



AN ACT ADDRESSING DYSLEXIA IN MONTANA; PROVIDING A DEFINITION OF DYSLEXIA AND REITERATING THE EXISTING OBLIGATION OF SCHOOL DISTRICTS TO IDENTIFY STUDENTS WITH DYSLEXIA AND EVALUATE THEM FOR SPECIAL EDUCATION AND RELATED SERVICES; REQUIRING SCHOOL DISTRICTS TO SCREEN STUDENTS FOR DYSLEXIA AND ADDRESS THE NEEDS OF STUDENTS IDENTIFIED WITH DYSLEXIA; REQUIRING THE OFFICE OF PUBLIC INSTRUCTION TO PROVIDE GUIDANCE TO SCHOOL DISTRICTS ON IDENTIFYING AND SERVING STUDENTS WITH DYSLEXIA; EMPHASIZING THE NEED FOR TEACHERS AND OTHER SCHOOL PERSONNEL TO BE PREPARED TO IDENTIFY AND SERVE STUDENTS WITH DYSLEXIA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

WHEREAS, reading is fundamental to developing a person's full educational potential, which is the goal of the people of Montana as stated in Article X, section 1, of the Montana Constitution; and

WHEREAS, dyslexia can impede a person's ability to read and is one of the most common learning disabilities, with some estimates as high as one in five people having dyslexia; and

WHEREAS, the Legislature finds that ensuring Montana students with dyslexia are identified and receive appropriate educational services as early as possible is vital to these students maximizing their educational potential.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Dyslexia -- definition -- screening -- intervention. (1) This section may be cited as the "Montana Dyslexia Screening and Intervention Act".

(2) For the purposes of this section, "dyslexia" means a specific learning disability that is neurological in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge.

(3) (a) In alignment with the existing requirements of the Individuals With Disabilities Education Act, rules of the board of public education, and rules of the superintendent of public instruction, school districts shall establish procedures to ensure that all resident children with disabilities, including specific learning disabilities resulting from dyslexia, are identified and evaluated for special education and related services as early as possible.

(b) To support the goal of the people of Montana to develop the full educational potential of each person, articulated in Article X, section 1(1), of the Montana constitution, and to ensure early identification and intervention for students with dyslexia, a school district shall utilize a screening instrument aimed at identifying students at risk of not meeting grade-level reading benchmarks. The screening instrument must:

(i) be administered to:

(A) a child in the first year that the child is admitted to a school of the district up to grade 2; and

(B) a child who has not been previously screened by the district and who fails to meet grade-level reading benchmarks in any grade;

(ii) be administered by an individual with an understanding of, and training to identify, signs of dyslexia; and

(iii) be designed to assess developmentally appropriate phonological and phonemic awareness skills.

(c) If a screening under subsection (3)(b) suggests that a child may have dyslexia or a medical professional diagnoses a child with dyslexia, the child's school district shall take steps to identify the specific needs of the child and implement best practice interventions to address those needs. This process may lead to consideration of the child's qualification as a child with a disability under the Individuals With Disabilities Education Act.

(4) The office of public instruction shall:

(a) endeavor to raise statewide awareness of dyslexia, as well as the attendant rights of students and parents and the responsibilities of school districts related to dyslexia; and

(b) provide guidance to school districts related to:

(i) the early identification of students with dyslexia, including best practices for universal, valid, and reliable screening methods and other assessments in support of the requirements of subsection (3)(b) that:

- (A) have minimal or no cost to a district; and
 - (B) are able to be integrated with a district's existing reading programs;
 - (ii) best practice interventions to support students with dyslexia as early as possible, including interventions for those students with dyslexia evaluated as requiring special education and those students with dyslexia evaluated as not requiring special education; and
 - (iii) best practices for collaborating with and supporting parents of students with dyslexia.
- (5) The legislature urges all entities within the state with authority over, or a role to play in, teacher preparation and professional development to ensure that teachers and other school personnel, especially those in the early grades, are well prepared to identify and serve students with dyslexia.
- (6) No later than September 15, 2020, the office of public instruction and the board of public education shall report to the education interim committee on progress made in addressing dyslexia pursuant to this act.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 7, part 4, and the provisions of Title 20, chapter 7, part 4, apply to [section 1].

Section 3. Effective date. [This act] is effective on July 1, 2019.

Section 4. Applicability. [This act] applies to school years beginning on or after July 1, 2019.

- END -

I hereby certify that the within bill,
SB 0140, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2019.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2019.

SENATE BILL NO. 140

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