



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1058**

### **SENATE BILL NO. 2635**

**By Gresham, Gardenhire, Tracy, Green, Massey**

Substituted for: House Bill No. 2616

By Pitts, Keisling, Kevin Brooks, Shaw, Mark White, Moody, Byrd, Love, Dunn, Harry Brooks, Goins, Lynn, Dunlap, Rogers, Reedy, DeBerry, Akbari, Cooper, Terry, Camper, Mitchell, Butt, Johnson, Williams, Hazlewood, Powers, Kane, Fitzhugh, Smith, Clemmons, Powell, Armstrong, Cameron Sexton, Gravitt, Stewart, Sparks, Eldridge, Todd, Hardaway, Turner

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, Part 2 and Title 49, relative to dyslexia.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

(a)(1) The department of education shall develop procedures for identifying characteristics of dyslexia through the universal screening process required by the existing RTI<sup>2</sup> framework or other available means.

(2) The dyslexia screening procedures shall include phonological and phonemic awareness, sound symbol recognition, alphabet knowledge, decoding skills, rapid naming, and encoding skills.

(3) The dyslexia screening procedures shall be implemented by every LEA.

(4) Dyslexia screening may be requested for any student by the student's parent or guardian, teacher, counselor, or school psychologist.

(b) Following the universal screening procedures conducted by the LEA, the LEA shall convene a school-based problem solving team to analyze screening and progress monitoring data to assist teachers in planning and implementing appropriate instruction and evidence-based interventions for all students, including those students who exhibit the characteristics of dyslexia. Guidance may include suggestions of appropriate tiered interventions, dyslexia-specific interventions, academic accommodations as appropriate, and access to assistive technology.

(c) If the dyslexia screening conducted by the LEA indicates that a student has characteristics of dyslexia, the LEA shall:

(1) Notify the student's parent or legal guardian;

(2) Provide the student's parent or legal guardian with information and resource material regarding dyslexia;

(3) Provide the student with appropriate tiered dyslexia-specific intervention through its RTI<sup>2</sup> framework; and

(4) Monitor the student's progress using a tool designed to measure the effectiveness of the intervention.

(d) The department shall provide appropriate professional development resources for educators in the area of identification of and intervention methods for students with dyslexia.

(e)(1) There is created a dyslexia advisory council for the purpose of advising the department in matters relating to dyslexia. The council shall be composed of nine (9) members as follows:

(A) The commissioner of education, or the commissioner's designee, who shall be an ex officio member of the council and serve as chair;

(B) An education specialist from the department, appointed by the commissioner for a term of three (3) years;

(C) A representative from a dyslexia advocacy group, appointed by the commissioner for a term of three (3) years;

(D) A special education teacher with an understanding of dyslexia, appointed by the commissioner for a term of three (3) years;

(E) An elementary school teacher, appointed by the commissioner for a term of three (3) years;

(F) A middle school teacher, appointed by the commissioner for a term of three (3) years;

(G) A high school teacher, appointed by the commissioner for a term of three (3) years; and

(H) A parent of a child with dyslexia, appointed by the commissioner for a term of three (3) years;

(I) A licensed speech pathologist, appointed by the commissioner for a term of three (3) years.

(2) The terms of the council members shall commence July 1, 2016.

(3) When a member of the council's term expires, the appointing authority who originally appointed that member shall appoint a successor to serve the same length of term as the departing member. A member may be appointed to successive terms.

(4) If a seat on the council is vacated prior to the end of the member's term, the commissioner shall appoint a replacement to fill the vacant seat for the unfinished term.

(5) The members of the council shall serve without compensation; provided, that members of the council shall be reimbursed for travel expenses in conformity with the comprehensive state travel regulations as promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(6)(A) The council shall annually submit a report to the education committee of the senate and the education instruction and programs committee of the house of representatives.

(B) The report required by subdivision (f)(6)(A) shall include:

(i) The number of students screened and the number of students provided with dyslexia intervention services;

(ii) Information about specific accommodations needed for students who are provided dyslexia intervention services taking the annual state mandated assessment or other state or LEA mandated assessments;

(iii) Descriptions, from the LEAs that provided dyslexia intervention services, of the intervention services provided to students; and

(iv) The TVAAS growth data, when available, for the students receiving dyslexia intervention services.

(C) No information identifying individual students shall be included in the report.

(7) The council shall meet at least quarterly. A quorum consists of a majority of the membership of the council.

(f) As used in this section:

(1) "Dyslexia-specific intervention" means evidence-based, specialized reading, writing, and spelling instruction that is multisensory in nature, equipping students to simultaneously use multiple senses, such as vision, hearing, touch, and movement. Dyslexia-specific intervention employs direct instruction of systematic and cumulative content, with the sequence beginning with the easiest and most basic elements and progress methodically to more difficult material. Each step must also be based on those already learned. Components of dyslexia-specific intervention include instruction targeting phonological awareness, sound symbol association, syllable structure, morphology, syntax, and semantics; and

(2) "RTI<sup>2</sup>" means Response to Instruction and Intervention, which is a framework designed to identify both struggling and advanced students in order to provide them with appropriate interventions in their specific areas of need. RTI<sup>2</sup> relies on the premise of high-quality core instruction, data-based decision making, and research-based interventions aligned to students' needs.

SECTION 2. Tennessee Code Annotated, Section 4-29-239(a), is amended by inserting the following as an appropriately designated subdivision:

( ) Dyslexia advisory council, created by Section 1 of this act.

SECTION 3. For the purpose of appointing members to the dyslexia advisory council, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2016, the public welfare requiring it.


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PASSED: April 19, 2016

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 28<sup>th</sup> day of April 2016

  
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BILL HASLAM, GOVERNOR