

STATE OF NEW YORK

8786--A

2019-2020 Regular Sessions

IN ASSEMBLY

November 25, 2019

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing a dyslexia task force and implementing the findings of such task force

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding two new sections 4407-a and 4407-b to read as follows:

§ 4407-a. Dyslexia; task force. 1. The task force on dyslexia is hereby created within the department to develop guidelines for the appropriate screening of students for dyslexia and related disorders, provide guidelines regarding the appropriate interventions and classroom support for students deemed at risk, and to develop a program of study for teachers to better help students with dyslexia.

2. For the purposes of this section, the following terms shall have the following meanings:

(a) The term "dyslexia" shall mean an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing, the appreciation of the individual sounds of spoken language, which affects the ability of an individual to speak, read, and spell.

(b) The term "screening program" shall mean a dyslexia screening program which is: (i) evidence based with proven psychometrics for validity; (ii) efficient and low cost; and (iii) readily available.

(c) The term "related disorders" shall mean disorders similar to or related to dyslexia including, but not limited to, developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

(d) The term "support" shall mean low-cost and effective best practices including, but not limited to, oral examinations and extended

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 test-taking periods used to support students who have dyslexia or any
2 related disorder.

3 3. (a) Such task force shall consist of ten members, each to serve for
4 a term of three calendar years. Such members shall be appointed as
5 follows: four members shall be appointed by the governor; two members
6 shall be appointed by the temporary president of the senate; one member
7 shall be appointed by the minority leader of the senate; two members
8 shall be appointed by the speaker of the assembly; and one member shall
9 be appointed by the minority leader of the assembly. Appointments shall
10 be made on or before July first, two thousand twenty. Vacancies in the
11 task force shall be filled in the manner provided for original appoint-
12 ments.

13 (b) Such members shall include: two physicians and/or scientists who
14 work with dyslexic persons; two educators who specialize in educating
15 dyslexic persons; one parent advocate; one dyslexic person; and one
16 person who works for the state university who is an expert in dyslexia.
17 All appointments shall be coordinated to ensure geographic represen-
18 tation from the entire state.

19 (c) The task force shall consist of a chair, vice-chair and any other
20 necessary officers shall be elected from among all the appointed
21 members.

22 (d) A majority of the members of the task force then in office shall
23 constitute a quorum for the transaction of business or the exercise of
24 any power or function of the task force. An act, determination or deci-
25 sion of the majority of the members present during the presence of a
26 quorum shall be held to be the act, determination, or decision of the
27 task force.

28 (e) The task force shall meet at least quarterly at the call of the
29 chair. Meetings may be held via teleconference. Special meetings may be
30 called by the chair at the request of a majority of the members of the
31 task force.

32 (f) Members of the task force shall receive no compensation for their
33 services but shall be reimbursed for their actual expenses incurred in
34 the performance of their duties in the work of the task force.

35 4. The task force established shall:

36 (a) Study screening programs for identifying dyslexic persons;

37 (b) Study intervention and classroom support services for dyslexic
38 persons;

39 (c) Develop guidelines for appropriate screening programs, inter-
40 vention services and classroom support for dyslexic persons; and

41 (d) Develop a program of study in the diagnosis and remediation of
42 reading and language arts that includes supervised practicum hours and
43 instruction in the detection and recognition of, and evidence-based
44 structured literacy interventions for, students with dyslexia and other
45 related disorders.

46 5. The task force may, as it deems appropriate, request that studies,
47 surveys, or analyses relating to the task force's powers and duties be
48 performed by any state department, commission, agency or public authori-
49 ty. All state departments, commissions, agencies or public authorities
50 shall provide information and advice in a timely manner and otherwise
51 assist the task force with its work.

52 6. The department shall provide staff services to the task force and
53 such other administrative assistance as may be necessary for the task
54 force to carry out its duties, functions and powers.

55 7. The task force shall hold a minimum of three public hearings each
56 year: one in New York city; one in western New York; and one in upstate

1 eastern New York. The task force may hold additional public hearings in
2 other locations as it deems appropriate.

3 8. The task force shall issue a report to the governor and the legis-
4 lature of its findings, conclusions, recommendations and activities
5 already undertaken by the task force, not later than September first,
6 two thousand twenty-one and shall submit with its reports legislative
7 proposals as it deems necessary to implement its recommendations, the
8 guidelines developed under paragraph (c) of subdivision four of this
9 section, and the program of study developed under paragraph (d) of
10 subdivision four of this section.

11 9. On or before December thirty-first, two thousand twenty-one, the
12 department shall promulgate rules and regulations to implement the
13 guidelines and program of study developed by the task force which were
14 submitted in the task force's report.

15 10. Nothing in this section shall require a student with dyslexia to
16 obtain an individualized education program unless the student has other-
17 wise met the federal conditions necessary.

18 § 4407-b. Dyslexia; screening and intervention. 1. For the purposes of
19 this section, the following terms shall have the following meanings:

20 (a) The term "dyslexia" shall mean an unexpected difficulty in reading
21 for an individual who has the intelligence to be a much better reader,
22 most commonly caused by a difficulty in the phonological processing, the
23 appreciation of the individual sounds of spoken language, which affects
24 the ability of an individual to speak, read, and spell.

25 (b) The term "screening program" shall mean a dyslexia screening
26 program which is: (i) evidence based with proven psychometrics for
27 validity; (ii) efficient and low cost; and (iii) readily available.

28 (c) The term "related disorders" shall mean disorders similar to or
29 related to dyslexia including, but not limited to, developmental audito-
30 ry imperception, dysphasia, specific developmental dyslexia, develop-
31 mental dysgraphia, and developmental spelling disability.

32 (d) The term "support" shall mean low-cost and effective best prac-
33 tices including, but not limited to, oral examinations and extended
34 test-taking periods used to support students who have dyslexia or any
35 related disorder.

36 2. On or before July first, two thousand twenty-two, each public
37 school shall conduct a dyslexia screening program and shall provide
38 interventions based on the rules and regulations promulgated under
39 subdivision nine of section forty-four hundred seven-a of this article.

40 3. On or before July first, two thousand twenty-two, any certified
41 educator applying for a comprehensive special education or integrated
42 early childhood and special education endorsement or applicant for an
43 initial, provisional or professional educator certificate and a compre-
44 hensive special education or integrated early childhood and special
45 education endorsement shall have completed a program of study in the
46 diagnosis and remediation of reading and language arts that includes
47 supervised practicum hours and instruction in the detection and recogni-
48 tion of, and evidence-based structured literacy interventions for,
49 students with dyslexia and other related disorders.

50 4. Nothing in this act shall require a student with dyslexia to obtain
51 an individualized education program unless the student has otherwise met
52 the federal conditions necessary.

53 § 2. This act shall take effect immediately.