STATE OF NEW YORK

4198

2023-2024 Regular Sessions

IN ASSEMBLY

February 13, 2023

Introduced by M. of A. SIMON, MEEKS, JEAN-PIERRE -- Multi-Sponsored by -- M. of A. BRONSON, CARROLL, FALL, GLICK, HUNTER, LUPARDO, McDONOUGH, NORRIS, SILLITTI, STECK, TAGUE, TAYLOR, THIELE, WALSH -- read once and referred to the Committee on Education

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:

Section 1. The education law is amended by adding a new section 319 to read as follows:

§ 319. Mandatory early screening for dyslexia. 1. All school districts shall be required to conduct full and individual screenings in accordance with this section for purposes of early identification, support, intervention and accommodation of children with dyslexia and other learning disabilities. For purposes of this section, the term "dyslexia" means a specific learning disability that is neurobiological in origin and that is characterized by unexpected difficulties with accurate or fluent word recognition and poor spelling and decoding abilities, which difficulty typically results from a deficit in the phonological component of language and that is inconsistent with the person's intelligence, motivation, and sensory capabilities and the provision of effective instruction.

2. Mandatory early screening for dyslexia shall be conducted by each school district using an assessment tool that includes targeted questions and student tasks designed to quickly and reliably gather certain relevant functional and developmental information consistent with the research findings in this area and supported by the findings in the Report of the National Reading Panel from 2000, from all children screened pursuant to this section. Such questions and tasks shall be aligned with developmental benchmarks in specific precursors correlated with reading acquisition based on the recognized reading science.

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

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Mandatory early screening shall commence during pre-kindergarten or kindergarten, whichever is earlier, and shall continue thereafter on an annual basis until such child has successfully completed the second grade. The assessment tools used shall be selected from an approved list of tools deemed to be valid and reliable, with training and subsequent coaching provided to teachers to ensure fidelity to the assessment model as per the research methodology provided in the development of such tools.

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

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

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

§ 2. This act shall take effect immediately.