

2017 Legislative Updates

Here are updates extracted from the Special Session 2017 K-12 Education Finance Omnibus bill [HF2](#) that was signed by Governor Dayton on May 20, 2017.

Key: new language is underlined

[Session Law Chapter 5](#) -- [HF 2](#) (has line numbers to find specific language)

ARTICLE 2 - EDUCATOR EXCELLENCE

Sec. 8. (Starting on Line 23.3 of HF2)

[120B.122] DYSLEXIA SPECIALIST.

Subdivision 1. Purpose. The department must employ a dyslexia specialist to provide technical assistance for dyslexia and related disorders and to serve as the primary source of information and support for schools in addressing the needs of students with dyslexia and related disorders. The dyslexia specialist shall also act to increase professional awareness and instructional competencies to meet the educational needs of students with dyslexia or identified with risk characteristics associated with dyslexia and shall develop implementation guidance and make recommendations to the commissioner consistent with section 122A.06, subdivision 4, to be used to assist general education teachers and special education teachers to recognize educational needs and to improve literacy outcomes for students with dyslexia or identified with risk characteristics associated with dyslexia, including recommendations related to increasing the availability of online and asynchronous professional development programs and materials.

Subd. 2. Definition. For purposes of this section, a "dyslexia specialist" means a dyslexia therapist, licensed psychologist, licensed speech-language pathologist, or certified dyslexia training specialist who has a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

Subd. 3. Requirements. A dyslexia specialist shall be highly trained in dyslexia and related disorders and in using interventions and treatments that are evidence-based, multisensory, direct, explicit, structured, and sequential in the areas of phonics, phonemic awareness, vocabulary, fluency, and comprehension.

OTHER IMPORTANT LANGUAGE FOR STRUGGLING READERS:

(Starting on Line 21.14 of HF2)

Sec. 5. Minnesota Statutes 2016, section 120B.12, subdivision 2, is amended to read:

Subd. 2. Identification; report. (a) Each school district shall identify before the end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before the end of the current school year and shall identify students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher. Reading assessments in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive assessment and annually report summary assessment results to the commissioner by July 1. The district also must annually report to the commissioner by July 1 a summary of the district's efforts to screen and identify students with:

- (1) dyslexia, using screening tools such as those recommended by the department's dyslexia and literacy specialist; or
 - (2) convergence insufficiency disorder to the commissioner by July 1.
- (b) A student identified under this subdivision must be provided with alternate instruction under section **125A.56, subdivision 1**.

(Starting on Line 22.12 of HF2)

Sec. 7 Minnesota Statutes 2016, section 120B.12, subdivision 3, is amended to read:

Subd. 3. Intervention. (Starting on Line 22.12 of HF2)

(a) For each student identified under subdivision 2, the district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the district must continue to provide reading intervention until the student reads at grade level. District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections.

(b) A school district or charter school is strongly encouraged to provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the

student's parent or guardian. The personal learning plan must address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, periodic assessments, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

(starting on Line 60.10 of HF2)

Sec. 43. Minnesota Statutes 2016, section 125A.56, subdivision 1, is amended to read:

Subdivision 1. Requirement. (a) Before a pupil is referred for a special education evaluation, the district must conduct and document at least two instructional strategies, alternatives, or interventions using a system of scientific, research-based instruction and intervention in academics or behavior, based on the pupil's needs, while the pupil is in the regular classroom. The pupil's teacher must document the results. A special education evaluation team may waive this requirement when it determines the pupil's need for the evaluation is urgent. This section may not be used to deny a pupil's right to a special education evaluation.

(b) A school district shall use alternative intervention services, including the assurance of mastery program under section **124D.66**, or an early intervening services program under subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional strategies or interventions.

(c) A student identified as being unable to read at grade level under section **120B.12**, subdivision 2, paragraph (a), must be provided with alternate instruction under this subdivision that is multisensory, systematic, sequential, cumulative, and explicit.

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Links to the current 2016 statutes:

<https://www.revisor.mn.gov/statutes/?id=120B.12>

<https://www.revisor.mn.gov/statutes/?id=125A.56#stat.125A.56.1>