

# FINAL BILL REPORT

## E2SSB 6162

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Synopsis as Enacted

**Brief Description:** Defining dyslexia as a specific learning disability and requiring early screening for dyslexia.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Zeiger, Wellman, Palumbo and Mullet).

**Senate Committee on Early Learning & K-12 Education**  
**Senate Committee on Ways & Means**  
**House Committee on Education**

**Background:** Federal Definitions. The Individuals with Disabilities Education Act (IDEA) and its implementing regulations, list 13 conditions that can make a student eligible for special education if the condition adversely affects the student's school performance. One of the conditions is a Specific Learning Disability (SLD). The IDEA definition of a SLD includes dyslexia as a type of SLD. However, IDEA does not define dyslexia or tell states how schools should address it.

State Definitions. The state definition of SLD under the rules of the Office of the Superintendent of Public Instruction (OSPI) mirror the federal definition. Neither state statute nor OSPI rule defines dyslexia. However, OSPI uses the following definition of dyslexia adopted by the International Dyslexia Association (IDA) and the National Institute of Child Health and Human Development (NICHD):

- Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These 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. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

Federal Requirements Addressing Screenings for Disabilities. IDEA regulations require each state to have policies to identify, locate, and evaluate all children with disabilities residing in the state in need of special education and related services, including infants or toddlers, homeless children, wards of the state, and students attending private schools. States may use screenings to help identify students but IDEA regulations do not require screenings.

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State Requirements Addressing Screenings for Disabilities. OSPI rules mirror the IDEA regulations to require each school to have policies to identify all children in need of special education and related services. State laws or rules do not require schools to use screenings.

Learning Assistance Program (LAP). LAP provides supplemental instruction and services to assist students in grades K-12 who are not meeting academic standards and to reduce disruptive behaviors in the classroom. The state allocation for LAP is based on the number of K-12 students enrolled in the school district who are eligible for free or reduced-price meals (FRPMs) in the prior school year, but students do not have to be eligible for FRPMs to be served in the LAP.

Annual Student Assessment Inventory. Since 2016, the state Operation Budgets have directed OSPI to collect data from districts about time spent taking assessments, both state and district-required. OSPI submitted a report in 2016 and an update in 2017.

**Summary:** A definition of dyslexia is provided in statute. Beginning with the 2018-19 school year, as part of the annual student assessment inventory, school districts that screen students for indicators of dyslexia must report the number of students and grade levels of the students screened, disaggregated by student subgroups.

OSPI must convene a Dyslexia Advisory Council (Council) with specified members to advise OSPI on matters relating to dyslexia. By June 1, 2019, the Council must identify and describe screening tools and resources for dyslexia. By June 1, 2020, the Council must report recommendations on the best practices for implementing screenings and multi-tiered interventions, including trainings for school district staff. The recommendations must also include sample information for parents and families regarding dyslexia, and best practices to address the needs of students above grade two who show indications of dyslexia. By June 1, 2021, OSPI must review the Council's recommendations and make available to school districts the best practices and the sample information for parents and families. The Council and OSPI must use the data from the annual student assessment inventory when developing best practice recommendations.

Beginning in school year 2021-22, each school district and charter school must use evidence-based, multi-tiered systems of support to provide interventions to students in kindergarten through second grade who display indications of or areas of weakness associated with dyslexia. Each school district must provide information about dyslexia, the student's indications of dyslexia, and a plan for providing supports and interventions for the student. The interventions must be provided by an educator trained in instructional methods that target the student's areas of weakness. If, after providing multi-tiered interventions, the student continues to have indications of dyslexia then the school district must recommend to the student's parents and family that the student be evaluated for dyslexia or a specific learning disability. The school district must regularly update the parent's and family of the student's progress.

School districts must use dyslexia screening tools and resources that exemplify best practices. Districts may use state LAP allocations to provide screenings and interventions, even if the student is not eligible to participate in LAP. LAP allocations may also be used for staff trainings to implement the screenings and interventions.

By January 15, 2022, the Council must review the implementation of dyslexia screenings and use of the multi-tiered systems of support to provide interventions and update its recommendations for best practices and sample educational information. By February 15, 2022, the Superintendent of Public Instruction must review the Council's update and revise the best practices and sample information made available to school districts. By November 1, 2022, OSPI must report the Legislature specified information.

OSPI may adopt rules to implement the act.

**Votes on Final Passage:**

Senate	48	0	
House	96	2	(House amended)
Senate	49	0	(Senate concurred)

**Effective:** June 7, 2018

**SB 6162-S2.E - DIGEST**

(DIGEST AS ENACTED)

Requires each school district and charter school to: (1) Provide interventions and screen students in kindergarten through second grade who display indications of dyslexia;

(2) Begin, whenever possible, by providing student supports in the general education classroom;

(3) If after receiving interventions, further screening tools and resources indicate that a student continues to have indications of dyslexia, recommend to his or her parents and family that he or she be evaluated for dyslexia or a specific learning disability; and

(4) Beginning with the 2018-2019 school year, as part of the annual student assessment inventory, report the number of students and grade levels of the students screened, disaggregated by student subgroups, aggregate the school reports, and submit the report to the superintendent of public instruction.

Authorizes school districts to use learning assistance program allocations to meet screening and intervention requirements, even if the student being screened or provided with supports is not eligible to participate in that program.

Requires the superintendent of public instruction to:

(1) Convene a dyslexia advisory council to advise the superintendent on matters relating to dyslexia in an academic setting;

(2) Review, by June 1, 2021, the council's recommendations and make certain information available to school districts; and

(3) Review, by February 15, 2022, the council's updated report and revise the information that was made available to school districts.