STATE OF NEW YORK

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2283--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021
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Introduced by M. of A. SIMON, McDONALD -- Multi-Sponsored by -- M. of A.
  ASHBY, BRONSON, CARROLL, FALL, GLICK, GRIFFIN, HUNTER, LUPARDO, McDO-
  NOUGH, NORRIS, QUART, SILLITTI, STECK, TAGUE, TAYLOR, THIELE, WALSH --
  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 mandatory early
  screening for dyslexia

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

1   Section 1. The education law is amended by adding a new section 319 to
2 read as follows:
3   § 319. Mandatory early screening for dyslexia. 1. All school districts
4 shall be required to conduct full and individual screenings in accord-
5 ance with this section for purposes of early identification, support,
6 intervention and accommodation of children with dyslexia and other
7 learning disabilities. For purposes of this section, the term "dyslexia"
8 means a specific learning disability that is neurobiological in origin
9 and that is characterized by unexpected difficulties with accurate or
10 fluent word recognition and poor spelling and decoding abilities, which
11 difficulty typically results from a deficit in the phonological compo-
12 nent of language and that is inconsistent with the person's intelli-
13 gence, motivation, and sensory capabilities and the provision of effec-
14 tive instruction.
15   2. Mandatory early screening for dyslexia shall be conducted by each
16 school district using an assessment tool that includes targeted ques-
17 tions and student tasks designed to quickly and reliably gather certain
18 relevant functional and developmental information consistent with the
19 research findings in this area and supported by the findings in the
20 Report of the National Reading Panel from 2000, from all children
21 screened pursuant to this section. Such questions and tasks shall be

1 aligned with developmental benchmarks in specific precursors correlated
2 with reading acquisition based on the recognized reading science.
3 Mandatory early screening shall commence during pre-kindergarten or
4 kindergarten, whichever is earlier, and shall continue thereafter on an
5 annual basis until such child has successfully completed the second
6 grade.   The assessment tools used shall be selected from an approved
7 list of tools deemed to be valid and reliable, with training and subse-
8 quent coaching provided to teachers to ensure fidelity to the assessment
9 model as per the research methodology provided in the development of
10 such tools.
11   3. Upon completion of the administration of each mandatory early
12 screening, a copy of each early screening report and any other findings
13 shall be given to the parent and/or guardian and teachers and teaching
14 assistants of each child identified as at risk for reading failure, and
15 the individual designated in subdivision four of this section.
16   4. Each school district shall designate an individual to maintain
17 complete and accurate records, including copies of each early screening
18 report, for all children for the duration of each child's educational
19 pursuit or until such child reaches the age of sixteen, whichever is
20 later. The designated individual shall provide resources and materials
21 to the parent and/or guardian of any child who displays low phonemic
22 awareness and other indications of dyslexia.
23   5. School districts shall ensure that the assessment results are used
24 in a proactive manner, ensuring that findings of risk for reading fail-
25 ure are followed up immediately by the provision of research-based meth-
26 ods of instruction and intervention in the identified areas of need to
27 ensure that risk does not turn into failure.
28   § 2. This act shall take effect immediately.