

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2379

98TH GENERAL ASSEMBLY

6119H.02P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapters 167 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 167 and 633, RSMo, are amended by adding thereto two new sections, to be known as sections 167.950 and 633.420, to read as follows:

**167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.**

**(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the findings and recommendations of the task force created under section 633.420.**

**(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the findings and recommendations of the task force created under section 633.420.**

**2. In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 schools may seek assistance from the department of elementary and secondary education  
20 in developing and providing such training. Completion of such training shall count as two  
21 contact hours of professional development under section 168.021.

22 3. For purposes of this section, the following terms mean:

23 (1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties  
24 with accurate and fluent word recognition and poor spelling and decoding abilities that  
25 typically result from a deficit in the phonological component of language, often unexpected  
26 in relation to other cognitive abilities and the provision of effective classroom instruction,  
27 and of which secondary consequences may include problems in reading comprehension  
28 and reduced reading experience that can impede growth of vocabulary and background  
29 knowledge. Nothing in this definition shall require a student with dyslexia to obtain an  
30 individualized education program (IEP) unless the student has otherwise met the federal  
31 conditions necessary;

32 (2) "Dyslexia screening", a short test conducted by a teacher or school counselor  
33 to determine whether a student likely has dyslexia or a related disorder in which a positive  
34 result does not represent a medical diagnosis but indicates that the student could benefit  
35 from approved support;

36 (3) "Related disorders", disorders similar to or related to dyslexia, such as  
37 developmental auditory imperception, dysphasia, specific developmental dyslexia,  
38 developmental dysgraphia, and developmental spelling disability;

39 (4) "Support", low-cost and effective best practices, such as oral examinations and  
40 extended test-taking periods, used to support students who have dyslexia or any related  
41 disorder.

42 4. The state board of education shall promulgate rules and regulations for each  
43 public school to screen students for dyslexia and related disorders. Any rule or portion of  
44 a rule, as that term is defined in section 536.010, that is created under the authority  
45 delegated in this section shall become effective only if it complies with and is subject to all  
46 of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
47 chapter 536 are nonseverable, and if any of the powers vested with the general assembly  
48 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul  
49 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
50 any rule proposed or adopted after August 28, 2016, shall be invalid and void.

51 5. Nothing in this section shall require the MO HealthNet program to expand the  
52 services that it provides.

633.420. 1. For the purposes of this section, the term "dyslexia" means a disorder  
2 that is neurological in origin, characterized by difficulties with accurate and fluent word

3 recognition, and poor spelling and decoding abilities that typically result from a deficit in  
4 the phonological component of language, often unexpected in relation to other cognitive  
5 abilities and the provision of effective classroom instruction, and of which secondary  
6 consequences may include problems in reading comprehension and reduced reading  
7 experience that can impede growth of vocabulary and background knowledge. Nothing  
8 in this section shall prohibit a district from assessing students for dyslexia and offering  
9 students specialized reading instruction if a determination is made that a student suffers  
10 from dyslexia. Nothing in this definition shall require a student with dyslexia to obtain an  
11 individualized education program (IEP) unless the student has otherwise met the federal  
12 conditions necessary.

13       2. There is hereby created the "Legislative Task Force on Dyslexia". The task force  
14 shall meet at least quarterly and may hold meetings by telephone or video conference. The  
15 task force shall advise and make recommendations to the governor, general assembly, and  
16 relevant state agencies regarding matters concerning individuals with dyslexia, including  
17 education and other adult and adolescent services.

18       3. The task force shall be comprised of eighteen members consisting of the  
19 following:

20       (1) Two members of the senate appointed by the president pro tempore of the  
21 senate, with one member appointed from the minority party and one member appointed  
22 from the majority party;

23       (2) Two members of the house of representatives appointed by the speaker of the  
24 house of representatives, with one member appointed from the minority party and one  
25 member appointed from the majority party;

26       (3) The commissioner of education, or his or her designee;

27       (4) One representative from an institution of higher education located in this state  
28 with specialized expertise in dyslexia and reading instruction;

29       (5) A representative from a state teachers association or the Missouri National  
30 Education Association;

31       (6) A representative from the International Dyslexia Association of Missouri;

32       (7) A representative from Decoding Dyslexia of Missouri;

33       (8) A representative from the Missouri Association of Elementary School  
34 Principals;

35       (9) A representative from the Missouri Council of Administrators of Special  
36 Education;

37           **(10) A professional licensed in the state of Missouri with experience diagnosing**  
38 **dyslexia including, but not limited to, a licensed psychologist, school psychologist, or**  
39 **neuropsychologist;**

40           **(11) A speech-language pathologist with training and experience in early literacy**  
41 **development and effective research-based intervention techniques for dyslexia, including**  
42 **an Orton-Gillingham remediation program recommended by the Missouri Speech-**  
43 **Language Hearing Association, or a certified academic language therapist recommended**  
44 **by the Academic Language Therapists Association who is a resident of this state;**

45           **(12) A representative from an independent private provider or nonprofit**  
46 **organization serving individuals with dyslexia;**

47           **(13) An assistive technology specialist with expertise in accessible print materials**  
48 **and assistive technology used by individuals with dyslexia recommended by the Missouri**  
49 **assistive technology council;**

50           **(14) One private citizen who has a child who has been diagnosed with dyslexia;**

51           **(15) One private citizen who has been diagnosed with dyslexia; and**

52           **(16) A representative of the Missouri State Council of the International Reading**  
53 **Association.**

54           **4. The members of the task force, other than the members from the general**  
55 **assembly and ex officio members, shall be appointed by the president pro tempore of the**  
56 **senate or the speaker of the house of representatives by September 1, 2016, by alternating**  
57 **appointments beginning with the president pro tempore of the senate. A chairperson shall**  
58 **be selected by the members of the task force. Any vacancy on the task force shall be filled**  
59 **in the same manner as the original appointment. Members shall serve on the task force**  
60 **without compensation.**

61           **5. The task force shall make recommendations for a statewide system for**  
62 **identification, intervention, and delivery of supports for students with dyslexia, including**  
63 **the development of resource materials and professional development activities. These**  
64 **recommendations shall be included in a report to the governor and joint committee on**  
65 **education and shall include findings and proposed legislation and shall be made available**  
66 **no longer than twelve months from the task force's first meeting. The task force shall hold**  
67 **its first meeting before October 1, 2016.**

68           **6. The recommendations and resource materials developed by the task force shall:**

69           **(1) Identify valid and reliable screening and evaluation assessments and protocols**  
70 **that can be used and the appropriate personnel to administer such assessments in order**  
71 **to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing**

72 reading progress monitoring system, multi-tiered system of supports, and special education  
73 eligibility determinations in schools;

74 (2) Recommend an evidence-based reading instruction, with consideration of the  
75 National Reading Panel Report and Orton-Gillingham methodology principles for use in  
76 all Missouri schools, and intervention system, including a list of effective dyslexia  
77 intervention programs, to address dyslexia or characteristics of dyslexia for use by schools  
78 in multi-tiered systems of support and for services as appropriate for special education  
79 eligible students;

80 (3) Develop and implement preservice and inservice professional development  
81 activities to address dyslexia identification and intervention, including utilization of  
82 accessible print materials and assistive technology, within degree programs such as  
83 education, reading, special education, speech-language pathology, and psychology;

84 (4) Review teacher certification and professional development requirements as they  
85 relate to the needs of students with dyslexia;

86 (5) Examine the barriers to accurate information on the prevalence of students with  
87 dyslexia across the state and recommend a process for accurate reporting of demographic  
88 data; and

89 (6) Study and evaluate current practices for diagnosing, treating, and educating  
90 children in this state and examine how current laws and regulations affect students with  
91 dyslexia in order to present recommendations to the governor and general assembly.

92 7. The task force shall hire or contract for hire specialist services to support the  
93 work of the task force as necessary with appropriations made by the general assembly for  
94 that purpose or from other available funding.

95 8. The task force authorized under this section shall expire on August 31, 2018.

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