

SENATE FILE NO. SF0059

K-12 language and literacy program.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to language and literacy competency;
2 providing definitions; specifying screeners, assessments,
3 diagnostics and screening requirements; requiring
4 professional development; establishing school district
5 duties; requiring parental notice; requiring individual
6 reading plans for students with reading difficulties or at
7 risk for poor reading outcomes; specifying additional
8 duties for the professional teaching standards board;
9 modifying licensure and renewal requirements for teachers;
10 requiring reports; establishing additional duties for the
11 department of education; authorizing the state
12 superintendent of public instruction to create a language
13 and literacy division; requiring rulemaking; repealing
14 provisions; making conforming amendments; and providing for
15 an effective date.

16

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

2

3 **Section 1.** W.S. 21-3-402 through 21-3-405 are created
4 to read:

5

6

ARTICLE 4

7

LANGUAGE AND LITERACY

8

9 **21-3-402. Wyoming language and literacy program;**
10 **purpose.**

11

12 (a) The Wyoming language and literacy program is
13 created.

14

15 (b) The purpose of this act is to ensure that every
16 student in kindergarten through grade twelve (12) develops
17 strong language and literacy skills by establishing a
18 comprehensive system of evidence based language and
19 literacy instruction, assessment, intervention and
20 professional development that supports educators, engages
21 families and promotes literacy proficiency for all Wyoming
22 students.

23

1 **21-3-403. Definitions.**

2

3 (a) As used in this article:

4

5 (i) "Department" means the state department of
6 education created pursuant to W.S. 21-2-104;

7

8 (ii) "Developmental language disorder" or "DLD"
9 means a primary language disorder that is not attributable
10 to a known biomedical condition and is characterized by
11 persistent difficulties learning, understanding or using
12 language that cause functional impairment in everyday
13 activities. The disorder may affect speaking, listening,
14 reading and writing, may co-occur with other
15 neurodevelopmental conditions and typically persists from
16 early childhood into adulthood;

17

18 (iii) "Diagnostic assessment" means a valid and
19 reliable specialized assessment used to evaluate specific
20 areas of language and literacy for students with reading
21 difficulties or at risk for poor reading outcomes and
22 provide data to inform individualized reading plans and

1 evidence based language and literacy instruction and
2 intervention;

3

4 (iv) "District language and literacy plan" or
5 "DLLP" means a school district's written comprehensive
6 strategy, including professional development, progress
7 monitoring and family engagement and intervention, to
8 identify students with reading difficulties and deliver
9 evidence based language and literacy instruction through a
10 multitiered system of support for students with reading
11 difficulties or at risk for poor reading outcomes;

12

13 (v) "Dyslexia" means a specific learning
14 disability neurobiological in origin, characterized by
15 difficulties with accurate or fluent word recognition and
16 by poor spelling and decoding abilities, typically
17 resulting from a deficit in the phonological component of
18 language and often unexpected in relation to other
19 cognitive abilities and the provision of effective
20 classroom instruction. Secondary consequences may include
21 problems in reading comprehension and reduced reading
22 experience that may impede growth of vocabulary and
23 background knowledge;

1

2 (vi) "Dyslexia screener" means a valid and
3 reliable brief assessment used to identify students who may
4 have characteristics associated with dyslexia and aligned
5 with evidence based language and literacy instruction. A
6 dyslexia screener does not diagnose dyslexia;

7

8 (vii) "Evidence based language and literacy
9 instruction" means explicit, systematic, cumulative and
10 diagnostic instruction grounded in the science of reading
11 that develops accurate and fluent word recognition and
12 language comprehension. Instruction includes, as
13 appropriate to developmental level, phonological and
14 phonemic awareness, sound-symbol association, decoding and
15 encoding, syllable structure, morphology, syntax,
16 semantics, vocabulary development, oral reading fluency,
17 background knowledge and discourse-level comprehension,
18 coordinated to support fluent word recognition, deep
19 comprehension and effective written expression;

20

21 (viii) "Grade level reading proficiency" means
22 as defined by the state superintendent and adopted in rule;

23

1 (ix) "High quality instructional materials and
2 practices" means curriculum, instructional methods and
3 teaching tools aligned with evidence based language and
4 literacy instruction and supported by strong or moderate
5 evidence of effectiveness;

6
7 (x) "Individualized reading plan" or "IRP" means
8 a written plan developed for an individual student
9 identified as having reading difficulties or at risk for
10 poor reading outcomes that includes evidence based language
11 and literacy instruction and intervention, measurable goals
12 and progress monitoring;

13
14 (xi) "Literacy proficiency" means the ability to
15 read, write, speak and understand language with accuracy,
16 automaticity and effective expression in order to
17 comprehend and communicate across content areas. Literacy
18 proficiency includes reading fluency, which consists of
19 rate, accuracy and expression, and integration of
20 vocabulary knowledge, background knowledge and language
21 comprehension that support proficient reading and written
22 expression;

23

1 (xii) "Multitiered system of support" or "MTSS"
2 means a tiered framework that provides universal, targeted
3 and intensive levels of academic and behavioral support and
4 evidence based language and literacy instruction, and uses
5 screeners and diagnostic assessments, data-based decision
6 making and progress monitoring to improve outcomes for all
7 students;

8
9 (xiii) "Reading difficulties" means conditions
10 or patterns of learning that interfere with the development
11 of accurate and fluent word recognition, spelling or
12 comprehension, including but not limited to dyslexia and
13 developmental language disorder, as demonstrated by a
14 student's performance on a screener or diagnostic
15 assessment;

16
17 (xiv) "State superintendent" means the state
18 superintendent of public instruction;

19
20 (xv) "Three-cueing system" means any model of
21 teaching students to read based on meaning, structure and
22 syntax and visual cues;

23

1 (xvi) "Universal screener" means a valid and
2 reliable brief assessment used to identify students with
3 reading difficulties or at risk for poor reading outcomes
4 that is aligned with evidence based language and literacy
5 instruction.

6

7 **21-3-404. School district language and literacy**
8 **plans; administration of screeners and diagnostic**
9 **assessments; multitiered system of support; individualized**
10 **reading plans.**

11

12 (a) Each school district shall adopt and implement a
13 DLLP to ensure language and literacy competency and
14 literacy proficiency for students in kindergarten through
15 grade twelve (12). The DLLP shall, at a minimum:

16

17 (i) Use universal and dyslexia screeners and
18 diagnostic assessments to assess and identify students with
19 reading difficulties and students at risk for poor reading
20 outcomes. After administration of a screener or diagnostic
21 assessment, each school district shall provide the results
22 of the student's performance on the screener or assessment
23 administered pursuant to this paragraph to the student's

1 parent or guardian. Screeners and diagnostic assessments
2 shall be approved by the state superintendent pursuant to
3 W.S. 21-3-405(a)(i) and shall be administered as follows:

4

5 (A) A dyslexia screener, once each fall,
6 for all students in kindergarten through grade two (2);

7

8 (B) A universal screener, three (3) times
9 each school year, for all students in kindergarten through
10 grade three (3);

11

12 (C) A universal screener, once each school
13 year, for all students in grades four (4) through twelve
14 (12) who have not demonstrated grade level reading
15 proficiency, for any student transferring into an
16 elementary or secondary public school in the state and for
17 any student identified as not proficient or at risk for
18 poor reading outcomes through district procedures or recent
19 assessments;

20

21 (D) Diagnostic assessments as appropriate
22 for any student identified with a reading difficulty or at
23 risk for poor reading outcomes.

1

2 (ii) Use high quality instructional materials
3 and practices aligned with the science of reading to
4 deliver evidence based language and literacy instruction;

5

6 (iii) Deploy an MTSS that ensures comprehensive
7 and effective evidence based language and literacy
8 instruction and intervention to improve the literacy
9 proficiency of all students. The MTSS shall, at a minimum,
10 include:

11

12 (A) Tier I, to provide explicit and
13 systematic evidence based language and literacy instruction
14 for all students in kindergarten through grade twelve (12);

15

16 (B) Tier II, to provide supplemental
17 evidence based language and literacy instruction with
18 targeted assistance and ongoing progress monitoring for
19 students with reading difficulties;

20

21 (C) Tier III, to deliver intensive and
22 individualized evidence based language and literacy

1 instruction and intervention for students with significant
2 and persistent reading difficulties.

3

4 (iv) Implement an IRP for each student
5 identified as having reading difficulties or at risk for
6 poor reading outcomes. An individualized education program
7 (IEP) prepared for a student pursuant to the federal
8 Individuals with Disabilities in Education Act shall be
9 deemed an IRP for purposes of this paragraph. The IRP
10 shall:

11

12 (A) Specify evidence based language and
13 literacy instruction specific to the student's reading
14 difficulties;

15

16 (B) Identify measurable language, literacy
17 and reading goals and progress monitoring methods;

18

19 (C) Be integrated into the student's
20 educational record;

21

22 (D) Be developed in collaboration with the
23 student's parent or guardian and implemented within thirty

1 (30) calendar days after identification of a student with
2 reading difficulties or at risk for poor reading outcomes
3 pursuant to paragraph (i) of this subsection. The school
4 district shall notify the student's parent or guardian of
5 the student's progress quarterly during the applicable
6 school year.

7

8 (v) Prohibit the use of the three-cueing system
9 as the only basis for teaching word recognition or
10 decoding.

11

12 (b) Each school district with sixty percent (60%) or
13 more students not demonstrating grade level reading
14 proficiency, as defined by rule of the state
15 superintendent, shall offer summer literacy camps or
16 extended supports, including after school support and
17 tutoring, for all students in grades one (1) through three
18 (3) with an IRP. The instruction required pursuant to this
19 subsection shall consist of appropriate, evidence based
20 language and literacy instruction aligned with each
21 student's IRP and shall include age and district
22 appropriate hours additional instruction beyond that
23 delivered during the regular course of the school year.

1

2 (c) Each school district shall ensure any person
3 employed by the school district receives job embedded,
4 practice based and ongoing literacy related professional
5 development appropriate to their role and level of
6 responsibility. The minimum professional development shall
7 include opportunities for literacy coaching and leadership
8 development to support effective implementation of evidence
9 based language and literacy instruction. The hours and
10 content requirements shall be as defined by rule of the
11 state superintendent pursuant to W.S. 21-3-405(a)(ii).

12

13 (d) Not later than August 15 each year, for the prior
14 school year, each school district shall report to the
15 department:

16

17 (i) The percentage of students not achieving
18 grade level reading proficiency;

19

20 (ii) The average growth, by grade, for the
21 lowest performing ten percent (10%) of students in relation
22 to grade level reading proficiency;

23

1 (iii) A list of the evidence based language and
2 literacy instruction and high quality instructional
3 materials and practices utilized by the school district;

4
5 (iv) The qualifications, as defined by rule of
6 the state superintendent, of any person employed by the
7 school district that delivers language and literacy
8 instruction to students.

9
10 **21-3-405. Additional duties of the state**
11 **superintendent; rulemaking authority.**

12
13 (a) The state superintendent shall, by rule:

14
15 (i) In consultation with school districts,
16 identify universal and dyslexia screeners, diagnostic
17 assessments, evidence based language and literacy
18 instruction and high quality instructional materials and
19 practices to be utilized by school districts. School
20 districts may request the state superintendent approve use
21 of alternatives not incorporated in rule in the manner and
22 form required by the state superintendent;

23

1 (ii) Establish professional development
2 requirements related to effective language and literacy
3 instruction for all teachers and instructional staff,
4 differentiated by their role, level of responsibility and
5 grade level in supporting literacy proficiency;

6
7 (iii) Define terms necessary for the
8 administration and implementation of this act, including
9 but not limited to, "grade level reading proficiency",
10 "qualifications", "significant and persistent reading
11 difficulties", the "science of reading", "progress
12 monitoring" and "at risk for poor reading outcomes";

13
14 (iv) Ensure school districts comply with the
15 requirements of this act through monitoring and providing
16 technical assistance to school districts. The rules shall
17 identify policies and procedures for imposition of
18 corrective action plans for school districts failing to
19 adhere to the requirements of this act.

20
21 (b) The state superintendent shall post the
22 information reported by school districts pursuant to W.S.
23 21-3-404(d) to the department's website.

1

2 (c) Nothing in this article shall be construed to
3 limit or prohibit the expenditure of federal funds or other
4 funds for the purposes of this article.

5

6 **Section 2.** W.S. 21-2-802(a)(intro), (ii)(intro) and
7 by creating new subparagraphs (E) and (F) and
8 21-3-110(a)(xxiii) are amended to read:

9

10 **21-2-802. Powers and duties; teacher certification;**
11 **suspension and revocation; certification fees; disposition**
12 **of collected fees; required data submissions to department**
13 **of education.**

14

15 (a) The board shall promulgate rules: ~~and~~
16 ~~regulations:~~

17

18 (ii) In addition to paragraph (a)(i) of this
19 section, the board shall by rule ~~and regulation~~ provide
20 for:

21

22 (E) Teachers licensed after July 1, 2027,
23 shall demonstrate literacy competency appropriate to their

1 instructional role and grade band as a condition of initial
2 licensure. Teachers licensed on or before July 1, 2027,
3 shall demonstrate literacy competency appropriate to their
4 instructional role and grade band upon renewal of a
5 license. For purposes of this subparagraph, "literacy
6 competency" shall be as defined by rule of the board. The
7 board may issue provisional licenses for a limited period
8 of time to comply with the requirements of this
9 subparagraph;

10
11 (F) Reading specialist endorsements aligned
12 with evidence based language and literacy instruction as
13 defined by W.S. 21-3-403(a)(vii).

14
15 **21-3-110. Duties of boards of trustees.**

16
17 (a) The board of trustees in each school district
18 shall:

19
20 (xxiii) Implement and administer the ~~reading~~
21 ~~screening and intervention~~ Wyoming language and literacy
22 program for students in kindergarten through grade ~~three~~

1 ~~(3)~~ twelve (12) as required by W.S. ~~21-3-401~~ 21-3-402 et
2 seq.;

3

4 **Section 3.**

5

6 (a) The state superintendent of public instruction
7 may utilize resources as necessary to establish a literacy
8 division within the department of education and contract
9 for services to support the literacy division to administer
10 the Wyoming language and literacy program as created by
11 section 1 of this act. The literacy division shall:

12

13 (i) Maintain a list of approved universal and
14 dyslexia screeners, diagnostic assessments, evidence based
15 language and literacy instruction and high quality
16 instructional materials and practices and review requests
17 by school districts to utilize alternative screeners,
18 assessments, instructional material or high quality
19 instructional materials and practices;

20

21 (ii) Provide technical assistance to school
22 districts;

23

