

## 1 SENATE BILL NO. 140

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

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

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

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

6

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

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

11 (2) For the purposes of this section, "dyslexia" means a specific learning disability that is neurological  
12 in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and  
13 decoding abilities. These difficulties typically result from a deficit in the phonological component of language that  
14 is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.  
15 Secondary consequences may include problems in reading comprehension and reduced reading experience that  
16 can impede the growth of vocabulary and background knowledge.

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

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

26 (i) be administered to:

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

28 (B) a child WHO HAS NOT BEEN PREVIOUSLY SCREENED BY THE DISTRICT AND who fails to meet grade-level  
29 reading benchmarks in any grade;

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

1 and

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

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

8 (4) The office of public instruction shall:

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

11 (b) provide guidance to school districts related to:

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

14 (A) HAVE MINIMAL OR NO COST TO A DISTRICT; AND

15 (B) ARE ABLE TO BE INTEGRATED WITH A DISTRICT'S EXISTING READING PROGRAMS;

16 (ii) best practice interventions to support students with dyslexia as early as possible, including  
17 interventions for those students with dyslexia evaluated as requiring special education and those students with  
18 dyslexia evaluated as not requiring special education; and

19 (iii) best practices for collaborating with and supporting parents of students with dyslexia.

20 (5) The legislature urges all entities within the state with authority over, or a role to play in, teacher  
21 preparation and professional development to ensure that teachers and other school personnel, especially those  
22 in the early grades, are well prepared to identify and serve students with dyslexia.

23 (6) No later than September 15, 2020, the office of public instruction and the board of public education  
24 shall report to the education interim committee on progress made in addressing dyslexia pursuant to this act.

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

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

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