LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature Second Regular Session - 2022

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 731

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1802, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 18, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1811, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CERTAIN DYSLEXIA INTERVENTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1802, Idaho Code, be, and the same is hereby amended to read as follows:

33-1802. DEFINITIONS. As used in this chapter:
1 (1) "Dyslexia" means a specific learning challenge that is neurological in origin. It is characterized by difficulties with accurate or fluent, or both, word recognition and by poor spelling and decoding abilities, which typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.
2 (2) "Dyslexia screening tools" means assessments in the areas of phonological awareness skills, phonemic decoding efficiency, rapid automatic naming skills, encoding ability, and sight work reading efficiency skills in order to identify students that demonstrate characteristics of dyslexia or other reading difficulties.
3 (3) "Idaho comprehensive literacy plan" means the state board of education-approved, evidence-based plan outlining the minimum statewide literacy comprehension expectations and framework. This plan shall include details on data literacy, the statewide reading assessment, and best practices.
4 (4) "Local education agency" or "LEA" means a school district, including charter school districts, or a public charter school identified as an LEA pursuant to chapter 52, title 33, Idaho Code.
5 (5) "Statewide reading assessment" means the state board of education-approved assessment for facilitating continuous improvement, tailoring student-level instruction, and providing summative results.

SECTION 2. That Chapter 18, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1811, Idaho Code, and to read as follows:

33-1811. DYSLEXIA. (1) The state department of education shall identify reliable, valid, evidence-based screening tools and intervention practices to evaluate the literacy skills of students enrolled in kindergarten through grade 5 for characteristics of dyslexia and shall provide professional development in multisensory-structured literacy approaches.
(2) Starting in the 2022-2023 school year, and each year thereafter, the state department of education will administer a statewide tier 1 dyslexia screening measure for identifying students with characteristics of dyslexia in kindergarten through grade 3. The fall administration of the statewide reading assessment shall be used as the tier 1 screening measure for students in kindergarten through grade 3. The state department of education shall support local education agencies in implementing tier 1 screeners for students in grades 4 and 5. A local education agency must administer a tier 2 dyslexia diagnostic measure to students in kindergarten through grade 5 who have been identified as having characteristics of dyslexia based on the tier 1 screening measure or who have been identified by their classroom teacher or at the request of the student's parent or guardian. All parents or guardians of students identified with characteristics of dyslexia shall be notified and provided with the local education agency's options for school interventions.

(3) Local education agencies shall provide evidence-based interventions in alignment with the Idaho comprehensive literacy plan and the state dyslexia handbook for any students identified with characteristics of dyslexia. The state department of education will provide technical assistance by:

(a) Providing local education agencies with guidance and resources for general education teachers and school teams to identify characteristics of dyslexia and to provide intervention and remediation to students;

(b) Identifying reliable, valid, and evidence-based tools and multisensory-structured literacy approaches for students in kindergarten through grade 5 that have been identified with characteristics of dyslexia;

(c) Identifying reliable, valid, and evidence-based tier 2 screening and diagnostic measures for use by local education agencies; and

(d) Developing reporting mechanisms for local education agencies to submit information and required data as determined by the state board of education for evaluating the effectiveness of the intervention programs.

(4) The state department of education shall maintain a list of courses that fulfill the professional development requirements prescribed in this section. The list may consist of online or classroom learning models. Each identified course must align with the Idaho comprehensive literacy plan and the state dyslexia handbook. Such courses must be multisensory-structured literacy professional development for teachers in evidence-based dyslexia screening and intervention practices for identifying characteristics of dyslexia and understanding the pedagogy for instructing students with dyslexia.

(a) No later than the beginning of the 2023-2024 school year, each instructional staff member and instructional coach employed by a local education agency involved in the instruction of students in kindergarten through grade 5, including those providing special education instruction, shall be required to have received professional development specific to providing instruction and intervention to students with characteristics of dyslexia.
(b) No later than the beginning of the 2023-2024 school year, all teachers, administrators and school counselors with an instructional certificate in grades 6 through 12 shall be required to have received professional development on the characteristics of dyslexia.

(c) No later than the beginning of the 2025-2026 school year, all Idaho teachers or administrators with an all subjects (K-8) endorsement, exceptional child generalist endorsement, blended early childhood/early childhood special education endorsement, administrator certificate, or school counselor certificate serving students in kindergarten through grade 5 will be required to earn one (1) or more credits of professional development identifying characteristics of dyslexia and understanding the pedagogy for instructing students with dyslexia and providing dyslexia-focused interventions to recertify.

SECTION 3. An emergency existing therefore, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2022.