

# SENATE BILL 548

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CF 8lr2376

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By: **Senator Conway**

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Students With Reading Difficulties – Screenings and Interventions**

3 FOR the purpose of requiring certain county boards of education, beginning in a certain  
4 school year, to ensure that a certain student is screened for certain reading  
5 difficulties; authorizing certain individuals to conduct a certain screening; requiring  
6 a county board to provide a certain questionnaire and certain description of certain  
7 screening and support at a certain time; requiring a county board to select a certain  
8 screening instrument; requiring a county board to use certain screening instruments  
9 for certain students; providing for the frequency of screening for certain students;  
10 requiring a county board to conduct a certain diagnostic assessment, provide certain  
11 reading instruction, and provide a certain notification letter to certain parents or  
12 guardians under certain circumstances; requiring a certain intervention to include  
13 certain components; requiring a county board to monitor a certain student for  
14 progress for a certain period of time; requiring a county board to provide a certain  
15 student certain additional instruction under certain circumstances; requiring a  
16 county board to provide a certain parent or guardian with certain progress  
17 monitoring reports; providing the circumstances for a referral for special education;  
18 requiring certain county boards to provide certain resources on a certain website;  
19 requiring certain county boards to report annually certain information to the State  
20 Department of Education beginning in a certain school year; requiring certain data  
21 to be reported in a certain manner; requiring the Department, in consultation with  
22 certain stakeholders, to annually develop and update certain resources and protocols  
23 for use by the county boards; requiring the Department to provide training  
24 opportunities for certain individuals on certain screening instruments and  
25 instruction interventions; defining certain terms; and generally relating to  
26 screenings and interventions for students with reading difficulties.

27 BY adding to  
28 Article – Education  
29 Section 4–134  
30 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2014 Replacement Volume and 2017 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Education**

**4–134.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “SCREENING” MEANS A READING SCREENING PROCESS USING INSTRUMENTS THAT INVOLVE COMPONENTS OF ORAL LANGUAGE TO IDENTIFY READING DIFFICULTIES.**

**(3) “STUDENT” MEANS:**

**(I) A STUDENT WHO ENTERS PUBLIC SCHOOL IN PREKINDERGARTEN, KINDERGARTEN, OR FIRST GRADE;**

**(II) A STUDENT IN PREKINDERGARTEN, KINDERGARTEN, OR FIRST GRADE WHO:**

**1. TRANSFERS TO A PUBLIC SCHOOL; AND**

**2. HAS NOT BEEN PREVIOUSLY SCREENED FOR READING DIFFICULTIES; OR**

**(III) A STUDENT IN GRADE 2 OR HIGHER WHO:**

**1. HAS BEEN IDENTIFIED AS HAVING READING DIFFICULTIES; OR**

**2. IS NOT MEETING GRADE-LEVEL READING STANDARDS.**

**(B) (1) BEGINNING WITH THE 2019–2020 SCHOOL YEAR, EACH COUNTY BOARD SHALL ENSURE THAT A STUDENT IS SCREENED TO IDENTIFY IF THE STUDENT IS AT RISK FOR READING DIFFICULTIES.**

**(2) SCREENING MAY BE CONDUCTED BY:**

**(I) A CLASSROOM TEACHER;**

- 1                   (II) A SCHOOL PSYCHOLOGIST;
- 2                   (III) A SPECIAL EDUCATION TEACHER;
- 3                   (IV) A SPEECH–LANGUAGE PATHOLOGIST;
- 4                   (V) A READING INTERVENTIONIST;
- 5                   (VI) A DESIGNATED READING SPECIALIST; OR
- 6                   (VII) ANY OTHER EDUCATOR.

7                   (3) ON REGISTRATION OF A STUDENT IN PREKINDERGARTEN,  
8 KINDERGARTEN, OR FIRST GRADE AT A PUBLIC SCHOOL, THE COUNTY BOARD SHALL  
9 PROVIDE TO THE PARENT OR GUARDIAN OF THE STUDENT:

- 10                   (I) A QUESTIONNAIRE ON THE STUDENT’S FAMILY HISTORY OF  
11 READING, WRITING, OR OTHER ACADEMIC ISSUES; AND
- 12                   (II) A CLEAR DESCRIPTION OF THE SCREENING AND SUPPORT  
13 PROCESS IN THE COUNTY.

14                   (C) (1) A COUNTY BOARD SHALL SELECT A SCREENING INSTRUMENT  
15 THAT:

- 16                   (I) HAS STRONG PREDICTIVE VALIDITY;
- 17                   (II) HAS STRONG CLASSIFICATION ACCURACY;
- 18                   (III) IS ECONOMICAL TO ADMINISTER IN TIME AND COST; AND
- 19                   (IV) USES NORM–REFERENCED OR CRITERION–BASED SCORES.

20                   (2) FOR A STUDENT IN PREKINDERGARTEN, A COUNTY BOARD SHALL  
21 USE ONE OR MORE SCREENING INSTRUMENTS THAT INCLUDE:

- 22                   (I) PHONOLOGICAL AWARENESS AND PHONEMIC PROCESSING  
23 SKILLS SUCH AS SYLLABLE IDENTIFICATION AND DETECTING, SEGMENTING,  
24 BLENDING, AND MANIPULATING SOUNDS IN SPOKEN LANGUAGE;
- 25                   (II) FAMILY HISTORY INFORMATION ON READING, WRITING,  
26 SPEAKING, AND LEARNING CONCERNS; AND

1 (III) NORMED RAPID AUTOMATIZED NAMING ASSESSMENTS.

2 (3) FOR A STUDENT IN KINDERGARTEN, A COUNTY BOARD SHALL USE  
3 ONE OR MORE SCREENING INSTRUMENTS THAT INCLUDE:

4 (I) THE COMPONENTS LISTED IN PARAGRAPH (2) OF THIS  
5 SUBSECTION;

6 (II) KNOWLEDGE OF LETTER AND SOUND ASSOCIATION IN:

7 1. UPPERCASE AND LOWERCASE LETTER NAMES; AND

8 2. PRINTING OF UPPERCASE AND LOWERCASE LETTERS;

9 (III) IDENTIFICATION OF FIRST, LAST, AND MEDIAL SOUNDS IN  
10 WORDS;

11 (IV) PHONEME MANIPULATION; AND

12 (V) WORKING MEMORY DIGIT RECALL AND LETTER-NUMBER  
13 SEQUENCING.

14 (4) FOR A STUDENT IN FIRST GRADE, A COUNTY BOARD SHALL USE  
15 ONE OR MORE SCREENING INSTRUMENTS THAT INCLUDE:

16 (I) THE COMPONENTS LISTED IN PARAGRAPHS (2) AND (3) OF  
17 THIS SUBSECTION;

18 (II) AUTOMATIC AND FLUENT SINGLE WORD RECOGNITION;

19 (III) CLOSED SYLLABLE NONSENSE AND REAL WORDS;

20 (IV) DICTATION-LETTER WRITING WITH LETTER SOUNDS; AND

21 (V) NORMED ORAL READING FLUENCY.

22 (D) (1) (I) A STUDENT IN PREKINDERGARTEN SHALL BE SCREENED  
23 ACCORDING TO THE SCHEDULE OF A SCREENING INSTRUMENT SELECTED BY THE  
24 COUNTY BOARD.

25 (II) A STUDENT IN KINDERGARTEN OR FIRST GRADE SHALL BE  
26 SCREENED:

1                   1.    **AT THE BEGINNING, MIDDLE, AND END OF THE**  
2 **SCHOOL YEAR; OR**

3                   2.    **UNTIL THE STUDENT HAS REACHED END-OF-YEAR**  
4 **BENCHMARKS ACCORDING TO A SCREENING INSTRUMENT SELECTED BY THE**  
5 **COUNTY BOARD.**

6                   **(2) (I) IF THE SCREENING RESULTS INDICATE THAT THE STUDENT**  
7 **IS AT RISK OF READING DIFFICULTIES, THE COUNTY BOARD SHALL:**

8                   1.    **CONDUCT AN INFORMAL DIAGNOSTIC ASSESSMENT**  
9 **ON THE STUDENT TO DETERMINE ANY AREAS OF INSTRUCTIONAL NEED FOR**  
10 **EVIDENCE-BASED, STRUCTURED LITERACY READING INSTRUCTION INTERVENTION;**

11                   2.    **PROVIDE STRUCTURED LITERACY READING**  
12 **INSTRUCTION, AS APPROPRIATE; AND**

13                   3.    **PROVIDE A NOTIFICATION LETTER TO THE PARENT**  
14 **OR GUARDIAN OF THE STUDENT THAT INCLUDES THE STUDENT'S SCREENING**  
15 **RESULTS AND A DESCRIPTION OF THE SUPPLEMENTAL, TARGETED STRUCTURED**  
16 **LITERACY READING INSTRUCTION INTERVENTION THAT WILL BE PROVIDED TO THE**  
17 **STUDENT.**

18                   **(II) ANY STRUCTURED LITERACY READING INSTRUCTION**  
19 **INTERVENTION SHALL INCLUDE, AS INDICATED BY THE RESULTS OF THE INFORMAL**  
20 **DIAGNOSTIC ASSESSMENT, THE FOLLOWING:**

21                   1.    **PHONEMIC AWARENESS TO ENABLE STUDENTS TO**  
22 **DETECT, SEGMENT, BLEND, AND MANIPULATE SOUNDS IN SPOKEN LANGUAGE;**

23                   2.    **PHONICS FOR TEACHING THE LETTER-SOUND PLAN**  
24 **OF ENGLISH;**

25                   3.    **THE ENTIRE STRUCTURE OF THE ENGLISH**  
26 **LANGUAGE THAT ENCOMPASSES MORPHOLOGY, SEMANTICS, SYNTAX, AND**  
27 **PRAGMATICS;**

28                   4.    **LINGUISTIC INSTRUCTION DIRECTED TOWARD**  
29 **PROFICIENCY AND FLUENCY WITH THE PATTERNS OF LANGUAGE TO ALLOW WORDS**  
30 **AND SENTENCES TO BE CARRIERS OF MEANING; AND**

31                   5.    **STRATEGIES FOR DECODING, ENCODING, WORD**

1 **RECOGNITION, FLUENCY, AND COMPREHENSION.**

2 **(III) 1. A COUNTY BOARD SHALL MONITOR A STUDENT WHO**  
3 **RECEIVES STRUCTURED LITERACY READING INSTRUCTION FOR AT LEAST 6 WEEKS**  
4 **BUT NOT MORE THAN 8 WEEKS.**

5 **2. IF PROGRESS MONITORING DATA REFLECTS**  
6 **INSUFFICIENT PROGRESS, A COUNTY BOARD SHALL PROVIDE THE STUDENT WITH AT**  
7 **LEAST AN ADDITIONAL 6 WEEKS BUT NOT MORE THAN 8 WEEKS OF DAILY, INTENSIVE**  
8 **INDIVIDUALIZED STRUCTURED LITERACY READING INSTRUCTION IN THE CONTEXT**  
9 **OF GENERAL EDUCATION.**

10 **3. THE COUNTY BOARD SHALL PROVIDE THE PARENT OR**  
11 **GUARDIAN OF THE STUDENT WITH ONGOING PROGRESS MONITORING REPORTS AND**  
12 **RESOURCE MATERIALS ON TOOLS THE PARENT OR GUARDIAN CAN USE TO HELP THE**  
13 **STUDENT AT HOME.**

14 **4. IF INTERVENTIONS CONDUCTED UNDER THIS**  
15 **SUBPARAGRAPH REFLECT INSUFFICIENT PROGRESS, A REFERRAL FOR SPECIAL**  
16 **EDUCATION MAY BE WARRANTED.**

17 **(E) EACH COUNTY BOARD SHALL PROVIDE RESOURCES ON THE COUNTY**  
18 **BOARD'S WEBSITE FOR PARENTS THAT INCLUDE INFORMATION ON:**

19 **(1) SCREENING AND SCREENING INSTRUMENTS USED IN THE**  
20 **COUNTY;**

21 **(2) DIAGNOSTIC SCREENING AND ASSESSMENT PROTOCOLS USED IN**  
22 **THE COUNTY;**

23 **(3) BEST PRACTICES IN STRUCTURED LITERACY READING**  
24 **INSTRUCTION INTERVENTIONS;**

25 **(4) TIERED INSTRUCTION OR RESPONSE TO INTERVENTION**  
26 **PROTOCOLS;**

27 **(5) INDICATORS AND RISKS OF READING DIFFICULTIES SUCH AS**  
28 **DYSLEXIA; AND**

29 **(6) COMMUNITY RESOURCES AND SUPPORT FOR STUDENTS WITH**  
30 **READING DIFFICULTIES SUCH AS DYSLEXIA.**

31 **(F) (1) BEGINNING WITH THE 2020-2021 SCHOOL YEAR, EACH COUNTY**

1 BOARD SHALL REPORT ANNUALLY TO THE DEPARTMENT THE FOLLOWING  
2 INFORMATION:

3 (I) NUMBER OF STUDENTS SCREENED;

4 (II) NUMBER OF STUDENTS IDENTIFIED THROUGH A  
5 SCREENING INSTRUMENT AS AT RISK FOR READING DIFFICULTIES;

6 (III) NUMBER OF STUDENTS WHO RECEIVED A READING  
7 INTERVENTION PROGRAM AND THE NAME OF THE PROGRAM PROVIDED;

8 (IV) GRADE LEVEL OF THE STUDENT WHEN THE STUDENT WAS  
9 IDENTIFIED AS AT RISK FOR READING DIFFICULTIES; AND

10 (V) LENGTH OF INTERVENTION SERVICES RECEIVED BY A  
11 STUDENT.

12 (2) DATA REPORTED UNDER PARAGRAPH (1) OF THIS SUBSECTION  
13 SHALL BE:

14 (I) AGGREGATED AND SEARCHABLE AT THE COUNTY BOARD  
15 AND SCHOOL LEVELS; AND

16 (II) AVAILABLE ANNUALLY ON THE DEPARTMENT'S WEBSITE.

17 (G) BY THE BEGINNING OF THE 2019–2020 SCHOOL YEAR, AND EACH YEAR  
18 THEREAFTER, THE DEPARTMENT SHALL DEVELOP AND UPDATE, IN CONSULTATION  
19 WITH PARENTS, TEACHERS, AND OTHER INTERESTED STAKEHOLDERS, RESOURCES  
20 AND PROTOCOLS FOR USE BY THE COUNTY BOARDS THAT INCLUDE:

21 (1) A CHECKLIST OF RECOMMENDED SCREENING AND DIAGNOSTIC  
22 ASSESSMENT INSTRUMENTS THAT MEET THE REQUIREMENTS OF THIS SECTION;

23 (2) A LIST OF RECOMMENDED STRUCTURED LITERACY READING  
24 INSTRUCTION AND PROGRESS MONITORING TOOLS THAT MEET THE REQUIREMENTS  
25 OF THIS SECTION;

26 (3) A SCREENING PROTOCOL THAT:

27 (I) INCORPORATES SCREENING AND DIAGNOSTIC ASSESSMENT  
28 BEST PRACTICES; AND

29 (II) INCLUDES THE FOLLOWING:

- 1                           1.    **SCORING REQUIREMENTS FOR IDENTIFICATION;**
- 2                           2.    **FREQUENCY OF SCREENING;**
- 3                           3.    **BEST PRACTICES FOR MONITORING PROGRESS;**
- 4                           4.    **INSTRUMENTS,        DATA        COLLECTION,        AND**  
5 **ASSESSMENTS;**
- 6                           5.    **TIERED        INSTRUCTION        OR        RESPONSE        TO**  
7 **INTERVENTION PROTOCOLS;**
- 8                           6.    **SCREENING PROTOCOL FOR STUDENTS IN GRADES 2**  
9 **THROUGH 12; AND**
- 10                          7.    **SAMPLE PARENT NOTIFICATION LETTERS;**

11                   **(4)    A PARENT LITERACY SURVEY THAT INCLUDES:**

12                           **(I)    DEVELOPMENTAL HISTORY FOR THE CHILD ON SPEECH**  
13 **AND LANGUAGE DEVELOPMENT, HEARING DEVELOPMENT, OR EARLY**  
14 **INTERVENTION SERVICES; AND**

15                           **(II)   IMMEDIATE AND EXTENDED FAMILY HISTORY ON ACADEMIC**  
16 **ATTAINMENT, READING, ORAL LANGUAGE, SPELLING, AND WRITING DIFFICULTIES;**  
17 **AND**

18                   **(5)    A REPORTING FORM OR PROCESS THAT ALLOWS A COUNTY BOARD**  
19 **TO REPORT SCREENING RESULTS.**

20                   **(H)    THE DEPARTMENT SHALL PROVIDE TRAINING OPPORTUNITIES FOR**  
21 **INDIVIDUALS WHO CONDUCT SCREENINGS UNDER THIS SECTION AND SCHOOL**  
22 **ADMINISTRATORS ON:**

23                           **(1)    THE ADMINISTRATION AND INTERPRETATION OF SCREENING AND**  
24 **INFORMAL DIAGNOSTIC ASSESSMENTS;**

25                           **(2)    THE ADMINISTRATION AND INTERPRETATION OF PROGRESS**  
26 **MONITORING INSTRUMENTS AND STUDENT DATA;**

27                           **(3)    PROVIDING AND INTERPRETING SCREENING AND INTERVENTION**  
28 **RESULTS FOR PARENTS;**



1           **(4) DESIGNING FLEXIBLE STUDENT GROUPINGS BASED ON**  
2 **DIAGNOSTIC SCREENING DATA FOR DELIVERY OF EVIDENCE-BASED READING**  
3 **INTERVENTIONS; AND**

4           **(5) THE ELEMENTS AND PRINCIPLES OF EVIDENCE-BASED**  
5 **STRUCTURED LITERACY READING INSTRUCTION ALIGNED WITH BEST PRACTICES.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2018.