H-3825.1

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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

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

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

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

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

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

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

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

(3) As used in this section, "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.

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

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

(2) A charter school must:

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

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

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

(d) Employ certificated instructional staff as required in RCW 28A.410.025. Charter schools, however, may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

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

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

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

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

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

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

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

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

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

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