

# STATE OF NEW YORK

5232

2023-2024 Regular Sessions

## IN SENATE

February 27, 2023

Introduced by Sens. THOMAS, CLEARE, GALLIVAN, GOUNARDES, HELMING, JACKSON, KENNEDY, KRUEGER, MYRIE, SKOUFIS -- read twice and ordered printed, and when printed to be committed 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:

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  
23 with reading acquisition based on the recognized reading science.  
24 Mandatory early screening shall commence during pre-kindergarten or

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

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

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

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

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

25 § 2. This act shall take effect immediately.