

SENATE BILL NO. 140

INTRODUCED BY C. SMITH

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ADDRESSING DYSLEXIA IN MONTANA; PROVIDING A
5 DEFINITION OF DYSLEXIA AND REITERATING THE EXISTING OBLIGATION OF SCHOOL DISTRICTS TO
6 IDENTIFY STUDENTS WITH DYSLEXIA AND EVALUATE THEM FOR SPECIAL EDUCATION AND RELATED
7 SERVICES; REQUIRING SCHOOL DISTRICTS TO SCREEN STUDENTS FOR DYSLEXIA AND ADDRESS
8 THE NEEDS OF STUDENTS IDENTIFIED WITH DYSLEXIA; REQUIRING THE OFFICE OF PUBLIC
9 INSTRUCTION TO PROVIDE GUIDANCE TO SCHOOL DISTRICTS ON IDENTIFYING AND SERVING
10 STUDENTS WITH DYSLEXIA; EMPHASIZING THE NEED FOR TEACHERS AND OTHER SCHOOL
11 PERSONNEL TO BE PREPARED TO IDENTIFY AND SERVE STUDENTS WITH DYSLEXIA; AND PROVIDING
12 AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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14 WHEREAS, reading is fundamental to developing a person's full educational potential, which is the goal
15 of the people of Montana as stated in Article X, section 1, of the Montana Constitution; and

16 WHEREAS, dyslexia can impede a person's ability to read and is one of the most common learning
17 disabilities, with some estimates as high as one in five people having dyslexia; and

18 WHEREAS, the Legislature finds that ensuring Montana students with dyslexia are identified and receive
19 appropriate educational services as early as possible is vital to these students maximizing their educational
20 potential.

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22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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24 NEW SECTION. **Section 1. Dyslexia -- definition -- screening -- intervention.** (1) This section may
25 be cited as the "Montana Dyslexia Screening and Intervention Act".

26 (2) For the purposes of this section, "dyslexia" means a specific learning disability that is neurological in
27 origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding
28 abilities. These difficulties typically result from a deficit in the phonological component of language that is often
29 unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary
30 consequences may include problems in reading comprehension and reduced reading experience that can impede



1 the growth of vocabulary and background knowledge.

2 (3) (a) In alignment with the existing requirements of the Individuals With Disabilities Education Act and
3 rules of the superintendent of public instruction, school districts shall establish procedures to ensure that all
4 resident children with disabilities, including specific learning disabilities resulting from dyslexia, are identified and
5 evaluated for special education and related services as early as possible.

6 (b) To support the goal of the people of Montana to develop the full educational potential of each person,
7 articulated in Article X, section 1(1), of the Montana constitution, and to ensure early identification and intervention
8 for students with dyslexia, a school district shall utilize a screening instrument aimed at identifying students at
9 risk of not meeting grade-level reading benchmarks. The screening instrument must:

10 (i) be administered to:

11 (A) a child in the first year that the child is admitted to a school of the district up to grade 2; and

12 (B) a child who fails to meet grade-level reading benchmarks in any grade;

13 (ii) be administered by an individual with an understanding of, and training to identify, signs of dyslexia;

14 and

15 (iii) be designed to assess developmentally appropriate phonological and phonemic awareness skills.

16 (c) If a screening under subsection (3)(b) suggests that a child may have dyslexia or a medical
17 professional diagnoses a child with dyslexia, the child's school district shall take steps to identify the specific
18 needs of the child and implement best practice interventions to address those needs. This process may lead to
19 consideration of the child's qualification as a child with a disability under the Individuals With Disabilities Education
20 Act.

21 (4) The office of public instruction shall:

22 (a) endeavor to raise statewide awareness of dyslexia, as well as the attendant rights of students and
23 parents and the responsibilities of school districts related to dyslexia; and

24 (b) provide guidance to school districts related to:

25 (i) the early identification of students with dyslexia, including best practices for universal, valid, and
26 reliable screening methods and other assessments in support of the requirements of subsection (3)(b);

27 (ii) best practice interventions to support students with dyslexia as early as possible, including
28 interventions for those students with dyslexia evaluated as requiring special education and those students with
29 dyslexia evaluated as not requiring special education; and

30 (iii) best practices for collaborating with and supporting parents of students with dyslexia.

