**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 33, TITLE 59 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE A UNIVERSAL SCREENING TOOL FOR USE BEGINNING WITH THE 2017‑2018 SCHOOL YEAR BY LOCAL SCHOOL DISTRICTS TO SCREEN STUDENTS IN KINDERGARTEN THROUGH SECOND GRADE FOR CHARACTERISTICS OF DYSLEXIA, TO PROVIDE REQUIREMENTS CONCERNING THE ADMINISTRATION OF THE SCREENING TOOL AND USE OF DATA YIELDED FROM SCREENINGS, TO REQUIRE LOCAL SCHOOL DISTRICTS TO CONVENE SCHOOL‑BASED PROBLEM‑SOLVING TEAMS TO ANALYZE SCREENING DATA AND PROGRESS‑MONITORING DATA TO ASSIST TEACHERS IN PLANNING AND IMPLEMENTING APPROPRIATE INSTRUCTION AND EVIDENCE‑BASED INTERVENTIONS FOR ALL STUDENTS, TO REQUIRE DYSLEXIA‑SPECIFIC INTERVENTIONS FOR STUDENTS INDICATED BY SCREENINGS TO HAVE CHARACTERISTICS OF DYSLEXIA, AND TO REQUIRE THE DEPARTMENT TO PROVIDE RELATED PROFESSIONAL DEVELOPMENT RESOURCES FOR EDUCATORS; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RELATED REGULATIONS; TO CREATE A DYSLEXIA ADVISORY COUNCIL TO ADVISE THE DEPARTMENT IN MATTERS RELATING TO DYSLEXIA; AND TO PROVIDE CERTAIN REQUIREMENTS CONCERNING THE FUNCTIONS AND RESPONSIBILITIES OF THE BOARD.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 33, Title 59 of the 1976 Code is amended by adding:

“Article 5

Dyslexia Screenings

Section 59‑33‑510. As used in this section:

(1) ‘Dyslexia‑specific intervention’ means evidence‑based, specialized reading, writing, and spelling instruction that is multisensory in nature, equipping students to simultaneously use multiple senses, such as vision, hearing, touch, and movement. Dyslexia‑specific intervention employs direct instruction of systematic and cumulative content, with the sequence beginning with the easiest and most basic elements, and progressing methodically to more difficult material. Each step also must be based on steps already learned. Components of dyslexia‑specific intervention include instruction targeting phonological awareness, sound symbol association, syllable structure, morphology, syntax, and semantics.

(2) ‘Response to intervention’ or ‘RTI’ means a school‑wide system or framework encouraged by the No Child Left Behind Act and by the Individuals with Disabilities Education Improvement Act (IDEA). An RTI approach to instruction requires that schools provide a research and evidence‑based instructional model to all students in academic and behavioral areas, find the students who are not meeting standards, plan and provide research and evidence‑based interventions for those not achieving, closely monitor the progress of targeted students, and intervene at a higher level if students do not progress toward age‑appropriate levels. RTI uses the expertise of school professionals and parents in a proactive format which puts students’ needs first and bases decisions on data. Students failing to make adequate progress within an intervention tier are referred to problem‑solving teams for review. The strength of the data collected in the RTI process allows for better decisions about which students will qualify for intensive special education programs and provides a base for monitoring further growth in those students.

Section 59‑33‑520. (A)(1) The State Department of Education in consultation with the South Carolina branch of the International Dyslexia Association (IDA) shall identify, procure, and provide a universal screening tool that screens for characteristics of dyslexia for use by local school districts through their existing RTI framework. Through RTI, a local school district shall screen all students in reading, mathematics, and writing to determine which students require intervention.

(2) Beginning with the 2017‑2018 School Year, a local school district shall use the universal screening tool to screen each student in the district, who is kindergarten through second grade, three times each school year as part of the district’s universal screening procedures, and any other student as required by the department, for dyslexia and intervention.

(3) The screening tool explicitly must measure the ability of a student to demonstrate phonological awareness skills, phonemic decoding efficiency skills, sight‑word reading efficiency skills, and accuracy of word reading on grade‑level text.

(4) In addition to screening required by this subsection, a screening also may be requested for a student by his parent or guardian, teacher, counselor, or school psychologist.

(B) The district, following the universal screening procedures it conducted, shall convene a school‑based team to analyze screening data and progress‑monitoring data to assist teachers in planning and implementing appropriate instruction and evidence‑based interventions for all students, including those students who exhibit the characteristics of dyslexia. Guidance may include suggestions of appropriately tiered interventions, dyslexia‑specific interventions, academic accommodations, as appropriate, and access to assistive technology.

(C) If the dyslexia screening conducted by the district indicates that a student has characteristics of dyslexia, the district shall:

(1) notify the parent or legal guardian of the student;

(2) provide the parent or legal guardian of the student with information and resource material regarding dyslexia;

(3) provide the student with appropriately tiered dyslexia‑specific intervention through its RTI framework; and

(4) monitor the progress of the student using a tool designed to measure the effectiveness of the intervention.

Section 59‑33‑530. The department shall provide appropriate professional development resources for educators in the area of identification of and intervention methods for students with dyslexia.

Section 59‑33‑540. The State Board of Education shall promulgate regulations to establish criteria for students to be identified with an educational disability requiring special education, including specific learning disabilities.

Section 59‑33‑550. (A) There is created a dyslexia advisory council for the purpose of advising the department in matters relating to dyslexia. The council is composed of eight members as follows:

(1) the Chair of the Education Oversight Committee or his designee, who serves as an ex officio member of the council and serve as chair;

(2) an education specialist from the department, appointed by the Chair of the Education Oversight Committee for a term of three years;

(3) a representative from the South Carolina branch of the IDA, appointed by the president of the group for a term of three years;

(4) a special education teacher with an understanding of dyslexia, appointed by the Chair of the Education Oversight Committee for a term of three years;

(5) an elementary school teacher, appointed by the Chair of the Education Oversight Committee for a term of three years;

(6) a middle school teacher, appointed by the Chair of the Education Oversight Committee for a term of three years;

(7) a high school teacher, appointed by the Chair of the Education Oversight Committee for a term of three years;

(8) a parent of a child with dyslexia, appointed by the Chair of the Education Oversight Committee for a term of three years; and

(9) a licensed speech pathologist, appointed by the Chair of the Education Oversight Committee for a term of three years.

(B) The terms of the council members commence July 1, 2017.

(C) A vacancy must be filled in the same manner of the original appointment for the unexpired portion of the term. A member may be appointed to successive terms.

(D) The members of the council shall serve without compensation, mileage, per diem, or subsistence allowances.

(E) The council shall meet at least quarterly. A quorum consists of a majority of the membership of the council.

(F) The council shall coordinate with the department and the South Carolina branch of the IDA in the selection of the universal screening tool provided in Section 59‑33‑510.

(G)(1) The council annually shall submit a report to the Senate Education Committee and the House Education and Public Works Committee. This report must include:

(a) the number of students screened and the number of students provided with dyslexia intervention services;

(b) information about specific accommodations needed for students who are provided dyslexia intervention services taking the annual state mandated assessment or other assessments mandated by the State or the district; and

(c) a description of intervention services provided to students.

(2) The report may not include information identifying individual students.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑