

AN ACT

IN THE COUNCIL FOR THE DISTRICT OF COLUMBIA

To require the Office of the State Superintendent of Education to develop guidance on and provide support to public schools on the identification, remediation, and prevention of reading difficulties, including dyslexia and other reading disabilities such as dysgraphia, and dyscalculia, 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, to require the use of science-based reading programs in public schools, and to require public schools to report on their compliance with the requirements of the act; and to amend the District of Columbia School Reform Act of 1995 to make a conforming amendment.

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

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

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

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

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

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

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

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

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

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

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

(A) Understand and recognize reading difficulties;

(B) Screen for reading difficulties; and

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

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

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

(A) Phonological awareness;

(B) Rapid naming skills;

(C) Correspondence between sounds and letters; and

(D) Decoding; and

(4) Guidance on:

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

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

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

(b) For the purpose of providing LEAs and public schools the services set forth in subsection (a) of this section, OSSE may:

- (1) Award a contract or grant to one or more for-profit or nonprofit organizations;
- (2) Award contracts or competitive or formula grants to LEAs, schools, or partnerships developed among schools or with nonprofit organizations;
- (3) Establish a memorandum of understanding with a District agency; or
- (4) Any combination of paragraphs (1) through (3) of this subsection.

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

Sec. 103. Professional development on reading difficulties.

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

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

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

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

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

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

Section 105. Reading intervention.

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

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

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

(b) This section does not alleviate a local education agency from its obligations under the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1400 *et seq.*).

Sec. 106. Compliance reporting.

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

(b)(1) Beginning October 31, 2023, and by October 31 of each year thereafter, each public charter LEA shall send a letter to the Public Charter School Board (“PCSB”) reporting whether each public charter school within the LEA has complied with the requirements set forth in this title in the previous school year. If a public charter school has failed to comply with one of more sections of this title, the public charter school LEA shall state the name of the school, the deficiency, and the timeline for curing the deficiency.

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

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

Sec. 107. Science-based reading program.

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

TITLE II. CONFORMING AMENDMENTS

Sec. 201. Section 2002(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321-107; D.C. Official Code § 38-1802.04(c)), is amended by adding a new paragraph (14A) to read as follows:

“(14A) A public charter school’s program of education shall incorporate and comply with the requirements of title I of the Addressing Dyslexia and Other Reading Difficulties Amendment Act of 2020, passed on 2nd reading on November 10, 2020 (Enrolled version of Bill 23-150).”.

TITLE III. GENERAL PROVISIONS

Sec. 301. Applicability.

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

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

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

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

Sec. 302. Fiscal impact statement.

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

Sec. 303. Effective date.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia