

LFC Requester:	Sunny Liu
----------------	-----------

**AGENCY BILL ANALYSIS
2019 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: Date 2/4/19
Original Amendment _____ Bill No: SB398
Correction Substitute _____

Sponsor: Sen. Mimi Stewart Agency Code: 924
Short DYSLEXIC STUDENT Person Writing Daniel Manzano
Title: EARLY INTERVENTIONS Phone: 505-670-3820 Email Daniel.Manzano@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: All first graders must be screened for dyslexia and if their screening demonstrated characteristics, the shall receive appropriate classroom interventions or be referred to the Student Assistance team

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

The additional time for staff to screen for dyslexia outside of the Student Assistance Team would be needed, this implies one on one screening. Additional time needs to be set aside for several trainings. This would need to add to current contract for the PD so that teachers are not removed from the classroom.

The screening tool itself will cost the district resources.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

This is a bill that reflects this is a special education issue. The core of this bill lies with general education and is embedded into the Special Education. Special Education addresses it after identification. There is a need for funding for training, screening tools, and time for all teachers. This bill does not represent the need to support students at the secondary level. This entire group of students is not included and we do identify at the secondary level and student need additional supports. Higher education should provide teachers with these skills prior to employment with districts.

P2.section 6-7. This section does not align with the Federal definition. It should read that there are thirteen categories of disabilities: autism, deafness, deaf-blindness, hearing impairment, intellectual disability, multiple disability, orthopedic impairment, other health impairment, serious emotional disturbance, specific learning disability, speech language impairment, traumatic brain injury, and visual impairment, including blindness. Individuals with Disabilities Education Act (IDEA), Part B regulations at 34 CFR Sec. 300.8. In New Mexico: Developmental delay is considered a disability under special education for children ages three (3) to nine (9). According to Subsection B (18) of 6.31.27 New Mexico Administrative Code (NMAC). (NMAC), Special Education in New Mexico may include speech-

language pathology services.

p. 2 sec 17.

This definition is in conflict with Subsection B of 6.31.2.7 NMAC, defines dyslexia as “a condition of neurological origin that is characterized by difficulty with accurate or fluent word recognition and by poor spelling and decoding abilities, which characteristics typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction and may result in problems in reading comprehension and reduced reading experience that may impede the growth of vocabulary and background knowledge.”

P.3 sec17 The word all implies that every student must be screened whether there demonstrated the characteristic or not.

P.3 sec 19-21 The bill lacks a definition of what a dyslexia screening is. It is already taken into account when a student leave is refereed for a formal evaluation. Sec 22 There is already a process within Tier I as well as the reference for concern within Tier II referral for SAT is already in place. The word who contradicts the screening process. Sec.24 Teachers are already providing based on the Tier I/II interventions.

p.4 sec 4 This word change does align with current practices

p.4 sec. 7-25 continued p.5 sec1 This implies that the general education teacher will be solely responsible and not move through the SAT process. This could cause a delay in referral to Special Education.

p.5 sec 2-10 The credentialed teachers preparation provider is not a current licensed person. This is not a current license. Is this in teacher preparation program? This language exclude secondary teachers who may have students enter into their classrooms. SAT is k-12.

p.5 sec 12-13 The language for school administrator and evidence base would require additional training. Evidence based is aligned with your current work at PED. It doesn't define what teachers would need to receive this training.

p.5 sec 22 There is no definition for structured literacy training. Does this align with the PD that is bring requested?

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

It adds training that is already imbedded 6.31.2.7 B (6) (b).

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The training for teachers and school administrators who teach reading is already a part of the regulation. This was omitted from the amendment.

6.31.2.7 DEFINITIONS:

A. Terms defined by federal laws and regulations. All terms defined in the following federal laws and regulations and any other federally defined terms that are incorporated there by reference are incorporated here for purposes of these rules.

B. The following terms shall have the following meanings for purposes of these rules.

(6) "Dyslexia" means a condition of neurological origin that is characterized by difficulty with accurate or fluent word recognition and by poor spelling and decoding abilities, which characteristics typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction and may result in problems in reading comprehension and reduced reading experience that may impede the growth of vocabulary and

background knowledge.

(b) Each public agency and charter school shall train their school administrators and teachers who teach reading to implement appropriate research-based reading interventions prior to referring the student for a special education evaluation and shall train their special education teachers to provide appropriate specialized reading instruction for students with dyslexia who have been identified as eligible for special education services.

TECHNICAL ISSUES

No clear definition of tool. Could be online?

OTHER SUBSTANTIVE ISSUES

There is a Student Assistance Team at every school that is already in place.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None

AMENDMENTS