

1 AN ACT relating to reading and writing in schools.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.307 is amended to read as follows:

4 (1) As used in this section:

5 (a) **"Dysgraphia" has the same meaning as in KRS 158.305;**

6 **(b)** "Dyslexia" means a specific learning disability that is neurological in origin. It
7 is characterized by difficulties with accurate or fluent word recognition and by
8 poor spelling and decoding abilities. These difficulties typically result from a
9 deficit in the phonological component of language that is often unexpected in
10 relation to other cognitive abilities and the provision of effective classroom
11 instruction. Secondary consequences may include problems in reading
12 comprehension and reduced reading experience that can impede the growth of
13 vocabulary and background knowledge;

14 **(c)**~~**(b)**~~ "Evidence-based" has the same meaning as in 20 U.S.C. sec. 7801(21);
15 and

16 **(d)**~~**(c)**~~ "Phonemic awareness" means the ability to recognize that a spoken
17 word consists of a sequence of individual sounds and the ability to manipulate
18 individual sounds in speaking.

19 (2) ~~[By January 1, 2019,]~~ The Department of Education shall make available a dyslexia
20 toolkit that includes guidance, technical assistance, and training to assist all local
21 school districts in the implementation of evidence-based practices for instructing
22 students identified with or displaying characteristics of dyslexia **or dysgraphia. The**
23 **department shall annually review and update, where appropriate, the dyslexia**
24 **toolkit guidance identified in subsection (3) of this section.**

25 (3) The dyslexia toolkit shall include but not be limited to the following guidance for
26 local districts targeting students in kindergarten through grade three (3) who have
27 been identified with or displaying characteristics of dyslexia **or dysgraphia:**

- 1 (a) Definitions and characteristics of dyslexia and dysgraphia;
- 2 (b) Recommended procedures for the screening, identification, and ongoing
- 3 monitoring of students displaying characteristics of dyslexia or dysgraphia;
- 4 (c) Evidence-based practices designed specifically for students with dyslexia or
- 5 dysgraphia;
- 6 (d) A description of educational strategies within a multitiered system of
- 7 supports that have been shown to improve the academic performance of
- 8 students with dyslexia or dysgraphia~~[(b) Characteristics of targeted~~
- 9 ~~instruction for dyslexia];~~
- 10 (e)~~[(e)]~~ Guidance on developing instructional plans for students with dyslexia or
- 11 dysgraphia, including instructional tools identified in KRS 158.305(12)(b);
- 12 (f)~~[(d)]~~ Best practices toward meaning-centered reading and writing;
- 13 (g)~~[(e)]~~ Structured multisensory and literacy approaches to teaching language
- 14 and reading skills;~~[(and)]~~
- 15 (h)~~[(f)]~~ Suggested professional development activities;
- 16 (i) A description of resources and services available to students with dyslexia or
- 17 dysgraphia, parents or guardians of students with dyslexia or dysgraphia,
- 18 and teachers; and
- 19 (j) Guidelines on the administration of an approved universal screener and
- 20 diagnostic, the interpretation of data, and the resulting appropriate
- 21 instruction within a multitiered system of support.
- 22 (4) The department shall collaborate with the Education Professional Standards Board,
- 23 Council on Postsecondary Education, and other groups as necessary to improve and
- 24 update professional development opportunities for teachers specifically related to
- 25 dyslexia. Professional development opportunities may focus on:
- 26 (a) Development and ongoing implementation of training and coaching for
- 27 teachers;

- 1 (b) Identifying opportunities to ~~[high-quality trainers to provide]~~ support ~~[to]~~ local
2 districts utilizing a coaching model to develop building level
3 capacity ~~[dyslexia experts]~~;
- 4 (c) Developing awareness training modules for all instructional staff to include
5 information about characteristics of dyslexia or dysgraphia; and
- 6 (d) Evidence-based interventions, structured multisensory and literacy approaches
7 to teach language and reading skills ~~[, and accommodations for dyslexia and~~
8 ~~other specific learning disabilities]~~.
- 9 (5) Each local board of education shall ~~[may]~~ develop a policy addressing the
10 implementation of a program for the identification of and strategies for assisting
11 students in kindergarten through grade three (3) with dyslexia.
- 12 (6) The local board policies shall ~~[may]~~ include but not be limited to:
- 13 (a) The definition and characteristics of dyslexia;
- 14 (b) A process for identifying students who are displaying characteristics of
15 dyslexia;
- 16 (c) A process for the utilization of a universal screener and
17 diagnostic ~~[evaluation]~~ tools, approved by the department pursuant to KRS
18 158.305(5)(a), to accurately identify students who are displaying
19 characteristics of dyslexia. Any universal screener and diagnostic ~~[qualified~~
20 ~~dyslexia evaluation]~~ tool utilized by a local district shall address but not be
21 limited to the following components:
- 22 1. Phonological awareness and phonemic awareness;
- 23 2. Sound symbol recognition;
- 24 3. Alphabet knowledge;
- 25 4. Decoding skills;
- 26 5. Encoding skills; and
- 27 6. Rapid naming;

- 1 (d) A process for how the universal screener and diagnostic~~[evaluation]~~ tools,
2 approved by the department pursuant to KRS 158.305(5)(a), are
3 administered and evaluated by trained district personnel or licensed
4 professionals;
- 5 (e) A process for outreach to parents of students identified with or displaying the
6 characteristics of dyslexia with information and resource materials and how
7 dyslexia may be addressed in the student's educational setting;
- 8 (f) Identification of evidence-based interventions, structured multisensory and
9 literacy approaches to teach language and reading skills, and accommodations
10 that schools may utilize to provide services to students identified as having
11 dyslexia; and
- 12 (g) A process for monitoring a student's progress~~[after the positive~~
13 ~~identification]~~, including assessments to ascertain whether the intervention
14 services improve the student's language processing and reading skills.
- 15 (7) Each district shall use evidence-based instructional strategies within a multitiered
16 system of support to provide intervention services to students who display
17 indications of, or areas of weakness associated with, dyslexia. In order to provide
18 school districts with the opportunity to intervene before a student's performance
19 falls significantly below grade level, schools shall screen all students in
20 accordance with KRS 158.305. Intervention services shall utilize structured
21 literacy practices that specifically target areas of weakness and:
- 22 (a) Provide explicit, systematic, sequential, and cumulative instruction that
23 adheres to a logical plan about the alphabetic principle and is designed to
24 accommodate the needs of each individual student without presuming prior
25 skills or knowledge;
- 26 (b) Implement evidence-based practices that have been proven effective and do
27 not include the three-cueing system model of word reading;

- 1 (c) Engage the student in multisensory/multimodal language learning
2 techniques;
- 3 (d) Include phonemic awareness activities to enable the student to detect,
4 segment, blend, and manipulate sounds in the spoken language;
- 5 (e) Provide graphophonemic knowledge for teaching the letter sound plan of
6 the English language;
- 7 (f) Teach the structure and patterns of the English language, including
8 linguistic instruction in morphology, semantics, syntax, and pragmatics,
9 that is directed toward proficiency and fluency with the patterns of language
10 so that words and sentences are the carriers of meaning;
- 11 (g) Develop strategies that advance the student's ability in decoding, encoding,
12 word recognition, fluency, and comprehension; and
- 13 (h) Provide meaning-based instruction directed at purposeful reading and
14 writing, with an emphasis on comprehension and composition.
- 15 (8) If the universal screener and diagnostic tool indicates that a student has risk
16 factors displaying indications of dyslexia, or areas of weakness associated with
17 dyslexia, the school shall use a multitiered system of supports to address the
18 needs of the student.
- 19 (9) If the student's performance on a universal screener and diagnostic indicates a
20 need for intervention services, the district shall:
- 21 (a) Notify the student's parents or guardian of the results of all screenings; and
22 (b) Provide the student's parent or guardian with information and resource
23 material that include the following:
- 24 1. The characteristics of dyslexia;
25 2. The appropriate classroom interventions and accommodations for
26 students within a multitiered system of supports; and
27 3. If after receiving interventions, further screening tools and resources

1 indicate that a student continues to demonstrate characteristics of
2 dyslexia and has not made progress toward proficient performance in
3 reading, the school district shall consider a referral for an evaluation
4 to determine if the student needs special education and related
5 services.

6 (10) Whenever practicable, a school district shall begin by providing student supports
7 in the general education classroom to ensure access to appropriate grade-level
8 learning. If screening tools and resources indicate that, after receiving the initial
9 tier of student support, a student requires interventions, the school district may
10 provide the interventions in either the general education classroom or in an
11 enrichment program as defined in KRS 158.305.

12 (11) Beginning June 30, 2028, and each year thereafter for five (5) years~~[By June 30~~
13 ~~of each year], each local school district [that developed a policy addressing the~~
14 ~~implementation of a program for the identification of and strategies for assisting~~
15 ~~students in kindergarten through grade three (3) with dyslexia]shall provide the~~
16 ~~department the following data[for the current school year]:~~

- 17 (a) The number of students in kindergarten through grade three (3) that were
18 identified through the approved universal screener and diagnostic tool as
19 displaying characteristics of dyslexia;
- 20 (b) The number of students in paragraph (a) of this subsection that were identified
21 as needing enrichment programming as defined in KRS 158.305~~[through the~~
22 ~~response to intervention process;~~
- 23 ~~(c) The number of students in kindergarten through grade three (3) that were~~
24 ~~evaluated for dyslexia;~~
- 25 ~~(d) The number of students in kindergarten through grade three (3) that were~~
26 ~~identified with dyslexia;~~
- 27 ~~(e) The dyslexia evaluation tools used to identify students];~~

1 ~~(c)~~~~(f)~~ The number of students in kindergarten through grade three (3) that
2 were participating in literacy interventions within the school setting; and

3 ~~(d)~~~~(g)~~ The process or tools used to evaluate student progress~~;~~ and

4 ~~(h)~~ ~~The number of trained district personnel or licensed professionals used to~~
5 administer the dyslexia evaluation tools.

6 ~~(8) (a)~~ ~~The department shall establish a study project to gather information on early~~
7 screening and intervention services for children with characteristics of
8 dyslexia. The commissioner of education shall select three (3) school districts
9 to participate in the study project, one (1) of which shall be located in an
10 urban setting, one (1) of which shall be located in a suburban setting, and one
11 (1) of which shall be located in a rural setting.

12 ~~(b)~~ ~~The department shall establish guidelines and procedures for the study~~
13 project.

14 ~~(c)~~ ~~The study project shall operate for three (3) full school years, beginning with~~
15 the school year that begins at least three (3) months after July 14, 2018.

16 ~~(d)~~ ~~The goal of the study project shall be to evaluate the effectiveness of early~~
17 reading assistance programs for children with characteristics of dyslexia.

18 ~~(e)~~ ~~The commissioner may consult with recognized organizations that specialize~~
19 in structured literacy programs for the treatment of dyslexia in establishing
20 and operating the study project.

21 ~~(f)~~ ~~The department shall submit a final report outlining the findings of the study~~
22 to the Interim Joint Committee on Education by November 1 after the final
23 academic year of the study project~~].~~

24 ➔Section 2. KRS 164.304 is amended to read as follows:

25 By the 2027-2028~~[2019-2020]~~ academic year, postsecondary institutions offering teacher
26 preparation programs for elementary and secondary regular education shall~~], subject to~~
27 ~~available funds,~~ include instruction on:

- 1 (1) The definition and characteristics of dyslexia;
- 2 (2) Processes for identifying dyslexia;
- 3 (3) Evidence-based interventions and accommodations for dyslexia and other disorders
- 4 defined in KRS 158.305 and related literacy and learning challenges; and
- 5 (4) Core elements of a response-to-intervention framework addressing reading, writing,
- 6 mathematics, and behavior, including;
- 7 (a) Universal screening;
- 8 (b) Evidence-based research interventions;
- 9 (c) Progress monitoring of the effectiveness of interventions on student
- 10 performance;
- 11 (d) Data-based decision-making procedures related to:
- 12 1. Determining intervention effectiveness on student performance; and
- 13 2. Determining the need to continue, alter, or discontinue interventions or
- 14 conduct further evaluation of student needs; and
- 15 (e) Application and implementation of a multitiered system of
- 16 supports~~[response-to-intervention]~~ and dyslexia instructional practices in the
- 17 classroom setting.