

E2SSB 6162 - H COMM AMD
By Committee on Education

NOT ADOPTED 03/01/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
4 RCW to read as follows:

5 For the purposes of sections 2 through 7 of this act and RCW
6 28A.710.040, "dyslexia" means a specific learning disorder that is
7 neurobiological in origin and that is characterized by unexpected
8 difficulties with accurate or fluent word recognition and by poor
9 spelling and decoding abilities that are not consistent with the
10 person's intelligence, motivation, and sensory capabilities. These
11 difficulties typically result from a deficit in the phonological
12 components of language that is often unexpected in relation to other
13 cognitive abilities and is not due to ineffective classroom
14 instruction. Secondary consequences may include problems in reading
15 comprehension and reduced reading experience that can impede growth
16 of vocabulary and background knowledge.

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18 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
19 RCW to read as follows:

20 (1) Beginning in the 2021-22 school year, each school district
21 must use multi-tiered systems of support to provide interventions to
22 students in kindergarten through second grade who display
23 indications of, or areas of weakness associated with, dyslexia, as
24 identified using dyslexia screenings, and as provided in this
25 section. The purpose of the dyslexia screenings is to provide school
26 districts with the opportunity to intervene before a student's
27 performance falls significantly below grade level.

1 (2)(a) School districts must use dyslexia screening tools that
2 exemplify best practices, as described under section 3 of this act.

3 (b) School districts may use the screening tools and resources
4 identified by the superintendent of public instruction in accordance
5 with section 3 of this act.

6 (3)(a) If a student shows indications of below grade level
7 literacy development or indications of, or areas of weakness
8 associated with, dyslexia, the school district must provide
9 interventions using evidence based multi-tiered systems of support,
10 consistent with the recommendations of the superintendent of public
11 instruction pursuant to section 4 of this act and as required under
12 this subsection (3).

13 (b) The interventions must be evidence-based multisensory
14 structured literacy interventions and must be provided by an
15 educator trained in instructional methods specifically targeting
16 students' areas of weakness.

17 (c) Whenever possible, school district must begin by providing
18 student supports in the general education classroom. If dyslexia
19 screenings indicate that, after receiving the initial tiers of
20 student support, a student requires interventions, the school
21 district may provide the interventions in either the general
22 education classroom or a learning assistance program setting. If
23 after receiving interventions, further dyslexia screenings indicate
24 that a student continues to have indications of, or areas of
25 weakness associated with, dyslexia, the school district must
26 recommend to the student's parents and family that the student be
27 assessed for dyslexia or a specific learning disability.

28 (4) For students who show indications of, or areas of weakness
29 associated with, dyslexia, school districts must notify the
30 students' parents and families of the identified indicators and
31 areas of weakness, as well as the plan for using multi-tiered
32 systems of support to provide supports and interventions. The
33 initial notice must also include information relating to dyslexia
34 and resources for parental support developed by the superintendent

1 of public instruction with recommendations from the council
2 established under section 4 of this act. School districts must
3 update the students' parents and families of the students' progress
4 no less than once every eight weeks.

5 (5) School districts may use state funds provided under chapter
6 28A.165 RCW for the purposes of meeting the requirements of this
7 section.

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9 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300
10 RCW to read as follows:

11 (1) By September 1, 2019, the superintendent of public
12 instruction, after considering recommendations from the dyslexia
13 advisory council convened pursuant to section 4 of this act, must
14 identify screening tools that, at a minimum, meet the following best
15 practices:

16 (a) Developmental and academic criteria, including
17 considerations of validity and reliability, that indicate typical
18 literacy development or dyslexia, taking into account typical child
19 neurological development; and

20 (b) Identify indicators and areas of weakness that are highly
21 predictive of future reading difficulty, including phonological
22 awareness, phonemic awareness, rapid naming skills, letter sound
23 knowledge, and family history of difficulty with reading and
24 language acquisition.

25 (2) Beginning September 1, 2019, the superintendent of public
26 instruction must maintain on the agency's web site the list of
27 identified dyslexia screening tools and must include links to the
28 tools, when available.

29 (3) The superintendent of public instruction must review and
30 update the list of screening tools identified under this section as
31 appropriate.

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33 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.300
34 RCW to read as follows:

1 (1) The superintendent of public instruction shall convene a
2 dyslexia advisory council to advise the superintendent on matters
3 relating to dyslexia in an academic setting. The council must
4 include interested stakeholders, including, but not limited to,
5 literacy and dyslexia experts, special education experts, primary
6 school teachers, school administrators, school psychologists,
7 representatives of school boards, and representatives of nonprofit
8 organizations with expertise in dyslexia. Members of the council
9 must serve without compensation.

10 (2) By June 1, 2019, the council must identify and describe
11 screening tools that meet developmental and academic criteria,
12 including considerations of validity and reliability, that indicate
13 typical literacy development or dyslexia, taking into account
14 typical child neurological development, and report this information
15 to the superintendent of public instruction.

16 (3) By June 1, 2020, the council must develop recommendations
17 and report to the superintendent of public instruction regarding:

18 (a) Best practices for school district implementation of
19 dyslexia screenings as required under section 2 of this act,
20 including trainings for school district staff conducting the
21 screenings;

22 (b) Best practices for using multi-tiered systems of support to
23 provide interventions as required under section 2 of this act,
24 including trainings for school district staff in instructional
25 methods specifically targeting students' areas of weakness;

26 (c) Sample educational information for parents and families
27 related to dyslexia that includes a list of resources for parental
28 support; and

29 (d) Best practices to address the needs of students above grade
30 two who show indications of, or areas of weakness associated with,
31 dyslexia.

32 (4) By September 1, 2022, the council must review school
33 district implementation of dyslexia screenings and their use of
34 multi-tiered systems of support to provide interventions as required

1 under section 2 of this act, and report to the superintendent of
2 public instruction with updates on its recommendations for the best
3 practices and sample educational information described in subsection
4 (3) of this section.

5 (5) This section expires August 1, 2023.

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7 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 (1) By June 1, 2021, the superintendent of public instruction
10 must review the dyslexia advisory council's recommendations required
11 under section 4 of this act and make available to school districts:

12 (a) Best practices for school district implementation of
13 dyslexia screenings as required under section 2 of this act,
14 including trainings for school district staff conducting the
15 screenings;

16 (b) Best practices for using multi-tiered systems of support to
17 provide interventions as required under section 2 of this act,
18 including trainings for school district staff in instructional
19 methods specifically targeting students' areas of weakness;

20 (c) Sample educational information for parents and families
21 related to dyslexia that includes a list of resources for parental
22 support; and

23 (d) Best practices to address the needs of students above grade
24 two who show indications of, or areas of weakness associated with,
25 dyslexia.

26 (2) By December 1, 2022, the superintendent of public
27 instruction must review the dyslexia advisory council's updated
28 report required under section 4 of this act and revise the best
29 practices and sample educational information made available to
30 school districts as described in subsection (1) of this section.

31 (3) By November 1, 2022, and in compliance with RCW 43.01.036,
32 the superintendent of public instruction must report to the house of
33 representatives and senate education committees with the following
34 information from the 2021-22 school year:

1 (a) The number of students: (i) Screened for dyslexia; (ii) with
2 indications of, or areas of weakness associated with, dyslexia; and
3 (iii) provided interventions under section 2 of this act; and

4 (b) Descriptions from school districts of the types of
5 interventions used in accordance with section 2 of this act and
6 rates of student progress, when available.

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8 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.320
9 RCW to read as follows:

10 Beginning with the 2018-19 school year, as part of the annual
11 student assessment inventory, school districts that screen students
12 for indicators of, or areas of weakness associated with, dyslexia
13 must report the number of students and grade levels of the students
14 screened, disaggregated by student subgroups. Each school district
15 must aggregate the school reports and submit the aggregated report
16 to the office of the superintendent of public instruction. The
17 office of the superintendent of public instruction and the dyslexia
18 advisory council convened under section 4 of this act must use this
19 data when developing best practice recommendations in accordance
20 with sections 4 and 5 of this act.

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22 **Sec. 7.** RCW 28A.165.035 and 2016 c 72 s 803 are each amended to
23 read as follows:

24 (1) Use of best practices that have been demonstrated through
25 research to be associated with increased student achievement
26 magnifies the opportunities for student success. To the extent they
27 are included as a best practice or strategy in one of the state
28 menus or an approved alternative under this section or RCW
29 28A.655.235, the following are services and activities that may be
30 supported by the learning assistance program:

31 (a) Extended learning time opportunities occurring:

32 (i) Before or after the regular school day;

33 (ii) On Saturday; and

34 (iii) Beyond the regular school year;

1 (b) Services under RCW 28A.320.190;

2 (c) Professional development for certificated and classified
3 staff that focuses on:

4 (i) The needs of a diverse student population;

5 (ii) Specific literacy and mathematics content and instructional
6 strategies; and

7 (iii) The use of student work to guide effective instruction and
8 appropriate assistance;

9 (d) Consultant teachers to assist in implementing effective
10 instructional practices by teachers serving participating students;

11 (e) Tutoring support for participating students;

12 (f) Outreach activities and support for parents of participating
13 students, including employing parent and family engagement
14 coordinators; and

15 (g) Up to five percent of a district's learning assistance
16 program allocation may be used for development of partnerships with
17 community-based organizations, educational service districts, and
18 other local agencies to deliver academic and nonacademic supports to
19 participating students who are significantly at risk of not being
20 successful in school to reduce barriers to learning, increase
21 student engagement, and enhance students' readiness to learn. The
22 school board must approve in an open meeting any community-based
23 organization or local agency before learning assistance funds may be
24 expended.

25 (2) In addition to the state menu developed under RCW
26 28A.655.235, the office of the superintendent of public instruction
27 shall convene a panel of experts, including the Washington state
28 institute for public policy, to develop additional state menus of
29 best practices and strategies for use in the learning assistance
30 program to assist struggling students at all grade levels in English
31 language arts and mathematics and reduce disruptive behaviors in the
32 classroom. The office of the superintendent of public instruction
33 shall publish the state menus by July 1, 2015, and update the state
34 menus by each July 1st thereafter.

1 (3)(a) Beginning in the 2016-17 school year, except as provided
2 in (b) of this subsection, school districts must use a practice or
3 strategy that is on a state menu developed under subsection (2) of
4 this section or RCW 28A.655.235.

5 (b) Beginning in the 2016-17 school year, school districts may
6 use a practice or strategy that is not on a state menu developed
7 under subsection (2) of this section for two school years initially.
8 If the district is able to demonstrate improved outcomes for
9 participating students over the previous two school years at a level
10 commensurate with the best practices and strategies on the state
11 menu, the office of the superintendent of public instruction shall
12 approve use of the alternative practice or strategy by the district
13 for one additional school year. Subsequent annual approval by the
14 superintendent of public instruction to use the alternative practice
15 or strategy is dependent on the district continuing to demonstrate
16 increased improved outcomes for participating students.

17 (c) Beginning in the 2016-17 school year, school districts may
18 enter cooperative agreements with state agencies, local governments,
19 or school districts for administrative or operational costs needed
20 to provide services in accordance with the state menus developed
21 under this section and RCW 28A.655.235.

22 (4) School districts are encouraged to implement best practices
23 and strategies from the state menus developed under this section and
24 RCW 28A.655.235 before the use is required.

25 (5) School districts may use learning assistance program
26 allocations to meet the dyslexia screening and intervention
27 requirements of section 2 of this act, even if the student being
28 screened or provided with supports is not eligible to participate in
29 the learning assistance program. The learning assistance program
30 allocations may also be used for school district staff trainings
31 necessary to implement the provisions of section 2 of this act.

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33 NEW SECTION. Sec. 8. A new section is added to chapter 28A.300
34 RCW to read as follows:

1 (1) The superintendent of public instruction may adopt rules to
2 implement sections 1 through 7 of this act.

3 (2) The rules may include, but are not limited to, the
4 following:

5 (a) A timeline for school districts and charter schools to
6 implement the dyslexia screenings required under section 2 of this
7 act;

8 (b) The frequency of conducting dyslexia screenings;

9 (c) Best practices for identifying dyslexia screening tools
10 pursuant to section 3 of this act; and

11 (d) Training for school district staff conducting dyslexia
12 screenings.

13 (3) The members and scope of work for the dyslexia advisory
14 council convened under section 4 of this act.

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16 **Sec. 9.** RCW 28A.710.040 and 2016 c 241 s 104 are each amended
17 to read as follows:

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

20 (2) A charter school must:

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

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

30 (c) Comply with the dyslexia screening and intervention
31 requirements under section 2 of this act;

32 (d) Employ certificated instructional staff as required in RCW
33 28A.410.025. Charter schools, however, may hire noncertificated

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

3 ~~((d))~~ (e) Comply with the employee record check requirements
4 in 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
31 in 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 education,

1 including accountability measures, to the same extent as other public
2 schools, except as otherwise provided in this chapter."

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4 Correct the title.

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EFFECT: Makes numerous changes to the underlying bill,
including:

- (1) Revises the definition of dyslexia;
- (2) Delays by one year, to the 2021-22 school year, school district implementation of dyslexia screenings for students in kindergarten through second grade and interventions for those who display indications of, or areas of weakness associated with, dyslexia;
- (3) Requires districts to provide these interventions using multi-tiered systems of support that meet certain requirements;
- (4) Requires districts to provide educational materials to parents and families of students who display indications of, or areas of weakness associated with, dyslexia, and updates of student progress no less than once every eight weeks;
- (5) Specifies that the screening tools used by districts and identified by the Superintendent of Public Instruction (SPI) must meet best practices, such as meeting developmental and academic criteria that indicate typical literacy development or dyslexia, and identifying highly predictive indicators of dyslexia;
- (6) Requires that the list of screening tools identified by the SPI must be updated as appropriate;
- (7) Expires the Dyslexia Advisory Council (Council) on August 1, 2023 and removes provisions specifying the number of annual meetings and limiting members' term of service;
- (8) Expands the content of the Council's report, which must be submitted to the SPI rather than the Legislature, to include best practices for implementing multi-tiered systems of support, sample educational materials, and best practices for meeting the needs of students above grade two;
- (9) Directs the SPI to review the Council's recommendations and make its own recommendations available to school districts by June 1, 2021 (before district implementation is required);
- (10) Requires the Council and the SPI to update their recommendations after reviewing the first year of school district implementation of dyslexia screenings and interventions;
- (11) Directs the SPI to, by November 1, 2022, report certain information data from the first year of school district implementation of dyslexia screenings and interventions;
- (12) Adds that Learning Assistance Program (LAP) allocations may be used for staff trainings to implement the dyslexia screenings and to provide interventions; and
- (13) Makes grammar, structure, and other nonsubstantive changes,

for example, uses consistent terms when describing students who require interventions under the act, moves school district requirements from the chapter on Special Education to the School District chapter, and deletes a redundant provision allowing LAP allocations to cover the costs of required dyslexia screenings.

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