

2023 Regular Session

HOUSE BILL NO. 69

BY REPRESENTATIVE MARINO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides for the screening and diagnosis of students with respect to dyslexia

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 to repeal R.S. 17:7(11),
5 392.1(B)(2)(a) and (3) and (F), 392.2, and 2112(A)(2) and (B), relative to the
6 screening and diagnosis of students; to provide for screening and diagnosis with
7 respect to dyslexia; to require the State Board of Elementary and Secondary
8 Education to adopt 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, is hereby enacted to read as
13 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
20 Agricultural and Mechanical College, and the Board of Supervisors of Southern

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

6 * * *

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

10 * * *

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

13 * * *

14 §392.1. Screening and intervention; purpose; applicability; city and parish school
15 system; duties

16 * * *

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

22 * * *

23 PART VI-B. DYSLEXIA

24 §392.11. Dyslexia; screening, diagnosis, and reporting

25 A. As used in this Part:

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

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

3 B.(1) A dyslexia screener shall be administered to each student by a
4 classroom teacher in the second half of kindergarten or upon request of a teacher or
5 a parent or legal guardian. This screener shall not be a progress monitoring tool but
6 shall:

7 (a) Be developed solely for dyslexia.

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

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

11 (2) If the results of such screening indicate that a student is at risk for
12 dyslexia, then the school, in order to determine whether he has dyslexia, shall
13 determine through history, observation, and psychometric assessment if there are
14 unexpected difficulties in reading and associated linguistic problems at the level of
15 phonological processing that are unrelated to the student's intelligence, age, and
16 grade level.

17 (3) The core assessment for the diagnosis of dyslexia shall not be based on
18 a single test score or specific number of characteristics and shall include all of the
19 following:

20 (a) Tests of language, particularly phonemic assessment, real words and
21 pseudowords, oral reading fluency, and intellectual ability.

22 (b) An academic performance review.

23 (c) An interview with the student's parent or legal guardian.

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

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

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

2 (ii) The total number.

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

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

6 (ii) The total number.

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

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

15 §392.12. Dyslexia practitioner; dyslexia therapist; ancillary certificates

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

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

21 (1) Hold a valid Louisiana teaching certificate.

22 (2) Demonstrate completion of a multisensory structured language training
23 program accredited by a nationally recognized accrediting organization, which shall
24 include:

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

Proposed law repeals present law and provides the following relative to dyslexia:

Definitions

Present law defines "dyslexia" as an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in phonological processing, which affects the ability of an individual to speak, read, and spell. Defines "phonological processing" as meaning the appreciation of the individual sounds of spoken and written language. Proposed law retains present law.

Screening

Proposed law requires a dyslexia screener to be administered to each student by a classroom teacher in the second half of kindergarten or at any time it is requested by a teacher or a parent or guardian. Prohibits the screener from being a progress monitoring tool and requires that it be developed solely for dyslexia; be evidence-based with proven, published psychometric validity; and be used for the purpose of determining whether a student is at-risk for dyslexia.

Diagnosis

Proposed law, relative to diagnosis, provides the following:

- (1) Provides that if screening results indicate that a student is at risk for dyslexia, the school, in order to determine whether he has dyslexia, shall determine through history, observation, and psychometric assessment if there are unexpected difficulties in reading and associated linguistic problems at the level of phonological processing that are unrelated to the student's intelligence, age, and grade level.
- (2) Provides that the core assessment for the diagnosis of dyslexia shall not be based on a single test score or specific number of characteristics and shall include the following:
 - (a) Tests of language, particularly phonemic assessment, real words and pseudowords, oral reading fluency, and intellectual ability.
 - (b) An academic performance review.
 - (c) A parental interview.

Reporting and ancillary certification

Present law provides for reporting relative to students with dyslexia and provides for the issuance of an ancillary certificate to a teacher for service as a dyslexia practitioner or dyslexia therapist. Proposed law retains present law but recodifies it for purposes of statutory organization.

Rules

Proposed law requires BESE to promulgate rules to implement proposed law in accordance with the Administrative Procedure Act.

(Amends R.S. 17:7.2(A)(8)(a)(iii), 392.1(D), and 2112(Section heading); Adds R.S. 17:392.11-392.13; Repeals R.S. 17:7(11), 392.1(B)(2)(a) and (3) and (F), 392.2, and 2112(A)(2) and (B))