



Reprinted
January 31, 2018

SENATE BILL No. 217

DIGEST OF SB 217 (Updated January 30, 2018 2:43 pm - DI 110)

Citations Affected: IC 20-35; IC 20-35.5.

Synopsis: Dyslexia. Requires the following: (1) A school multidisciplinary team must include information about dyslexia in a student's educational evaluation if the multidisciplinary team determines that the student is eligible to receive special education and related services and has or has characteristics of dyslexia. (2) Information about dyslexia must be: (A) discussed by the student's case conference committee if information about dyslexia is included in the student's educational evaluation; and (B) included in the student's individualized education program if the case conference committee determines that the information should be included. Requires school corporations and charter schools to screen: (1) each student in kindergarten, grade 1, and grade 2; and (2) certain other students.
(Continued next page)

Effective: July 1, 2018.

**Houchin, Bray, Ford, Bohacek,
Kruse, Freeman, Crane, Perfect,
Bassler, Walker, Raatz, Melton,
Holdman, Sandlin, Tomes**

January 3, 2018, read first time and referred to Committee on Education and Career Development.
January 25, 2018, amended, reported favorably — Do Pass.
January 30, 2018, read second time, amended, ordered engrossed.

SB 217—LS 6717/DI 110



Digest Continued

Establishes requirements regarding dyslexia screenings, notifications to parents, and dyslexia intervention services (including instructional approaches). Requires school corporations and charter schools to: (1) use the response to intervention process to address needs of students who are determined to have characteristics of dyslexia; and (2) obtain parental consent before administering a level I dyslexia screening or a level II dyslexia screening. Allows a student's parent to elect to have an independent comprehensive dyslexia evaluation of the student. Requires school corporations and charter schools to report annually to the department of education (department) regarding the number of students who were: (1) administered the initial dyslexia screening during the school year; and (2) determined to be at risk, or at some risk, for dyslexia. Requires a school corporation and charter school to report on the school corporation's or charter school's Internet web site certain information regarding dyslexia. Requires, not later than July 1, 2019, the department to employ at least one dyslexia specialists. Establishes the: (1) requirements for a dyslexia specialist; and (2) services the dyslexia specialist is required to provide. Requires, not later than the 2019-2020 school year, each school corporation and charter school to employ at least one individual to serve as a dyslexia interventionist for the school corporation or charter school. Requires, not later than the 2019-2020 school year, the department to ensure that each teacher receives professional awareness information on dyslexia. Requires the department to develop and update an Indiana dyslexia resource guide.

SB 217—LS 6717/DI 110



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January 31, 2018

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 217

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-35-4-13 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
3 **1, 2018]: Sec. 13. (a) Unless provided otherwise under federal law,**
4 **if a school's multidisciplinary team determines that a student:**
5 **(1) is eligible to receive special education and related services;**
6 **and**
7 **(2) has or has characteristics of the specific learning disability**
8 **of dyslexia;**
9 **the multidisciplinary team shall include information about dyslexia**
10 **in the educational evaluation of the student.**
11 **(b) If information about dyslexia is included in a student's**
12 **educational evaluation, information about dyslexia must be:**
13 **(1) discussed by the student's case conference committee; and**
14 **(2) included in the student's individualized education program**
15 **if the case conference committee determines that the**

SB 217—LS 6717/DI 110



1 **information should be included.**

2 SECTION 2. IC 20-35.5 IS ADDED TO THE INDIANA CODE AS
3 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
4 2018]:

5 **ARTICLE 35.5. DYSLEXIA SCREENING AND**
6 **INTERVENTION**

7 **Chapter 1. Definitions**

8 **Sec. 1. The definitions used in this chapter apply throughout this**
9 **article.**

10 **Sec. 2. (a) "Dyslexia interventionist" means an employee of a**
11 **school corporation or public school, including a charter school,**
12 **who has successfully completed training in a dyslexia program**
13 **approved by the department.**

14 **(b) The term includes a:**

15 **(1) dyslexia therapist;**

16 **(2) dyslexia specialist;**

17 **(3) teacher who has successfully completed the training**
18 **described in subsection (a); and**

19 **(4) tutor or paraprofessional working under the supervision**
20 **of a teacher described in subdivision (3).**

21 **Sec. 3. "Dyslexia program" means explicit, direct instruction**
22 **that is:**

23 **(1) systematic, sequential, and cumulative and follows a**
24 **logical plan of presenting the alphabetic principle that targets**
25 **the specific needs of a student without presuming prior skills**
26 **or knowledge of the student;**

27 **(2) research based; and**

28 **(3) offered in a setting to teach a student the components of**
29 **reading instruction, including:**

30 **(A) phonemic awareness to enable a student to detect,**
31 **segment, blend, and manipulate sounds in spoken**
32 **language;**

33 **(B) graphophonemic knowledge for teaching the letter**
34 **sound plan of English;**

35 **(C) the structure of the English language that includes**
36 **morphology, semantics, syntax, and pragmatics;**

37 **(D) linguistic instruction directed toward proficiency and**
38 **fluency with the patterns of language so that words and**
39 **sentences are carriers of meaning; and**

40 **(E) strategies that a student uses for decoding, encoding,**
41 **word recognition, fluency, and comprehension.**

42 **Sec. 4. "Dyslexia specialist" means a professional who:**



- 1 (1) has expertise in and either has or is working toward an
 2 endorsement or certification, as determined by the
 3 department, in providing training for:
- 4 (A) phonological and phonemic awareness;
 - 5 (B) sound and symbol relationships;
 - 6 (C) alphabet knowledge;
 - 7 (D) decoding skills;
 - 8 (E) rapid naming skills; and
 - 9 (F) encoding skills; and
- 10 (2) is fluent in the response to intervention process.
- 11 **Sec. 5. "Dyslexia therapist" means a professional who has**
 12 **successfully completed training in dyslexia therapy from a dyslexia**
 13 **therapy training program approved by the department.**
- 14 **Sec. 6. "Dyslexia therapy" means an appropriate specialized**
 15 **reading instructional program specifically designed for use in a**
 16 **dyslexia program.**
- 17 **Sec. 7. "Level I dyslexia screening" means a process for**
 18 **gathering additional information to determine if characteristics of**
 19 **dyslexia are present.**
- 20 **Sec. 8. "Level II dyslexia screening" means a detailed process**
 21 **for identifying a pattern of strengths and weaknesses documenting**
 22 **the characteristics of dyslexia and includes the administration of**
 23 **diagnostic tools designed to measure the underlying cause,**
 24 **characteristics, and outcomes to identify the characteristics of**
 25 **dyslexia.**
- 26 **Chapter 2. Required Screening and Intervention**
- 27 **Sec. 1. Subject to section 9 of this chapter, a school corporation**
 28 **and charter school shall screen the following for risk factors of**
 29 **dyslexia, using a screening tool approved by the department that**
 30 **screens for characteristics of dyslexia:**
- 31 (1) Each student in kindergarten, grade 1, and grade 2.
 - 32 (2) Any other student required by the state board in
 - 33 accordance with section 6 of this chapter.
- 34 **Sec. 2. The screening of students shall include the following:**
- 35 (1) Phonological and phonemic awareness.
 - 36 (2) Sound symbol recognition.
 - 37 (3) Alphabet knowledge.
 - 38 (4) Decoding skills.
 - 39 (5) Rapid naming skills.
 - 40 (6) Encoding skills.
- 41 **Sec. 3. Subject to section 9 of this chapter, if a student is**
 42 **determined to be at risk, or at some risk, for dyslexia after a**



1 screening under section 1 of this chapter, the school corporation or
 2 charter school shall administer a level I dyslexia screening of the
 3 student.

4 Sec. 4. (a) Subject to section 9 of this chapter, if a school
 5 corporation or charter school determines that a level II dyslexia
 6 screening should be administered, the school corporation or
 7 charter school may administer a level II dyslexia screening to the
 8 student.

9 (b) A level II dyslexia screening shall be completed consistent
 10 with the Indiana dyslexia resource guide described in
 11 IC 20-35.5-7-2.

12 Sec. 5. The level I dyslexia screening and the level II dyslexia
 13 screening of a student must include the components listed in section
 14 2 of this chapter.

15 Sec. 6. The state board shall adopt rules to ensure that students
 16 will be screened as provided under this article for risk factors of
 17 dyslexia using a screening tool described in section 1 of this
 18 chapter:

- 19 (1) in kindergarten, grade 1, and grade 2;
 20 (2) when a student in kindergarten through grade 2:
 21 (A) transfers to a new school; and
 22 (B) has not been screened previously during the school
 23 year;
 24 (3) when a student in grade 3 or higher has difficulty, as noted
 25 by a classroom teacher, in:
 26 (A) phonological and phonemic awareness;
 27 (B) sound symbol recognition;
 28 (C) alphabet knowledge;
 29 (D) decoding skills;
 30 (E) rapid naming skills; and
 31 (F) encoding skills; and
 32 (4) when a student from another state enrolls for the first time
 33 in kindergarten through grade 2 in Indiana unless the student
 34 presents documentation that the student:
 35 (A) had the dyslexia screening or a similar screening
 36 during the school year; or
 37 (B) is exempt from screening.

38 Sec. 7. If an initial dyslexia screening, level I dyslexia screening,
 39 or level II dyslexia screening indicates that a student has
 40 characteristics of dyslexia, the school corporation or charter school
 41 shall use the response to intervention process to address the needs
 42 of the student.



1 **Sec. 8. If the school corporation or charter school determines**
 2 **that the student has functional difficulties in the academic**
 3 **environment due to characteristics of dyslexia, the necessary**
 4 **accommodations or equipment for the student shall be provided in**
 5 **accordance with:**

6 **(1) Section 504 of the federal Rehabilitation Act of 1973 (29**
 7 **U.S.C. 701 et. seq.), as amended; and**

8 **(2) the federal Americans with Disabilities Act (42 U.S.C.**
 9 **12101 et. seq.) and the regulations and amendments related to**
 10 **that act.**

11 **Sec. 9. (a) A school corporation or charter school is not required**
 12 **to administer an initial dyslexia screening under section 1 of this**
 13 **chapter to a student if the:**

14 **(1) parent of the student objects to the screening; or**

15 **(2) student is receiving intervention services for dyslexia.**

16 **(b) Before a school corporation or charter school administers a**
 17 **level I dyslexia screening or level II dyslexia screening to a student,**
 18 **the parent of the student must consent to the screening.**

19 **(c) If a parent objects to an initial dyslexia screening or does not**
 20 **consent to a level I dyslexia screening or level II dyslexia screening,**
 21 **the school corporation or charter school may not administer the**
 22 **initial dyslexia screening, level I dyslexia screening, or level II**
 23 **dyslexia screening, whichever is applicable, to the student.**

24 **Chapter 3. Notification and Services**

25 **Sec. 1. (a) If a student's performance on an initial dyslexia**
 26 **screening, level I dyslexia screening, or level II dyslexia screening**
 27 **under IC 20-35.5-2 indicates a need for dyslexia intervention**
 28 **services, the school corporation or the charter school shall do the**
 29 **following:**

30 **(1) Notify the student's parent of the results of the dyslexia**
 31 **screening.**

32 **(2) Provide the student's parent with information and**
 33 **resource material that includes the following:**

34 **(A) Characteristics of dyslexia.**

35 **(B) Appropriate classroom interventions and**
 36 **accommodations for students with dyslexia.**

37 **(C) A statement that the parent may elect to have the**
 38 **student receive an independent comprehensive dyslexia**
 39 **evaluation by:**

40 **(i) a licensed psychologist;**

41 **(ii) a certified dyslexia testing specialist;**

42 **(iii) a dyslexia therapist; or**



1 (iv) any other person approved by the department.

2 (b) A school corporation or charter school is required to provide
3 the information to a student's parent under this section only one (1)
4 time.

5 Sec. 2. (a) If a student's parent elects to have an independent
6 comprehensive dyslexia evaluation of the student, the parent shall
7 select an individual qualified under section 1(a)(2)(C) of this
8 chapter to perform the evaluation.

9 (b) A school corporation or charter school shall:

10 (1) consider a diagnosis from an independent comprehensive
11 dyslexia evaluation; and

12 (2) provide the student with interventions determined to be
13 appropriate by a dyslexia interventionist of the school
14 corporation or charter school.

15 **Chapter 4. Instructional Approaches**

16 Sec. 1. If a student's level I dyslexia screening or level II dyslexia
17 screening indicates the need for dyslexia intervention services for
18 the student, the dyslexia intervention:

19 (1) must include:

20 (A) explicit, direct instruction that is systematic,
21 sequential, and cumulative and follows a logical plan of
22 presenting the alphabetic principle that targets the specific
23 needs of the student without presuming prior skills or
24 knowledge of the student;

25 (B) individualized instruction to meet the specific needs of
26 the student in a setting that uses intensive, highly
27 concentrated instruction methods and materials that
28 maximize student engagement;

29 (C) meaning based instruction directed at purposeful
30 reading and writing with an emphasis on comprehension
31 and composition; and

32 (D) instruction that incorporates the simultaneous use of
33 two (2) or more sensory pathways during teacher
34 presentations and student practice; and

35 (2) may include other instructional approaches as determined
36 appropriate by the school corporation or charter school.

37 Sec. 2. Until a sufficient number of candidates have successfully
38 completed training in a dyslexia therapy program, as determined
39 by the department, an individual may provide dyslexia therapy
40 under this article if the individual has successfully completed
41 training from another dyslexia program as approved by the
42 department.



1 **Chapter 5. Reporting by School Corporations and Charter**
 2 **Schools**

3 **Sec. 1. The superintendent of a school corporation and an**
 4 **organizer of a charter school shall annually report to the**
 5 **department the number of students who were:**

6 (1) administered an initial dyslexia screening under
 7 IC 20-35.5-2-1 during the school year; and

8 (2) determined to be at risk, or at some risk, for dyslexia.

9 **Sec. 2. Before July 15, 2019, and before July 15 of each year**
 10 **thereafter, each school corporation and charter school shall report**
 11 **on the school corporation's or charter school's Internet web site**
 12 **the following information:**

13 (1) The dyslexia intervention programs that were used during
 14 the previous school year to assist students with dyslexia.

15 (2) The number of students during the previous school year
 16 who received dyslexia intervention under this article.

17 (3) The total number of students identified with dyslexia
 18 during the previous school year.

19 **Chapter 6. Dyslexia Specialists and Dyslexia Interventionists**

20 **Sec. 1. (a) Not later than July 1, 2019, the department shall**
 21 **employ at least one (1) dyslexia specialist with a minimum of three**
 22 **(3) years of field experience in screening, identifying, and treating**
 23 **dyslexia and related disorders to provide the following:**

24 (1) Technical assistance for dyslexia and related disorders to:

25 (A) the department; and

26 (B) school corporations and charter schools in Indiana.

27 (2) Training to school corporation and charter school
 28 employees in:

29 (A) administering screenings;

30 (B) analyzing and interpreting screening data;

31 (C) determining appropriate interventions that are
 32 systematic, multisensory, and evidence based; and

33 (D) dyslexia programs.

34 (b) A dyslexia specialist shall:

35 (1) be highly trained in dyslexia and related disorders,
 36 including best practice interventions and treatment models
 37 for dyslexia;

38 (2) be responsible for:

39 (A) the accountability of screening results; and

40 (B) ensuring that all teachers working for the school
 41 corporations and charter schools receive the professional
 42 awareness information as required under IC 20-35.5-7-1;



- 1 **and**
- 2 **(3) serve as the primary source of information and support**
- 3 **for school corporations and charter schools in addressing the**
- 4 **needs of students with dyslexia and related disorders.**
- 5 **Sec. 2. (a) Not later than the 2019-2020 school year, each school**
- 6 **corporation and charter school shall employ at least one (1)**
- 7 **individual to serve as a dyslexia interventionist for the school**
- 8 **corporation or charter school.**
- 9 **(b) If one (1) or more school corporations, charter schools, or**
- 10 **both form a special education cooperative as provided under**
- 11 **IC 20-35-5, the school corporations and charter schools may**
- 12 **employ one (1) or more individuals to serve as dyslexia**
- 13 **interventionists for the school corporations and charter schools**
- 14 **participating in the special education cooperative.**
- 15 **Chapter 7. Dyslexia Professional Awareness and Resource**
- 16 **Guide**
- 17 **Sec. 1. (a) Not later than the 2019-2020 school year, the**
- 18 **department shall ensure that each teacher receives professional**
- 19 **awareness information on the following:**
- 20 **(1) The characteristics of dyslexia.**
- 21 **(2) The evidence based interventions and accommodations for**
- 22 **dyslexia.**
- 23 **(b) The department may provide the information described in**
- 24 **subsection (a) in a presentation online or in person.**
- 25 **Sec. 2. The department shall:**
- 26 **(1) develop and update an Indiana dyslexia resource guide;**
- 27 **and**
- 28 **(2) post the guide on the department's Internet web site.**
- 29 **Sec. 3. The state board shall, in collaboration with the**
- 30 **department, adopt rules under IC 4-22-2 to implement this article.**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 217, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 28, delete "screen, using the dynamic indicators of" and insert "**administer an initial screening for dyslexia, using the dynamic indicators of basic early literacy skills or an equivalent dyslexia screener, to the following:**".

Page 3, delete lines 29 through 30.

Page 3, line 32, delete "department" and insert "**state board**".

Page 4, line 15, delete "department" and insert "**state board**".

Page 5, line 11, delete "if the parent" and insert "**if the:**

(1) parent of the student objects to the screening; or

(2) student is receiving intervention services for dyslexia."

Page 5, delete line 12.

Page 7, line 5, after "screening" insert "**under IC 20-35.5-2-1**".

Page 7, line 20, delete "three (3) dyslexia specialists" and insert "**one (1) dyslexia specialist**".

and when so amended that said bill do pass.

(Reference is to SB 217 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 217 be amended to read as follows:

Page 2, line 27, delete "multisensory and".

Page 2, line 28, delete "small group".

Page 3, line 28, delete "administer an initial screening for" and insert "**screen the following for risk factors of dyslexia, using a screening tool approved by the department that screens for characteristics of dyslexia:**".

Page 3, delete lines 29 through 30.

Page 4, line 16, delete "using dynamic indicators of basic early

SB 217—LS 6717/DI 110



literacy" and insert "**as provided under this article for risk factors of dyslexia using a screening tool described in section 1 of this chapter:**".

Page 4, delete line 17.

Page 5, line 11, after "screening" insert "**under section 1 of this chapter**".

Page 6, line 6, delete "A parent is responsible for".

Page 6, delete lines 7 through 8.

Page 6, line 26, delete "small group".

Page 6, line 32, delete "multisensory".

Page 7, line 30, delete "data; and" and insert "**data;**".

Page 7, line 32, delete "based." and insert "**based; and (D) dyslexia programs.**".

(Reference is to SB 217 as printed January 26, 2018.)

HOUCHIN

