

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1369

Introduced by Assembly Member Frazier
(Coauthors: Assembly Members Mullin and Williams)

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 amended, 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.

3 SEC. 2. Section 44227.7 is added to the Education Code, to
4 read:

5 44227.7. Commencing with the 2016–17 academic year, the
6 commission shall require institutions of higher education that
7 provide teacher training programs to include in those programs
8 instruction in the recognition of, and appropriate evidence-based
9 teaching methodologies for, dyslexia, as defined in Section
10 56025.5, or other reading and writing dysfunctions, including
11 dyscalculia, dysgraphia, auditory and visual processing disabilities,
12 and related disorders.

13 SEC. 3. Section 56025.5 is added to the Education Code, to
14 read:

15 56025.5. “Dyslexia” means a specific learning disability that
16 is neurological in origin and characterized by difficulties with
17 accurate or fluent word recognition and by poor spelling and
18 decoding abilities. These difficulties typically result from a deficit
19 in the phonological component of language that is often unexpected
20 in relation to other cognitive abilities and the provision of effective
21 classroom instruction. Secondary consequences may include
22 problems in reading comprehension and reduced reading experience
23 that can impede the growth of vocabulary and background
24 knowledge. Other characteristics include, but are not limited to,
25 difficulty in acquiring language skills; inability to comprehend
26 oral or written language; difficulty in rhyming words; difficulty
27 in naming letters, recognizing letters, matching letters to sounds,
28 and blending sounds when speaking and reading words; difficulty
29 recognizing and remembering sight words; consistent transposition
30 of number sequences, and letter reversals, inversions, and
31 substitutions; and difficulty in replication of content.

32 SEC. 4. Section 56031.5 is added to the Education Code, to
33 read:

34 56031.5. “Specific learning disability” includes dyslexia,
35 dyscalculia, dysgraphia, auditory and visual processing disabilities,
36 and related disorders.

37 SEC. 5. Section 56049 is added to the Education Code, to read:

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

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

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

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

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

19 SEC. 7. Section 56245 is added to the Education Code, to read:

20 56245. Local in-service training programs for school
21 psychologists, regular education teachers, and special education
22 teachers in local educational agencies shall include a component
23 on the recognition of, and appropriate evidence-based teaching
24 methodologies for, dyslexia, as defined in Section 56025.5, or
25 other reading and writing dysfunctions, including dyscalculia,
26 dysgraphia, auditory and visual processing disabilities, and related
27 disorders.

28 SEC. 8. Section 56337.6 is added to the Education Code, to
29 read:

30 56337.6. (a) On or before January 1, 2017, the Superintendent
31 shall adopt both of the following:

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

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

37 (b) Commencing with the 2017–18 academic year, a local
38 educational agency shall use the screening instrument specified in
39 paragraph (1) of subdivision (a) to identify pupils who have
40 dyslexia or other reading and writing dysfunctions, and shall

1 implement the evidence-based multisensory approach to instructing
2 pupils who have dyslexia or other reading and writing dysfunctions
3 specified in paragraph (2) of subdivision (a). A local educational
4 agency shall ensure that teachers receive appropriate training on
5 the screening instrument and the instruction approach.

6 SEC. 9. Section 56337.7 is added to the Education Code, to
7 read:

8 56337.7. A local educational agency shall screen all pupils
9 enrolled in kindergarten and grades 1 to 3, inclusive, at least once
10 ~~during the period~~ *per academic year* in which a pupil is enrolled
11 in those grade levels, to identify dyslexia, as defined in Section
12 56025.5, or other reading and writing dysfunctions. If the screening
13 identifies dyslexia, as defined in Section 56025.5, or other reading
14 and writing dysfunctions in a pupil, the local educational agency
15 that administered the screening shall notify the pupil's parent or
16 legal guardian of the finding in writing within 30 calendar days.

17 SEC. 10. If the Commission on State Mandates determines
18 that this act contains costs mandated by the state, reimbursement
19 to local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.