on the evidence-based research of Duke, Brady, Kilpatrick, Hiebert, Cunningham, Bear, Ehri, Pearson, Rasinski, O'Connor, Willingham, Pearson, and many others.

- In our 10.24.23 waiver conversation with the Department and PCG, the district's curriculum coordinator explained this coherence as she read:

*In the reading units of study, the phonics program complements and extends students' reading skills and strategies. As students engage in shared reading, guided reading, and independent reading activities, the phonics instruction supports their ability to decode and make sense of unfamiliar words encountered in texts. By explicitly teaching phonics skills and strategies that align with the reading units' focus, students are equipped with the tools needed to independently decode and comprehend texts, enhancing their overall reading fluency and comprehension.*

*The TC phonics program also intersects with the writing units of study, enhancing students' ability to express themselves effectively in writing. As students engage in writer's workshop and various writing tasks, the phonics and vocabulary instruction supports their spelling and word choice. By explicitly teaching phonics skills and strategies relevant to the writing units' focus, students develop a strong foundation in spelling and word formation, enabling them to accurately represent their ideas in writing (Zoom, 10.24.23, 10:30-10:55 am).*

Additionally, the Waiver Review Tool provided to the district failed to consider, among other aspects, the following areas of the application:

- Phonics: The sequence of the Units of Study in Phonics follows a pathway that is widely supported by an enormous body of research including the work of Bear, Beck, Blevins, Cunningham, Fountas, Pinnell, Rasinski, and others. In general, whether children are studying the Units of Study in Phonics or any one of many other programs, the sequence of topics they study will not be widely different. Children first develop phonemic awareness: learning to segment words into phonemes, to blend phonemes into word parts and words, and to rhyme and play with language. Simultaneously, children learn the alphabetic principle—learning letter names and sounds and formation. They also become immersed in concepts of print. Throughout all of this, kids learn high-frequency words. The waiver template erroneously states that the district did not provide examples of a sequenced, explicit systematic approach to phonics instruction. Links to scope and sequence and curriculum maps can be found on pages 6-8 of our waiver. In Section II the research foundation for the comprehensive programming is described, including a link to an abbreviated version of the Literature Review that undergirds the new K-2 Reading Units of Study, one of four components of our comprehensive literacy program in Kindergarten through Second Grade. It was also noted that there was not a scope and sequence

of how these collective programs will align as a comprehensive approach that provides coherence of the planned progression reading concepts across grades. This question was asked by the Department and PCG and answered by the district in our 10/24/23 waiver conversation. The curriculum coordinator read from a prepared script to answer these questions. The district's response is copied here:

*Our phonics instruction includes both content (letters, letter patterns, and sounds) and processes and understandings (alphabetic principle, phonemic analysis, blending, decoding, and meaning-making). Explicit instruction is a key component of our phonics program. Teachers explicitly teach students the specific sound-spelling relationships, rules, and patterns, leaving no room for ambiguity or guessing. This direct instruction helps students develop a clear understanding of how letters and sounds work together, enabling them to decode words accurately and efficiently. By explicitly teaching phonics skills, students gain the necessary tools to become independent readers and writers. Phonics instruction develops the brain's orthographic mapping system, bringing letters, sounds, meaning, and context together.*

*The sequence of our phonics program ensures that students learn phonics skills in a logical and progressive manner. The program starts with basic letter-sound correspondences and gradually introduces more complex phonics concepts as students advance. This step-by-step approach allows students to build upon previously learned skills, reinforcing their understanding and knowledge. By mastering one skill before moving on to the next, students develop a strong foundation that supports their ongoing reading and spelling development.*

*This systematic approach prevents gaps in learning and provides students with a comprehensive understanding of phonics. As students progress through the program, and through the reading and writing units of study, they continually review and practice previously taught skills, reinforcing their knowledge and increasing their fluency. Their progress is monitored with DIBELS and other screeners, and responsive lesson planning ensures mastery over exposure.*

*In the Phonics Units of Study, teachers cue transfer by asking students to search for words in their book baggies from independent reading that evidence the pattern taught in phonics. Similarly, students bring their writing folders to the phonics "rug club" and apply the phonics patterns as they work to edit their independent writing. In reading and writing units of study, teachers cue transfer by keeping the phonics patterns central in everything from studying high-frequency words, to shared reading and shared writing routines, to handwriting. You can see how each of these components of our programming, the 2022 reading units of study, the 2023 writing units of study, and the 2017 phonics units of study, work together and do not exist in silos. By cuing transfer of phonics learning within the broader context of the reading and writing units, the*

*program ensures that students receive a well-rounded and cohesive literacy education.*

*(Zoom, 10.24.23, 10:30-10:55 am)*

- Phonological and phonemic awareness: The Waiver Review Tool indicated that the Heggerty program does have explicit, systematic sequential cumulative instruction. The Heggerty program supplements our comprehensive programming, which includes the Reading Units of Study, Heinemann: 2022, the Writing Units of Study, Heinemann: 2023, and the Phonics Units of Study, Heinemann: 2017, none of which are documented as reviewed in the waiver template. All are noted on page 1 of our waiver as the literacy programs in use in our district. In fact, we are a year ahead of the schedule projected in that table, with the Writing Units of Study (2023) being fully implemented this year, 2023-24. Please see the long-standing, widely recognized research in the previous bullet.
- Fluency/Rapid automatic naming or letter naming fluency: The Waiver Review Tool indicates that there is no clear documentation that fluency is taught. Section III of our waiver, beginning on page 16, demonstrates that, and how, fluency is taught. Program writers collaborated with Dr. Timothy Rasinski, whose research on fluency is widely accepted as evidence-based. Video snippets of a collection, delineated below, were provided:
  - Kindergarten: 5 PA Units with 10 Videos Each, 39 HFW (high frequency words) Videos, 26 Letter Formation Videos
  - Grade 1: 5 PA Units with 10 Videos Each, 45 HFW Videos
  - Grade 2: 3 PA Units with 10 Videos Each

Additionally, in our 10.24.23 Waiver Conversation with the Department and PCG, the following response to the Department's question about fluency was read by the district's curriculum coordinator:

*We are all aware that automatic word reading frees up attention for comprehension. Reading with accuracy, efficiency, and expression is emphasized throughout all of our program's units K-5, using performative instructional practices like choral reading, echo reading, paired reading, and readers' theater. Teachers listen to students read frequently in all grades, in each unit, to provide individualized fluency feedback and instruction. Our shared reading protocols provide opportunities for repeated reading as well (Zoom, 10.24.23, 10:30-10:55 am).*

- Vocabulary: Page 13 of our waiver application documents how vocabulary is taught. This section of the waiver references the program developers' collaboration with Elfrieda Hiebert of the Text Project, formalizing decades of science-based research on reading comprehension and vocabulary acquisition. Additionally, in our 10.24.23 Waiver Conversation with the Department and PCG, the following response to the Department's question about vocabulary was read by the district's curriculum coordinator:

*Once children acquire some reading fluency, the main contributor to vocabulary growth is reading volume. As a result, we teach into independent reading in both decodable and authentic texts, positioning students as "word collectors." In addition to this implicit word*

*learning, we explicitly teach students new vocabulary in context, defining the word in kid-friendly terms, analyzing the word's structure, clarifying the word's use in context, and connecting it to a network of other words. This process is embedded in our shared reading routines. We also teach our students to figure out the meanings of words on their own, using morphological clues (looking inside a word) and context clues (looking around a word). We do not promote "guessing." Finally we ground our units in text sets to deepen both knowledge and vocabulary building (Zoom, 10.24.23, 10:30-10:55 am).*

- Reading comprehension: The Waiver Review Tool states there is no clear reference to sequential, cumulative, systematic approach to comprehension strategies and/or skills. On pages 6-7 of our waiver, a link to a comprehensive curriculum map across grades, complete with teaching points, unit by unit, was provided. Section II of our waiver application describes the evidence-based research, from which the instructional strategies contained in the comprehensive literacy program are derived. There is no evidence it was reviewed.

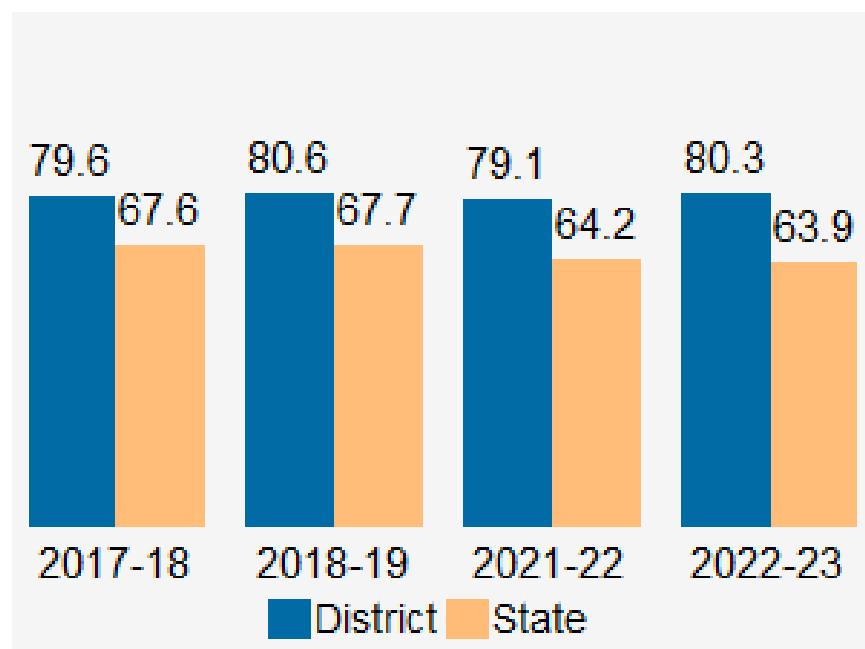
Further, The Waiver Review Tool indicates that the Department was missing information from the district. The Department informed school districts that it would reach out on an individual basis for any needed information. The district was not contacted by the Department for any additional information. Nevertheless, we asked on October 24, 2023 whether the Department needed any additional information, and the Department did not identify any information that needed to be provided. The district does not understand the Waiver Review Tool statements that:

- "Heggerty curriculum provides the daily opportunity for practice. Not specifically called out for others are of literacy." (Sections III-XI of waiver)
- "No specific examples of the explicit instruction." (Curriculum Maps on Pages 6-7 of waiver and Sections IV, V, and VIII)
- "Narrative was provided and links to bulleted topics - no examples of how diverse learner(s) access content and demonstrate learning as a collective approach." (Section V of waiver and answered in our waiver conversation. No evidence that the K-2 Reading Units of Study 2022, the K-2 Writing Units of Study, 2023, or the K-2 Phonics Units of Study, 2017 were reviewed.)
- "District indicated that they have culturally responsive text but not clear if this is supplemental text or critical text to instruction. No examples were provided." (District was not notified that additional information was needed.)
- "Separate documents of each program's alignment to standards." (The district does not understand how this could be rated "yes," when there is no evidence all of our components were reviewed.)

#### Evidence of Student Performance

We believe that the curriculum we submitted is evidence-based and scientifically-based. Further, our curriculum builds competency in each of the required areas of literacy. The performance of our students as outlined below [Wilton vs CT students overall] provides further evidence of the competency achieved through our curriculum.

## District performance Index



Here you can see that Wilton Public Schools is exceeding the state target of 75 for its performance index, as well as roughly 16% higher than the state's performance index, which has not yet reached its target. While we recognize the need to improve reading performance statewide, there is no evidence to support that the Council's approved programs will render better results than we are already getting. If anything, the data we requested from Melissa Hickey in our 10.24.23 Zoom Waiver Conversation confirms our assertion that our students are demonstrating better achievement than the programs are rendering.

Since submitting our waiver, where the data, to that date, is clearly outlined in Sections I and XII, we have collected these additional data points:

Percentage of students scoring at benchmark or higher	Kindergarten	Grade 1	Grade 2	Grade 3
NWEA Spring 2023	77%	81%	77%	74%
NWEA Foundational Skills Spring 2023	82%	83%	74%	
DIBELS Oral			85%	73%

Reading Fluency Fall 2023				
% Students at Level 3 and 4	Grade 3	Grade 4	Grade 5	
SBA 2023	74.6%	74.2%	83.2%	
State SBA 2023	65.8%	69.2	66.4%	

As you can clearly see, our K-2 students are flourishing under our existing programming. We are particularly proud of our foundational skills performance in K-2 on the NWEA MPG, and on Grade 2's DIBELS data, the implementation of that assessment being a shift we have made this year, piloting one assessment window per grade level, K-3. Our continuous improvement plan, discussed at length on October 24, 2023, is leading to an upward trend in student achievement as well as contributing to pandemic recovery.

Respectfully, we request the Commissioner reconsider our waiver application. If the Department determines that our curriculum has not met either required statutory criteria, we request that it clearly and comprehensively articulate, pursuant to the terms expressly described in the controlling statute, how our curriculum is statutorily inadequate.

Sincerely,



Kevin J. Smith, Ph.D.

Superintendent of Schools