
Education Committee

E2SSB 6162

Brief Description: Defining dyslexia as a specific learning disability and requiring early screening for dyslexia.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Wellman, Palumbo and Mullet).

Brief Summary of Engrossed Second Substitute Bill

- Requires school districts and charter schools to screen students in early grades for dyslexia, and provide interventions if necessary.
- Directs the Superintendent of Public Instruction to reconvene a dyslexia advisory council to, among other things, develop options for the best way to implement the required dyslexia screenings.
- Includes provisions defining dyslexia, requiring identification of screening tools, providing for reporting and use of data, and establishing rulemaking authority.

Hearing Date: 2/19/18

Staff: Megan Wargacki (786-7194).

Background:

Dyslexia Defined.

The Individuals with Disabilities Education Act (IDEA) and its implementing regulations, list 13 conditions that can make a student eligible for special education. One of the conditions is a Specific Learning Disability (SLD), which is a disorder in one or more of the basic psychological processes involved in understanding or in using language that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. Dyslexia is listed as an SLD, but the IDEA does not define dyslexia.

The state definition of SLD under the rules of the Office of the Superintendent of Public Instruction (OSPI) mirrors the federal definition. Neither state statute nor OSPI rules define

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dyslexia. However, the OSPI uses the following definition of dyslexia adopted by the International Dyslexia Association and the National Institute of Child Health and Human Development: "Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and /or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge."

Requirements for Disabilities Screening.

The IDEA requires that all children with disabilities residing in the state who are in need of special education and related services are identified, located, and evaluated. The IDEA allows, but does not require, funds to be used for screening or other procedures for early identification. State laws and the OSPI rules also do not require screening of students for disabilities.

Learning Assistance Program.

The Learning Assistance Program (LAP) provides supplemental instruction and services to assist students who are not meeting academic standards and to reduce disruptive behaviors in the classroom. School districts implementing a LAP must focus first on addressing the needs of students in grades kindergarten through four who are deficient in reading or reading readiness skills to improve reading literacy. The state allocation for LAP is based on the percentage of students enrolled in the school district who are eligible for free or reduced-price meals (FRPMs) in the prior school year, but students do not have to be eligible for FRPMs to be served in the LAP.

Annual Assessment Inventory.

In the 2016 and 2017 state Operation Budgets, the OSPI was required to collect data from districts about time students spend taking state- and district-required assessments. As directed, the OSPI summarized this data and reported it to the Legislature in 2016, with an update in 2017.

Summary of Bill:

Dyslexia Defined.

Dyslexia means a specific learning disorder that is neurological in origin and that is characterized by unexpected difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities not consistent with the person's intelligence, motivation, and sensory capabilities, which difficulties typically result from a deficit in the phonological component of language.

Requirements for Dyslexia Screening.

Beginning in the 2020-21 school year, school districts and charter schools must screen every student in kindergarten, first, and second grade for indications of dyslexia. The screening tools used must exemplify best practices. School districts may use the screening tools and resources identified by the Superintendent of Public Instruction (SPI).

If a student shows indicators of below grade level literacy development or indicators of dyslexia, the school must provide interventions based on the school's system of support. Parents and

families must be notified of the interventions being offered to their student and whether the student continues to show below grade level literacy development or indicators of dyslexia. Upon parental consultation and consent, a student can be referred for further evaluation.

School districts may use LAP funds to cover the costs of the required dyslexia screenings, even for students not currently eligible to participate in the LAP.

Dyslexia Council.

The SPI must reconvene a Dyslexia Advisory Council (council) to advise the SPI on matters relating to dyslexia. The council must include interested stakeholders. The council must meet quarterly and serve without compensation for a term of three years. When the council member's term expires, the SPI must appoint a replacement.

Before the 2020-21 school year, the council must develop options for the best way to implement the required dyslexia screenings. The council must submit an annual report to the Legislature that: includes the number of students screened and the number of students identified with weakness in key areas that are associated with characteristics of dyslexia or reading difficulties who were provided with intervention services; includes descriptions from school districts on types of interventions used and rates of progress, when available; and does not include identifying information on individual students.

Dyslexia Screening Tools.

The SPI with input from the council must determine which screening tools meet the developmental and academic criteria to indicate typical literacy development and dyslexia. Beginning in the 2019-20 school year, the SPI must host on the agency's website, literacy screeners that may be used by districts to meet the dyslexia screening requirements above.

Data Reporting and Use.

Beginning with the 2018-19 school year, as part of the annual student assessment inventory, if a school is screening students for indicators of dyslexia, then the school must report the number of students and grade levels of the students screened. This data must be disaggregated by subgroups of students. The school district must aggregate the reports from the schools and provide the reports to the OSPI. The OSPI and the council must use this data when developing options for the best way to implement dyslexia screenings. The council must also use this data in its ongoing advising of the OSPI on dyslexia.

Rules.

The SPI may adopt rules to implement the above provisions, including: a timeline for districts and charter schools to implement the required dyslexia screenings; the frequency for conducting the screenings; the knowledge and skills that must be assessed; and the members and scope of work for the council.

Appropriation: None.

Fiscal Note: Requested on February 15, 2018.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.