

HB 4608

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2014



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4608

(By Delegates Barrett, Lawrence,
Young, Tomblin and Campbell)



Passed March 8, 2014

In effect ninety days from passage.

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H. B. 4608

(BY DELEGATES BARRETT, LAWRENCE, YOUNG,
TOMBLIN AND CAMPBELL)

[Passed March 8, 2014; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-20-10, relating to defining dyslexia and dyscalculia; state board responsibilities; and specifying legislative findings.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-20-10, to read as follows:

ED 113

PA 5 9 ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-10. Dyslexia and dyscalculia defined.

APPROPRIATE
STATE

1. (a) The Legislature finds as follows:

2 (1) Reading difficulties are the most common cause of
3 academic failure and underachievement;

4 (2) There are many students who demonstrate significant
5 weaknesses with reading, writing and mathematics that are the
6 root causes of specific learning disabilities, including dyslexia,
7 dyscalculia and related learning difficulties. Of those who are
8 referred to special education services in public schools, the
9 majority are referred because of problems with language,
10 reading, writing, or a combination of each;

11 (3) Teaching reading effectively, especially to students
12 experiencing difficulty, requires considerable knowledge and
13 skill. Informed and effective classroom instruction, especially in
14 the early grades, can prevent and relieve the severity of language
15 difficulties, and significantly improve literacy development;

16 (4) For those students with specific learning disabilities,
17 including dyslexia and dyscalculia, who need specialized
18 instruction, competent intervention can lessen the impact of the
19 disorder and help the student overcome the most debilitating
20 symptoms;

21 (5) While programs for specific learning disabilities,
22 including dyslexia and dyscalculia, that certify or support
23 teachers, clinicians or specialists differ in their preparation
24 methodologies, teaching approaches and organizational
25 purposes, they should ascribe to a common set of professional
26 standards for the benefit of the students they serve. Compliance
27 with such standards can assure the public that individuals who
28 serve students with specific learning disabilities in public
29 schools are prepared to implement scientifically based and
30 clinically proven practices;

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

38 (7) The basis of ascribing to common standards to benefit
39 students with specific learning disabilities, including dyslexia
40 and dyscalculia, requires recognizing common characteristics of
41 the disabilities. The Legislature finds that the definitions of
42 dyslexia and dyscalculia prescribed by IDEA and DSM-5 are the
43 appropriate measure for recognizing characteristics of dyslexia
44 and dyscalculia in students.

45 (b) The Legislature recognizes the following regarding
46 dyslexia and dyscalculia:

47 (1) Dyslexia and dyscalculia are conditions that may be
48 considered under the specific learning disability category, and
49 their definitions are consistent with IDEA and state board policy.
50 State board policy provides that “specific learning disability”
51 means a disorder in one or more of the basic psychological
52 processes involved in understanding or in using language,
53 spoken or written, that may manifest itself in the imperfect
54 ability to listen, think, speak, read, write, spell, or to do
55 mathematical calculations, including conditions such as
56 perceptual disabilities, brain injury, minimal brain dysfunction,
57 dyslexia and developmental aphasia;

58 (2) Dyslexia is an alternative term used to refer to a pattern
59 of learning difficulties characterized by problems with accurate
60 or fluent word recognition, poor decoding, and poor spelling
61 abilities. If dyslexia is used to specify this particular pattern of
62 difficulties, it is important also to specify any additional
63 difficulties that are present, such as difficulties with reading
64 comprehension or math reasoning; and

65 (3) Dyscalculia is an alternative term used to refer to a
66 pattern of learning difficulties characterized by problems
67 processing numerical information, learning arithmetic facts, and
68 performing accurate or fluent calculations. If dyscalculia is used
69 to specify this particular pattern of mathematic difficulties, it is
70 important also to specify any additional difficulties that are
71 present, such as difficulties with math reasoning or word
72 reasoning accuracy.

73 (c) The state board is responsible for the following:

74 (1) Ensuring that all students receive the necessary and
75 appropriate screenings, evaluations and early assessments for
76 specific learning disabilities, including dyslexia and dyscalculia;

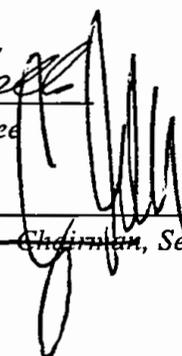
77 (2) Ensuring that any Individualized Education Program
78 regarding specific learning disabilities, including dyslexia or
79 dyscalculia, which is developed or implemented, is consistent
80 with the provisions of this section; and

81 (3) Providing ongoing information and education to parents
82 regarding specific learning disabilities, including dyslexia and
83 dyscalculia, and the services available to students with such
84 disabilities.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



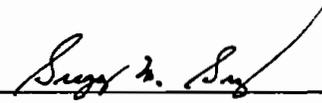
Chairman, House Committee



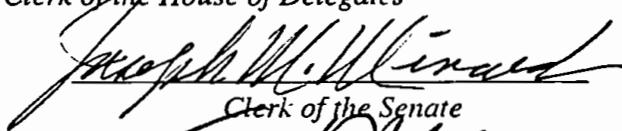
~~Member~~ Chairman, Senate Committee

Originating in the House.

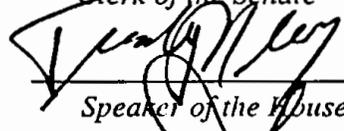
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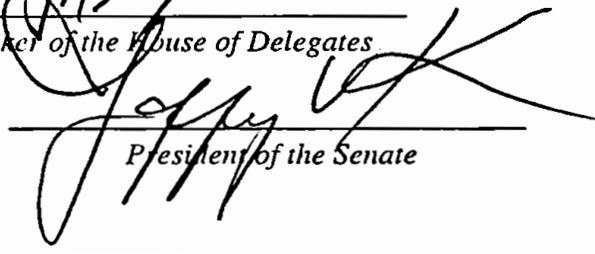
Clerk of the House of Delegates



Clerk of the Senate



Speaker of the House of Delegates



President of the Senate

The within is approved this the 15
day of April, 2014.



Governor

PRESENTED TO THE GOVERNOR

100328254

Time 10:45 pm