

ACT No. 266

HOUSE BILL NO. 69

BY REPRESENTATIVES MARINO, ADAMS, BISHOP, BOURRIAQUE, BOYD, BRASS, BROWN, BRYANT, BUTLER, CARPENTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, CREWS, DESHOTEL, DUBUISSON, ECHOLS, EDMONDS, FISHER, FREEMAN, FREIBERG, GLOVER, GREEN, HARRIS, HILFERTY, HODGES, HORTON, ILLG, JEFFERSON, MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, LACOMBE, LAFLEUR, LARVADAIN, LYONS, MCFARLAND, MCKNIGHT, MCMAHEN, MOORE, MUSCARELLO, NELSON, CHARLES OWEN, PHELPS, PIERRE, PRESSLY, RISER, SCHAMERHORN, SCHLEGEL, SELDERS, ST. BLANC, STAGNI, THOMPSON, VILLIO, WHEAT, WHITE, WILLARD, AND WRIGHT AND SENATORS FIELDS, JACKSON, MIZELL, AND TALBOT AND REPRESENTATIVE KNOX

1 AN ACT

2 To amend and reenact R.S. 17:7.2(A)(8)(a)(iii), 392.1(D), and 2112(Section heading), to
3 enact Part VI-B of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950,
4 to be comprised of R.S. 17:392.11 through 392.13, and 3996(B)(75), and to repeal
5 R.S. 17:7(11), 392.1(B)(2)(a) and (3) and (F), 392.2, and 2112(A)(2) and (B),
6 relative to the screening of students; to provide for screening with respect to
7 dyslexia; to require the State Board of Elementary and Secondary Education to adopt
8 related rules; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:7.2(A)(8)(a)(iii), 392.1(D), and 2112(Section heading) are hereby
11 amended and reenacted and Part VI-B of Chapter 1 of Title 17 of the Louisiana Revised
12 Statutes of 1950, comprised of R.S. 17:392.11 through 392.13, and 3996(B)(75) are hereby
13 enacted to read as follows:

14 §7.2. Approved teacher education programs

15 A. In carrying out its responsibility to prescribe the qualifications and
16 provide for the certification of teachers under authority of R.S. 17:7(6), the State
17 Board of Elementary and Secondary Education, subject to the constitutional power
18 and authority of the Board of Regents, the Board of Supervisors for the University
19 of Louisiana System, the Board of Supervisors of Louisiana State University and

1 Agricultural and Mechanical College, and the Board of Supervisors of Southern
 2 University and Agricultural and Mechanical College, shall establish qualifications
 3 and requirements for the approval of teacher education programs from which
 4 graduates may be certified. The qualifications and requirements established by the
 5 State Board of Elementary and Secondary Education for an approved teacher
 6 education program shall include but not be limited to the following:

7 * * *

8 (8)(a) That the program include no less than three credit hours on teaching
 9 students with dyslexia within the existing credit hour requirements. The coursework
 10 shall include but need not be limited to the following:

11 * * *

12 (iii) An introduction to the process of becoming a dyslexia practitioner or
 13 dyslexia therapist, pursuant to ~~R.S. 17:392.2~~; R.S. 17:392.12.

14 * * *

15 §392.1. Screening and intervention; purpose; applicability; city and parish school
 16 system; duties

17 * * *

18 D. Children in need of services ~~and/or~~ or assistance shall have it provided
 19 to them. ~~Services for disorders shall be provided in accordance with R.S. 17:7(11).~~
 20 Children who are referred for further evaluation shall be provided further evaluation
 21 in accordance with Chapter 8 of this Title. ~~Children who are in need of assistance~~
 22 ~~shall have it provided to them in accordance with this Part.~~

23 * * *

24 PART VI-B. DYSLEXIA

25 §392.11. Dyslexia; screening and reporting

26 A. As used in this Part:

27 (1) "Dyslexia" means an unexpected difficulty in reading for an individual
 28 who has the intelligence to be a much better reader, most commonly caused by a
 29 difficulty in phonological processing, which affects the ability of an individual to
 30 speak, read, and spell.

1 (2) "Phonological processing" means the appreciation of the individual
 2 sounds of spoken and written language.

3 B.(1) The state Department of Education shall select a dyslexia screener with
 4 an area under the curve of 0.80 or above and provide the screener, at no cost, to each
 5 public school. The dyslexia screener shall be administered to each student by a
 6 classroom teacher in the second half of kindergarten or upon request of a teacher or
 7 a parent or legal guardian. This screener shall not be a progress monitoring tool but
 8 shall:

9 (a) Be developed solely for dyslexia.

10 (b) Be evidence-based with proven, published psychometric validity.

11 (c) Be used for the sole purpose of determining whether a student is at-risk
 12 for dyslexia.

13 (2) If the results of such screening indicate that a student is at risk for
 14 dyslexia, the parent or guardian shall be notified within thirty days of the results of
 15 the screening.

16 (3) The implementation of the provisions of this Subsection shall be subject
 17 to the appropriation of funds by the legislature for this purpose.

18 C.(1) Each public school governing authority shall submit a report to the
 19 state Department of Education by December fifteenth annually relative to the
 20 occurrence of dyslexia. The report shall include numbers of students of all grade
 21 levels identified as dyslexic, either pursuant to the provisions of this Section or by
 22 any other means, and shall include, per grade, all of the following:

23 (a) For students identified as dyslexic through a Section 504 Plan:

24 (i) The number initially identified during the preceding school year.

25 (ii) The total number.

26 (b) For students with an Individualized Education Plan identified as having
 27 a specific learning disability, dyslexia:

28 (i) The number initially identified during the preceding school year.

29 (ii) The total number.

1 (2) The state Department of Education shall compile the reports received
2 pursuant to Paragraph (1) of this Subsection and report such data to the House
3 Committee on Education and the Senate Committee on Education no later than
4 March first annually.

5 (3) Notwithstanding Paragraph (1) of this Subsection, if the number of
6 students in a grade level identified as dyslexic is not zero and not more than ten, the
7 report shall not indicate an exact number but shall indicate that there are fewer than
8 eleven students in the grade identified as dyslexic.

9 §392.12. Dyslexia practitioner; dyslexia therapist; ancillary certificates

10 A. The State Board of Elementary and Secondary Education shall develop
11 the criteria whereby a teacher may be issued a dyslexia practitioner ancillary
12 certificate or a dyslexia therapist ancillary certificate.

13 B. In addition to any other criteria established by the board, in order to be
14 issued an ancillary certificate pursuant to this Section, a teacher shall:

15 (1) Hold a valid Louisiana teaching certificate.

16 (2) Demonstrate completion of a multisensory structured language training
17 program accredited by a nationally recognized accrediting organization, which shall
18 include:

19 (a) For the dyslexia practitioner ancillary certificate, forty-five hours of
20 coursework and sixty hours of clinical work that is observed and monitored by a
21 qualified professional.

22 (b) For the dyslexia therapist ancillary certificate, two hundred hours of
23 coursework and seven hundred hours of clinical work that is observed and monitored
24 by a qualified professional.

25 (3) Pass a multisensory structured language education-related competency
26 examination that is administered by a nationally recognized professional
27 organization that issues national certifications.

1 §392.13. Administrative rules

2 The State Board of Elementary and Secondary Education shall promulgate
3 rules to implement the provisions of this Part in accordance with the Administrative
4 Procedure Act.

5 * * *

6 §2112. Testing pupils' sight and hearing; ~~testing for dyslexia~~; notice to parent or
7 tutor; report to state superintendent

8 * * *

9 §3996. Charter schools; exemptions; requirements

10 * * *

11 B. Notwithstanding any state law, rule, or regulation to the contrary and
12 except as may be otherwise specifically provided for in an approved charter, a
13 charter school established and operated in accordance with the provisions of this
14 Chapter and its approved charter and the school's officers and employees shall be
15 exempt from all statutory mandates or other statutory requirements that are
16 applicable to public schools and to public school officers and employees except for
17 the following laws otherwise applicable to public schools with the same grades:

18 * * *

19 (75) Dyslexia screening and reporting, R.S. 17:392.11.

20 * * *

21 Section 2. R.S. 17:7(11), 392.1(B)(2)(a) and (3) and (F), 392.2, and 2112(A)(2) and
22 (B) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____