1	ENROLLED
2	COMMITTEE SUBSTITUTE
3	FOR
4	н. в. 4608
5 6	(By Delegates Barrett, Lawrence, Young, Tomblin and Campbell)
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8	[Passed March 8, 2014; in effect ninety days from passage.]
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10	AN ACT to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated \$18-20-10, relating
12	to defining dyslexia and dyscalculia; state board
13	responsibilities; and specifying legislative findings.
14	Be it enacted by the Legislature of West Virginia:
15	That the Code of West Virginia, 1931, as amended, be amended
16	by adding thereto a new section, designated §18-20-10, to read as
17	follows:
18	ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.
19	§18-20-10. Dyslexia and dyscalculia defined.
20	(a) The Legislature finds as follows:
21	(1) Reading difficulties are the most common cause of academic
22	failure and underachievement;
23	(2) There are many students who demonstrate significant

weaknesses with reading, writing and mathematics that are the root

- causes of specific learning disabilities, including dyslexia,
 dyscalculia and related learning difficulties. Of those who are
 referred to special education services in public schools, the
 majority are referred because of problems with language, reading,
- 5 writing, or a combination of each; 6 (3) Teaching reading effect

- (3) Teaching reading effectively, especially to students experiencing difficulty, requires considerable knowledge and skill. Informed and effective classroom instruction, especially in the early grades, can prevent and relieve the severity of language difficulties, and significantly improve literacy development;
- (4) For those students with specific learning disabilities, including dyslexia and dyscalculia, who need specialized instruction, competent intervention can lessen the impact of the disorder and help the student overcome the most debilitating symptoms;
- (5) While programs for specific learning disabilities, including dyslexia and dyscalculia, that certify or support teachers, clinicians or specialists differ in their preparation methodologies, teaching approaches and organizational purposes, they should ascribe to a common set of professional standards for the benefit of the students they serve. Compliance with such standards can assure the public that individuals who serve students with specific learning disabilities in public schools are prepared to implement scientifically based and clinically proven practices;

(6) The American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), and the federal Individuals with Disabilities Education and Improvement Act of 2004 (IDEA) offer widely-adopted and consistent standards to guide the preparation, certification and professional development for teachers of reading and related literacy skills in classroom, remedial and clinical settings; and

- (7) The basis of ascribing to common standards to benefit students with specific learning disabilities, including dyslexia and dyscalculia, requires recognizing common characteristics of the disabilities. The Legislature finds that the definitions of dyslexia and dyscalculia prescribed by IDEA and DSM-5 are the appropriate measure for recognizing characteristics of dyslexia and dyscalculia in students.
- 15 (b) The Legislature recognizes the following regarding dyslexia and dyscalculia:
 - (1) Dyslexia and dyscalculia are conditions that may be considered under the specific learning disability category, and their definitions are consistent with IDEA and state board policy. State board policy provides that "specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical

- 1 calculations, including conditions such as perceptual disabilities,
- 2 brain injury, minimal brain dysfunction, dyslexia and developmental
- 3 aphasia;
- 4 (2) Dyslexia is an alternative term used to refer to a pattern
- of learning difficulties characterized by problems with accurate or
- 6 fluent word recognition, poor decoding, and poor spelling
- 7 abilities. If dyslexia is used to specify this particular pattern
- 8 of difficulties, it is important also to specify any additional
- 9 difficulties that are present, such as difficulties with reading
- 10 comprehension or math reasoning; and
- 11 (3) Dyscalculia is an alternative term used to refer to a
- 12 pattern of learning difficulties characterized by problems
- 13 processing numerical information, learning arithmetic facts, and
- 14 performing accurate or fluent calculations. If dyscalculia is used
- 15 to specify this particular pattern of mathematic difficulties, it
- is important also to specify any additional difficulties that are
- present, such as difficulties with math reasoning or word reasoning
- 18 accuracy.
- 19 (c) The state board is responsible for the following:
- 20 (1) Ensuring that all students receive the necessary and
- 21 appropriate screenings, evaluations and early assessments for
- 22 specific learning disabilities, including dyslexia and dyscalculia;
- 23 (2) Ensuring that any Individualized Education Program
- 24 regarding specific learning disabilities, including dyslexia or

- dyscalculia, which is developed or implemented, is consistent with the provisions of this section; and
- 3 (3) Providing ongoing information and education to parents 4 regarding specific learning disabilities, including dyslexia and 5 dyscalculia, and the services available to students with such 6 disabilities.