

2024 Regular Session

SENATE BILL NO. 336

BY SENATOR PRESSLY

STUDENTS. Provides for dyslexia screening and subsequent testing and core assessment.  
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 17:392.11(B), relative to dyslexia; to provide for the screening,  
3 testing, and core assessment of students for dyslexia; to clarify that a screener is a  
4 computer software program to assist classroom teachers in screening for dyslexia;  
5 to provide for parental consent; to provide for the selection and payment of vendors;  
6 to provide with respect to the funding and payments; to provide for the  
7 reimbursement for the testing and core assessments in certain circumstances; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:392.11(B), is hereby amended and reenacted to read as follows:

11 §392.11. Dyslexia; screening and reporting

12 \* \* \*

13 B.(1)(a) The state Department of Education shall select a **computer software**  
14 **program to provide a screening tool for students for** dyslexia ~~screener~~. **The**  
15 **dyslexia screening computer software program shall have** with an area under the  
16 curve of 0.80 or above and ~~provide the screener~~ **shall be made available**, at no cost,  
17 to each public school. The dyslexia ~~screener~~ **screening computer software**

1 **program** shall be administered to each student by a classroom teacher in the second  
2 half of kindergarten or upon request of a teacher or a parent or legal guardian. This  
3 ~~screener~~ **screening by the classroom teacher** shall not be a progress monitoring tool  
4 but shall **do all of the following**:

5 ~~(a)~~**(i)** Be developed solely for dyslexia.

6 ~~(b)~~**(ii)** Be evidence-based with proven, published psychometric validity.

7 ~~(c)~~**(iii)** Be used for the sole purpose of determining whether a student is at  
8 risk for dyslexia.

9 ~~(2)~~**(b)** If the results of ~~such~~ **the screening by the classroom teacher** indicate  
10 **indicates** that a student is at risk for dyslexia, the parent or legal guardian shall be  
11 notified within thirty days of the results of the screening. **Upon receiving**  
12 **notification that the student is at risk for dyslexia, the parent or legal guardian**  
13 **may consent to subsequent dyslexia testing and core assessment as provided in**  
14 **Paragraph (2) of this Subsection.**

15 **(2)(a)** **The dyslexia testing and core assessment shall be performed by a**  
16 **competent professional and shall not be based on a single test score or specific**  
17 **number of characteristics and shall include all of the following:**

18 **(i) Tests of language, particularly phonemic assessment, real words and**  
19 **pseudowords, oral reading fluency, and intellectual ability.**

20 **(ii) An academic performance review.**

21 **(iii) An interview with the student's parent or legal guardian.**

22 **(b) Except as provided for in this Section, the state Department of**  
23 **Education shall do all of the following:**

24 **(i) Contract with a vendor to provide the dyslexia screening computer**  
25 **software program to be used by classroom teachers to perform the initial**  
26 **dyslexia screening.**

27 **(ii) Contract with one or more vendors to provide competent**  
28 **professionals to perform the testing and core assessment at the request of each**  
29 **public school.**

1                    **(iii) Develop and set forth the qualifications and a payment schedule for**  
 2                    **professionals who shall administer the subsequent testing and core assessments**  
 3                    **at public schools in compliance with this Section.**

4                    **(iv) Make payments to approved vendors for the dyslexia screening**  
 5                    **computer software and the professional services required by this Section based**  
 6                    **upon a payment schedule developed by the state Department of Education and**  
 7                    **approved by the Louisiana State Board of Elementary and Secondary**  
 8                    **Education.**

9                    **(c) If a parent or legal guardian chooses to employ or contract with a**  
 10                   **professional to provide the testing and core assessment other than the vendor**  
 11                   **that is available at their child's school, the state Department of Education shall**  
 12                   **reimburse the parent or legal guardian for the actual costs of the testing and**  
 13                   **core assessment so long as the professional is listed on the approved vendor list;**  
 14                   **however, reimbursement by the state Department of Education to the parent or**  
 15                   **legal guardian shall be in an amount that is no greater than the payment**  
 16                   **amount which is set forth in the payment schedule that is approved by the**  
 17                   **department for contracted vendors pursuant to Item (b)(iii) of this Paragraph.**

18                   (3) The implementation of the provisions of this Subsection shall be subject  
 19                   to the appropriation of funds by the legislature ~~for this purpose~~ **to the state**  
 20                   **Department of Education to provide for the computer software program and**  
 21                   **professional services required by this Section.**

22                   \*           \*           \*

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The original instrument was prepared by Carla S. Roberts. The following  
 digest, which does not constitute a part of the legislative instrument, was  
 prepared by Thomas L. Tyler.

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SB 336 Reengrossed

DIGEST  
 2024 Regular Session

Pressly

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.

Proposed law retains present law.

Present law requires the state Department of Education (DOE) to select a dyslexia screener with an area under the curve of 0.80 or above and provide the screener, at no cost, to each public school. Further requires the 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 academic validity; and be used for the purpose of determining whether a student is at-risk for dyslexia. Provides that if the screening results indicate that a student is at risk for dyslexia, the parent or guardian will be notified within 30 days of the results of the screening.

Proposed law retains present law and changes the term from "dyslexia screener" to "dyslexia screening computer software program" with respect to the screening for dyslexia that is performed by the student's classroom teacher pursuant to present law. Clarifies that the costs associated with the payment of the screening computer software program in present law is to be made by the DOE.

Proposed law provides that, if the screening that is performed by the classroom teacher indicates that a student is at risk for dyslexia, the parent or legal guardian may consent to subsequent dyslexia testing and core assessment. The testing and core assessment cannot be based on a single test score or specific number of characteristics and will include all of the following:

- (1) Tests of language, particularly phonemic assessment, real words and pseudowords, oral reading fluency, and intellectual ability.
- (2) An academic performance review.
- (3) An interview with the student's parent or legal guardian.

Proposed law provides that vendors are to be chosen by the DOE to perform the subsequent testing and core assessments by qualified professionals. The DOE is to make payments to the approved vendors for professional services based upon a payment schedule developed by the DOE and approved by the BESE.

Proposed law provides that, if the parent or legal guardian chooses to employ or contract with a professional other than that which is available at their child's school, then the parent or legal guardian is to be reimbursed by the DOE so long as the professional is on the DOE's approved vendor list. Reimbursement to the parent or legal guardian will not exceed the amount in the payment schedule provided in proposed law.

Present law provides that the implementation of the screening for dyslexia is to be subject to the appropriation of funds by the legislature.

Proposed law retains present law and clarifies that legislature appropriate money to the DOE to provide for the computer software and the professional services required by proposed law.

Effective August 1, 2024.

(Amends R.S. 17:392.11(B))

#### Summary of Amendments Adopted by Senate

##### Senate Floor Amendments to engrossed bill

1. Technical amendment