

SENATE No. 294

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to students with dyslexia.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/25/2017</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/25/2017</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>1/25/2017</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/27/2017</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>1/30/2017</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>	<i>1/30/2017</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/30/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/31/2017</i>
<i>Solomon Goldstein-Rose</i>	<i>3rd Hampshire</i>	<i>1/31/2017</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/31/2017</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/31/2017</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/31/2017</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>2/1/2017</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2017</i>

<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>2/1/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2017</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/1/2017</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/1/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/2/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/2/2017</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>2/2/2017</i>
<i>Brian Murray</i>	<i>10th Worcester</i>	<i>2/2/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>2/2/2017</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2017</i>
<i>Juana B. Matias</i>	<i>16th Essex</i>	<i>2/2/2017</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/2/2017</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/3/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/3/2017</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	<i>2/3/2017</i>
<i>Paul Tucker</i>	<i>7th Essex</i>	<i>2/3/2017</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>2/3/2017</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>2/3/2017</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>2/3/2017</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/3/2017</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/3/2017</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>2/3/2017</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>2/3/2017</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/3/2017</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>9/20/2017</i>

SENATE No. 294

By Ms. L'Italien, a petition (accompanied by bill, Senate, No. 294) of Barbara A. L'Italien, Linda Dorcena Forry, James B. Eldridge, Joan B. Lovely and other members of the General Court for legislation to address the special education needs of children with dyslexia. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 312 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to students with dyslexia.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Whereas, the term dyslexia is undefined in the Massachusetts General Laws;
- 2 Whereas the lack of specificity in diagnosing dyslexia is causing an impediment to
- 3 effective intervention resulting in an average time between identification of risk factors for
- 4 dyslexia and reading at-grade-level of more than two years;
- 5 Whereas many students who receive appropriate intervention and instruction can make
- 6 the necessary progress to read at grade level;
- 7 Therefore, it is essential to implement early screening and intervention for students for
- 8 Dyslexia.

9 SECTION 1: Section 1 of Chapter 71B of the General Laws, as appearing in the 2014
10 Official Edition, is hereby amended by inserting, after the second paragraph, the following
11 paragraph:-

12 “Dyslexia” shall have the same meaning as the most recent definition by the National
13 Institute of Health.

14 SECTION 2: Section 38G1/2 of Chapter 71 of the General Laws, as appearing in the
15 2014 Official Edition, is hereby amended by inserting, after the fourth paragraph, the following
16 paragraph:-

17 “Dyslexia” shall have the same meaning as the most recent definition by the National
18 Institute of Health.

19 SECTION 3: Chapter 70 of the General Laws is hereby amended by inserting the
20 following new section:-

21 Section 97. Dyslexia Screening

22 “The department of elementary and secondary education shall develop guidelines for the
23 screening of all students, before the end of Kindergarten, for the identification of characteristics
24 that are associated with risk factors for dyslexia, as defined by the National Institute of Health.
25 Such screening shall be completed using evidence-based testing methodologies and shall include
26 tests to identify deficits in phonemic awareness, rapid automatized naming, and letter sound
27 knowledge. Students identified as having characteristics associated with risk factors for dyslexia
28 pursuant to this section shall be referred for evaluation for special education services pursuant to
29 Section xxx of Chapter 71B.”

30 SECTION 4: Section 38G of Chapter 71 of the General Laws, as appearing in the 2014
31 Official Edition, is hereby amended by inserting, in line 266 after the word “disabilities,” the
32 following words:-

33 including dyslexia,

34 SECTION 5: Said section 38G1/2 of said Chapter 71, as so appearing, is hereby further
35 amended by adding the following paragraph:-

36 The board shall provide an endorsement in dyslexia which shall include both coursework
37 and field experience for licensed general and special education teachers to acquire the
38 competencies necessary to use the scientifically based reading research and evidenced based
39 practices to instructing and remediating students with dyslexia, develop appropriate IEP
40 programs, enable students with dyslexia to effectively access grade-level curriculum, and consult
41 and collaborate with other educators in order to meet the unique and complex educational needs
42 of students with dyslexia. All content taught as part of this specialization shall be consistent with
43 the requirements of the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., for
44 evidence based practices, and 20 U.S.C. §6368(3) for scientifically based reading research. The
45 requirements for the endorsement in dyslexia, as promulgated by the board, may also be used to
46 satisfy course requirements necessary to obtain a professional license. The board shall
47 promulgate regulations specifying the subject matter knowledge, skills and competencies
48 required for such endorsement, including requirements to incorporate renewal of the
49 endorsement as part of the individual professional development plan required pursuant to section
50 38G. Said regulations shall also specify components necessary for preparation programs offering

51 an endorsement in dyslexia, which shall be included in the department's process for approving
52 preparation programs.

53 SECTION 6: Section 3 of said Chapter 71B, as so appearing, is hereby amended by
54 inserting, at the end of paragraph 8, the following words:

55 Whenever an evaluation indicates that a child has dyslexia, as defined by the National
56 Institute of Health , the Individualized Education Program (IEP) team, as defined by regulations
57 of the department, shall consider and specifically address the following: access to evidence-
58 based, sequenced, explicit multisensory reading instruction; access to assistive technology;
59 access to teachers and teaching assistants who have obtained the dyslexia endorsement pursuant
60 to Section 38G1/2 of Chapter 71 of the General Laws; and effective access to grade-level
61 curriculum.