

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2379

98TH GENERAL ASSEMBLY

Reported from the Committee on Education, May 4, 2016, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

6119S.03C

AN ACT

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

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
2 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
2 elementary and secondary education shall develop guidelines for the
3 appropriate screening of students for dyslexia and related disorders
4 and the necessary classroom support for students with dyslexia and
5 related disorders. Such guidelines shall be consistent with the findings
6 and recommendations of the task force created under section 633.420.

7 (2) In the 2018-19 school year and subsequent years, each public
8 school, including each charter school, shall conduct dyslexia screenings
9 for students in the appropriate year consistent with the guidelines
10 developed by the department of elementary and secondary education.

11 (3) In the 2018-19 school year and subsequent years, the school
12 board of each district and the governing board of each charter school
13 shall provide reasonable classroom support consistent with the
14 guidelines developed by the department of elementary and secondary
15 education.

16 2. In the 2018-19 school year and subsequent years, the
17 practicing teacher assistance programs established under section
18 168.400 shall include two hours of in-service training provided by each
19 local school district for all practicing teachers in such district
20 regarding dyslexia and related disorders. Each charter school shall

21 also offer all of its teachers two hours of training on dyslexia and
22 related disorders. Districts and charter schools may seek assistance
23 from the department of elementary and secondary education in
24 developing and providing such training. Completion of such training
25 shall count as two contact hours of professional development under
26 section 168.021.

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

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

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

44 (3) "Related disorders", disorders similar to or related to
45 dyslexia, such as developmental auditory imperception, dysphasia,
46 specific developmental dyslexia, developmental dysgraphia, and
47 developmental spelling disability;

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

51 4. The state board of education shall promulgate rules and
52 regulations for each public school to screen students for dyslexia and
53 related disorders. Any rule or portion of a rule, as that term is defined
54 in section 536.010, that is created under the authority delegated in this
55 section shall become effective only if it complies with and is subject to
56 all of the provisions of chapter 536 and, if applicable, section
57 536.028. This section and chapter 536 are nonseverable, and if any of

58 the powers vested with the general assembly pursuant to chapter 536
59 to review, to delay the effective date, or to disapprove and annul a rule
60 are subsequently held unconstitutional, then the grant of rulemaking
61 authority and any rule proposed or adopted after August 28, 2016, shall
62 be invalid and void.

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

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

16 2. There is hereby created the "Legislative Task Force on
17 Dyslexia". The joint committee on education shall provide technical
18 and administrative support as required by the task force to fulfill its
19 duties; any such support involving monetary expenses shall first be
20 approved by the chairman of the joint committee on education. The
21 task force shall meet at least quarterly and may hold meetings by
22 telephone or video conference. The task force shall advise and make
23 recommendations to the governor, joint committee on education, and
24 relevant state agencies regarding matters concerning individuals with
25 dyslexia, including education and other adult and adolescent services.

26 3. The task force shall be comprised of twenty members
27 consisting of the following:

28 (1) Two members of the senate appointed by the president pro
29 tempore of the senate, with one member appointed from the minority
30 party and one member appointed from the majority party;

31 **(2) Two members of the house of representatives appointed by**
32 **the speaker of the house of representatives, with one member**
33 **appointed from the minority party and one member appointed from the**
34 **majority party;**

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

36 **(4) One representative from an institution of higher education**
37 **located in this state with specialized expertise in dyslexia and reading**
38 **instruction;**

39 **(5) A representative from a state teachers association or the**
40 **Missouri National Education Association;**

41 **(6) A representative from the International Dyslexia Association**
42 **of Missouri;**

43 **(7) A representative from Decoding Dyslexia of Missouri;**

44 **(8) A representative from the Missouri Association of Elementary**
45 **School Principals;**

46 **(9) A representative from the Missouri Council of Administrators**
47 **of Special Education;**

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

51 **(11) A speech-language pathologist with training and experience**
52 **in early literacy development and effective research-based intervention**
53 **techniques for dyslexia, including an Orton-Gillingham remediation**
54 **program recommended by the Missouri Speech-Language Hearing**
55 **Association;**

56 **(12) A certified academic language therapist recommended by**
57 **the Academic Language Therapists Association who is a resident of this**
58 **state;**

59 **(13) A representative from an independent private provider or**
60 **nonprofit organization serving individuals with dyslexia;**

61 **(14) An assistive technology specialist with expertise in**
62 **accessible print materials and assistive technology used by individuals**
63 **with dyslexia recommended by the Missouri assistive technology**
64 **council;**

65 **(15) One private citizen who has a child who has been diagnosed**
66 **with dyslexia;**

67 **(16) One private citizen who has been diagnosed with dyslexia;**

68 (17) A representative of the Missouri State Council of the
69 International Reading Association; and

70 (18) A pediatrician with knowledge of dyslexia.

71 4. The members of the task force, other than the members from
72 the general assembly and ex officio members, shall be appointed by the
73 president pro tempore of the senate or the speaker of the house of
74 representatives by September 1, 2016, by alternating appointments
75 beginning with the president pro tempore of the senate. A chairperson
76 shall be selected by the members of the task force. Any vacancy on the
77 task force shall be filled in the same manner as the original
78 appointment. Members shall serve on the task force without
79 compensation.

80 5. The task force shall make recommendations for a statewide
81 system for identification, intervention, and delivery of supports for
82 students with dyslexia, including the development of resource materials
83 and professional development activities. These recommendations shall
84 be included in a report to the governor and joint committee on
85 education and shall include findings and proposed legislation and shall
86 be made available no longer than twelve months from the task force's
87 first meeting.

88 6. The recommendations and resource materials developed by
89 the task force shall:

90 (1) Identify valid and reliable screening and evaluation
91 assessments and protocols that can be used and the appropriate
92 personnel to administer such assessments in order to identify children
93 with dyslexia or the characteristics of dyslexia as part of an ongoing
94 reading progress monitoring system, multi-tiered system of supports,
95 and special education eligibility determinations in schools;

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

103 (3) Develop and implement preservice and inservice professional
104 development activities to address dyslexia identification and

105 intervention, including utilization of accessible print materials and
106 assistive technology, within degree programs such as education,
107 reading, special education, speech-language pathology, and psychology;

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

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

113 (6) Study and evaluate current practices for diagnosing, treating,
114 and educating children in this state and examine how current laws and
115 regulations affect students with dyslexia in order to present
116 recommendations to the governor and the joint committee on
117 education.

118 7. The task force shall hire or contract for hire specialist
119 services to support the work of the task force as necessary with
120 appropriations made to the joint committee on education for that
121 purpose or from other available funding.

122 8. The task force authorized under this section shall expire on
123 August 31, 2018, unless reauthorized by an act of the general assembly.

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