

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2768

By: Randleman

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8 COMMITTEE SUBSTITUTE

9 An Act relating to education; creating the Dysgraphia
10 and Education Task Force; providing termination date;
11 stating purpose of task force; providing for
12 membership; providing deadline for appointments;
13 providing for filling of vacancies; providing
14 deadline for organizational meeting; directing
15 election of a chair and vice-chair; providing for
16 meetings; prohibiting travel reimbursement for task
17 force members; providing duties of task force;
18 providing for staff assistance; requiring task force
19 to issue report to the Legislature and Governor by a
20 specified date; amending 70 O.S. 2021, Section 6-194,
21 which relates to professional development programs;
22 including dysgraphia in annual dyslexia professional
23 development program; amending 70 O.S. 2021, Section
24 1210.517, which relates to the dyslexia handbook;
 including information about dysgraphia in the
 handbook; renaming handbook to dyslexia and
 dysgraphia handbook upon date certain; requiring
 inclusion of certain task force stakeholders in
 handbook review process; directing handbook revisions
 to include certain information about dysgraphia;
 providing for noncodification; and declaring an
 emergency.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 A. There is hereby created, to continue until December 31,
4 2023, the "Dysgraphia and Education Task Force". The purpose of the
5 task force shall be to add information about dysgraphia to the
6 dyslexia handbook that will provide guidance for schools, students,
7 and parents in identification, intervention, and support of students
8 with dysgraphia through accommodations and assistive technology.

9 B. The task force shall be comprised of ten (10) members as
10 follows:

- 11 1. The Superintendent of Public Instruction or designee;
- 12 2. A student with dysgraphia, appointed by the Speaker of the
13 Oklahoma House of Representatives;
- 14 3. A classroom teacher, appointed by the President Pro Tempore
15 of the Oklahoma State Senate;
- 16 4. A special education teacher, appointed by the Governor;
- 17 5. A school district director of special services, appointed by
18 the Governor;
- 19 6. Two members who are certified school psychologists, one
20 appointed by the Speaker of the Oklahoma House of Representatives
21 and one appointed by the President Pro Tempore of the Oklahoma State
22 Senate;

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1 7. A professor or instructor employed by an Oklahoma
2 institution of higher education who studies or provides instruction
3 in dysgraphia, appointed by the Governor;

4 8. A member of the Oklahoma House of Representatives, appointed
5 by the Speaker of the Oklahoma House of Representatives; and

6 9. A member of the Oklahoma State Senate, appointed by the
7 President Pro Tempore of the Oklahoma State Senate.

8 C. Appointments to the task force shall be made by September 1,
9 2022. Members of the task force shall serve at the pleasure of the
10 appointing authority. A vacancy on the task force shall be filled
11 by the appointing authority.

12 D. The task force shall conduct an organizational meeting no
13 later than October 1, 2022. The task force shall elect a chair and
14 vice-chair at the organizational meeting. A majority of the members
15 present at a meeting shall constitute a quorum to conduct business.

16 E. The task force shall be authorized to meet at such times as
17 may be required in order to fulfill the duties imposed upon the task
18 force by law. Members of the task force shall not be reimbursed for
19 travel expenses.

20 F. Due to dysgraphia being poorly understood and often
21 undiagnosed, the task force shall:

22 1. Study how to effectively identify students who have
23 dysgraphia identified through possible reading and broad written
24 language scores;

1 2. Study the response-to-intervention process (RTI), as well as
2 other effective research-based approaches in writing, reading, and
3 literacy to identify the appropriate measures for assisting students
4 with dysgraphia;

5 3. Make recommendations for appropriate resources and
6 interventions for students with reading or writing difficulties,
7 including dysgraphia and broad written language disorder; and

8 4. Include this information in the handbook as provided in
9 Section 1210.517 of Title 70 of the Oklahoma Statutes for schools,
10 teachers, and families to use as a resource.

11 G. Staff assistance for the task force shall be provided by
12 staff of the Oklahoma House of Representatives and the Oklahoma
13 State Senate.

14 H. The task force shall issue a report of its findings to the
15 Legislature and Governor no later than December 1, 2023.

16 SECTION 2. AMENDATORY 70 O.S. 2021, Section 6-194, is
17 amended to read as follows:

18 Section 6-194. A. The district boards of education of this
19 state shall establish professional development programs for the
20 certified teachers and administrators of the district. Programs
21 shall be adopted by each board based upon recommendations of a
22 professional development committee appointed by the board of
23 education for the district. For the fiscal years ending June 30,
24 2011, and June 30, 2012, a school district board of education may

1 elect not to adopt and offer a professional development program for
2 certified teachers and administrators of the district. If a school
3 district elects not to adopt and offer a professional development
4 program, the district may expend any monies allocated for
5 professional development for any purpose related to the support and
6 maintenance of the school district as determined by the board of
7 education of the school district.

8 B. Each professional development committee shall include
9 classroom teachers, administrators, school counselors or licensed
10 mental health providers, and parents, guardians or custodians of
11 children in the school district and shall consult with a higher
12 education faculty. A majority of the members of the professional
13 development committee shall be composed of classroom teachers. The
14 teacher members shall be selected by a designated administrator of
15 the school district from a list of names submitted by the teachers
16 in the school district. The members selected shall be subject to
17 the approval of a majority vote of the teachers in the district.

18 C. In developing program recommendations, each professional
19 development committee shall annually utilize a data-driven approach
20 to analyze student data and determine district and school
21 professional development needs. The professional development
22 programs adopted shall be directed toward development of
23 competencies and instructional strategies in the core curriculum
24 areas for the following goals:

- 1 1. Increasing the academic performance data scores for the
- 2 district and each school site;
- 3 2. Closing achievement gaps among student subgroups;
- 4 3. Increasing student achievement as demonstrated on state-
- 5 mandated tests and the ACT;
- 6 4. Increasing high school graduation rates; and
- 7 5. Decreasing college remediation rates.

8 Each program may also include components on classroom management
9 and student discipline strategies, outreach to parents, guardians or
10 custodians of students, special education, and racial and ethnic
11 education, which all personnel defined as teachers in Section 1-116
12 of this title shall be required to complete on a periodic basis.
13 The State Board of Education shall provide guidelines to assist
14 school districts in developing and implementing racial and ethnic
15 education components into professional development programs.

16 D. At a minimum of once an academic year a program shall be
17 offered which includes the following:

- 18 1. Training on recognition of child abuse and neglect;
- 19 2. Recognition of child sexual abuse;
- 20 3. Proper reporting of suspected abuse; and
- 21 4. Available resources.

22 E. One time per year, beginning in the 2009-2010 school year,
23 training in the area of autism shall be offered and all resident
24 teachers of students in early childhood programs through grade three

1 shall be required to complete the autism training during the
2 resident year and at least one time every three (3) years
3 thereafter. All other teachers and education support professionals
4 of students in early childhood programs through grade three shall be
5 required to complete the autism training at least one time every
6 three (3) years. The autism training shall include a minimum
7 awareness of the characteristics of autistic children, resources
8 available and an introduction to positive behavior supports to
9 challenging behavior. Each adopted program shall allow school
10 counselors to receive at least one-third (1/3) of the hours or
11 credit required each year through programs or courses specifically
12 designed for school counselors.

13 Districts are authorized to utilize any means for professional
14 development that is not prohibited by law including, but not limited
15 to, professional development provided by the district, any state
16 agency, institution of higher education, or any private entity.

17 F. One time per year, beginning in the ~~2020-2021~~ 2022-2023
18 school year, a dyslexia and dysgraphia awareness program shall be
19 offered. At a minimum, the program shall include:

20 1. Training in awareness of dyslexia and dysgraphia
21 characteristics in students;

22 2. Training in effective classroom instruction to meet the
23 needs of students with dyslexia or dysgraphia, or both; and
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1 3. Available dyslexia and dysgraphia resources for teachers,
2 students and parents.

3 G. Except as otherwise provided for in this subsection, each
4 certified teacher in this state shall be required by the district
5 board of education to meet the professional development requirements
6 established by the board, or established through the negotiation
7 process. Except as otherwise provided for in this subsection, the
8 professional development requirements established by each board of
9 education shall require every teacher to annually complete a minimum
10 number of the total number of points required to maintain
11 employment. Failure of any teacher to meet district board of
12 education professional development requirements may be grounds for
13 nonrenewal of such teacher's contract by the board. Such failure
14 may also be grounds for nonconsideration of salary increments
15 affecting the teacher. For the fiscal years ending June 30, 2011,
16 and June 30, 2012, a certified teacher shall not be required to
17 complete any points of the total number of professional development
18 points required. Provided, a teacher may elect to complete some or
19 all of the minimum number of points required for the two (2) fiscal
20 years and any points completed shall be counted toward the total
21 number of points required to maintain employment. If a teacher does
22 not complete some or all of the minimum number of points required
23 for one (1) or both fiscal years, the total number of points
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1 required to maintain employment shall be adjusted and reduced by the
2 number of points not completed.

3 H. Each district shall annually submit a report to the State
4 Department of Education on the district level professional
5 development needs, activities completed, expenditures, and results
6 achieved for each school year by each goal as provided in subsection
7 C of this section. If a school district elects not to adopt and
8 offer a professional development program as provided for in
9 subsection A of this section, the district shall not be required to
10 submit an annual report as required pursuant to this subsection but
11 shall report to the State Department of Education its election not
12 to offer a program and all professional development activities
13 completed by teachers and administrators of the school district.

14 I. Subject to the availability of funds, the Department shall
15 develop an online system for reporting as required in subsection H
16 of this section. The Department shall also make such information
17 available on its website.

18 SECTION 3. AMENDATORY 70 O.S. 2021, Section 1210.517, is
19 amended to read as follows:

20 Section 1210.517 A. The State Department of Education shall
21 maintain the dyslexia handbook created by the Dyslexia and Education
22 Task Force pursuant to Section 1, Chapter 261, O.S.L. 2017 and
23 provide information about dysgraphia reported by the Dysgraphia and
24 Education Task Force pursuant to Section 1 of this act that includes

1 guidance, technical assistance and training to assist all local
2 school systems, students and families in the implementation of
3 evidence-based practices for instructing students with
4 characteristics of dyslexia and dysgraphia. Beginning January 1,
5 2024, the dyslexia handbook shall be known as the dyslexia and
6 dysgraphia handbook.

7 B. The Department shall review the handbook and make revisions,
8 as necessary, but at a minimum of every three (3) years, with
9 stakeholders, including, but not limited to, previous members of the
10 Dyslexia and Education Task Force, the Dysgraphia and Education Task
11 Force, and the State Advisory Panel created pursuant to Part B of
12 the Individuals with Disabilities Education Act. Previous members
13 of the ~~Task Force~~ task forces shall be consulted when making
14 revisions to the handbook. Each member of the ~~Task Force~~ task
15 forces not available for the review shall be replaced by an
16 individual meeting the criteria of the original appointment in order
17 to maintain the original composition of the ~~Task Force~~ task forces.

18 C. Any revisions to the handbook shall include, but not be
19 limited to, the following information for school districts screening
20 students in kindergarten and grades one through three who have been
21 identified through the response-to-intervention process as having
22 characteristics of dyslexia or dysgraphia:

23 1. Evidence-based practices designed specifically for students
24 with characteristics of dyslexia or dysgraphia;

1 2. Characteristics of targeted instruction for dyslexia and
2 dysgraphia;

3 3. Guidance on developing instructional plans for students with
4 characteristics of dyslexia or dysgraphia;

5 4. Best practices for reading and writing instruction aligned
6 with the science of reading;

7 5. Guidance for selecting instructional materials that address
8 dyslexia, dysgraphia and other reading or writing difficulties;

9 6. Suggested training programs; and

10 7. Guidance on ~~dysgraphia~~ and dyscalculia.

11 SECTION 4. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03/02/2022
17 - DO PASS, As Amended.

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