

ENROLLED ACT NO. 28, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to reading assessment and intervention; requiring approval of assessment and screening instruments; requiring parental or guardian notification; requiring professional development; requiring rulemaking; requiring studies; requiring reporting; providing for an appropriation; establishing payments for professional development expenses as specified; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-3-401(a) through (c), (d)(intro) and by creating a new subsection (e) is amended to read:

21-3-401. Reading assessment and intervention.

(a) Each school district shall select and implement a reading assessment and intervention program that uses an instrument identified by the state superintendent under subsection (d) of this section that screens for signs of ~~dyslexia and other~~ reading difficulties, as early as possible including but not limited to dyslexia or other reading deficiencies, not less than three (3) times per year in kindergarten through grade three (3) and that implements with fidelity an evidence based intervention program. The program shall include instruments identified by the state superintendent under subsection (d) of this section that monitor and measure reading progress and assess student reading skills and progress to provide data that informs any intervention. The assessment and intervention program shall be administered to all students in kindergarten through grade three (3). The program shall also include implementation of evidence based core curricula aligned to the uniform content and performance standards and evidenced based interventions to meet the

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needs of all students. The program shall be multi-tiered and shall include evidence based interventions to facilitate remediation of any reading difficulty as early as possible.

(b) As soon as practicable after the assessment or screening is conducted under the program established in subsection (a) of this section, each school district shall provide a copy of the screening results, including an explanation of the screening results, to the parent, guardian or other person having control of a student showing signs of reading difficulties, including but not limited to dyslexia or other reading deficiencies, or not showing appropriate reading competence under this section. Students not showing appropriate reading competence under this section shall be placed on an individualized reading plan to remedy the reading related difficulty utilizing an appropriate evidence based intervention program, which may include a group reading plan. The district shall provide a copy of a student's individualized reading plan to the student's parent, guardian or other person having control of the student. For students under an individualized education program (IEP) which addresses reading difficulties, the IEP shall be deemed sufficient to meet the requirements of this subsection and no additional plan shall be required.

(c) Each district shall annually report to the department of education on the progress of each of its schools toward achieving the goal of eighty-five percent (85%) of all students reading at grade level upon completion of the third grade. This report shall include cohort analysis for kindergarten through grade three (3) for those students identified by the screening instruments as having signs of reading difficulties, including but not

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limited to dyslexia or other reading deficiencies. The report shall include the percentage of students meeting or exceeding proficiency levels for the annual reporting period. The reporting shall also include the aggregate number of students identified by the screening instruments as having signs of ~~dyslexia or other~~ reading difficulties, including but not limited to dyslexia or other reading deficiencies, in addition to listing the evidence based interventions implemented in each district by grade. This report shall include kindergarten through grade three (3) progress toward achieving the goal of eighty-five percent (85%) proficiency in the specific skills known to be predictive of grade three (3) reading proficiency and that are listed in subsection (d) of this section. Grade three (3) reading proficiency shall be determined by the grade three (3) statewide assessment administered pursuant to W.S. 21-2-304(a)(v). Each school not meeting the eighty-five percent (85%) goal specified under this subsection shall submit an improvement plan to the school district, and the school district shall submit an overall improvement plan to the department. At a minimum, each school and district improvement plan shall outline its general strategy for increasing reading proficiency for the next school year and shall specifically address the evidence based program of instruction, assessment and intervention being implemented, the specific training in those programs that reading teachers have received, the student-teacher ratio, the use of certified tutors and the use of instructional facilitators and paraprofessionals in kindergarten through grade three (3) trained in the delivery of the evidence based instruction and intervention program selected by the district.

(d) The state superintendent, in consultation with Wyoming school districts, professionals in the area of

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~~dyslexia and other~~ reading difficulties, including but not limited to dyslexia and other reading deficiencies, and other appropriate stakeholders, shall promulgate rules ~~and regulations~~ as necessary to assist each school district to administer its reading assessment and intervention program pursuant to this section and to assess the skills in paragraphs (i) through (v) of this subsection using a curriculum-independent assessment. The rules shall contain criteria to identify instruments that screen for signs of reading difficulties, including but not limited to dyslexia and other reading deficiencies, required under subsection (a) of this section. Based on the criteria incorporated by rule, the state superintendent shall identify instruments approved for use by school districts that monitor and measure reading progress and assess student reading skills and progress to provide data that informs any intervention required under subsection (a) of this section. The rules shall provide mechanisms for the state superintendent to directly support schools and school districts in meeting the goals of improvement plans developed pursuant to subsection (c) of this section including, but not limited to, professional development in evidence based literacy instruction and intervention and professional development in identifying the signs of ~~dyslexia and other~~ reading difficulties, including but not limited to dyslexia and other reading deficiencies. To accomplish the purposes of this subsection, the department of education shall collect kindergarten through grade ~~two (2)~~ three (3) statewide longitudinal data from assessments selected and performed by each school district, which measures the following specific skills that evidence based research has concluded are predictive of grade three (3) reading proficiency:

(e) Commencing with school year 2022-2023, each school district shall require each district employee

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providing instruction in grades kindergarten through three (3) within the district to have received or receive professional development in evidence based literacy instruction and intervention and in identifying the signs of reading difficulties, including but not limited to dyslexia and other reading deficiencies, using suitable materials reviewed and required pursuant to rule by the state superintendent. The rules required under subsection (d) of this section shall establish minimum reading assessment and intervention professional development requirements to be completed not less than once every three (3) years as required under this subsection for district employees providing instruction in grades kindergarten through three (3). The rules shall contain criteria to identify appropriate and suitable professional development materials for district employees in evidence based literacy instruction and intervention and in detection of reading difficulties, including but not limited to dyslexia and other reading deficiencies.

Section 2. Not later than September 1, 2023, the state superintendent shall report to the joint education interim committee on the professional development under W.S. 21-3-401(e) as created under section 1 of this act. The report shall include the amount expended by each school district for school year 2022-2023 on professional development associated with administering the K-3 reading assessment and intervention program under W.S. 21-3-401. The report shall specify expenditures from the amounts provided by the education resource block grant model for professional development, federal funds, or any other funds expended by the district for the purpose of providing professional development for the K-3 reading assessment and intervention program. The report shall also include the recommended minimum professional development requirements

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for district employees kindergarten through grade three (3) required under W.S. 21-3-401(e) as created under section 1 of this act.

Section 3. There is appropriated three hundred thousand dollars (\$300,000.00) from the school foundation program account to the department of education to provide payments to school districts for expenditures related to professional development for school year 2022-2023 required under W.S. 21-3-401(e), as created by section 1 of this act. The amount appropriated under this section shall only be for school district expenditures for professional development in excess of the amount provided for professional development for each school district within the education resource block grant model as defined in W.S. 21-13-101(a)(xiv). If the appropriation under this section is lower than the total amount reported by school districts in excess of the total amount provided for professional development by the education resource block grant model, the department of education shall reduce the amount for each school district on a prorated basis. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2024. This appropriation shall not be transferred or expended for any other purpose. It is the intent of the legislature that this appropriation not be included in the department of education's standard budget for the immediately succeeding fiscal biennium. Not later than September 1, 2022, the department of education shall report to the joint education interim committee related to the implementation of this section. School districts shall comply with reporting requirements of the department of education under this section.

Section 4.

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(a) The state superintendent, in consultation with the state board of education, University of Wyoming, Wyoming school districts, professionals in the areas of reading difficulties, including but not limited to dyslexia and other reading deficiencies, and other appropriate stakeholders, shall conduct a study to identify instruments that screen for signs of reading difficulties, including but not limited to dyslexia and other reading deficiencies, and that monitor and measure reading progress and assess student reading skills and progress. The study shall identify characteristics of students with reading difficulties, including but not limited to dyslexia or other reading deficiencies that place the student at risk of not meeting the educational outcomes necessary to graduate from high school.

(b) Based on the longitudinal data collection required under W.S. 21-3-401(d), the study required under subsection (a) of this section shall include the aggregate number of students by grade and by district identified as showing signs of reading difficulties, including but not limited to dyslexia or other reading deficiencies, or not showing appropriate reading competence as measured by the district's screening or assessment instruments. The study shall also identify the aggregate number of students by grade and by district identified as showing signs of reading difficulties, including but not limited to dyslexia or other reading deficiencies, or not showing appropriate reading competence as measured by the district's screening or assessment instruments that are also identified as at-risk students under W.S. 21-13-309(m)(v)(A).

(c) The state superintendent shall provide updates on the study required by this section at each joint education

ORIGINAL SENATE
FILE NO. SF0032

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interim committee meeting during the 2022 and 2023 interims. Not later than July 1, 2023, the state superintendent shall provide a final report to the joint education interim committee containing specific recommendations regarding the instruments required by subsection (a) of this section.

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Section 5.

(a) Except as provided by subsection (b) of this section, this act is effective July 1, 2022.

(b) Notwithstanding subsection (a) of this section, sections 4 and 5 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk