

Senate Bill 48

By: Senators Martin of the 9th, Kirkpatrick of the 32nd, Brass of the 28th, Unterman of the 45th, Sims of the 12th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
 2 elementary and secondary education, so as to provide for identification of and support for
 3 students in kindergarten through grade three with characteristics of dyslexia; to provide for
 4 definitions; to require the State Board of Education to develop policies for the identification
 5 and assistance of students with dyslexia; to require the Department of Education to make a
 6 dyslexia informational handbook available to local school systems; to provide for certain
 7 information in the dyslexia informational handbook; to provide for ongoing professional
 8 development opportunities relating to dyslexia for teachers; to provide for screening for all
 9 kindergarten students; to provide for referral for screening for students in grades one through
 10 three through response-to-intervention programs; to provide for data collection; to provide
 11 for a pilot program to demonstrate and evaluate the effectiveness of early reading assistance
 12 programs for students with risk factors for dyslexia; to provide for a report; to provide for a
 13 teaching endorsement in dyslexia; to provide for related matters; to repeal conflicting laws;
 14 and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
 18 secondary education, is amended in Part 3 of Article 6, relating to educational programs, by
 19 adding a new Code section to read as follows:

20 "20-2-159.6.

21 (a) As used in this Code section, the term:

22 (1) 'Aphasia' means a condition characterized by either partial or total loss of the ability
 23 to communicate verbally or through written words. A person with aphasia may have
 24 difficulty speaking, reading, writing, recognizing the names of objects, or understanding
 25 what other people have said. The condition may be temporary or permanent and shall not
 26 include speech problems caused by loss of muscle control.

27 (2) 'Dyscalculia' means the inability to understand the meaning of numbers, the basic
 28 operations of addition and subtraction, or the complex operations of multiplication and
 29 division or to apply math principles to solve practical or abstract problems.

30 (3) 'Dysgraphia' means difficulty in automatically remembering and mastering the
 31 sequence of muscle motor movements needed to accurately write letters or numbers.

32 (4) 'Dyslexia' means a specific learning disability that is neurological in origin. Dyslexia
 33 is characterized by difficulties with accurate or fluent word recognition and by poor
 34 spelling and decoding abilities. These difficulties typically result from a deficit in the
 35 phonological component of language that is often unexpected in relation to other
 36 cognitive abilities and the provision of effective classroom instruction. Secondary
 37 consequences may include problems in reading comprehension and reduced reading
 38 experience that can impede the growth of vocabulary and background knowledge.

39 (5) 'Other disorders' means aphasia, dyscalculia, and dysgraphia.

40 (6) 'Parent' means a parent, legal agent, legal guardian, or kinship caregiver.

41 (7) 'Phonemic awareness' means the ability to recognize that a spoken word consists of
 42 a sequence of individual sounds and the ability to manipulate individual sounds when
 43 speaking.

44 (8) 'Qualified dyslexia screening tool' means an assessment that measures a student's
 45 ability to demonstrate phonological awareness skills, phonemic decoding efficiency
 46 skills, sight word reading efficiency skills, rapid automatic naming skills, and accuracy
 47 of word reading on grade-level text.

48 (b) No later than July 1, 2020, the State Board of Education shall develop policies for
 49 screening all kindergarten students and for referring students in grades one through three
 50 for screening who have been identified through the response-to-intervention process as
 51 having characteristics of dyslexia and other disorders. Such policies shall include but are
 52 not limited to:

53 (1) The definition and characteristics of dyslexia and other disorders;

54 (2) A list of approved qualified dyslexia screening tools that address the following
 55 components:

56 (A) Phonological awareness and phonemic awareness;

57 (B) Sound symbol recognition;

58 (C) Alphabet knowledge;

59 (D) Decoding skills;

60 (E) Encoding skills; and

61 (F) Rapid naming;

- 62 (3) The process for screening all kindergarten students for dyslexia and for referring
63 students in grades one through three for screening in collaboration with the local school
64 system's response-to-intervention programs;
- 65 (4) A process by which a qualified dyslexia screening tool shall be administered and
66 evaluated by trained school system personnel or licensed professionals in administering
67 the qualified dyslexia screening tool;
- 68 (5) A process for parents to provide informed consent for use of a qualified dyslexia
69 screening tool and notification of the results of the screening;
- 70 (6) A process for parents to decline dyslexia screening for their child;
- 71 (7) A process for providing the parents of students identified as having characteristics
72 of dyslexia with information and resource material regarding dyslexia and how the
73 student's learning disability will be addressed by the school;
- 74 (8) Identification of evidence based interventions, structured multisensory approaches
75 to teach language and reading skills, and accommodations that schools may utilize to
76 provide services to students with characteristics of dyslexia; and
- 77 (9) A process for monitoring the student's progress after the positive identification of
78 characteristics of dyslexia, including assessments to ascertain whether the intervention
79 services improve the student's language processing and reading skills.
- 80 (c) No later than December 1, 2019, the Department of Education shall make available a
81 dyslexia informational handbook that includes guidance, technical assistance, and training
82 to assist all local school systems in the implementation of evidence based practices for
83 instructing students with characteristics of dyslexia. Such handbook shall include, but not
84 be limited to, the following information for local school systems screening all students in
85 kindergarten and providing further screening for students in grades one through three who
86 have been identified through the response-to-intervention process as having characteristics
87 of dyslexia:
- 88 (1) Evidence based practices designed specifically for students with characteristics of
89 dyslexia;
- 90 (2) Characteristics of targeted instruction for dyslexia;
- 91 (3) Guidance on developing instructional plans for students with characteristics of
92 dyslexia;
- 93 (4) Best practices toward meaning-centered reading and writing;
- 94 (5) Developmentally appropriate curricula and engaging instructional materials and
95 practices;
- 96 (6) Structured multisensory approaches to teach language and reading skills; and
97 (7) Suggested training programs.

98 (d) The Department of Education shall collaborate with the Professional Standards
 99 Commission to improve and update professional development opportunities for teachers
 100 specifically relating to dyslexia. The training shall focus on:

101 (1) Development and ongoing implementation of training and coaching for teachers
 102 regarding dyslexia and other disorders;

103 (2) Identifying high-quality trainers to provide support to local school systems utilizing
 104 a coaching model to develop school level dyslexia experts;

105 (3) Developing awareness training modules for all instructional staff to include
 106 information about dyslexia;

107 (4) Evidence based interventions, structured multisensory approaches to teach language
 108 and reading skills, and accommodations for students with characteristics of dyslexia and
 109 other disorders; and

110 (5) School and school system policies and procedures related to the response-to-
 111 intervention framework addressing reading, writing, mathematics, and behavior.
 112 Teachers shall be notified annually of any changes in policy, procedures, and specific
 113 instructional methodologies.

114 (e)(1) Beginning with the 2020-2021 school year, local school systems shall screen all
 115 kindergarten students for characteristics of dyslexia and may screen kindergarten students
 116 for other disorders. Further, local school systems shall screen any student in grades one
 117 through three who did not attend kindergarten, or who attended a kindergarten program
 118 in which screening was not required, for characteristics of dyslexia. Further, local school
 119 systems shall screen students in grades one through three for characteristics of dyslexia,
 120 and may screen such students for other disorders, who have been identified through the
 121 response-to-intervention process. Screening shall be conducted in accordance with the
 122 policies developed by the State Board of Education pursuant to subsection (b) of this
 123 Code section and the dyslexia informational handbook produced by the Department of
 124 Education pursuant to subsection (c) of this Code section.

125 (2) By June 30 of each year, local school systems shall provide the following data to the
 126 Department of Education:

127 (A) The number of students in kindergarten through grade three who were identified
 128 as having characteristics of dyslexia through screening;

129 (B) The number of students in kindergarten through grade three who were screened for
 130 characteristics of dyslexia in a school year;

131 (C) The number of students in kindergarten through grade three who were newly
 132 identified as having characteristics of dyslexia in a school year;

133 (D) The process or tool used to evaluate student progress;

134 (E) The number of students in kindergarten through grade three who were participating
135 in interventions within the school setting and the number participating in interventions
136 outside the school setting; and

137 (F) The number of trained school system personnel or licensed professionals used to
138 administer the qualified dyslexia screening tool.

139 (3) This subsection shall be subject to appropriations by the General Assembly.

140 (f)(1) Beginning with the 2019-2020 school year, the State School Superintendent shall
141 establish a two-year pilot program to demonstrate and evaluate the effectiveness of early
142 reading assistance programs for students with risk factors for dyslexia. The State School
143 Superintendent shall select at least three local school systems, preferably at least one of
144 which is located in an urban setting, one of which is located in a suburban setting, and
145 one of which is located in a rural setting. The State School Superintendent shall consult
146 with recognized organizations that specialize in structured literacy programs for the
147 instruction of students with characteristics of dyslexia in establishing and operating the
148 pilot program.

149 (2) To be considered by the State School Superintendent to be in the pilot program, a
150 local school system shall submit a proposal to the Department of Education that:

151 (A) Identifies a method of screening students for low phonemic awareness, rapid
152 automatic naming skills, and characteristics of dyslexia;

153 (B) Provides for the enrollment of students with characteristics of dyslexia in an
154 International Dyslexia Association (IDA) approved reading program staffed by teachers
155 trained in structured literacy programs as outlined in IDA's Knowledge and Practice
156 Standards; and

157 (C) Includes a methodology for evaluating the effects of the reading program on the
158 student's identified characteristics.

159 (3) Local school systems selected to participate in the pilot program shall screen all
160 kindergarten students for characteristics of dyslexia and may screen kindergarten students
161 for other disorders. Further, such participating local school systems shall screen students
162 in grades one through three for characteristics of dyslexia, and may screen such students
163 for other disorders, who have been identified through the response-to-intervention
164 process. Participating local school systems shall also provide appropriate reading
165 intervention services for such students and administer assessments to ascertain whether
166 the intervention services improve such students' language processing and reading skills.

167 (4) Each local school system chosen to participate in the pilot program shall comply with
168 all applicable state and federal laws and require the parent of students suspected of having
169 characteristics of dyslexia to indicate in writing that the parent voluntarily and knowingly
170 consents to the student's participation in the pilot program for the provision of reading

171 intervention services. Each participating local school system shall provide to the parents
 172 of students suspected of having characteristics of dyslexia information about dyslexia and
 173 recommended interventions.

174 (5) Each participating local school system shall report to the Department of Education
 175 data about the operation and results of the pilot program, as required by the department's
 176 guidelines and procedures.

177 (6) Not later than December 1 of the second school year in which the pilot program is
 178 operating, the State School Superintendent shall submit a report to the House Education
 179 Committee and the Senate Committee on Education and Youth that contains the
 180 superintendent's evaluation of the results of the pilot program and any legislative
 181 recommendations regarding the identification of and interventions for students with
 182 characteristics of dyslexia.

183 (7) This subsection shall be subject to appropriations by the General Assembly."

184 **SECTION 2.**

185 Said chapter is further amended in Subpart 1 of Part 6 of Article 6, relating to certificated
 186 professional personnel in elementary and secondary education, by adding a new Code section
 187 to read as follows:

188 "20-2-208.

189 (a) No later than December 30, 2019, the Professional Standards Commission shall create
 190 a dyslexia endorsement for teachers trained in appropriately recognizing and responding
 191 to students with characteristics of dyslexia and language disorders, such as difficulty with
 192 expressive or receptive language.

193 (b) The requirements to receive such dyslexia endorsement may include training on the use
 194 of universal screening measures to identify those at risk for dyslexia, providing guidance
 195 to parents, and providing training or guidance to other teachers and school personnel.

196 (c) The Professional Standards Commission shall establish measures to assess the fidelity
 197 of teacher training and implementation for teachers who receive the dyslexia endorsement."

198 **SECTION 3.**

199 Said chapter is further amended in Subpart 1 of Part 6 of Article 6, relating to certificated
 200 professional personnel in elementary and secondary education, by adding a new Code section
 201 to read as follows:

202 "20-2-208.1.

203 The Professional Standards Commission shall include in its standards for teacher
 204 preparation programs for elementary and secondary education instruction on:

205 (1) The definition and characteristics of dyslexia and other disorders;

- 206 (2) Evidence based interventions and accommodations for students with characteristics
207 of dyslexia and other disorders; and
- 208 (3) Core elements of a response-to-intervention framework addressing reading, writing,
209 mathematics, and behavior, including:
- 210 (A) Universal screening;
211 (B) Scientific, research based interventions;
212 (C) Progress monitoring of the effectiveness of interventions on student performance;
213 (D) Data based decision-making procedures related to:
- 214 (i) Determining intervention effectiveness on student performance; and
215 (ii) Determining the need to continue, alter, or discontinue interventions or conduct
216 further evaluation of student needs; and
- 217 (E) Application and implementation of response-to-intervention and dyslexia
218 instructional practices in the classroom setting."

219 **SECTION 4.**

220 All laws and parts of laws in conflict with this Act are repealed.