

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S3/17/15*  
**A Bill**

SENATE BILL 788

5 By: Senator Elliott  
6

7 **For An Act To Be Entitled**

8 AND ACT TO MODIFY THE REQUIREMENTS CONCERNING  
9 SCREENING FOR DYSLEXIA; TO CLARIFY THE REQUIREMENTS  
10 FOR SCHOOL DISTRICTS TO SCREEN STUDENTS FOR DYSLEXIA;  
11 AND FOR OTHER PURPOSES.  
12  
13

14 **Subtitle**

15 TO MODIFY THE REQUIREMENTS CONCERNING  
16 SCREENING FOR DYSLEXIA; AND TO CLARIFY  
17 THE REQUIREMENTS FOR SCHOOL DISTRICTS TO  
18 SCREEN STUDENTS FOR DYSLEXIA.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 6-41-601(2), concerning findings, is  
24 amended to read as follows:

25 (2) Most children identified as having ~~markers~~ characteristics of  
26 dyslexia and related disorders can be treated successfully; and  
27

28 SECTION 2. Arkansas Code §§ 6-41-602 – 6-41-604 are amended to read as  
29 follows:

30 6-41-602. Definitions.

31 As used in this subchapter:

32 (1) “Dyslexia” means a specific learning disability that is:

33 (A) Neurological in origin;

34 (B) Characterized by difficulties with accurate and fluent  
35 word recognition and poor spelling and decoding abilities that typically  
36 result from a deficit in the phonological component of language; and



1 (C) Often unexpected in relation to other cognitive  
2 abilities;

3 (2) "Dyslexia interventionist" means a school district or public  
4 school employee trained in a dyslexia program, such as a:

5 (i) Dyslexia therapist;

6 (ii) Dyslexia specialist;

7 (iii) Reading interventionist;

8 (iv) Certified teacher; or

9 (v) Tutor or paraprofessional working under the  
10 supervision of a certified teacher;

11 (3) "Dyslexia program" means explicit, direct instruction that  
12 is:

13 (A) Systematic, sequential, and cumulative and follows a  
14 logical plans of presenting the alphabetic principle that targets the  
15 specific needs of the student without presuming prior skills of knowledge of  
16 the student;

17 (B) Systematic, multisensory, and research-based;

18 (C) Offered in a small group setting to teach students the  
19 components of reading instruction, including without limitation:

20 (i) Phonemic awareness to enable a student to detect,  
21 segment, blend, and manipulate sounds in spoken language;

22 (ii) Graphophonemic knowledge for teaching the  
23 letter-sound plan of English;

24 (iii) The structure of the English language that  
25 includes morphology, semantics, syntax, and pragmatics;

26 (iv) Linguistic instruction directed toward  
27 proficiency and fluency with the patterns of language so that words and  
28 sentences are carriers of meaning; and

29 (v) Strategies that students use for decoding,  
30 encoding, word recognition, fluency, and comprehension; and

31 (D)(i) Delivered with fidelity.

32 (ii) "Fidelity" means the intervention is done as  
33 the author of the program intended.

34 (4)(A) "Dyslexia specialist" means a professional at each  
35 education service cooperative or school district who has expertise and is  
36 working towards an endorsement or certification in providing training for:

- 1                   (i) Phonological and phonemic awareness;
- 2                   (ii) Sound and symbol relationships;
- 3                   (iii) Alphabet knowledge;
- 4                   (iv) Decoding skills;
- 5                   (v) Rapid naming skills; and
- 6                   (vi) Encoding skills.

7                   (B) A dyslexia specialist shall be fluent in the Response  
 8 to Intervention (RTI) process and provide training in administering  
 9 screenings, analyzing and interpreting screening data, and determining  
 10 appropriate interventions that are systematic, multisensory, and evidence-  
 11 based;

12                   (5) “Dyslexia therapist” means a professional who has completed  
 13 training and obtained certification in dyslexia therapy from a dyslexia  
 14 therapy training program ~~approved~~ defined by the Department of Education; and

15                   ~~(3)~~(6) “Dyslexia therapy” means an appropriate specialized  
 16 dyslexia reading instructional program specifically designed for use in a  
 17 dyslexia program that is+

18                   ~~(A) Delivered~~ delivered by a dyslexia ~~therapist~~  
 19 interventionist;

20                   ~~(B) Systematic, multisensory, and research-based; and~~

21                   ~~(C) Offered in a small group setting to teach students the~~  
 22 ~~components of reading instruction, including without limitation:~~

23                   ~~(i) Phonemic awareness to enable a student to detect,~~  
 24 ~~segment, blend, and manipulate sounds in spoken language;~~

25                   ~~(ii) Graphophonemic knowledge for teaching the~~  
 26 ~~letter-sound plan of English;~~

27                   ~~(iii) The structure of the English language that~~  
 28 ~~includes morphology, semantics, syntax, and pragmatics;~~

29                   ~~(iv) Linguistic instruction directed toward~~  
 30 ~~proficiency and fluency with the patterns of language so that words and~~  
 31 ~~sentences are carriers of meaning; and~~

32                   ~~(v) Strategies that students use for decoding,~~  
 33 ~~encoding, word recognition, fluency, and comprehension.~~

34

35                   6-41-603. Required screening and intervention.

36                   (a)(1) A school district shall screen each student in kindergarten

1 through grade two (K-2) and others required by the Department of Education  
2 rule using the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) or  
3 an equivalent screener.

4 (2) The screening of students shall be performed with fidelity  
5 and include without limitation:

6 (A) Phonological and phonemic awareness;

7 (B) Sound symbol recognition;

8 (C) Alphabet knowledge;

9 (D) Decoding skills;

10 (E) Rapid naming skills; and

11 (F) *Encoding skills*.

12 (3)(A) If the screener under subdivision (a)(1) of this section  
13 shows that a student is at risk, or at some risk then a level I dyslexia  
14 screener shall be administered.

15 (B) The level one dyslexia screening of a student shall be  
16 performed with fidelity and include the components listed under subdivision  
17 (a)(2) of this section.

18 (b) The Department of Education shall adopt rules to ensure that  
19 students will be screened using DIBELS or an equivalent screener:

20 (1) In kindergarten through grade two (K-2);

21 (2) When a student in kindergarten through grade two (K-2)  
22 transfers to a new school and has not been screened;

23 (3) When a student in grade three (3) or higher has difficulty,  
24 as noted by a classroom teacher, in:

25 (A) Phonological and phonemic awareness;

26 (B) Sound-symbol recognition;

27 (C) Alphabet knowledge;

28 (D) Decoding skills;

29 (E) Rapid naming skills; and

30 (F) Encoding skills; and

31 (4) When a student from another state enrolls for the first time  
32 in Arkansas in kindergarten through grade two (K-2) unless the student  
33 presents documentation that the student:

34 (A) Had the screening or a similar screening; or

35 (B) Is exempt from screening.

36 (c)(1) If the ~~DIBELS~~ initial, level I, or level II dyslexia screening

1 *indicates* that a student has ~~markers for~~ characteristics of dyslexia ~~and~~  
2 ~~needs intervention~~, the Response to Intervention (RTI) process shall be used  
3 to address the needs of the student.

4 ~~(2) If the RTI process indicates the possibility of dyslexia, the~~  
5 ~~student shall be evaluated for dyslexia.~~

6 ~~(3)(A)(2)(A)~~ (A) If the dyslexia ~~evaluation~~ level II dyslexia  
7 screening conducted by the school district indicates that a student ~~is~~  
8 dyslexic exhibits characteristics of dyslexia, the student shall be provided  
9 therapeutic intervention services.

10 (B) If it is determined that the student has functional  
11 difficulties in the academic environment due to characteristics of dyslexia,  
12 the necessary accommodations or equipment for the student shall be provided  
13 under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 and  
14 Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, as  
15 they existed on February 1, 2013, if qualified under the applicable federal  
16 law.

17 ~~(C) Therapeutic services may be provided by a tutor who is~~  
18 ~~a highly qualified and trained interventionist.~~

19 ~~(d) If a student's performance on the DIBELS screening under~~  
20 ~~subdivision (c)(1) of this section indicates a need for additional screening,~~  
21 ~~the student may receive additional testing by a trained professional using a~~  
22 ~~norm-referenced test.~~

23  
24 6-41-604. Additional Level II dyslexia evaluation screening and  
25 services - Parental notification.

26 (a) If a student's performance on ~~a~~ an initial screener, level I  
27 screening, or level II dyslexia evaluation screening under § ~~6-41-603(e)(3)~~  
28 6-41-603 indicates indicate a need for dyslexia therapy intervention  
29 services, the student's parent or legal guardian shall be:

30 (1) Notified of the results of the dyslexia evaluation; and

31 (2) Provided with information and resource material, including  
32 without limitation:

33 (A) The ~~common indicators~~ characteristics of dyslexia;

34 (B) Appropriate classroom interventions and accommodations  
35 for students with dyslexia; and

36 (C) The right of the parent or legal guardian to have the

1 student receive an independent, comprehensive dyslexia evaluation by a:

- 2 (i) Licensed psychological examiner;  
 3 (ii) School psychology specialist;  
 4 (iii) Licensed speech-language pathologist; ~~or~~  
 5 (iv) Certified dyslexia training testing

6 specialist; or

- 7 (v) Dyslexia therapist.

8 ~~(b) If a student's performance on a dyslexia evaluation under § 6-41-~~  
 9 ~~603(c)(3) indicates the need for dyslexia therapy intervention services, the~~  
 10 ~~school district may perform a comprehensive dyslexia evaluation in addition~~  
 11 ~~to the required Response to Intervention (RTI) process under § 6-41-~~  
 12 ~~603(c)(2).~~

13 ~~(e)(b)(1)~~ If a parent or legal guardian chooses to have an independent  
 14 a comprehensive dyslexia evaluation for the student, the parent or legal  
 15 guardian shall:

16 (A) Select an individual qualified under subdivision  
 17 (a)(2)(C) of this section to perform the comprehensive dyslexia evaluation;  
 18 and

19 (B) Cover the cost of the comprehensive dyslexia  
 20 evaluation.

21 (2) the A school district shall consider the diagnosis ~~from the~~  
 22 ~~independent evaluation~~ and allow provide the student ~~to receive direct~~  
 23 ~~intervention~~ with interventions determined to be appropriate by the school  
 24 district from a dyslexia ~~therapist~~ interventionist at the school district.

26 SECTION 3. Arkansas Code § 6-41-605(a)(1), concerning instructional  
 27 approaches, is amended to read as follows:

28 (a) Dyslexia ~~therapy~~ intervention for a student whose dyslexia  
 29 ~~evaluation level I or level II screening~~ under § 6-41-603(c)(3) indicates the  
 30 need for dyslexia ~~therapy~~ intervention services ~~shall be provided with~~  
 31 ~~fidelity and may~~ include the following instructional approaches:

32 (1) Explicit, direct instruction that is systematic,  
 33 sequential, and cumulative and follows a logical plan of presenting the  
 34 alphabetic principle that targets the specific needs of the student without  
 35 presuming prior skills or knowledge of the student;

36

1 SECTION 4. Arkansas Code § 6-41-607 is amended to read as follows:  
2 6-41-607. *Dyslexia specialist*.

3 (a) No later than the 2015 fiscal year, the Department of Education  
4 shall employ at least one (1) dyslexia specialist ~~who is a dyslexia~~  
5 ~~therapist, licensed psychologist, licensed psychometrist, licensed speech-~~  
6 ~~language pathologist, or certified dyslexia training specialist~~ with a  
7 minimum of three (3) years of field experience in screening, identifying, and  
8 treating dyslexia and related disorders to provide technical assistance for  
9 dyslexia and related disorders to school districts across the state.

10 (b) The *dyslexia specialist* shall:

11 (1) Be highly trained in dyslexia and related disorders,  
12 including best-practice interventions and treatment models for dyslexia;

13 (2) Be responsible for the accountability of screening results  
14 and the implementation of professional awareness required under § 6-41-608;  
15 and

16 (3) Serve as the primary source of information and support for  
17 school districts addressing the needs of students with dyslexia and related  
18 disorders.

19 ~~(c)~~(1)(c) The department shall ensure that at least one (1) staff  
20 member at each education service cooperative is trained as a dyslexia  
21 specialist to provide necessary information and support to school districts.

22 ~~(2) A dyslexia specialist shall have completed training and~~  
23 ~~received certification from a program approved by the department.~~

24 (d) No later than the 2015-2016 academic year, a school district shall  
25 have individuals to serve as dyslexia interventionists ~~as defined in the~~  
26 ~~Resource Guide for Specific Learning Disabilities (SLD)/Dyslexia who are~~  
27 ~~trained as dyslexia interventionists.~~

28 ~~(1) By the department; or~~

29 ~~(2) Using other dyslexia training programs approved by the~~  
30 ~~department.~~

31  
32 SECTION 5. Arkansas Code § 6-41-608(a), concerning dyslexia  
33 professional awareness, is amended to read as follows:

34 (a) No later than the 2014-2015 school year, the Department of  
35 Education shall ensure that each teacher receives professional awareness on:

36 (1) The ~~indicators~~ characteristics of dyslexia; and

1           (2) ~~The science behind teaching a student who is dyslexic~~  
2 evidence-based interventions and accommodations for dyslexia.

3  
4           SECTION 6. Arkansas Code § 6-41-609 is amended to read as follows:  
5           6-41-609. Dyslexia and related disorder education in teacher  
6 preparation programs.

7           ~~The~~ No later than the 2015-2016 school year, the Department of  
8 Education shall collaborate with the Department of Higher Education to ensure  
9 that all teacher education programs offered at state-supported institutions  
10 of higher education ~~include information on the identification of students at~~  
11 ~~risk for dyslexia and related disorders~~ provide dyslexia professional  
12 awareness of the:

13           (1) Characteristics of dyslexia; and

14           (2) Evidence-based interventions and accommodations for  
15 dyslexia.

16  
17           SECTION 7. Arkansas Code § 6-41-610(b), concerning the dyslexia  
18 resource guide, is amended to read as follows:

19           (b)(1) The department shall maintain a committee for the purpose of  
20 developing and updating the Arkansas Dyslexia Resource Guide ~~for Specific~~  
21 ~~Learning Disabilities (SLD)/Dyslexia that is used as a guide for school~~  
22 ~~districts, public schools, and teachers.~~

23           (2)(A) The committee shall include one (1) representative who  
24 has experience working in the field of dyslexia intervention from the  
25 following organizations appointed by the Commissioner of Education:

26                           (i) The Arkansas Association of Education  
27 Administrators;

28                           (ii) The Arkansas Department of Education, Learning  
29 Services;

30                           (iii) The Arkansas Department of Higher Education

31                           (iv) The Arkansas Education Association;

32                           (v) The Arkansas School Boards Association;

33                           (vi) The Arkansas School Psychology Association,  
34 with at least three (3) years of experience in testing for dyslexia; and

35                           (vii) An Education Service Cooperative  
36 administrator; and



1                   (B) Three (3) professionals who have worked in a public  
2 school are knowledgeable in and have expertise in dyslexia screening and  
3 interventions.

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6                   */s/Elliott*

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9                   **APPROVED: 04/08/2015**

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# The Science of Reading

## Five Essential Elements of Effective Reading Instruction

	Phonological Awareness	Phonics	Fluency	Vocabulary
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**WHAT**

Phonological awareness is the ability to notice the sound structure of spoken words.	Phonics is a system for approaching reading that focuses on the relationship between letters and sounds.	Fluency is the ability to read a text quickly, accurately, and with proper expression.	Vocabulary is the knowledge of words and word meanings.
Phonemic awareness is the ability to identify, isolate and manipulate language at the individual sound level. It is a part of phonological awareness.	The teaching has to move from letter/sound correspondences to graphemes, syllables and morphemes.	Fluency is determined by the size of your sight vocabulary.	Connecting meaning to spelling patterns of words can be critical to expanding a student's vocabulary.
Basic phonological awareness skills include phoneme blending and segmentation and are generally mastered by most students by the end of the first grade.	Orthographic mapping is the ability to quickly and efficiently add words to your sight vocabulary.	If a student is good at orthographic mapping, reading practice is helpful to increase fluency.	Morphology is the study of segmenting words into prefixes, suffixes, roots, or bases and the origins of words.
Advanced phonological awareness skills involve manipulating phonemes which include deleting, substituting, or reversing phonemes within words.	Sight vocabulary is all the words you instantly recognize.	If a student is not good at orthographic mapping, reading practice does not help to increase fluency.	Vocabulary knowledge is knowledge; the knowledge of a word not only implies a definition, but also implies how that word fits into the world.

**WHY**

Phonological awareness difficulties represent the most common source of word-level reading difficulties.	By the end of first grade, students taught by a code-based approach perform, on average, the equivalent of 7 to 8 standard score points higher on tests of reading comprehension than students taught with a meaning-based approach.	Students who are fluent readers are better able to devote their attention to comprehending the text.	Children's vocabulary skills are linked to their economic backgrounds. By 3 years of age, there is a 30 million word gap between children from the wealthiest and poorest families.
Phonological awareness is essential for skilled reading.	Guessing words from context is not as efficient as phonetic decoding. Skilled readers can identify unfamiliar words with a high degree of accuracy by sounding them out, even irregular words. By contrast, researchers have found that even proficient readers are not as skilled at correctly guessing words from context with an accuracy rate of only about 25%.	Fluency is the bridge between decoding words and understanding what has been read.	Vocabulary is the glue that holds stories, ideas, and content together making reading comprehension possible for children.
Phonemic awareness is needed for efficient sight-word learning.	When we see a word, the areas of the brain responsible for orthography (familiar spelling) and phonology (pronunciation) activate before the areas responsible for the semantic system (meaning).	A student needs to be able to read 130 correct words per minute on a sixth grade level to be successful in content reading.	There is a strong relationship between vocabulary and reading comprehension.
Early, explicit, and systematic instruction in phonics, along with direct instruction in phonological awareness, can prevent and also remediate reading difficulties.		As children become fluent readers, they are able to interact with text on a higher level.	Awareness of morphology is a strong indicator of and a positive influence upon reading comprehension.
The combination of explicit phonics and phonological training for all students in kindergarten and first grade provides far greater results in word-level reading skills than any other teaching practice that has been studied.			

Phonological awareness, phonics, fluency, and vocabulary all lead to

# COMPREHENSION.

Reading aloud to children builds the foundation of literacy learning. Listening comprehension comes before reading comprehension.

**HOW**

To meet the goal of helping our students make the maximum possible academic gains in the 5 essential elements of effective reading instruction, students need instruction that is both systematic and explicit as well as direct, engaging, and success oriented. Systematic means that the teacher has a specific scope and sequence for introducing each skill. Explicit means that the teacher provides clear and precise instruction.