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HOUSE BILL 2796

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State of Washington                      65th Legislature                      2018 Regular Session

By Representatives Pollet, Tarleton, and Kloba

Read first time 01/16/18. Referred to Committee on Education.

1            AN ACT Relating to defining dyslexia as a specific learning  
2 disability and requiring early screening for dyslexia; amending RCW  
3 28A.710.040; adding a new section to chapter 28A.155 RCW; and adding  
4 a new section to chapter 28A.300 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 28A.155  
7 RCW to read as follows:

8            Each school district and charter school must screen each student  
9 in kindergarten and first grade for indications of dyslexia. School  
10 districts and charter schools may use one of the free, online  
11 screening tools posted on the web site of the superintendent of  
12 public instruction in accordance with section 2 of this act to meet  
13 the screening requirement. However, districts and schools are not  
14 required to use the posted screening tools. If the screening  
15 indicates that the student may be experiencing dyslexia then the  
16 school district or charter school must conduct formal testing to  
17 determine whether the student is eligible for special education and  
18 related services.

19            NEW SECTION.    **Sec. 2.** A new section is added to chapter 28A.300  
20 RCW to read as follows:

1 (1) The superintendent of public instruction must review free,  
2 online screening tools and determine which of the screening tools are  
3 reliable, valid, and accurate in classifying students as at-risk or  
4 not at-risk for dyslexia. The superintendent must post one or more of  
5 the most reliable screening tools on the agency web site that school  
6 districts and schools may use to screen each kindergarten and first  
7 grade student for indications of dyslexia in accordance with section  
8 1 of this act. The superintendent must review the posted screening  
9 tools once every five years to determine that the posted tools are  
10 still some of the most reliable.

11 (2) The superintendent of public instruction may adopt rules to  
12 implement this act, including a timeline for school districts and  
13 charter schools to implement the screenings required under section 1  
14 of this act.

15 (3) As used in this section, "dyslexia" means a specific learning  
16 disorder that is neurological in origin and that is characterized by  
17 unexpected difficulties with accurate or fluent word recognition and  
18 by poor spelling and decoding abilities not consistent with the  
19 person's intelligence, motivation, and sensory capabilities, which  
20 difficulties typically result from a deficit in the phonological  
21 component of language.

22 **Sec. 3.** RCW 28A.710.040 and 2016 c 241 s 104 are each amended to  
23 read as follows:

24 (1) A charter school must operate according to the terms of its  
25 charter contract and the provisions of this chapter.

26 (2) A charter school must:

27 (a) Comply with local, state, and federal health, safety,  
28 parents' rights, civil rights, and nondiscrimination laws applicable  
29 to school districts and to the same extent as school districts,  
30 including but not limited to chapter 28A.642 RCW (discrimination  
31 prohibition) and chapter 28A.640 RCW (sexual equality);

32 (b) Provide a program of basic education, that meets the goals in  
33 RCW 28A.150.210, including instruction in the essential academic  
34 learning requirements, and participate in the statewide student  
35 assessment system as developed under RCW 28A.655.070;

36 (c) Comply with the dyslexia screening requirements of section 1  
37 of this act;

38 (d) Employ certificated instructional staff as required in RCW  
39 28A.410.025. Charter schools, however, may hire noncertificated

1 instructional staff of unusual competence and in exceptional cases as  
2 specified in RCW 28A.150.203(7);

3 ~~((d))~~ (e) Comply with the employee record check requirements in  
4 RCW 28A.400.303;

5 ~~((e))~~ (f) Adhere to generally accepted accounting principles  
6 and be subject to financial examinations and audits as determined by  
7 the state auditor, including annual audits for legal and fiscal  
8 compliance;

9 ~~((f))~~ (g) Comply with the annual performance report under RCW  
10 28A.655.110;

11 ~~((g))~~ (h) Be subject to the performance improvement goals  
12 adopted by the state board of education under RCW 28A.305.130;

13 ~~((h))~~ (i) Comply with the open public meetings act in chapter  
14 42.30 RCW and public records requirements in chapter 42.56 RCW; and

15 ~~((i))~~ (j) Be subject to and comply with legislation enacted  
16 after December 6, 2012, that governs the operation and management of  
17 charter schools.

18 (3) Charter public schools must comply with all state statutes  
19 and rules made applicable to the charter school in the school's  
20 charter contract, and are subject to the specific state statutes and  
21 rules identified in subsection (2) of this section. For the purpose  
22 of allowing flexibility to innovate in areas such as scheduling,  
23 personnel, funding, and educational programs to improve student  
24 outcomes and academic achievement, charter schools are not subject  
25 to, and are exempt from, all other state statutes and rules  
26 applicable to school districts and school district boards of  
27 directors. Except as provided otherwise by this chapter or a charter  
28 contract, charter schools are exempt from all school district  
29 policies.

30 (4) A charter school may not engage in any sectarian practices in  
31 its educational program, admissions or employment policies, or  
32 operations.

33 (5) Charter schools are subject to the supervision of the  
34 superintendent of public instruction and the state board of  
35 education, including accountability measures, to the same extent as  
36 other public schools, except as otherwise provided in this chapter.

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