



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4406

Introduced 1/29/2020, by Rep. Lindsay Parkhurst

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.161
105 ILCS 5/10-20.73 new
105 ILCS 5/34-18.66 new

Amends the School Code. Provides for dyslexia screening guidelines and rules. Requires the State Board of Education to employ at least 5 dyslexia specialists or dyslexia therapists with a minimum of 5 years of field experience in screening, identifying, and treating dyslexia and related disorders to provide technical assistance and training. Provides that, beginning with the 2020-2021 school year, each school district must screen students in grades kindergarten through second (and in higher grades under certain circumstances) for the risk factors of dyslexia using a universal screener approved by the State Board. Sets forth what the screening must include. Provides for additional screening for a student who is determined to be at risk, or at some risk, for dyslexia to determine if a student has the characteristics of dyslexia. Requires the use of a multi-tiered system of support framework if screening indicates that a student has some risk factors for dyslexia or has the characteristics of dyslexia. Sets forth provisions concerning exceptions to screening, dyslexia intervention services, and reporting. Effective July 1, 2020.

LRB101 17103 CMG 66503 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 2-3.161 and by adding Sections 10-20.73 and 34-18.66 as
6 follows:

7 (105 ILCS 5/2-3.161)

8 Sec. 2-3.161. Definition of dyslexia; reading instruction
9 advisory group; handbook; screening rules; employment of
10 specialists.

11 (a) The State Board of Education shall incorporate, in both
12 general education and special education, the following
13 definition of dyslexia:

14 Dyslexia is a specific learning disability that is
15 neurobiological in origin. Dyslexia is characterized by
16 difficulties with accurate and/or fluent word recognition
17 and by poor spelling and decoding abilities. These
18 difficulties typically result from a deficit in the
19 phonological component of language that is often
20 unexpected in relation to other cognitive abilities and the
21 provision of effective classroom instruction. Secondary
22 consequences may include problems in reading comprehension
23 and reduced reading experience that can impede growth of

1 vocabulary and background knowledge.

2 (b) Subject to specific State appropriation or the
3 availability of private donations, the State Board of Education
4 shall establish an advisory group to develop a training module
5 or training modules to provide education and professional
6 development to teachers, school administrators, and other
7 education professionals regarding multi-sensory, systematic,
8 and sequential instruction in reading. This advisory group
9 shall complete its work before December 15, 2015 and is
10 abolished on December 15, 2015. The State Board of Education
11 shall reestablish the advisory group abolished on December 15,
12 2015 to complete the abolished group's work. The reestablished
13 advisory group shall complete its work before December 31, 2016
14 and is abolished on December 31, 2016. The provisions of this
15 subsection (b), other than this sentence, are inoperative after
16 December 31, 2016.

17 (c) The State Board of Education shall develop and maintain
18 a handbook to be made available on its Internet website that
19 provides guidance for pupils, parents or guardians, and
20 teachers on the subject of dyslexia. The handbook shall
21 include, but is not limited to:

22 (1) guidelines for teachers and parents or guardians on
23 how to identify signs of dyslexia;

24 (2) a description of educational strategies that have
25 been shown to improve the academic performance of pupils
26 with dyslexia; ~~and~~

1 (3) a description of resources and services available
2 to pupils with dyslexia, parents or guardians of pupils
3 with dyslexia, and teachers; ~~and~~;

4 (4) guidelines on the administration of a universal
5 screener and Level I dyslexia screening, the
6 interpretation of data from these screeners, and the
7 resulting appropriate instruction within a multi-tiered
8 system of support (MTSS) framework.

9 The State Board shall review the handbook on or before
10 January 1, 2021 and at least once every 4 years thereafter to
11 update, ~~if necessary,~~ the guidelines, educational strategies,
12 or resources and services made available in the handbook.

13 (d) The State Board of Education shall adopt any rules
14 necessary to ensure that a student will be screened, as
15 provided under Section 10-20.73 or 34-18.66, for the risk
16 factors of dyslexia using a universal screener:

17 (1) if a student is in any of grades kindergarten
18 through second in the public schools;

19 (2) if a student in any of grades kindergarten through
20 second:

21 (A) transfers to a new public school; and

22 (B) has not been screened previously during the
23 school year;

24 (3) if a student in grade 3 or higher in the public
25 schools has difficulty, as determined by a classroom
26 teacher, in:

1 (A) phonological and phonemic awareness;

2 (B) sound symbol recognition;

3 (C) alphabet knowledge;

4 (D) decoding skills;

5 (E) rapid naming skills;

6 (F) encoding skills; or

7 (G) oral reading fluency; and

8 (4) if a student from another state enrolls for the
9 first time in any of grades kindergarten through second in
10 a school district in this State, unless the student
11 presents documentation that the student:

12 (A) had the dyslexia screening or a similar
13 screening during the school year; or

14 (B) is exempt from screening.

15 (e) The State Board of Education shall adopt any rules
16 necessary to ensure that a student receives dyslexia
17 intervention services under Section 10-20.73 or 34-18.66.

18 (f) No later than January 1, 2021, the State Board of
19 Education shall employ at least 5 dyslexia specialists or
20 dyslexia therapists with a minimum of 5 years of field
21 experience in screening, identifying, and treating dyslexia
22 and related disorders to provide both of the following:

23 (1) Technical assistance for dyslexia and related
24 disorders to the State Board and school districts.

25 (2) Training to school district employees in:

26 (A) administering a universal screener and Level I

1 dyslexia screening;
2 (B) analyzing and interpreting screening data; and
3 (C) determining, within the MTSS framework,
4 appropriate dyslexia intervention services under
5 Section 10-20.73 or 34-18.66.

6 (Source: P.A. 99-65, eff. 7-16-15; 99-78, eff. 7-20-15; 99-602,
7 eff. 7-22-16; 99-603, eff. 7-22-16; 100-201, eff. 8-18-17;
8 100-617, eff. 7-20-18.)

9 (105 ILCS 5/10-20.73 new)

10 Sec. 10-20.73. Dyslexia screening and support required.

11 (a) In this Section:

12 "Level I dyslexia screening" means a process, as determined
13 by the school district, for gathering additional information to
14 determine if the characteristics of dyslexia are present.

15 "Universal screener" means an assessment used to aid
16 educators in understanding the causes for student performance,
17 learning strengths, and the needs that underlie student
18 performance. The assessment is conducted to identify or predict
19 students who may be at risk for poor learning outcomes and is
20 typically brief and conducted with all students at a particular
21 grade level.

22 (b) Beginning with the 2020-2021 school year, each school
23 district must screen students in grades kindergarten through
24 second for the risk factors of dyslexia using a universal
25 screener approved by the State Board of Education. The

1 screening of students must include, as developmentally
2 appropriate, all of the following:

3 (1) Phonological and phonemic awareness.

4 (2) Sound symbol recognition.

5 (3) Alphabet knowledge.

6 (4) Decoding skills.

7 (5) Rapid naming skills.

8 (6) Encoding skills.

9 (7) Oral reading fluency.

10 (c) If a student is determined to be at risk, or at some
11 risk, for dyslexia after the universal screener has been
12 administered under subsection (b), the school district must
13 administer a Level I dyslexia screening of the student. Through
14 the Level I dyslexia screening, the school district must gather
15 additional information to determine if the student has the
16 characteristics of dyslexia. The additional information may
17 include, but is not limited to, information from progress
18 monitoring data, work samples, additional age and
19 grade-appropriate assessments related to dyslexia, teacher
20 questionnaires, parent interviews, information regarding the
21 student's family history related to dyslexia, and speech and
22 language assessments.

23 (d) If the universal screener or the Level I dyslexia
24 screening indicates that a student has some risk factors for
25 dyslexia or the characteristics of dyslexia, the school must
26 use a multi-tiered system of support (MTSS) framework to

1 address the needs of the student.

2 (e) Before a school district administers a Level I dyslexia
3 screening to a student, the parent or guardian of the student
4 must consent to the screening. A school district is not
5 required to administer a Level I dyslexia screening to a
6 student if:

7 (1) the parent or guardian of the student objects to
8 the screening; or

9 (2) the student is receiving dyslexia intervention
10 services.

11 (f) If a student's performance on a Level I dyslexia
12 screening indicates a need for dyslexia intervention services,
13 the school district must do both of the following:

14 (1) Notify the student's parent or guardian of the
15 results of all screenings.

16 (2) Provide the student's parent or guardian with
17 information and resource material that includes all of the
18 following:

19 (A) The characteristics of dyslexia.

20 (B) The appropriate classroom interventions and
21 accommodations for students with dyslexia.

22 (C) A statement that the parent or guardian may
23 elect to have the student receive an educational
24 evaluation by the school.

25 (g) If the student's Level I dyslexia screening indicates
26 that the student has characteristics of dyslexia and needs

1 dyslexia intervention services, the dyslexia intervention
2 services provided to the student must be implemented using
3 diagnostic teaching guidelines outlined in the Knowledge and
4 Practice Standards for Teachers of Reading created by the
5 International Dyslexia Association. The dyslexia intervention
6 services must:

7 (1) provide explicit, direct, systematic, sequential,
8 and cumulative instruction that adheres to a logical plan
9 about the alphabetic principle and is designed to
10 accommodate the needs of each individual student without
11 presuming prior skills or knowledge; each teaching plan
12 must be flexible, must be based on the individualized
13 instructional needs of the student through continuous
14 assessment, and must include a periodic evaluation of the
15 student's progress;

16 (2) implement evidence-based practices that have been
17 proven effective in the treatment of dyslexia;

18 (3) engage the student in multi-sensory and hands-on
19 activities;

20 (4) include phonemic awareness activities to enable
21 the student to detect, segment, blend, and manipulate
22 sounds in the spoken language;

23 (5) provide graphophonemic knowledge for teaching the
24 letter sound plan of the English language;

25 (6) teach the structure and patterns of the English
26 language, including linguistic instruction in morphology,

1 semantics, syntax, and pragmatics, that is directed toward
2 proficiency and fluency with the patterns of language so
3 that words and sentences are the carriers of meaning;

4 (7) develop strategies that advance the student's
5 ability in decoding, encoding, word recognition, fluency,
6 and comprehension; and

7 (8) provide meaning-based instruction directed at
8 purposeful reading and writing, with an emphasis on
9 comprehension and composition.

10 (h) On or before July 1, 2021 and on or before each July 1
11 thereafter, each school district must report to the State Board
12 of Education the number of students who were:

13 (1) administered a universal screener during the
14 school year; and

15 (2) determined to be at risk, or at some risk, for
16 dyslexia.

17 (i) On or before July 1, 2021 and on or before each July 1
18 thereafter, each school district must report on its Internet
19 website all of the following information:

20 (1) The dyslexia intervention services that were used
21 during the previous school year to assist students with
22 dyslexia.

23 (2) The number of students during the previous school
24 year who received dyslexia intervention services under
25 this Section.

26 (3) The total number of students identified with the

1 characteristics of dyslexia during the school year.

2 (105 ILCS 5/34-18.66 new)

3 Sec. 34-18.66. Dyslexia screening and support required.

4 (a) In this Section:

5 "Level I dyslexia screening" means a process, as determined
6 by the school district, for gathering additional information to
7 determine if the characteristics of dyslexia are present.

8 "Universal screener" means an assessment used to aid
9 educators in understanding the causes for student performance,
10 learning strengths, and the needs that underlie student
11 performance. The assessment is conducted to identify or predict
12 students who may be at risk for poor learning outcomes and is
13 typically brief and conducted with all students at a particular
14 grade level.

15 (b) Beginning with the 2020-2021 school year, the school
16 district must screen students in grades kindergarten through
17 second for the risk factors of dyslexia using a universal
18 screener approved by the State Board of Education. The
19 screening of students must include, as developmentally
20 appropriate, all of the following:

21 (1) Phonological and phonemic awareness.

22 (2) Sound symbol recognition.

23 (3) Alphabet knowledge.

24 (4) Decoding skills.

25 (5) Rapid naming skills.

1 (6) Encoding skills.

2 (7) Oral reading fluency.

3 (c) If a student is determined to be at risk, or at some
4 risk, for dyslexia after the universal screener has been
5 administered under subsection (b), the school district must
6 administer a Level I dyslexia screening of the student. Through
7 the Level I dyslexia screening, the school district must gather
8 additional information to determine if the student has the
9 characteristics of dyslexia. The additional information may
10 include, but is not limited to, information from progress
11 monitoring data, work samples, additional age and
12 grade-appropriate assessments related to dyslexia, teacher
13 questionnaires, parent interviews, information regarding the
14 student's family history related to dyslexia, and speech and
15 language assessments.

16 (d) If the universal screener or the Level I dyslexia
17 screening indicates that a student has some risk factors for
18 dyslexia or the characteristics of dyslexia, the school must
19 use a multi-tiered system of support (MTSS) framework to
20 address the needs of the student.

21 (e) Before a school district administers a Level I dyslexia
22 screening to a student, the parent or guardian of the student
23 must consent to the screening. The school district is not
24 required to administer a Level I dyslexia screening to a
25 student if:

26 (1) the parent or guardian of the student objects to

1 the screening; or

2 (2) the student is receiving dyslexia intervention
3 services.

4 (f) If a student's performance on a Level I dyslexia
5 screening indicates a need for dyslexia intervention services,
6 the school district must do both of the following:

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8 results of all screenings.

9 (2) Provide the student's parent or guardian with
10 information and resource material that includes all of the
11 following:

12 (A) The characteristics of dyslexia.

13 (B) The appropriate classroom interventions and
14 accommodations for students with dyslexia.

15 (C) A statement that the parent or guardian may
16 elect to have the student receive an educational
17 evaluation by the school.

18 (g) If the student's Level I dyslexia screening indicates
19 that the student has characteristics of dyslexia and needs
20 dyslexia intervention services, the dyslexia intervention
21 services provided to the student must be implemented using
22 diagnostic teaching guidelines outlined in the Knowledge and
23 Practice Standards for Teachers of Reading created by the
24 International Dyslexia Association. The dyslexia intervention
25 services must:

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5 must be flexible, must be based on the individualized
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8 student's progress;

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17 letter sound plan of the English language;

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19 language, including linguistic instruction in morphology,
20 semantics, syntax, and pragmatics, that is directed toward
21 proficiency and fluency with the patterns of language so
22 that words and sentences are the carriers of meaning;

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24 ability in decoding, encoding, word recognition, fluency,
25 and comprehension; and

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1 purposeful reading and writing, with an emphasis on
2 comprehension and composition.

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11 thereafter, the school district must report on its Internet
12 website all of the following information:

13 (1) The dyslexia intervention services that were used
14 during the previous school year to assist students with
15 dyslexia.

16 (2) The number of students during the previous school
17 year who received dyslexia intervention services under
18 this Section.

19 (3) The total number of students identified with the
20 characteristics of dyslexia during the school year.

21 Section 99. Effective date. This Act takes effect July 1,
22 2020.