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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 668

01/30/2017 Authored by Daniels, Erickson, Nornes, Moran, Marquart and others
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; requiring a dyslexia and literacy specialist; appropriating
1.3 money; amending Minnesota Statutes 2016, sections 120B.12, subdivisions 2, 3;
1.4 125A.56, subdivision 1; proposing coding for new law in Minnesota Statutes,
1.5 chapter 120B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 120B.12, subdivision 2, is amended to read:

1.8 Subd. 2. **Identification; report.** (a) Each school district shall identify before the end of
1.9 kindergarten, grade 1, and grade 2 students who are not reading at grade level before the
1.10 end of the current school year and shall identify students in grade 3 or higher who
1.11 demonstrate a reading difficulty to a classroom teacher. Reading assessments in English,
1.12 and in the predominant languages of district students where practicable, must identify and
1.13 evaluate students' areas of academic need related to literacy. The district also must monitor
1.14 the progress and provide reading instruction appropriate to the specific needs of English
1.15 learners. The district must use a locally adopted, developmentally appropriate, and culturally
1.16 responsive assessment and annually report summary assessment results to the commissioner
1.17 by July 1. The district also must annually report to the commissioner by July 1 a summary
1.18 of the district's efforts to screen and identify students with:

1.19 (1) dyslexia, using screening tools such as those recommended by the department's
1.20 dyslexia and literacy specialist; or

1.21 (2) convergence insufficiency disorder to the commissioner by July 1.

1.22 (b) A student identified under this subdivision must be provided with alternate instruction
1.23 under section 125A.56, subdivision 1.

2.1 Sec. 2. Minnesota Statutes 2016, section 120B.12, subdivision 3, is amended to read:

2.2 Subd. 3. **Intervention.** For each student identified under subdivision 2, the district shall
 2.3 provide reading intervention to accelerate student growth and reach the goal of reading at
 2.4 or above grade level by the end of the current grade and school year. District intervention
 2.5 methods shall encourage family engagement and, where possible, collaboration with
 2.6 appropriate school and community programs. Intervention methods may include, but are
 2.7 not limited to, requiring attendance in summer school, intensified reading instruction that
 2.8 may require that the student be removed from the regular classroom for part of the school
 2.9 day, extended-day programs, or programs that strengthen students' cultural connections.
 2.10 Intervention must continue after grade 3 until the student is reading at grade level.

2.11 Sec. 3. **[120B.122] DYSLEXIA AND LITERACY SPECIALIST.**

2.12 Subdivision 1. **Purpose.** The department must employ a dyslexia and literacy specialist
 2.13 to provide technical assistance for dyslexia and related disorders and to serve as the primary
 2.14 source of information and support for schools in addressing the needs of students with
 2.15 dyslexia and related disorders. The dyslexia and literacy specialist shall also act to increase
 2.16 professional awareness and instructional competencies to meet the educational needs of
 2.17 students with dyslexia or identified with risk characteristics associated with dyslexia and
 2.18 shall develop program guidelines consistent with section 122A.06, subdivision 4, to be used
 2.19 to assist general education teachers and special education teachers to recognize educational
 2.20 needs and to improve literacy outcomes for students with dyslexia or identified with risk
 2.21 characteristics associated with dyslexia.

2.22 Subd. 2. **Definition.** For purposes of this section, a "dyslexia and literacy specialist"
 2.23 means a dyslexia therapist, licensed psychologist, certified psychometrist, licensed
 2.24 speech-language pathologist, or certified dyslexia training specialist who has a minimum
 2.25 of three years of field experience in screening, identifying, and treating dyslexia and related
 2.26 disorders.

2.27 Subd. 3. **Requirements.** A dyslexia and literacy specialist shall be highly trained in
 2.28 dyslexia and related disorders and in using interventions and treatments that are
 2.29 evidence-based, multimodal, direct, explicit, structured, and sequential in the areas of
 2.30 phonics, phonemic awareness, vocabulary, fluency, and comprehension.

2.31 Sec. 4. Minnesota Statutes 2016, section 125A.56, subdivision 1, is amended to read:

2.32 Subdivision 1. **Requirement.** (a) Before a pupil is referred for a special education
 2.33 evaluation, the district must conduct and document at least two instructional strategies,

3.1 alternatives, or interventions using a system of scientific, research-based instruction and
 3.2 intervention in academics or behavior, based on the pupil's needs, while the pupil is in the
 3.3 regular classroom. The pupil's teacher must document the results. A special education
 3.4 evaluation team may waive this requirement when it determines the pupil's need for the
 3.5 evaluation is urgent. This section may not be used to deny a pupil's right to a special
 3.6 education evaluation.

3.7 (b) A school district shall use alternative intervention services, including the assurance
 3.8 of mastery program under section 124D.66, or an early intervening services program under
 3.9 subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional
 3.10 strategies or interventions.

3.11 (c) A student identified as being unable to read at grade level under section 120B.12,
 3.12 subdivision 2, paragraph (a), must be provided with alternate instruction under this
 3.13 subdivision that is multimodal, systematic, sequential, cumulative, and explicit.

3.14 Sec. 5. **DYSLEXIA PROFESSIONAL DEVELOPMENT GRANTS.**

3.15 Subdivision 1. **Grant program established.** The commissioner of education shall
 3.16 establish a grant program to fund teacher professional development opportunities related
 3.17 to dyslexia. The state may pay all or a portion of the costs of tuition, fees, and materials
 3.18 that a teacher or other interested educator incurs in participating in an approved program.

3.19 Subd. 2. **Application and grant awards.** The commissioner shall determine application
 3.20 procedures and deadlines, select teachers and other interested educators to participate in the
 3.21 training, and determine the payment process and amount of the subsidy.

3.22 Subd. 3. **Requirements.** For purposes of this section, an approved program is one that
 3.23 the commissioner, in consultation with the Department of Education dyslexia and literacy
 3.24 specialist, identifies to enable a teacher to:

3.25 (1) understand and recognize characteristics typical of students with dyslexia; and

3.26 (2) implement instructional strategies that are evidence-based, multimodal, direct, explicit,
 3.27 structured, and sequential to meet the educational needs of students with characteristics of
 3.28 dyslexia.

3.29 Sec. 6. **APPROPRIATION.**

3.30 Subdivision 1. **Department of Education.** The sums indicated in this section are
 3.31 appropriated from the general fund to the Department of Education for the fiscal years
 3.32 designated.

4.1 Subd. 2. **Dyslexia professional development grants.** For teacher professional
 4.2 development opportunities related to dyslexia under section 5:

4.3 \$ 2018

4.4 \$ 2019