

SESSION OF 2018

**CONFERENCE COMMITTEE REPORT BRIEF
SUBSTITUTE FOR HOUSE BILL NO. 2602**

As Agreed to April 4, 2018

Brief*

Sub. for HB 2602 would establish the Legislative Task Force on Dyslexia (Task Force), which would advise and make recommendations to the Governor, Legislature, and the Kansas State Board of Education (KSBE) regarding matters concerning the use of evidence-based practices for students with dyslexia. Recommendations and resource materials would be required to:

- Research and recommend evidence-based reading practices to address dyslexia or characteristics of dyslexia for use by schools;
- Research and recommend high quality pre-service and in-service professional development activities to address reading difficulties like dyslexia, including identification of dyslexia and effective reading interventions to be used in schools and applicable degree programs;
- Study and examine current state and federal law, rules and regulations, and the implementation of such laws and rules and regulations that affect students with dyslexia; and
- Identify valid and reliable screening and evaluation assessments and protocols that can be used, as well as the appropriate personnel to administer

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

such assessments, in order to identify children with reading difficulties, such as dyslexia or the characteristics of dyslexia.

The Task Force would be comprised of the following 16 voting members:

- One Senate member and one elementary school classroom teacher appointed jointly by the chairperson and ranking minority member of the Senate Committee on Education;
- One House member and one elementary school classroom teacher appointed jointly by the chairperson and ranking minority member of the House Committee on Education;
- One member from the KSBE appointed by the KSBE, who would serve as the Task Force chairperson;
- One professor employed by a state educational institution with specialized expertise in effective evidence-based reading practices for dyslexia appointed by the President of the Kansas Board of Regents;
- One public school principal appointed by the United School Administrators of Kansas (USA Kansas);
- Four parents of children with a diagnosis of dyslexia to be individually appointed by Keys for Networking, Inc., Families Together, Inc., Decoding Dyslexia Johnson County, and the International Dyslexia Association Kansas Missouri Branch, who should be appointed with an effort to provide statewide representation, if possible;
- One member appointed by the Kansas Association of Special Education Administrators (KASEA);

- One elementary school building-level reading specialist appointed by the KSBE;
- One elementary school special education teacher appointed by the KSBE;
- One licensed psychologist or speech-language pathologist who diagnoses dyslexia as a part of such person's practice appointed by the Task Force chairperson; and
- One member identified as a non-profit service provider for children diagnosed with dyslexia appointed by the chairperson of the Task Force.

The Task Force would also include the following three *ex officio*, non-voting members:

- One Kansas Department of Education (KSDE) licensed attorney appointed by the KSDE;
- One licensed attorney familiar with dyslexia appointed jointly by the chairpersons of the House Committee on Education and Senate Committee on Education; and
- One member appointed by the Disability Rights Center of Kansas.

The Task Force chairperson would call an organizational meeting of the Task Force on or before July 15, 2018. At such organizational meeting, the members would elect a vice-chairperson from the membership of the Task Force. The Task Force would also consider dates for future meetings, the agendas for such meetings, and the need for electing a facilitator to assist in discussions among the members of the Task Force. The Task Force would be prohibited from meeting more than six times in 2018 and would be allowed to hold meetings by telephone or video conference, if necessary. The Task Force would be allowed to meet at any

time and at any place within the state on the call of the chairperson. A quorum of the Task Force would be nine members, and all actions of the Task Force would be by motion adopted by a majority of those members present when there is a quorum. The Task Force's work would be completed by January 2, 2019, and a report would be prepared and submitted to the Governor, the Legislature, and the KSBE by January 30, 2019.

If approved by the Legislative Coordinating Council, members of the Task Force attending meetings authorized by the Task Force would be paid amounts for expenses, mileage, and subsistence, as provided by law. Additionally, staff of the Office of Revisor of Statutes, the Legislative Research Department, and the Division of Legislative Administrative Services would be required to provide assistance as may be requested by the Task Force.

Conference Committee Action

The Conference Committee agreed to the provisions of Sub. for HB 2602, as amended by the Senate Committee on Education, except the Conference Committee agreed to return to the House position on the name of the Task Force and to remove the Senate Committee on Education's addition of "reading comprehension impairments" throughout the bill. The Conference Committee also revised the membership of the Task Force, as follows:

- Specify the Senate member would be appointed jointly by the chairperson and ranking minority member of the Senate Committee on Education and the House member would be appointed jointly by the chairperson and ranking minority member of the House Committee on Education;
- Replace the elementary and middle school classroom teachers appointed by the Kansas National Education Association (KNEA) with one

elementary school classroom teacher appointed jointly by the chairperson and ranking minority member of the Senate Committee on Education and one elementary school classroom teacher appointed jointly by the chairperson and ranking minority member of the House Committee on Education;

- Remove one of the public school principals appointed by USA Kansas;
- Specify the four parents should be appointed with an effort to provide statewide representation, if possible;
- Restore the member identified as a non-profit service provider for children diagnosed with dyslexia, which the Senate had removed; and
- Make the member appointed by the Disability Rights Center of Kansas an *ex officio* member.

Finally, the Conference Committee agreed to revise the schedule for the Task Force so the Task Force's work would be completed by January 2, 2019, instead of November 1, 2018, and the report would be prepared and submitted by January 30, 2019, instead of December 1, 2018.

Background

The bill, as introduced, would have required the KSBE to develop rules and regulations for the appropriate screening of students for dyslexia and related disorders on or before July 1, 2019, and for each school district to conduct appropriate screenings of students for dyslexia and related disorders in accordance with guidance promulgated by the KSBE beginning in school year 2019-2020.

The bill was introduced by Representatives Brim and Cox. In the House Committee on Education hearing, a parent, a speech-language therapist and literacy specialist, and a representative of Dyslexia Help KC, LLC, appeared as proponents of the bill. Representatives Brim and Cox also addressed the Committee in response to Committee questions. Representative Schroeder, a representative of Cradle to Career Literacy Center, numerous parents, and a student offered written-only proponent testimony.

Representatives of the Holton Special Education Cooperative, Kansas Association of School Boards (KASB), KASEA, and USA Kansas appeared as opponents of the bill. The assistant superintendent of USD 353, Wellington, and the superintendent and director of special education of USD 282, West Elk, provided written-only opponent testimony. The KNEA provided neutral testimony.

The House Committee adopted a substitute bill establishing the Legislative Task Force on Dyslexia.

The House Committee of the Whole amended the bill to add two members to the Task Force:

- One Senate member appointed by the Senate Majority Leader; and
- One House member appointed by the House Majority Leader.

The House Committee of the Whole also amended the bill to specify who would appoint the following Task Force members:

- A professor employed by a state educational institution with specialized expertise in effective evidence-based reading practices for dyslexia;

- A licensed psychologist or speech-language pathologist who diagnoses dyslexia as a part of such person's practice; and
- A member identified as a nonprofit service provider for children diagnosed with dyslexia.

[*Note:* The Conference Committee revised the Task Force membership.]

In the Senate Committee on Education hearing, several parents and students and representatives of Decoding Dyslexia, Johnson County; Disability Rights Center of Kansas; Family Service and Guidance Center; KNEA; and Pittsburg State University's Center for Research, Evaluation, and Awareness of Dyslexia appeared in support of the bill. Additionally, numerous parents and students and representatives of Decoding Dyslexia; Fundamental Learning Center; Speech Ability LLC; USD 233; and USD 313 provided written-only proponent testimony. The director of Reading Recovery at Emporia State University (ESU) appeared as an opponent of the bill. The dean of the ESU Teacher's College provided written-only opponent testimony. A representative of the KASB, KASEA, Kansas School Superintendent's Association, and USA Kansas provided neutral testimony. A representative of KASEA provide written-only neutral testimony.

The Senate Committee renamed the Task Force the Legislative Task Force on Dyslexia and Other Reading Comprehension Impairments and added "reading comprehension impairments" throughout the bill to reflect this change. [*Note:* The Conference Committee did not retain these amendments.]

The Senate Committee also modified the Task Force's membership by:

- Reducing the number of legislator members from six to two and the number of KSBE appointees from two to one;
- Clarifying KSBE's appointee would be a KSBE member and also the chairperson of the Task Force;
- Adding elementary and middle school teachers and reading specialists, a member appointed by the Disability Rights Center of Kansas, and two attorney members, who would be non-voting, *ex officio* members; and
- Removing a member identified as a non-profit service provider for children diagnosed with dyslexia.

[*Note:* The Conference Committee further revised the Task Force membership.]

Finally, the Senate Committee adopted an amendment to require the staff of the Office of Revisor of Statutes, the Legislative Research Department, and the Division of Legislative Administrative Services to provide assistance as requested. [*Note:* The Conference Committee retained this amendment.]

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Education indicates enactment of the bill would not change state aid expenditures to school districts; however, any costs resulting from the bill would be borne by school districts. Any fiscal effect associated with enactment of the original bill is not reflected in *The FY 2019 Governor's Budget Report*.

According to information provided by Legislative Administrative Services, the substitute bill, as amended by the House Committee of the Whole, could result in expenditures of \$39,634 if the Legislative Coordinating Council approves the Task Force to meet six days.

Legislative Task Force on Dyslexia; education

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