

HOUSE BILL No. 2602

By Representatives Brim and Cox

2-1

1 AN ACT concerning school districts; relating to screenings for dyslexia
2 and related disorders.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) On or before July 1, 2019, the state board of education
6 shall develop rules and regulations for the appropriate screening of
7 students for dyslexia and related disorders. Such rules and regulations shall
8 include, but are not limited to:

9 (1) Implementation of appropriate screenings of students;
10 (2) guidelines for conducting such screenings;
11 (3) best practices for classroom support for students diagnosed with
12 dyslexia or related disorders; and

13 (4) such other rules and regulations as the state board deems
14 necessary to implement the provisions of this section.

15 (b) Beginning in school year 2019-2020, each school district shall
16 conduct appropriate screenings of students for dyslexia and related
17 disorders. Such screenings shall be conducted in accordance with guidance
18 promulgated by the state board of education under subsection (a). In the
19 event a screening indicates a student may have dyslexia or a related
20 disorder, the school district shall notify the parent or legal guardian of such
21 student. Such notice may include a recommendation that the student be
22 evaluated by a licensed physician, psychologist or psychiatrist.

23 (c) If a student has been diagnosed with dyslexia or a related disorder,
24 the parent or legal guardian of such student may request an evaluation of
25 such student for an individualized education program (IEP), 504 plan or
26 other educational plan. Such request shall include a written statement from
27 a licensed physician, psychologist or psychiatrist stating that the student
28 has been diagnosed with dyslexia or a related disorder. Upon receipt of any
29 such request, the school district shall conduct the appropriate evaluation
30 for an IEP, 504 or other educational plan in accordance with federal and
31 state law.

32 (d) For purposes of this section:

33 (1) "Dyslexia" means a specific learning disability that is
34 neurobiological in origin, and that is characterized by difficulties with
35 accurate or fluent word recognition and by poor spelling and decoding
36 abilities. The term "dyslexia" includes: (1) Those difficulties that typically

Comment [A1]: The State Board has already developed this regulation. It is located at K.A.R. 91-40-11.

Comment [A2]: The State Board has already developed regulations on this topic. They are located at K.A.R. 91-40-1(III), 91-40-1(ccc), 91-40-1(kkk), 91-40-1(ttt), and K.A.R. 91-40-1(z).

Comment [A3]: This has been occurring for decades. When evaluating students districts must follow K.A.R. 91-40-9 to -11.

Comment [A4]: This word is confusing because Section 1 would require the State Board to develop rules and regulations. Regulations are law, not guidance.

Comment [A5]: K.A.R. 91-40-7 requires district to conduct "child find" activities, "identify, locate, and evaluate." A district does not have to, and in some circumstances cannot, wait for a parent request to evaluate. K.A.R. 91-40-7(c)(3) permits a parent to request a special education evaluation at any time. The parent does not have to wait for an outside diagnosis.

1 result from a deficit in the phonological component of language that is
2 often unexpected in relation to other cognitive abilities and the provision
3 of effective classroom instruction; and (2) secondary consequences, such
4 as problems in reading comprehension and reduced reading experience,
5 that can impede growth of vocabulary and background knowledge.

6 (2) "Related disorder" means a disorder similar to or related to
7 dyslexia, such as developmental auditory imperception, dysphasia, specific
8 developmental dyslexia, developmental dysgraphia and developmental
9 spelling disability.

10 Sec. 2. This act shall take effect and be in force from and after its
11 publication in the statute book.