

ASSEMBLY BILL

No. 1369

Introduced by Assembly Member Frazier

February 27, 2015

An act to add Sections 56025.5, 56031.5, 56049, 56337.6, and 56337.7 to, and to repeal and add Sections 44227.7 and 56245 of, the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1369, as introduced, Frazier. Special education: dyslexia.

(1) Existing law requires all children with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, to be identified, located, and assessed. Existing law provides that a pupil who is assessed as being dyslexic and meets certain eligibility criteria for the federal Individuals with Disabilities Education Act category of specific learning disabilities is entitled to special education and related services. Existing law defines a “specific learning disability” as a disorder in one or more of the basic psychological processes involved in understanding or in using language, and includes in that definition dyslexia and other specified conditions.

This bill would require local educational agencies to screen all pupils enrolled in kindergarten and grades 1 to 3, inclusive, as provided, to identify dyslexia or other reading and writing dysfunctions, and to notify a pupil’s parent or legal guardian of any identified dyslexia or other reading and writing dysfunction, as specified. The bill would define “dyslexia” and “specific learning disability,” as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(2) Existing law encourages local in-service training programs for regular education teachers and special education teachers to include a component on, and institutions of higher education that provide teacher training programs to emphasize, the recognition of, and teaching strategies for, specific learning disabilities, including dyslexia and related disorders.

This bill would instead require local in-service training programs for school psychologists, regular education teachers, and special education teachers in local educational agencies to include a component on, and, commencing with the 2016–17 academic year, the Commission on Teacher Credentialing to require institutions of higher education that provide teacher training programs to include instruction in, the recognition of, and appropriate evidence-based teaching methodologies for, dyslexia or other reading and writing dysfunctions. By requiring local educational agencies to expand their local in-service training programs, the bill would impose a state-mandated local program.

(3) This bill would require the Superintendent of Public Instruction to develop, on or before January 1, 2017, program guidelines for dyslexia or other reading and writing dysfunctions to be used to assist regular education teachers, special education teachers, and parents to identify, assess, plan, provide, evaluate, and improve educational services to pupils, as specified. The bill would require the Superintendent to adopt, on or before January 1, 2017, an evidence-based screening instrument to identify pupils, and an evidence-based, multisensory, direct, explicit, structured, and sequential approach to instructing pupils, who have dyslexia or other reading and writing dysfunctions.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44227.7 of the Education Code is
2 repealed.

1 ~~44227.7. The Legislature encourages institutions of higher~~
2 ~~education to provide, in teacher training programs, increased~~
3 ~~emphasis on the recognition of, and teaching strategies for, specific~~
4 ~~learning disabilities, including dyslexia and related disorders.~~
5 ~~Experts in the field of these disabilities should be utilized for that~~
6 ~~purpose.~~

7 SEC. 2. Section 44227.7 is added to the Education Code, to
8 read:

9 44227.7. Commencing with the 2016–17 academic year, the
10 commission shall require institutions of higher education that
11 provide teacher training programs to include in those programs
12 instruction in the recognition of, and appropriate evidence-based
13 teaching methodologies for, dyslexia, as defined in Section
14 56025.5, or other reading and writing dysfunctions, including
15 dyscalculia, dysgraphia, auditory and visual processing disabilities,
16 and related disorders.

17 SEC. 3. Section 56025.5 is added to the Education Code, to
18 read:

19 56025.5. “Dyslexia” means a specific learning disability that
20 is neurological in origin and characterized by difficulties with
21 accurate or fluent word recognition and by poor spelling and
22 decoding abilities. These difficulties typically result from a deficit
23 in the phonological component of language that is often unexpected
24 in relation to other cognitive abilities and the provision of effective
25 classroom instruction. Secondary consequences may include
26 problems in reading comprehension and reduced reading experience
27 that can impede the growth of vocabulary and background
28 knowledge. Other characteristics include, but are not limited to,
29 difficulty in acquiring language skills; inability to comprehend
30 oral or written language; difficulty in rhyming words; difficulty
31 in naming letters, recognizing letters, matching letters to sounds,
32 and blending sounds when speaking and reading words; difficulty
33 recognizing and remembering sight words; consistent transposition
34 of number sequences, and letter reversals, inversions, and
35 substitutions; and difficulty in replication of content.

36 SEC. 4. Section 56031.5 is added to the Education Code, to
37 read:

38 56031.5. “Specific learning disability” includes dyslexia,
39 dyscalculia, dysgraphia, auditory and visual processing disabilities,
40 and related disorders.

1 SEC. 5. Section 56049 is added to the Education Code, to read:
 2 56049. (a) On or before January 1, 2017, the Superintendent
 3 shall develop program guidelines for dyslexia or other reading and
 4 writing dysfunctions to be used to assist regular education teachers,
 5 special education teachers, and parents to identify, assess, plan,
 6 provide, evaluate, and improve educational services to pupils.

7 (b) The program guidelines shall include characteristics typical
 8 of pupils with dyslexia or other reading and writing dysfunctions,
 9 and evidence-based strategies for their remediation.

10 (c) The Superintendent shall consult with teachers,
 11 administrators, school psychologists, and other educational
 12 professionals involved in the identification and treatment of
 13 dyslexia or other reading and writing dysfunctions.

14 (d) The Superintendent shall disseminate the program guidelines
 15 and provide technical assistance regarding their use and
 16 implementation to parents, teachers, administrators, other education
 17 professionals, and faculty members in teacher training programs
 18 of institutions of higher education.

19 SEC. 6. Section 56245 of the Education Code is repealed.

20 ~~56245. The Legislature encourages the inclusion, in local
 21 in-service training programs for regular education teachers and
 22 special education teachers in local educational agencies, of a
 23 component on the recognition of, and teaching strategies for,
 24 specific learning disabilities, including dyslexia and related
 25 disorders.~~

26 SEC. 7. Section 56245 is added to the Education Code, to read:
 27 56245. Local in-service training programs for school
 28 psychologists, regular education teachers, and special education
 29 teachers in local educational agencies shall include a component
 30 on the recognition of, and appropriate evidence-based teaching
 31 methodologies for, dyslexia, as defined in Section 56025.5, or
 32 other reading and writing dysfunctions, including dyscalculia,
 33 dysgraphia, auditory and visual processing disabilities, and related
 34 disorders.

35 SEC. 8. Section 56337.6 is added to the Education Code, to
 36 read:

37 56337.6. (a) On or before January 1, 2017, the Superintendent
 38 shall adopt both of the following:

39 (1) An evidence-based screening instrument to identify pupils
 40 who have dyslexia or other reading and writing dysfunctions.

1 (2) An evidence-based, multisensory, direct, explicit, structured,
2 and sequential approach to instructing pupils who have dyslexia
3 or other reading and writing dysfunctions.

4 (b) Commencing with the 2017–18 academic year, a local
5 educational agency shall use the screening instrument specified in
6 paragraph (1) of subdivision (a) to identify pupils who have
7 dyslexia or other reading and writing dysfunctions, and shall
8 implement the evidence-based multisensory approach to instructing
9 pupils who have dyslexia or other reading and writing dysfunctions
10 specified in paragraph (2) of subdivision (a). A local educational
11 agency shall ensure that teachers receive appropriate training on
12 the screening instrument and the instruction approach.

13 SEC. 9. Section 56337.7 is added to the Education Code, to
14 read:

15 56337.7. A local educational agency shall screen all pupils
16 enrolled in kindergarten and grades 1 to 3, inclusive, at least once
17 during the period in which a pupil is enrolled in those grade levels,
18 to identify dyslexia, as defined in Section 56025.5, or other reading
19 and writing dysfunctions. If the screening identifies dyslexia, as
20 defined in Section 56025.5, or other reading and writing
21 dysfunctions in a pupil, the local educational agency that
22 administered the screening shall notify the pupil’s parent or legal
23 guardian of the finding in writing within 30 calendar days.

24 SEC. 10. If the Commission on State Mandates determines
25 that this act contains costs mandated by the state, reimbursement
26 to local agencies and school districts for those costs shall be made
27 pursuant to Part 7 (commencing with Section 17500) of Division
28 4 of Title 2 of the Government Code.

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