HOUSE BILL 19-1134

A BILL FOR AN ACT
CONCERNING RESEARCHING EFFECTIVE METHODS FOR ASSISTING EARLY-GRADE STUDENTS WITH DYSLEXIA, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill directs the commissioner of education (commissioner) to convene a working group to analyze state and national data and practices concerning identification and support of students with dyslexia and to recommend dyslexia screening tools and processes, a statewide plan for identifying and supporting students with dyslexia, and educator training.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment. Capital letters or bold & italic numbers indicate new material to be added to existing statute. Dashes through the words indicate deletions from existing statute.
in recognizing and providing interventions for students with dyslexia. The working group must submit a report of its recommendations to the commissioner, and the commissioner must submit the report to the state board of education and the education committees of the general assembly.

The bill directs the department of education (department) to establish a pilot program to assist school districts, boards of cooperative services, and charter schools (local education providers) in using READ act assessments to screen for dyslexia and in providing interventions for students who are identified as having dyslexia. At the completion of the pilot program, the department must evaluate the effectiveness of the screening and interventions, refine the resources used, and disseminate the resources used to all local education providers in the state. The department must also provide technical assistance in implementing the resources at the request of a local education provider.

The bill directs the commissioner to provide a dyslexia specialist to support the working group and the pilot program and to develop training materials related to dyslexia.

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Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add article 20.5 to title 22 as follows:

ARTICLE 20.5

Education of Children with Dyslexia

22-20.5-101. Legislative declaration. (1) The general assembly finds that various educational advocacy groups, including parents of children identified as having dyslexia, have voiced concerns related to the adequacy and effectiveness of the methods and tools for identifying students who have dyslexia and the adequacy of the educational supports for these students. While there have been various efforts at both the state and school district levels to address the issues related to effective identification and support for students with dyslexia, these efforts have not resulted in significant progress in educating these students. Therefore, the general
ASSEMBLY, RECOGNIZING THE OBLIGATION OF THE STATE OF COLORADO TO PROVIDE EDUCATIONAL OPPORTUNITIES TO ALL CHILDREN THAT WILL ENABLE THEM TO LEAD FULFILLING AND PRODUCTIVE LIVES, FINDS THAT IT IS NECESSARY TO CREATE A WORKING GROUP OF PARENTS AND EDUCATIONAL EXPERTS TO REVIEW THE WORK OF EDUCATIONAL EXPERTS AND LOCAL EDUCATION PROVIDERS IN COLORADO AND IN OTHER STATES IN THE AREA OF IDENTIFICATION OF AND EDUCATIONAL SUPPORT FOR STUDENTS WITH DYSLEXIA AND TO USE THEIR FINDINGS TO INFORM FUTURE EFFORTS BY THE STATE AND LOCAL EDUCATION PROVIDERS TO IDENTIFY AND EFFECTIVELY SUPPORT STUDENTS WITH DYSLEXIA.

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT A PILOT PROGRAM THROUGH WHICH THE DEPARTMENT OF EDUCATION WORKS WITH A GROUP OF VOLUNTEER LOCAL EDUCATION PROVIDERS TO USE EARLY LITERACY ASSESSMENT RESULTS TO IDENTIFY MARKERS OF DYSLEXIA AND PROVIDE SUPPORT TO YOUNG STUDENTS WHO MAY DEMONSTRATE THE EARLY MARKERS FOR DYSLEXIA WILL STRENGTHEN THE ABILITY OF LOCAL EDUCATION PROVIDERS THROUGHOUT THE STATE TO IDENTIFY AND EFFECTIVELY SUPPORT STUDENTS WITH DYSLEXIA.

22-20.5-102. Definitions. As used in this article 20.5, unless the context otherwise requires:

(1) "Commissioner of Education" or "commissioner" means the office of the commissioner of education created and existing pursuant to section 1 of article IX of the state constitution.

(2) "Department" means the department of education created and existing pursuant to section 24-1-115.

(3) "Dyslexia" means a specific learning disability that is neurobiological in origin and characterized by difficulties with
ACCURATE AND FLUENT WORD RECOGNITION AND BY POOR SPELLING AND 
DECODING ABILITIES, WHICH DIFFICULTIES 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. THE SECONDARY 
CONSEQUENCES OF DYSLEXIA MAY INCLUDE PROBLEMS IN READING 
COMPREHENSION AND REDUCED READING EXPERIENCE THAT MAY IMPEDE 
GROWTH OF VOCABULARY AND BACKGROUND KNOWLEDGE.

(4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A 
BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF 
THIS TITLE 22 THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL 
AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 
of this title 22, a charter school authorized by the state 
CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF 
THIS TITLE 22, OR THE STATE CHARTER SCHOOL INSTITUTE ESTABLISHED 
in section 22-30.5-503.

(5) "PILOT PROGRAM" MEANS THE PILOT PROGRAM TO IDENTIFY 
MARKERS OF DYSLEXIA AND ENABLE EFFECTIVE INTERVENTIONS 
OPERATED PURSUANT TO SECTION 22-20.5-104.

(6) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN 
COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE 
GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE 
SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

(7) "SMALL RURAL SCHOOL DISTRICT" MEANS A RURAL SCHOOL 
DISTRICT THAT ENROLLS FEWER THAN ONE THOUSAND STUDENTS IN 
KINDERGARTEN THROUGH TWELFTH GRADE.

(8) "WORKING GROUP" MEANS THE WORKING GROUP FOR
IDENTIFICATION OF AND EDUCATIONAL SUPPORT FOR STUDENTS WITH DYSLEXIA CONVENED BY THE COMMISSIONER PURSUANT TO SECTION 22-20.5-103.

22-20.5-103. Working group for identification of and educational support for students with dyslexia - convened - duties - report - repeal. (1) THE COMMISSIONER OF EDUCATION SHALL CONVENE A WORKING GROUP FOR IDENTIFICATION OF AND EDUCATIONAL SUPPORT FOR STUDENTS WITH DYSLEXIA TO REVIEW DATA CONCERNING THE IDENTIFICATION OF AND EDUCATIONAL SUPPORT FOR STUDENTS WITH DYSLEXIA AND EFFORTS IN COLORADO AND OTHER STATES TO IMPROVE EDUCATIONAL OUTCOMES FOR STUDENTS WITH DYSLEXIA. IN CONVENING THE WORKING GROUP, THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS:

(a) A PARENT OF A CHILD WHO IS IDENTIFIED AS HAVING DYSLEXIA;
(b) A PARENT OF A CHILD WHO IS IDENTIFIED AS HAVING DYSLEXIA AND A DISABILITY;
(c) A SCHOOL DISTRICT LITERACY SPECIALIST;
(d) A SCHOOL DISTRICT DIRECTOR OF SPECIAL EDUCATION;
(e) A STATE OR NATIONAL LITERACY EXPERT;
(f) A STATE OR NATIONAL DYSLEXIA EXPERT;
(g) TWO ELEMENTARY GRADE TEACHERS, ONE OF WHOM TEACHES IN A RURAL SCHOOL DISTRICT OR A SMALL RURAL SCHOOL DISTRICT;
(h) A PRINCIPAL WHO IS EMPLOYED AT AN ELEMENTARY SCHOOL IN A RURAL SCHOOL DISTRICT OR AN EMPLOYEE OF A BOARD OF COOPERATIVE SERVICES, CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE 22, WHO HAS EXPERTISE AS A LITERACY SPECIALIST;
(i) A FACULTY MEMBER OF AN INSTITUTION OF HIGHER EDUCATION
WHO TEACHES IN AN APPROVED EDUCATOR PREPARATION PROGRAM FOR
ELEMENTARY GRADE TEACHERS; AND

(j) A MEMBER OF THE LOCAL CHAPTER OF AN INTERNATIONAL
DYSLEXIA ASSOCIATION.

(2) THE WORKING GROUP SHALL:

(a) ANALYZE CURRENT NATIONAL AND STATEWIDE DATA RELATED
TO STUDENTS IDENTIFIED AS HAVING DYSLEXIA, INCLUDING BUT NOT
LIMITED TO IDENTIFICATION RATES AND ACHIEVEMENT RATES;

(b) ANALYZE THE IMPLEMENTATION AND DEMONSTRATED
EFFECTIVENESS IN OTHER STATES OF STATEWIDE LEGISLATION FOR
DYSLEXIA SCREENING, EDUCATOR TRAINING, AND OTHER
DYSLEXIA-RELATED LAWS;

(c) IDENTIFY AND RECOMMEND APPROPRIATE DYSLEXIA
SCREENING TOOLS AND PROCESSES AS WELL AS COMPREHENSIVE
ASSESSMENTS THAT ADDRESS THE RECOGNIZED CHALLENGES OF
DYSLEXIA, INCLUDING PHONOLOGICAL PROCESSING, PHONEMIC
AWARENESS, AND DECODING AND ENCODING SKILLS;

(d) IDENTIFY AND RECOMMEND A STATEWIDE PLAN FOR
SUPPORTING STUDENTS WHO ARE IDENTIFIED AS HAVING DYSLEXIA,
INCLUDING SPECIFIC INTERVENTION STRUCTURES AND THEIR COMPONENTS,
WHICH MUST INCLUDE EVIDENCE-BASED INTERVENTIONS,
PROGRESS-MONITORING SYSTEMS, AND DATA-COLLECTION SYSTEMS. THE
RECOMMENDATIONS FOR A STATEWIDE PLAN MUST CONSIDER LEGAL
REQUIREMENTS INCLUDED IN THE "COLORADO READ ACT", PART 12 OF
ARTICLE 7 OF THIS TITLE 22, AND ITS IMPLEMENTING RULES; THE
"EXCEPTIONAL CHILDREN'S EDUCATIONAL ACT", ARTICLE 20 OF THIS
TITLE 22, AND ITS IMPLEMENTING RULES; THE FEDERAL "INDIVIDUALS

(e) IDENTIFY AND RECOMMEND COMPONENTS OF DYSLEXIA AWARENESS TRAINING FOR COLORADO EDUCATORS, INCLUDING THE CONTENT, TARGET AUDIENCE, TIME FRAME FOR TRAINING, AND PROJECTED COST;

(f) IDENTIFY AND RECOMMEND EDUCATOR TRAINING FOR IN-STATE APPROVED PROGRAMS OF PREPARATION FOR TEACHERS AND ALTERNATIVE TEACHER PROGRAMS AND RECOMMENDED TRAINING FOR CURRENT EDUCATORS, BASED ON EFFECTIVE PRACTICES IN OTHER STATES, AS WELL AS RECOMMENDATIONS FROM STATE AND NATIONAL ORGANIZATIONS FOCUSING ON LITERACY. THE RECOMMENDATIONS CONCERNING EDUCATOR TRAINING MAY INCLUDE THE CONTENT, TARGET AUDIENCE, TIME FRAME FOR TRAINING, AND PROJECTED COST.

(g) PROVIDE RECOMMENDATIONS TO THE DEPARTMENT CONCERNING THE DESIGN AND IMPLEMENTATION OF THE PILOT PROGRAM.

(3) IN COMPLETING THE DUTIES DESCRIBED IN SUBSECTIONS (2)(c) TO (2)(g) OF THIS SECTION, THE WORKING GROUP SHALL ANALYZE AND INTEGRATE, AS APPROPRIATE, THE WORK AND RECOMMENDATIONS OF OTHER PREVIOUS AND ONGOING STATE INITIATIVES RELATED TO IMPROVING THE IDENTIFICATION AND SUPPORT OF STUDENTS WHO HAVE DYSLEXIA.

(4) THE WORKING GROUP SHALL SUBMIT A PROGRESS REPORT TO THE COMMISSIONER BY DECEMBER 31, 2019, WHICH MUST INCLUDE A SUMMARY OF THE PROGRESS THE WORKING GROUP IS MAKING REGARDING
THE ITEMS DESCRIBED IN SUBSECTION (2) OF THIS SECTION AND MAY INCLUDE PRELIMINARY POLICY RECOMMENDATIONS. BY JULY 1, 2020, AND BY JULY 1 EACH YEAR THEREAFTER, THE WORKING GROUP SHALL SUBMIT TO THE COMMISSIONER A REPORT OF ITS POLICY RECOMMENDATIONS WITH REGARD TO THE ITEMS DESCRIBED IN SUBSECTION (2) OF THIS SECTION. ON OR BEFORE FEBRUARY 1, 2021, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER, THE COMMISSIONER SHALL SUBMIT THE REPORT, WITH ANY RECOMMENDATIONS FOR LEGISLATION, TO THE STATE BOARD OF EDUCATION AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT SPECIFIED IN THIS SUBSECTION (4) CONTINUES INDEFINITELY.

(5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029. BEFORE THE REPEAL, THE WORKING GROUP IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

EDUCATION PROVIDERS THROUGHOUT THE STATE AND SELECT UP TO FIVE LOCAL EDUCATION PROVIDERS WHO VOLUNTEER TO PARTICIPATE IN THE PILOT PROGRAM. IN SELECTING THE PARTICIPATING LOCAL EDUCATION PROVIDERS, THE DEPARTMENT SHALL ENSURE TO THE EXTENT PRACTICABLE THAT THE AFFECTED STUDENT POPULATIONS ARE REPRESENTATIVE OF THE DEMOGRAPHIC DIVERSITY WITHIN THE STATE AND THAT THE LOCAL EDUCATION PROVIDERS ARE LOCATED THROUGHOUT THE STATE. THE LOCAL EDUCATION PROVIDERS THAT PARTICIPATE IN THE PILOT PROGRAM WILL WORK WITH THE DEPARTMENT TO USE THE RESULTS OBTAINED FROM ASSESSMENTS ADMINISTERED PURSUANT TO THE "COLORADO READ Act", PART 12 OF ARTICLE 7 OF THIS TITLE 22, IN A RESEARCH-BASED PROCESS TO IDENTIFY MARKERS OF DYSLEXIA AND PROVIDE SUPPORT FOR YOUNG READERS WHO MAY EXHIBIT THE MARKERS FOR DYSLEXIA.

(2) IN IMPLEMENTING THE PILOT PROGRAM, THE DEPARTMENT SHALL:

(a) PROVIDE TARGETED SUPPORT FOR EDUCATORS EMPLOYED BY THE PARTICIPATING LOCAL EDUCATION PROVIDERS IN UNDERSTANDING THE UNIQUE NEEDS OF YOUNG STUDENTS WHO ARE AT RISK FOR READING DELAYS RELATED TO DYSLEXIA;

(b) ASSIST THE PARTICIPATING LOCAL EDUCATION PROVIDERS IN IMPLEMENTING A DYSLEXIA IDENTIFICATION PROCESS THAT USES THE READ ACT INTERIM ASSESSMENT AS A SCREENING TOOL AND USES A RESEARCH-BASED IDENTIFICATION PROCESS TO USE THE RESULTS OF THE ASSESSMENTS TO IDENTIFY THE PRESENCE OF DYSLEXIA; AND

(c) SUPPORT THE PARTICIPATING LOCAL EDUCATION PROVIDERS IN PAIRING ASSESSMENT PROCESSES WITH IMPLEMENTATION OF
RESEARCH-BASED INSTRUCTIONAL AND INTERVENTION STRATEGIES TO PROVIDE TIMELY AND APPROPRIATE SUPPORT FOR STUDENTS AT RISK FOR IDENTIFICATION OF DYSLEXIA.


(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, add (20) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (20) (a) THE FOLLOWING STATUTORY
AUTHORIZATIONS FOR THE DESIGNATED ADVISORY COMMITTEES WILL REPEAL ON SEPTEMBER 1, 2029:

(I) THE WORKING GROUP FOR IDENTIFICATION OF AND EDUCATIONAL SUPPORT FOR STUDENTS WITH DYSLEXIA CREATED IN SECTION 22-20.5-103.

(b) THIS SUBSECTION (20) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2031.

SECTION 3. Appropriation. (1) For the 2019-20 state fiscal year, $106,196 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $94,676 for the working group for identification of and educational support for students with dyslexia; and

(b) $11,520 for the dyslexia markers pilot program.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.