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A BILL  
23-150

IN THE COUNCIL FOR THE DISTRICT OF COLUMBIA

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To require the Office of the State Superintendent of Education to develop guidance, regulations, and reporting requirements for public schools on the identification, remediation, and prevention of reading difficulties, including dyslexia and other reading disabilities such as dysgraphia, and dyscalculia; and to amend the District of Columbia School Reform Act of 1995 to establish professional development requirements for public school educators on the topic of reading difficulties, to require universal screening for reading difficulties in public school students, to require academic intervention and caregiver notification for students identified as at risk of reading difficulties, and to require the use of science-based reading programs in public schools.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Addressing Dyslexia and Other Reading Difficulties Amendment Act of 2020”.

TITLE I. ACCESS TO READING FOR ALL

Sec. 101. Definitions.

(1) “Dyslexia” means a specific learning disability that:

(A) Is neurobiological in origin;

(B) Is characterized by difficulties with accurate or fluent word

recognition and by poor spelling and decoding abilities, which typically result from a deficiency

26 in the phonological component of language that is often unexpected in relation to other cognitive  
27 abilities and the provision of effective classroom instruction; and

28 (C) May have secondary consequences, such as problems in reading  
29 comprehension and reduced reading experience that can impede growth of vocabulary and  
30 background knowledge.

31 (2) “Educator” means a teacher, school administrator, guidance counselor, social  
32 worker, or an individual who works with students with special needs in an academic capacity.

33 (3) “Local education agency” or “LEA” means the District of Columbia Public  
34 Schools system, any individual public charter school, or any group of public charter schools  
35 operating under a single charter.

36 (4) “OSSE” means Office of the State Superintendent of Education.

37 (5) “Public school” means District of Columbia Public Schools and public charter  
38 schools in the District of Columbia.

39 (6) “Reading difficulty” means any neurological or physical impediment to  
40 reaching grade-level developmental reading milestones, including dyslexia, dyscalculia, or  
41 dysgraphia, and other reading disabilities.

42 (7) “Science-based reading program” means a reading curriculum, based on the  
43 science of reading, that includes explicit and systematic instruction in phonemic awareness,  
44 phonics, fluency, vocabulary, and comprehension strategies.

45 Sec. 102. Office of the State Superintendent of Education responsibilities.

46 (a) Beginning with School Year 2022-2023, the OSSE shall provide an array of  
47 supports, informed by best practices such as the knowledge and practice standards of an  
48 international association of dyslexia, to assist LEAs and public schools to achieve the  
49 requirements and goals set forth in this act and to adopt teaching and learning practices that  
50 support students with reading difficulties, including:

51 (1) Regular, high-quality professional development opportunities for an LEA's  
52 educators that will enable educators to:

53 (A) Understand and recognize reading difficulties;

54 (B) Screen for reading difficulties; and

55 (C) Implement instruction in the general education classroom, or during  
56 reading intervention, that is systemic, cumulative, explicit, diagnostic, multi-sensory, and  
57 evidence-based to meet the educational needs of students with reading difficulties.

58 (2) Awareness training on reading difficulties for all LEA educators, including  
59 those covered by section 103(a).

60 (3) A list of recommended screening instruments that an LEA may use to identify  
61 students who are at risk of reading difficulties, which screen for the following factors:

62 (A) Phonological awareness;

63 (B) Rapid naming skills;

64 (C) Correspondence between sounds and letters; and

65 (D) Decoding; and

66 (4) Guidance on:

67 (A) How to identify if a student has one or more reading difficulties,  
68 including how to distinguish whether an English language learner's reading issue is due to a  
69 reading difficulty or is associated with learning English as a second language;

70 (B) Proper protocols and procedures for screening students for potential  
71 reading difficulties; and

72 (C) Specialized, multi-tiered remediation and intervention instruction,  
73 which is grounded in science-based reading instruction, intended for a general education setting,  
74 and designed to support students who are identified as being at risk of reading difficulties.

75 (b) For the purpose of providing local education agencies and public schools the services  
76 set forth in subsection (a) of this section, the OSSE may:

77 (1) Award a contract or grant to one or more for-profit or nonprofit organizations;

78 (2) Award contracts or competitive or formula grants to LEAs, schools, or  
79 partnerships developed among schools or with nonprofit organizations;

80 (3) Establish a memorandum of understanding with a District agency; or

81 (4) Any combination of paragraphs (1) through (3) of this subsection.

82 (c) OSSE shall hire at least one individual, who has an expertise in reading and reading  
83 difficulties, to implement the requirements of this section and section 106.

84 Sec. 103. Professional development on reading difficulties.

85           (a)(1) Beginning with School Year 2022-2023 and annually thereafter, each public school  
86 shall ensure that the number of educators equal to the number of general education teachers  
87 working with students in kindergarten through second grade at that school have completed  
88 professional development on reading difficulties.

89           (2) The training required in paragraph (1) of this subsection shall be provided  
90 by OSSE, an LEA, or a third-party with an expertise in reading and reading difficulties, and shall  
91 comply with the standards set forth in section 102(a)(1).

92           (b) Beginning with School Year 2022-2023 and annually thereafter, each educator  
93 employed by an LEA, including those who received training pursuant to subsection (a) of this  
94 section, shall complete awareness training on reading difficulties as provided by OSSE pursuant  
95 to section 102(a)(2).

96           Sec. 104. Universal screening and intervention for reading difficulties.

97           (a) Beginning with School Year 2023-2024, using the guidance provided by OSSE  
98 pursuant to section 102(a)(3), an LEA shall ensure that all students in kindergarten through  
99 second grade are screened for reading difficulties.

100           (b) If an LEA chooses to use a screening instrument that is not recommended by OSSE  
101 pursuant to section 102(a)(3), the LEA shall make available, upon request, its reasoning for why  
102 it chose to use that particular screening tool.

103           Section 105. Reading intervention.

104 (a) Beginning with School Year 2023-2024, if the screening results from the universal  
105 screening performed pursuant to section 104 indicate that a student is at risk of having a reading  
106 difficulty, a LEA shall:

107 (1) Provide remediation and intervention instruction that will explicitly address  
108 the area of need identified in the screening; and

109 (2) Provide written notification to the parent or guardian of the student that  
110 includes the screening results, describes the supplemental reading instruction that will be  
111 provided to the student, and requests a meeting to discuss individualized student support.

112 (b) This section does not alleviate a local education agency from its obligations under the  
113 Individuals with Disabilities Act, 20 U.S.C. 1400, *et. seq.*

114 Section 106. Compliance reporting.

115 (a) Beginning October 31, 2023, and by October 31 of each year thereafter, District of  
116 Columbia Public Schools (DCPS) shall send a letter to OSSE reporting whether each DCPS  
117 school has complied with the requirements set forth in this title in the previous school year. If a  
118 DCPS school has failed to comply with one of more sections of this title, DCPS shall state the  
119 name of the school, the deficiency, and the timeline for curing said deficiency.

120 (b)(1) Beginning October 31, 2023, and by October 31 of each year thereafter, each  
121 public charter LEA shall send a letter to the PCSB reporting whether each public charter school  
122 within the LEA has complied with the requirements set forth in this title in the previous school  
123 year. If a public charter school has failed to comply with one of more sections of this title, the

124 public charter school LEA shall state the name of the school, the deficiency, and the timeline for  
125 curing said deficiency.

126 (2) By November 15, 2023, and by November 15 of each year thereafter, the  
127 PCSB shall transmit a copy of each letter to the OSSE.

128 (c) OSSE shall make publicly available the compliance letters within 10 business days  
129 after receiving the letters from DCPS and the PCSB.

130 Sec. 107. Science-based reading program.

131 Beginning with School Year 2024-2025, each LEA shall adopt a science-based reading  
132 program.

133 TITLE II. CONFORMING AMENDMENTS

134 Sec. 201. Section 2002(c) of the District of Columbia School Reform Act of 1995,  
135 approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.04(c)), is amended by  
136 adding a new paragraph (14A) to read as follows:

137 “(14A) A public charter school’s program of education shall incorporate and comply with  
138 the requirements of title I of the Addressing Dyslexia and Other Reading Difficulties  
139 Amendment Act of 2020, as approved by the Committee of the Whole on October 20, 2020  
140 (Committee Print of Bill 23-150).”.

141 TITLE III. GENERAL PROVISIONS

142 Sec. 301. Applicability.

143 (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved  
144 budget and financial plan.

145 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in  
146 an approved budget and financial plan, and provide notice to the Budget Director of the Council  
147 of the certification.

148 (c)(1) The Budget Director shall cause notice of the certification to be published in the  
149 District of Columbia Register.

150 (2) The date of publication of the notice of the certification shall not affect the  
151 applicability of this act.

152 Sec. 302. Fiscal impact statement.

153 The Council adopts the fiscal impact statement in the committee report as the fiscal  
154 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
155 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

156 Sec. 303. Effective date.

157 This act shall take effect following approval by the Mayor (or in the event of veto by the  
158 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
159 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
160 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
161 Columbia Register.