

# STATE OF NEW YORK

1293--A

2021-2022 Regular Sessions

## IN SENATE

January 11, 2021

Introduced by Sens. BROOKS, BOYLE, GALLIVAN, GOUNARDES, HELMING, JACKSON, KAMINSKY, KENNEDY, KRUEGER, MYRIE, SKOUFIS, THOMAS -- read twice and ordered printed, and when printed to be committed 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 Assembly, 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  
22 aligned with developmental benchmarks in specific precursors correlated

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

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1 with reading acquisition based on the recognized reading science.  
2 Mandatory early screening shall commence during pre-kindergarten or  
3 kindergarten, whichever is earlier, and shall continue thereafter on an  
4 annual basis until such child has successfully completed the second  
5 grade. The assessment tools used shall be selected from an approved  
6 list of tools deemed to be valid and reliable, with training and subse-  
7 quent coaching provided to teachers to ensure fidelity to the assessment  
8 model as per the research methodology provided in the development of  
9 such tools.

10 3. Upon completion of the administration of each mandatory early  
11 screening, a copy of each early screening report and any other findings  
12 shall be given to the parent and/or guardian and teachers and teaching  
13 assistants of each child identified as at risk for reading failure, and  
14 the individual designated in subdivision four of this section.

15 4. Each school district shall designate an individual to maintain  
16 complete and accurate records, including copies of each early screening  
17 report, for all children for the duration of each child's educational  
18 pursuit or until such child reaches the age of sixteen, whichever is  
19 later. The designated individual shall provide resources and materials  
20 to the parent and/or guardian of any child who displays low phonemic  
21 awareness and other indications of dyslexia.

22 5. School districts shall ensure that the assessment results are used  
23 in a proactive manner, ensuring that findings of risk for reading fail-  
24 ure are followed up immediately by the provision of research-based meth-  
25 ods of instruction and intervention in the identified areas of need to  
26 ensure that risk does not turn into failure.

27 § 2. This act shall take effect immediately.