

**2023 HOUSE EDUCATION**

**HB 1231**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
1/18/2023

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report

2:47 PM

**Chairman Heinert** opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

## **Discussion Topics:**

- Dyslexia program information
- Program cost
- LETRS training
- Funding limitations

**Representative Michelle Strinden** Bill Sponsor Support #14082

**Chrysta Schenck** Northern Cass School District Support #14234

**Rachel Richtsmeier** Northern Cass Data Performance Strategist Support #14236

**Kayla Effertz Kleven** Support #14242 #14243

**Alysia Budd** Inspiring Minds Center Support #14256

**Aimee Copas** Executive Director ND CEL Opposition #14248

**Lea Kugel** Asst Director Office of Specially Designed Services NDDPI Support #14284

## **Additional written testimony:**

**#14086 #14187 #14205 #14361 #20693**

Closed hearing 4:04 PM

*Kathleen Davis, Committee Clerk*

*By Bev Monroe*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

HB 1231  
2/14/2023

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
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3:47 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

### Discussion Topics:

- Committee action

Lea Kugal, Special Education Regional Coordinator, DPI, oral testimony

Rep Schreiber-Beck moved to adopt amendment 23.0362.03002 to HB 1231. #20774, 20775

Seconded by Rep Jonas. Voice vote, motion carried.

Rep. Schreiber-Beck moved a Do Pass as Amended, seconded by Rep Jonas.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Matt Heilman	N
Representative Jeff A. Hoverson	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	AB
Representative Anna S. Novak	Y
Representative Kelby Timmons	N

**10-3-1 Motion carried. Rep Jonas is carrier.**

4:06 PM Chairman Heinert closed the meeting.

*Kathleen Davis, Committee Clerk*

2A  
2-14-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1231

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to teacher license requirements for reading instruction competency; to"

Page 1, line 1, replace "sections 15.1-32-25 and" with "section"

Page 1, line 2, remove "mandatory dyslexia screening and"

Page 1, line 3, replace "and" with "to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a legislative management study;"

Page 1, line 3, after "report" insert "; and to provide an effective date"

Page 1, replace lines 5 through 12 with:

"**SECTION 1.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A kindergarten through grade three initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

8A  
2-14-23

Page 1, line 18, overstrike "neurological" and insert immediately thereafter "neurobiological"

Page 1, line 22, after "dyslexia" insert "characteristics"

Page 2, line 3, after the semicolon insert "and"

Page 2, line 4, overstrike "Is fluent in the dyslexia intervention process; and"

Page 2, line 5, overstrike "(3)"

Page 2, line 5, after "dyslexia" insert "characteristics and intervention processes from an approved provider on a list maintained by the superintendent of public instruction"

Page 2, line 7, overstrike "operate a"

Page 2, line 8, overstrike "program to"

Page 2, line 9, after "dyslexia" insert "characteristics"

Page 2, line 12, remove "and"

Page 2, line 12, overstrike "special education unit"

Page 2, line 24, remove "Provide screening for low phonemic awareness and other dyslexia"

Page 2, line 25, replace "risk factors for" with "For enrolled"

Page 2, line 25, remove "under"

Page 2, line 25, replace "which must be provided" with "and younger, provide a universal screening for dyslexia including core components of phonemic awareness, decoding, and spelling, which must be approved by the superintendent of public instruction and which must be developed and overseen"

Page 2, line 25, replace "staff" with "a specialist"

Page 2, line 26, replace "and multisensory structured language programs" with "characteristics"

Page 3, line 5, replace "appropriate" with "kindergarten through grade three"

Page 3, line 6, after "unit" insert ". Professional development must meet the requirements for continuing education credits for license renewal"

Page 3, after line 6, insert:

"4. A school district or special education unit shall provide an assessment under subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher."

Page 3, line 11, remove "regarding"

Page 3, line 12, overstrike the first "the"

Page 3, line 12, overstrike "program"

Page 3, line 12, after "year" insert "regarding dyslexia screening and intervention under this section"

Page 3, after line 12, insert:

**"SECTION 3. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

44  
2-14-23

**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA - STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related teacher training. The study must include a review of the pilot program established under section 15.1-32-36. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1, 2025."

Renumber accordingly

13

**REPORT OF STANDING COMMITTEE**

**HB 1231: Education Committee (Rep. Heinert, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1231 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to teacher license requirements for reading instruction competency; to"

Page 1, line 1, replace "sections 15.1-32-25 and" with "section"

Page 1, line 2, remove "mandatory dyslexia screening and"

Page 1, line 3, replace "and" with "to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a legislative management study;"

Page 1, line 3, after "report" insert "; and to provide an effective date"

Page 1, replace lines 5 through 12 with:

**"SECTION 1.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A kindergarten through grade three initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

Page 1, line 18, overstrike "neurological" and insert immediately thereafter "neurobiological"

Page 1, line 22, after "dyslexia" insert "characteristics"

Page 2, line 3, after the semicolon insert "and"

Page 2, line 4, overstrike "Is fluent in the dyslexia intervention process; and"

Page 2, line 5, overstrike "(3)"

Page 2, line 5, after "dyslexia" insert "characteristics and intervention processes from an approved provider on a list maintained by the superintendent of public instruction"

Page 2, line 7, overstrike "operate a"

Page 2, line 8, overstrike "program to"

Page 2, line 9, after "dyslexia" insert "characteristics"

Page 2, line 12, remove "and"

Page 2, line 12, overstrike "special education unit"

Page 2, line 24, remove "Provide screening for low phonemic awareness and other dyslexia"

Page 2, line 25, replace "risk factors for" with "For enrolled"

Page 2, line 25, remove "under"

Page 2, line 25, replace "which must be provided" with "and younger, provide a universal screening for dyslexia including core components of phonemic awareness, decoding, and spelling, which must be approved by the superintendent of public instruction and which must be developed and overseen"

Page 2, line 25, replace "staff" with "a specialist"

Page 2, line 26, replace "and multisensory structured language programs" with "characteristics"

Page 3, line 5, replace "appropriate" with "kindergarten through grade three"

Page 3, line 6, after "unit" insert ". Professional development must meet the requirements for continuing education credits for license renewal"

Page 3, after line 6, insert:

"4. A school district or special education unit shall provide an assessment under subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher."

Page 3, line 11, remove "regarding"

Page 3, line 12, overstrike the first "the"

Page 3, line 12, overstrike "program"

Page 3, line 12, after "year" insert "regarding dyslexia screening and intervention under this section"

Page 3, after line 12, insert:

**"SECTION 3. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.



**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA - STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related teacher training. The study must include a review of the pilot program established under section 15.1-32-36. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1, 2025."

Renumber accordingly

**2023 SENATE EDUCATION**

**HB 1231**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1231  
3/7/2023

Relating to teacher license requirements for reading instruction competency; relating to the dyslexia screening and intervention program; relating to mandatory dyslexia screening; provide for a legislative management study; provide for a legislative management report; provide an effective date.

9:00 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

## **Discussion Topics:**

- Importance of reading
- Rural schools' specialists
- Proper diagnosis
- Pilot schools

Rep Strinden, Dist 41, bill sponsor testified in support #22413.

Brenda Ehrmantraut, Academic Support, Dept Public Instruction, testified neutral #22530.

Kerri Whipple, SE Education Cooperative, testified via TEAMS in support #22034, #22415.

Justine Gibbon, Kindred School, Title 1, testified via TEAMS in support #22443.

Sarah Robinson, UND pilot program, testified via TEAMS in support #22448.

Kari Bucholz, Haley's Hope School, testified via TEAMS in support #22433, #22432.

Rebecca Pitkin, Dir ND Education Standards/Practices testified in support #22175.

Kayla Effertz Kleven, mother, testified in support #22661.

Rep Timmons, Dist 26, testified opposed and brought amendments. #22668.

Leslie Bieber, Alexander School, testified via TEAMS opposed #22438.

Dr. Aimee Copas, ND Council Education Leaders, testified opposed #22497, #22496.

## **Additional written testimony:**

Rachel Richtsmeier, Hunter, ND, in support #22507.

Alannah Valenta, ND Assoc of Psychologists, N Cass School, neutral #22044

10:24 AM Chair Elkin closed the hearing.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1231  
3/27/2023

Relating to the dyslexia screening and intervention program; relating to mandatory dyslexia screening; provide for a legislative management study; provide for a legislative management report; provide an effective date.
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3:20 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

## **Discussion Topics:**

- Bill review
- Western schools
- Rural electric associations

Sen Beard brought amendment 23.0362.04003 #26838.

Dr. Aimee Copas, ND Council Education Leaders answered a question. No written testimony.

Ann Ellefson, Dept Public instruction, Academic/Support explained pilot program. No written testimony.

4:07 PM Chair Elkin adjourned the meeting.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

HB 1231  
3/28/2023

Relating to teacher license requirements for reading instruction competency; relating to the dyslexia screening and intervention program; relating to mandatory dyslexia screening; provide for a legislative management study; provide for a legislative management report, provide an effective date.
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2:30 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

### Discussion Topics:

- Committee action
- Bill review
- ND Century Code Title 15 15.1
- K-12 Coordination Council duties

Sen Axtman explained version 23.0362.04002. #26932

Ann Ellefson, Dept Public Instruction provided information for the committee

Sen Beard explained version 23.0362.04004 #26911.

Dr Aimee Copas, ND Council Educational Leaders explained K-12 Coordination Council.

Alexis Baxley, School Boards Assoc. was asked forward by Chair Elkin.

Sen Conley moved amendment 23.0362.04004 #26911.

Sen Lemm seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	N
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES -5 NO – 1 Absent – 0

Motion PASSED

Sen Conley moved a DO PASS as Amended.

Sen Lemm seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES 6 NO – 0 Absent – 0 Motion PASSED

Senator Elkin will carry the bill.

3:45 PM Chair Elkin adjourned the meeting.

*Pam Dever, Committee Clerk*

March 28, 2023

DR  
182  
3-28-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

- Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"
- Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"
- Page 1, line 3, replace "section" with "sections 15.1-32-25 and"
- Page 1, line 3, remove the second "the"
- Page 1, line 4, remove "program; to repeal section 15.1-32-25 of the North Dakota"
- Page 1, line 5, remove "Century Code, relating to mandatory dyslexia screening"
- Page 1, line 6, after the first semicolon insert "and"
- Page 1, line 6, remove "; and to provide an effective"
- Page 1, line 7, remove "date"
- Page 1, remove lines 9 through 22
- Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-25. ReadingDyslexia screening.**

Each public elementary school shall ~~include in the developing and processing of assessments and screening of reading, administer universal screening for dyslexia which includes the core components of phonetic awareness, decoding, and spelling and which is approved by the superintendent of public instruction.~~ administer universal screening for dyslexia which includes the core components of phonetic awareness, decoding, and spelling and which is approved by the superintendent of public instruction. The screening also must be offered if requested by a parent, legal guardian, or teacher."

- Page 2, line 25, remove "from an approved provider on a list maintained by the"
- Page 2, line 26, remove "superintendent of public instruction"
- Page 2, line 28, remove the overstrike over "operate-a"
- Page 2, line 29, remove the overstrike over "program to"
- Page 3, line 2, after "or" insert "and"
- Page 3, line 2, remove the overstrike over "special education unit"
- Page 3, line 12, remove the overstrike over "Provide low phonemic awareness and other dyslexia risk factor screenings for"
- Page 3, line 13, remove the overstrike over "children under seven years of age"
- Page 3, line 14, remove the overstrike over the overstruck semicolon

DR  
2/2  
3-28-03

Page 3, line 14, remove "For enrolled children seven years of age and younger, provide a"

Page 3, remove lines 15 through 18

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, replace "kindergarten through grade three" with "appropriate"

Page 3, line 28, remove ". Professional development must"

Page 3, line 29, remove "meet the requirements for continuing education credits for license renewal"

Page 3, line 30, remove "A school district or special education unit shall provide an assessment under"

Page 3, remove line 31

Page 4, line 1, overstrike "5."

Page 4, line 6, remove "dyslexia screening and"

Page 4, line 7, replace "intervention under this section" with "the program"

Page 4, remove line 8

Page 4, line 11, after "studying" insert "all"

Page 4, line 12, after "include" insert "a statutory review completed by a task force comprised of the kindergarten through grade twelve education coordination council or a subcommittee designated by the kindergarten through grade twelve education coordination council, including representative teachers, administrators, and college preparatory program administrators. The study also must include"

Page 4, remove lines 16 and 17

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**HB 1231, as engrossed: Education Committee (Sen. Elkin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1231 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-32-25 and"

Page 1, line 3, remove the second "the"

Page 1, line 4, remove "program; to repeal section 15.1-32-25 of the North Dakota"

Page 1, line 5, remove "Century Code, relating to mandatory dyslexia screening"

Page 1, line 6, after the first semicolon insert "and"

Page 1, line 6, remove "; and to provide an effective"

Page 1, line 7, remove "date"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-25. ReadingDyslexia screening.**

Each public elementary school shall ~~include in the developing and processing of assessments and screening of reading, administer universal screening for dyslexia which includes~~ the core components of phonetic awareness, decoding, and spelling ~~and which is approved by the superintendent of public instruction.~~ The screening also must be offered if requested by a parent, legal guardian, or teacher."

Page 2, line 25, remove "~~from an approved provider on a list maintained by the~~"

Page 2, line 26, remove "~~superintendent of public instruction~~"

Page 2, line 28, remove the overstrike over "operate a"

Page 2, line 29, remove the overstrike over "program to"

Page 3, line 2, after "or" insert "and"

Page 3, line 2, remove the overstrike over "~~special education unit~~"

Page 3, line 12, remove the overstrike over "~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~"

Page 3, line 13, remove the overstrike over "~~children under seven years of age~~"

Page 3, line 14, remove the overstrike over the overstruck semicolon

Page 3, line 14, remove "For enrolled children seven years of age and younger, provide a"

Page 3, remove lines 15 through 18

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, replace "kindergarten through grade three" with "appropriate"

Page 3, line 28, remove ". Professional development must"

Page 3, line 29, remove "meet the requirements for continuing education credits for license renewal"

Page 3, line 30, remove "A school district or special education unit shall provide an assessment under"

Page 3, remove line 31

Page 4, line 1, overstrike "5."

Page 4, line 6, remove "dyslexia screening and"

Page 4, line 7, replace "intervention under this section" with "the program"

Page 4, remove line 8

Page 4, line 11, after "studying" insert "all"

Page 4, line 12, after "include" insert "a statutory review completed by a task force comprised of the kindergarten through grade twelve education coordination council or a subcommittee designated by the kindergarten through grade twelve education coordination council, including representative teachers, administrators, and college preparatory program administrators. The study also must include"

Page 4, remove lines 16 and 17

Renumber accordingly

**2023 CONFERENCE COMMITTEE**

**HB 1231**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
4/14/2023  
Conference Committee

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
---

9:00 AM Chairman Timmons opening the meeting.

Present: Representatives Timmons, Conmy and Jonas, Senators Beard, Wobbema and Lemm.

**Discussion Topics:**

- Dyslexia screening
- Small rural school mandates
- Western area schools
- K12 Council task force

The Senate explained their amendments.

9:04 AM meeting adjourned.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
4/17/2023  
Conference Committee

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
---

2:51 PM Chairman Timmons opening the meeting.

Present: Representatives Timmons, Conmy and Jonas, Senators Beard, Wobbema and Lemm.

**Discussion Topics:**

- Teacher licenses
- Teacher certifications

Rep Heinert, Strinden/Jonas Amendment 23.0362.04006, Testimony 27630, 27631  
Mari Riehl, Assistant Director, Educations Standards and Practices Board, Testimony  
27629

Chairmen will discuss amendments with Legislative Council.

3:03 PM meeting adjourned.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
4/19/2023

**Conference Committee**

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
---

11:00 AM Chairman Timmons opening the meeting.

Present: Representatives Timmons, Conmy and Jonas, Senators Beard, Wobbema and Lemm.

## **Discussion Topics:**

- Dyslexia
- Pilot program done
- Professional development
- Teacher training
- Amendment 23.0362.04006
- Hunt Institute
- Science of Reading
- Nationwide effort
- Early childhood and elementary
- K12 Council

Sen Todd Beard, Testimony 27707

Mari Riehl, Assistant Director, Educations Standards and Practices Board (ESPB),  
Testimony 27629

Rep Michelle Strinden, Strinden/Jonas Amendment 23.0362.04006, Testimony 27630,  
27631

Rep Pat Heinert, District 32, oral testimony

Brenda Ehrmantraut, ND DPI, called forward to answer questions

The Conference Committee discussed which version of the amendment they were working on. Senator Beard reviewed his proposed changes, Testimony 27707.

Senator Beard will meet with LC for new a new amendment and the committee will try to meet again in the afternoon.

11:30 AM meeting adjourned.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
4/19/2023

**Conference Committee**

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
---

2:30 PM Chairman Timmons opening the meeting.

Present: Representatives Timmons, Conmy and Jonas, Senators Beard, Wobbema and Lemm.

**Discussion Topics:**

- Committee action

The amendment was not ready at this time, and it was agreed to meet again today at 4:00 PM, Wednesday, 4/19/23.

2:32 PM meeting adjourned.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

HB 1231  
4/20/2023

**Conference Committee**

Relating to mandatory dyslexia screening and the dyslexia screening and intervention program; and to provide for a legislative report
---

10:00 AM Chairman Timmons opening the meeting.

Present: Representatives Timmons, Conmy and Jonas, Senators Beard, Wobbema and Lemm.

**Discussion Topics:**

- Task Force members
- K12 Council

Sen Todd Beard, Testimony 27717 and 27718  
Kirsten Baesler, ND Superintendent of Schools, DPI, oral testimony

Sen Beard moved the Senate recede from Senate amendments and further amend to Amendment 23.0362.04007, seconded by Sen Wobbema.

**6-0-0 Motion carried.**

Sen Beard moved a Do Pass as Amended on HB 1231, seconded by Rep Conmy.

**6-0-0 Motion carried.**

**Rep Jonas and Senator Beard are the carriers.**

10:11 AM meeting adjourned.

*Kathleen Davis, Committee Clerk*



April 19, 2023

AG  
4-20-23  
(1-5)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

That the Senate recede from its amendments as printed on pages 1679 and 1680 of the House Journal and pages 1430 and 1431 of the Senate Journal and that Engrossed House Bill No. 1231 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-02-04, 15.1-13-35.1, and"

Page 1, line 3, after "to" insert "the creation of a dyslexia and literacy task force, reading instruction competency for teacher licensure, and"

Page 1, line 5, remove "to provide for a legislative"

Page 1, line 6, remove "management study;"

Page 1, line 6, replace "effective" with "expiration"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-04. Superintendent of public instruction - Duties - Report.**  
**(Effective through June 30, 2023)**

The superintendent of public instruction:

1. ~~Shall supervise the provision of elementary and secondary education to the students of this state.~~
2. ~~Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.~~
3. ~~Shall supervise the development of course content standards.~~
4. ~~Shall supervise the assessment of students.~~
5. ~~Shall serve as an ex officio member of the board of university and school lands.~~
6. ~~Shall keep a complete record of all official acts and appeals.~~
7. ~~As appropriate, shall determine the outcome of appeals regarding education matters.~~

8. ~~Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~
9. ~~Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.~~
10. ~~Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.~~
11. ~~Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.~~
12. ~~Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.~~

AG  
4-20-23  
(2-5)

**Superintendent of public instruction – Duties. (Effective after June 30, 2023)**

The superintendent of public instruction:

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(3-5)
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  10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
  11. Shall appoint a task force in collaboration with the kindergarten through grade twelve education coordination council. The task force shall review all statutes in this code relating to literacy, dyslexia, and related teacher training and report the findings and recommendations of the task force, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-35.1. Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure who will be certified to be an early childhood or elementary teacher demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;

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4-20-23  
(4-5)
- f. How to assess student reading ability;-and
  - g. How to identify and correct reading difficulties;
  - h. Scientifically based, evidence-based, and research-based curricula; and
  - i. The use of systematic direct instruction to ensure all students obtain necessary early reading skills.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  3. ~~A prekindergarten through grade twelve and a secondary education~~An early childhood and elementary initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

Page 2, line 14, overstrike the colon

Page 2, line 15, overstrike "a. "Dyslexia"" and insert immediately thereafter ", "dyslexia""

Page 2, line 19, overstrike "b. "Specialist trained in dyslexia"

Page 2, line 19, remove "characteristics"

Page 2, line 19, overstrike "" means an individual who:"

Page 2, overstrike lines 20 and 21

Page 2, line 22, overstrike "and encoding and decoding skills;"

Page 2, line 22, remove "and"

Page 2, line 23, overstrike "(2)"

Page 2, line 24, overstrike "Has training in identifying dyslexia"

Page 2, line 24, remove "characteristics and intervention"

Page 2, remove line 25

Page 2, line 26, remove "superintendent of public instruction"

Page 2, line 26, overstrike the period

Page 2, line 29, replace the second "and" with "in"

Page 3, line 17, remove "and which must be developed and overseen"

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, after "interventions" insert "related to phonological and phonemic awareness, sound and symbol relationships, alphabet knowledge, rapid naming skills, and encoding and decoding skills."

Page 3, line 27, after "participants" insert "appropriate"

Page 3, line 28, replace "must" with "may"

Page 3, line 30, replace "an assessment" with "a universal screener"

Page 4, replace lines 9 through 17 with:

**"SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31, 2024, and after that date is ineffective."

Renumber accordingly

AG  
4-20-23  
(5-5)

**2023 HOUSE CONFERENCE COMMITTEE  
ROLL CALL VOTES**

HB 1231 as engrossed

**House Education Committee**

- Action Taken**
- HOUSE accede to Senate Amendments
  - HOUSE accede to Senate Amendments and further amend
  - SENATE recede from Senate amendments
  - SENATE recede from Senate amendments and amend as follows
  - Unable to agree, recommends that the committee be discharged, and a new committee be appointed

Motion Made by: Senator Beard                      Seconded by: Senator Wobbema

Representatives	4/19/23	4/20/23	Yes	No	Senators	4/19/23	4/20/23	Yes	No
	2:30 PM	10 AM				2:30 PM	10 AM		
Rep Timmons	✓	✓	✓		Sen Beard	✓	✓	✓	
Rep Conmy	✓	✓	✓		Sen Wobbema	✓	✓	✓	
Rep Jonas	✓	✓	✓		Sen Lemm	✓	✓	✓	
Total Rep. Vote			3		Total Senate Vote			3	

Vote Count            Yes: 6                      No: 0                      Absent: 0

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number 23.0362 . 04007 of amendment

LC Number 23.0362 . 06000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment:

Senate recedes from Senate amendments and further amends to 23.0362.04007

2023 HOUSE CONFERENCE COMMITTEE  
ROLL CALL VOTES

HB 1231 as engrossed

House Education Committee

- Action Taken  HOUSE accede to Senate Amendments  
 HOUSE accede to Senate Amendments and further amend  
 SENATE recede from Senate amendments  
 SENATE recede from Senate amendments and amend as follows
- Unable to agree, recommends that the committee be discharged, and a new committee be appointed

Motion Made by: Senator Beard Seconded by: Rep Conmy

Representatives	4/19/23	4/20/23	Yes	No		Senators	4/19/23	4/20/23	Yes	No
	2:30 PM	10 AM					2:30 PM	10 AM		
Rep Timmons	✓	✓	✓			Sen Beard	✓	✓	✓	
Rep Conmy	✓	✓	✓			Sen Wobbema	✓	✓	✓	
Rep Jonas	✓	✓	✓			Sen Lemm	✓	✓	✓	
Total Rep. Vote			3			Total Senate Vote			3	

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep Jonas Senate Carrier Sen Beard

LC Number 23.0362 . 04007 of amendment

LC Number 23.0362 . 06000 of engrossment

Emergency clause added or deleted

Statement of purpose:

Do Pass as Amended on HB 1231

**REPORT OF CONFERENCE COMMITTEE**

**HB 1231, as engrossed:** Your conference committee (Sens. Beard, Wobbema, Lemm and Reps. Timmons, Conmy, Jonas) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1679-1680, adopt amendments as follows, and place HB 1231 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1679 and 1680 of the House Journal and pages 1430 and 1431 of the Senate Journal and that Engrossed House Bill No. 1231 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-02-04, 15.1-13-35.1, and"

Page 1, line 3, after "to" insert "the creation of a dyslexia and literacy task force, reading instruction competency for teacher licensure, and"

Page 1, line 5, remove "to provide for a legislative"

Page 1, line 6, remove "management study;"

Page 1, line 6, replace "effective" with "expiration"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-04. Superintendent of public instruction - Duties - Report.  
(Effective through June 30, 2023)**

The superintendent of public instruction:

- ~~1. Shall supervise the provision of elementary and secondary education to the students of this state.~~
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- ~~3. Shall supervise the development of course content standards.~~
- ~~4. Shall supervise the assessment of students.~~
- ~~5. Shall serve as an ex officio member of the board of university and school lands.~~
- ~~6. Shall keep a complete record of all official acts and appeals.~~
- ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~
- ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state~~



~~board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~

- ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.~~
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- ~~12. Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.~~

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  - f. How to assess student reading ability; ~~and~~
  - g. How to identify and correct reading difficulties;
  - h. Scientifically based, evidence-based, and research-based curricula; and

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Renumber accordingly

Engrossed HB 1231 was placed on the Seventh order of business on the calendar.

**TESTIMONY**

**HB 1231**

HB 1231 Dyslexia Early Screening and Intervention

Rep Michelle Strinden

Wednesday, Jan 18<sup>th</sup> 2023

Good Afternoon, Chair Heinert and members of the House Education Committee,

For the record my name is Michelle Strinden, and I represent the people of South Fargo's District 41. I have the pleasure to present to you HB 1231 on behalf of thousands of students and parents who are affected by Dyslexia across our state.

Dyslexia affects 20 percent of the population and knows no socio economic, racial or ethnic boundary. It is defined as a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent recognition of words, poor spelling and decoding abilities independent of an individual's general level of intelligence. Research shows that a structured literacy approach that is phonetically based, multi-sensory and systematic is not only effective for students with Dyslexia, but will benefit all readers...especially all early readers!

Our family has been personally touched as our son Joseph has Dyslexia. I, like so many parents across our state and country, have a passion for literacy and urgently searched for answers to help our dyslexic child learn to read. Thankfully, our son is one of the fortunate ones. When Joseph was young there was only one person in our area who offered structured literacy tutoring and intensive therapy. The Reading Therapy Center in Moorhead, MN had just opened (2008) providing one on one Orton-Gillingham therapy based in the Science of Reading(SoR). It was an answer to fervent prayer and quite literally life changing for our son. His therapy sessions

began in 2<sup>nd</sup> grade and in 3<sup>rd</sup> grade we decided to homeschool Joseph due to the amount of therapy he needed to catch up to his peers. Homeschooling and reading therapy continued through 6<sup>th</sup> grade costing our family approximately 30,000 dollars of therapy over many years including summer months. Joseph was eager to get back to school in 7<sup>th</sup> grade and he was ready! His school provided accommodations for his diagnosed dyslexia in a 504 plan. However, throughout middle school and high school we had to continue to actively advocate for him to receive appropriate accommodations in most classes. I can proudly say he is now in college doing very well. It is my sincere hope and dream that one day students in North Dakota will not have to leave their elementary school buildings to learn to read.

In 2019, students, parents, and teachers from all over our state filled this hearing room to testify for HB 1461. Now, four years since it was enacted we have the data to prove its success. The bill provided for early screening of dyslexia in K-1, structured literacy intervention and professional development for teachers and staff. Three pilots were funded in 2019, and then two pilots in 2021 as the Covid 19 pandemic delayed full implementation. Since 2019, our state has made progress in its approach to the teaching of reading, but there is still much work to be done. In 2021, I introduced and our legislature enacted the Dyslexia Specialist credential while the University of North Dakota developed a three course offering the credential. North Dakota Century Code (HB 1388) also instructs teacher licensure competency in beginning reading instruction to be based on scientifically and researched based best practices. Additionally, the Hunt Institute is working with the ND Department of Public Instruction and key stakeholders on “The Path Forward” which aims to develop a comprehensive action plan to incorporate the science of reading in teacher preparation programs and licensure.

During my campaign for the ND state legislature, I stated that one of my main policy goals was to strengthen education by improving literacy for students in District 41 and across the state.

Our ND DPI dashboard at [Insights.nd.gov](https://insights.nd.gov) shows that only forty-four percent of our students are reading proficiently. Early identification of dyslexia and reading instruction using the structured literacy approach for all of our students is essential to ensure life long success for our citizens.

Thank you, Mr Chair and Education committee members for your consideration. It is my pleasure to stand for any questions you may have.



Chairman Heinert and members of the Education Committee,

Thank you for taking the time to review my written testimony in regards to House Bill 1231.

Imagine you go to parent teacher conferences for your child who is in preschool... Your child's teacher says "Your child is a good kid, he's happy, he's active, but.... he's behind. We need to discuss getting him on an IEP to get him the extra help he needs to help get caught up so he is where he needs to be."

Through the years you hear a similar rendition at every fall parent teacher conference. The teacher goes through your child's assessment results to find that little to no progression has been made and in fact he is regressing. Each year you agree with the school that an IEP or other interventional plan for reading will get him on track to where he needs to be.

Fast forward to sixth grade where now, it is much more noticeable, especially with the change of environment being in middle school. You decide that maybe there is something else going on, you aren't really sure but decide to have your child assessed for dyslexia. This screening is no small feat. It involves an application, extensive interview with parents, testing of your son for several hours and a fee of \$400+.

Upon receiving the results, you learn that your child has dyslexia and that the methods used within the school system that were used to help with reading over all these years wasn't the appropriate curriculum for dyslexic students. In fact, some of the methods used were counterproductive and causing more frustration than good.

This is exactly what happened to our son. As parents with zero experience with dyslexia and teachers who also did not have appropriate training, the fact that we all thought we were "helping" when we were hindering his learning was heart breaking.

As a student now in eighth grade and through private tutoring outside of the school system, our son has been making progress and learning methods that work for him to read and comprehend. While he is not near an eighth-grade learning level, we now know what his condition is and how it can be addressed.

Unfortunately, the diagnosis of dyslexia at this age, has made us realize that in previous years many things could have been done differently to help him be successful in school. An early dyslexia assessment, followed with intervention methods would have also provided the teachers and other school staff the opportunity to do what they are passionate about and that is to educate students and experience their progress in the classroom.

Please consider House Bill 1231 to help students in North Dakota that have dyslexia to be recognized, diagnosed and provided the proper learning methods to become productive members of our great state.

Please vote Yes for House Bill 1231.

Thank you for your time, consideration and service to the state of North Dakota,

Joan Trygg

**Do Pass Testimony  
of Doug Sharbono, citizen of North Dakota  
on HB1231  
in the Sixty-seventh Legislative Assembly of North Dakota**

Dear Chairman Heinert and members of the House Education Committee,

I am writing as a citizen and believe HB1231 is much needed legislation.

I have a little knowledge of this issue. We have a child who has within the past couple of years been diagnosed with dyslexia. Their dyslexia was masked by their ability to self-learn compensation in reading, so their dyslexia went undiagnosed even though it caused other issues of writing and word formation that were attributed to another learning disability.

We had been working with our local school district for years to get an understanding of how to address the issues and move forward. Through our own family's knowledge of the DSM, we suspected there were some possibilities of dyslexia. We received much pushback from the school district. They did not test for dyslexia and were sure our child did not have it. We paid for outside testing and found out dyslexia was the issue. When we brought this information back to the Fargo Public School District, we were told dyslexia is a medical issue, not an educational issue, and they could not "treat" it. We went back to our outside provider, and they started educating our child. When we submitted this to our medical insurance, they said it was an educational issue and not covered.

We are now educating our child. I believe it certainly is the parent's responsibility for the upbringing and education of their children, however the taxes collected should contribute to this education, not be diverted away from the basics such as the three "R's".

Just the other day, I was reviewing some Earth Science with my child and going through the concepts of plate tectonics and its effect on volcanic activity. Our dyslexic child thoroughly understood the concepts through oral discussion and questioning, but when they completed the multiple choice questions on the test, they had flipped the answers around even though they knew the plate tectonic process well.

Some individual school districts around the state each are currently engaged in spending millions of dollars in the trendy, unsafe social engineering "education" programs that have cropped up in the past couple of years. The schools have recently hire six-figured salaried directors that configure these social engineering

programs, which often work against the student's individual religious beliefs. They call them "safe", but they are anything but safe, and the monies that could provide real education to students get diverted.

Parents are paying tremendously more in taxes for education, and we are not getting our children's basic education needs met. Some can't read and write due to unaddressed dyslexia. It is a shame this is a common, well-established and known disability that is currently unaddressed in our educational system. The teacher's union has also been slow to react to this. If they had timely reacted, I wouldn't be writing this testimony right now. Their focus has been diverted to other areas.

HB1231 is legislation that should receive broad support. Whether you are a liberal who wants to dump endless monies into the educational system or a conservative who wants the basic educational needs met through targeted expenditures, HB1231 will assist both camps in achieving their goal.

I thank the sponsors of this bill. They have done a fabulous job. Please give HB1231 a Do Pass recommendation.

Thank you,

*Douglas B. Sharbono*

Doug Sharbono  
1708 9<sup>th</sup> St S  
Fargo, ND 58103

## Testimony in Support of House Bill 1231

Justine Gibbon, Kindred Elementary Title 1 Reading Teacher

Chairman Heinert, Vice Chair Schreiber-Beck, and Members of the Committee, my name is Justine Gibbon, and I am a Title 1 Reading Specialist at Kindred Elementary in Kindred, North Dakota. Our district is part of the Southeast Consortium Dyslexia pilot program. The Southeast Consortium is made up of five districts: Northern Cass, Kindred, Enderlin, Lisbon, and Richland. For the past four years, I have had the opportunity to be part of this consortium as we research, develop, and implement dyslexia screening and intervention procedures for our districts. I am testifying today in support of House Bill 1231, which will enable educators to screen for dyslexic characteristics and quickly place these students into an intervention that targets dyslexic-specific deficits, such as phonemic awareness.

Thanks to many people in this room, North Dakota has made large strides in educating educators about the science of reading. Some educators may be wary that SoR is just the new fad. But it's not a new concept. The instruction that has been used for years with dyslexic learners is the science of reading come to life. However, teachers need to be trained on how to help students who struggle with reading AND students need to be screened for dyslexia. It's not one or the other. We need both.

When a parent brings a child into the walk-in clinic with a fever, the pediatrician would not prescribe amoxicillin without first investigating further into the problem. We can easily apply the same methodology to our schools. North Dakota schools need a process for investigating beyond universal screenings in order understand why a student does not reach benchmark and how to help these learners. Our piloted dyslexia screening process provided diagnostic information needed to place students into the right intervention. This is why screening for dyslexia is critical for our school systems.

All students who have been identified with dyslexic characteristics benefited from the intensive systematic instruction that our intervention provided. The intervention we chose for students identified with dyslexic characteristics is an Orton-Gillingham based intervention called SPIRE and is systematic, explicit, and multi-sensory. Orton-Gillingham programs such as SPIRE are beneficial to all students, harmful to none, and essential for dyslexic learners.

The phrase 'dyslexia screening' is necessary to the success of this program and is not equivalent to the term 'reading screening.' The word dyslexia should not be viewed as intimidating or too specific. Dyslexia is a spectrum disorder. Students with dyslexia can be mildly dyslexic or profoundly dyslexic or somewhere in the middle. Students on the more profound side may be students who qualify for special education services. Dyslexia is a very common reading deficit and is not dependent on intelligence, gender, race, or social economic status. This is why learning about dyslexia is so important for North Dakota educators. A student with dyslexia can fall anywhere on the spectrum and therefore anywhere in the school system; meaning they can be in need of intervention, at grade-level, or gifted and talented. Learning more about the word

dyslexia helps schools "prescribe" the right intervention. By using the word dyslexia, we know more about the student and how to help them.

In our consortium we are actively screening and identifying students for dyslexia intervention, but our consortium consists of five small districts in the vast state of North Dakota. Unfortunately, there are hundreds of rural school districts without resources or the knowledge to help their dyslexic learners, nor do these districts have nearby dyslexia tutoring centers for children with dyslexia. For all the reasons I listed above, I support HB 1231 and recommend applying this screening process statewide. Because all children deserve the right to learn to read. When we know better, we do better and I'm here to tell you that the "better" is possible.

Thank you for the opportunity to testify in support of HB 1231.

## Testimony in Support of House Bill 1231

Crysta Schenck, Northern Cass Elementary Principal

Chairman Heinert, Vice Chair Schreiber-Beck, and members of the committee, my name is Crysta Schenck, I'm the Elementary Principal for Northern Cass Elementary School. I have been in this position since 2010. I also serve as an administrator serving on the Southeast Consortium Dyslexia Pilot program. Thank you for allowing me this opportunity to testify in support of a dyslexia focus in our North Dakota schools.

During my career, I have taught various elementary grade levels and even served as a Title I educator. I have had the opportunity to impact over 1,000 learners during my 24 years in education. Child Mind Institute states that as many as 1 in 5 learners have dyslexia. Prior to 2018, I had little understanding of dyslexia or the science of reading. My experience or lack thereof is not drastically different from that of other educators in our state. We know more now than ever about dyslexia and with that knowledge comes the responsibility to do more.

Back in 2018, a trend was noticed that our learners at Northern Cass were not showing gains in reading on our benchmark or state assessments. Rachel Richtsmeier, our performance strategist, and I started digging deeper into curriculums and research of what we were missing. We discovered the Science of Reading. In the meantime, the state offered a grant for a dyslexia screening pilot program. We decided along with Kindred, Lisbon, and Enderlin to apply (later adding the Richland school district in 2021 to the continuation of the pilot program). Our districts were chosen to pilot and started researching. We put our focus on being able to identify dyslexia learners early through screening and gain as much knowledge as possible in order to best serve all learners' unique needs. Our dyslexia report submitted to you shows the growth each of our districts have made over the four year period with the implementation of Science of Reading and Research Based Interventions. The

report includes impact statements from both educators, parents, and administrators. I encourage you to take the time to read and reflect on our impacts. One area I'd like to highlight for this committee is 'Data by District' (see Appendix A, School District B) which shows when LETRS training was initially offered in the district in rounds with the first group starting fall of 2020. I need you to understand, not all educators at every level started training at that time, due to substitute shortages, cost, staff turnover, and time commitments. We won't have all our Northern Cass staff fully trained until spring of 2024. However, the data does show the overall trend lines going up from the start of the pilot to present. professional learning and aligned curriculum to learner growth.

To understand the data I shared, let me put it in the context of a learner. I want to share about a young child who I watched go through the system struggling in reading. This learner was a vivacious and curious child prior to entering school. The child loved to explore, be active, and socialize. However, when school started, the parents and educators started to notice a change in the learner's personality. The child struggled in Kindergarten and first grade with reading and spelling. Intervention was provided, but little to no gains made. The district, at the time, did not have additional support in place to screen for dyslexia or to provide research based interventions to support specific learning needs in decoding. The learner received generic interventions and continued to struggle in upper elementary. He socialized less with his peers and became a discipline problem. His mom took him to a reading specialist in upper elementary and he was identified as dyslexic. He was reading at a first grade level. For years, the learner simply believed he was dumb. Things the learner loved such as sports became impossible to participate in due to after school intensive reading interventions with a reading tutor. That learner does not need a name, because it is too often a real experience for students across the state.

Students need a team of people committed to their success. The state took an initial step with HB 1388 adding requirements to Century Code that all Kindergarten through grade 3 educators receive

training in instructional practices aligned with research that reveals the science of how the brain learns and engages in reading. The bill also required districts to use scientifically-based instructional materials and approaches. This ensures all learners are provided an educator who understands the Science of Reading and how the brain learns to read. The next step for our state is to ensure our districts understand dyslexia, characteristics of dyslexia, and the scientifically-based interventions to support learners who need it. I support the concept of this bill but do believe there needs to be adjustment.

1. Districts must have access to a benchmark assessment/universal screener, where educators can identify specific strengths and weaknesses of learners.
2. Districts need access to training to develop a screening protocol or MTSS system to benefit all learners.
3. Districts need to have access to specific interventions that are research-based, which can aid in reading deficits of decoding, phonemic awareness, and spelling.
4. Districts need to have access to an educator in their district (or a neighboring district) who is trained on dyslexia and the characteristics of dyslexia.
  - a. This would need additional funding from the state or it would become an unfunded mandate and put additional responsibilities on schools they can not fund.
  - b. Provide annual professional development for all educators on how to identify characteristics of dyslexia and understand how a dyslexic brain works.

If we as a state want to promote that our learners are prepared to leave our North Dakota schools ready for college, career, or military, it starts in primary school. We must commit to the foundational pieces of education—like reading, by understanding the science of reading and the strategies to intervene effectively when a learner has a specific reading deficit. Dyslexia is only one aspect of a complex issue and if funded correctly, North Dakota could be the leader for our nation.



Thank you for the opportunity to testify and I stand for any questions.

## Testimony in Support of House Bill 1231

Rachel Richtsmeier, Northern Cass Data Performance Strategist

Chairman Heinert, Vice Chair Schreiber-Beck, and Members of the Committee, my name is Rachel Richtsmeier, and I am the Data Performance Strategist for the Northern Cass School District in Hunter, North Dakota. Our district is part of the Southeast Consortium Dyslexia pilot program. The Southeast Consortium is made up of five districts: Northern Cass, Kindred, Enderlin, Lisbon, and Richland. For the past four years, I have had the opportunity to be part of this consortium as we research, develop, and implement screening and intervention procedures for our districts. I am here to testify today in support of the concepts in House Bill 1231 which will raise the level of awareness about dyslexia.

Prior to the pilot, even being a licensed reading teacher, I felt ill-equipped when it came to understanding reading difficulties. Hearing the word 'dyslexia' caused panic because there was so much that I, along with my colleagues, did not understand. Dyslexia has always been considered a medical diagnosis and is rarely addressed in a school setting. The pilot was beneficial to me as a reading specialist and as a parent when we began our work in screening learners, identifying weaknesses, and implementing curriculum that aligned with the science of reading. Staff members in the Northern Cass district quickly gained confidence and knowledge with immediate results. Our learners have been directly impacted in a positive manner.

One of the first steps our pilot group took was committing to universal screening for all students through nationally-normed screeners. Using a consistent process in universal screening gave our

district a clear picture of learner strengths and deficits in reading. As a result of the data we gather each testing period through the universal screener, we have the option to further test and the results help us analyze specific needs of our children who have characteristics of dyslexia.

Our pilot group made necessary changes to our district-chosen curriculum in order to ensure alignment to the science of reading in both regular classrooms and in intervention settings. Explicit, systematic, and multi-sensory instruction in each regular classroom and intervention setting is vital to reading success for all children. Our pilot group utilized budget-friendly, easy-to-implement curriculums that did not require extensive training. Receiving training, however, is a necessity in order to experience success. For Northern Cass specifically, we adopted Superkids as our core curriculum for all K-2 classrooms and S.P.I.R.E. as a reading intervention curriculum.

In addition to curriculum changes, our pilot group prioritized professional learning for all staff to be properly trained in the science of reading. The new curriculum coupled with LETRS training and dyslexia-specific awareness workshops has given our staff a well-rounded understanding that positively impacts reading proficiency. Our pilot group also prioritized creating a professional learning community for interventionists from each district. We reached out to experts and the International Dyslexia Association (IDA), a dyslexia academy, and a local dyslexia tutoring center to help answer questions as well as develop procedures and protocols.

One of the most impactful findings in the work of our pilot group is the correlation between well-educated staff members and high-quality curriculum. In order to provide the needed

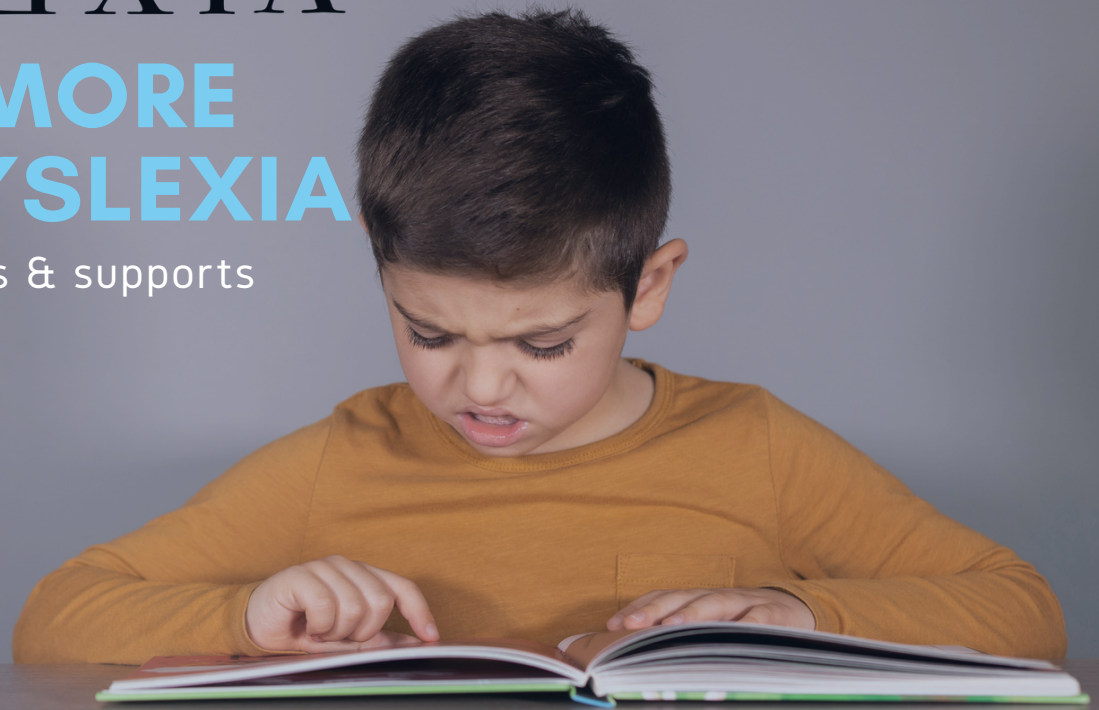
instruction so children with dyslexia can become proficient readers, teachers need to be educated on the characteristics of dyslexia, how to analyze data, and how to support each unique need through efficient reading instruction. With proper funding from the state, HB 1231 could have a significant impact on learners throughout North Dakota. I ask for this committee to fund the assessments and training necessary to provide high-quality education for every learner.

Thank you for the opportunity to testify in support of House Bill 1231.

# DYSLEXIA

## DOING MORE WITH DYSLEXIA

improving process & supports



### TRANSITIONS

- Improve access to previous files for all teachers and support people.
- Create intentional time for review.



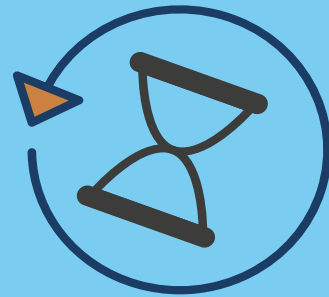
### PROFESSIONAL DEVELOPMENT

- Proficiency and credential goal for each building.
- Ongoing professional development.



### PROCESS

- Refer parents to supports outside of BPS.
- Create a process map to understand the correct questions to ask parents and students to create the most efficient but independent plan for the student's success.
- Create ongoing internal checkpoints for teachers to ensure they have supports in place.
- Improve expectations of students, parents and teachers through identifying and explaining the new tools that will be introduced for each class period. Specifically walk through each class period and explain what will be different. Establish a way to demonstrate the strategy will be pivoted if not working before the next parent review.
- Balance solutions with technology and in person instruction.
- Conduct a review of special education federal laws that can be requested for school or state waiver.



### CREATIVE SOLUTIONS: IEP VS 504 PLANS



- Explore hybrid plans where education achievement gaps are established through progress in a traditional IEP, but the effectiveness of the delivery of education is measured through a 504 or other school based plan.
- Formally recognize and coordinate with outside entities to include an in-school presence.

MEASUREMENT IDEAS:

ESTABLISH AN ACHIEVEMENT IMPROVEMENT GOAL FOR STUDENTS WHO ARE NOT ON GRADE LEVEL THAT HAVE BEEN DIAGNOSED WITH DYSLEXIA.  
ESTABLISH A PROFICIENCY GOAL IN IDENTIFYING AND IMPLEMENTING ADAPTATIONS FOR ALL TEACHERS IN BPS.

## **Dyslexia is HARD...let's make it easier with professional development and early identification.**

### **HB 1231 - SUPPORT Testimony**

Kayla Effertz Kleven

[kayla@olsoneffertz.com](mailto:kayla@olsoneffertz.com)

1/18/2022, House Education Committee

Mr. Chairman and members of the committee, for the record my name is Kayla Effertz Kleven and today I take off my lobbyist badge and humbly put on my step mom badge of honor as I stand before you to support HB 1231.

My stepson was diagnosed with dyslexia and dysgraphia the summer going into his 7th grade. He is now in 8th grade. Today I will work hard at not airing my grievances, and rather tell our story in an effort to give an example of why this is such an important step forward in helping kids.

#### **SCREENING FOR ALL**

Every year since kindergarten at parent teacher conferences, I would ask--"Do you think he has dyslexia?" I was repeatedly told, no. He would be turning his letters, and that's just not the case. Finally in the summer entering into the 7th grade we decided to have him privately tested. I forget the exact labels, but know the summary said dyslexia is impacting his ability to learn, with many proficiency percentiles in the 1% level.

#### **PROCESS & PROFESSIONAL DEVELOPMENT**

When we entered into the 7th grade with the diagnoses, we were filled with hope--finally, maybe we could have some answers of why my stepson was struggling so much. Sadly, we were greeted with more frustration. Let me be clear, I do believe that teachers and administrators did the best they knew how to help this 7th grader operating with a 1st to 3rd grade level of vocabulary and comprehension. There simply just was a gap in knowledge of what to do and where to start. I remember all too well the 2 hour meeting when I said to the room full of frustrated teachers and administrators, "This shouldn't be this hard to write IEP goals or understand if we start with tools or learning gaps." We were all learning together and while I was all in to do what I could, I couldn't help but think, what about all of the other children who aren't diagnosed, who don't have parents with the blessing of time to sit in frustration and demand to work through this "hard."

Fast forward to present day and we know now our best work as parents is to work on transitions to a new grade, new semester, and new routines. 90% of the time when I start the conversation with a new administrator or teacher I'm met with their personal experience with dyslexia---not strategies, plans, systems that are in place to support the child. When we are relying on personal experiences, we are still in a trial and error phase and not research based, proven methods.

Additionally, we find that while we have accommodations written into our IEP, many teachers simply don't have awareness of what that looks like for dyslexic students. The practice of accommodations for dyslexic students isn't normalized as we still battle retaking tests orally. Do not misinterpret my words---there are wonderful teachers but the knowledge to know how to implement or discover the right accommodations doesn't come standard in every college curriculum.

## **FUNDING**

The part of this bill that will likely be noted in opposition or even neutral testimony is the absence of a fiscal note for a mandate. Please do not let that be the reason you vote no or amend this bill. I have always been opposed to unfunded mandates--until this experience. Throughout last year, I offered multiple times to write a check to the school or school foundation for additional tools, professional development, even time to pay teachers for collaboration or additional training. However everytime I offered, I was told--"No, there is plenty of money. We have resources for this." And you know what, maybe there's room to absorb one student's needs, but we can't rely on parents to privately test their students for dyslexia and then find tools that work by trial and error versus pathways of best practices. And until this becomes a priority for the state, unfortunately, it is just too easy to not deal with the "hard"--because let me tell you, dyslexia is more than letters backwards---it's hard and unique for every student.

Finally, I would be remiss if I didn't highlight the immediate crosswalk we have researched and observed between behavioral health challenges and students with learning disabilities like dyslexia. Last year my stepsons' diagnosis and accommodations were very new to other kids. We struggled and learned the hard way and know that more students will benefit from our struggles. This year, we have tools that work. We are grateful for teachers and building administrators that stuck it out with us. However the unexpected challenge we experienced in this past semester was bullying and teasing because of this strange label dyslexia. The school recognized this and has done some wonderful awareness activities but I can't help but struggle with the concept that the word dyslexia is all new for kids.

I thank you for your time, and working on something hard. I've attached my recommendations and thoughts on more work that can be done in this space. I will stand for any questions.



1 HB 1231

2 Testimony In opposition

3 Chairman Heinert and members of the house education committee. For the record, my  
 4 name is Dr. Aimee Copas, I serve as the executive director for the ND Council of  
 5 Educational Leaders serving ND k12 school leaders. I come to you today carrying a  
 6 message from my specialists that work in this area with a note of concern that may very  
 7 well be solvable from the legislative standpoint.

8 Last session this body approved pilot programs to screen for dyslexia. We realize there  
 9 is a need for this. I come in opposition sharing concern from Special Education Directors  
 10 (one of my affiliate organizations) as well as other leaders regarding a bill that is  
 11 incomplete. We are missing grave components. Funding, and a universal screener.

12 The PD, screening tool, dyslexia specialist and services required in this bill will cost  
 13 money and time. Is there a plan to pay for that – if not – that is yet again another  
 14 unfunded mandate which erodes our ability to provide services to students as well as  
 15 our ability to appropriately fund employees.

16

17 This doesn't even touch the redundancy of requiring both districts and their special ed  
 18 units to do the same thing as it appears parts of this bill require. We believe there can  
 19 be a pathway to meet the needs of all involved, however, we believe it is important that  
 20 to solve a problem for students it needs to be looked at beyond the "we just need to do  
 21 this" standpoint. The "how," the "why", and the "how much" needs to all be  
 22 considered and accounted for. As we consider the "how much" we need to also  
 23 understand that this must be ongoing funding not one time as the screener is about  
 24 \$15 per student plus FTE time to conduct the screening. These are similar issue we  
 25 encountered last session when it was put into a pilot that was funded. If we funded  
 26 the pilot, we must logically believe the statewide application should be funded as well  
 27 as overcoming the redundancies in the bill.

28 Thank you for your thoughtful consideration of this as you discuss this bill.

*NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education  
 for all students in North Dakota.*

*Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoherz*



**Testimony in Favor of House Bill 1231**  
**Sixty-eighth Legislative Assembly of North Dakota**  
**Submitted By: Alysia Budd**

Thank you, Chairman Heinert and members of the committee. My name is Alysia Budd and I am in favor of House Bill 1231. I am providing a double testimony and am testifying both professionally and personally.

My professional background is that I am a pediatric occupational therapist with a graduate certificate in Dyslexia and Language-Based Learning Disabilities. I am a certified handwriting specialist, a certified Barton tutor, a dyslexia screener, and I currently have over 200 hours of formal Orton-Gillingham/Structured Literacy training (which has always been based on the science of reading and learning). I have over 20 years of experience working with and evaluating children with various developmental and learning concerns. I am also the founder and director of Inspiring Minds, Center for Dyslexia and Literacy, a non-profit center for dyslexia in Bismarck where we offer specialized assessment and tutoring for dyslexia and literacy concerns for individuals ranging in age from preschool through adulthood. We are also a training center providing a wide variety of workshops and trainings to educators, schools, universities, parents, and other professionals in the science of reading/learning and child development.

Most importantly, I am an incredibly proud mother of three sons with dyslexia and a wife of a husband who also has dyslexia.

I want to begin by thanking everyone involved with dyslexia legislation over the past two sessions. Your support for the 1 in 5 has made a difference. I have seen a significant decrease in families being told dyslexia is not real by their schools which was what was happening on a daily basis when I first began the center 8 years ago. I have also experienced increased collaboration from educators and other professionals with our shared students. This is all so wonderful! The dyslexia community is thankful for the role legislation has played, and for the proactive action taken by NDDPI.

Now it is time to ensure that this progress continues. HB 1231 is one way to continue to support children, families, and educators. It is vitally necessary for schools to identify dyslexia early and then provide the correct remediation/instruction and accommodations/support. Educators desire access to high quality trainings and resources. They also need to have access to specialists highly trained in dyslexia to help guide them.

Dyslexia is **not** isolated to a special education issue. Dyslexia is a general education issue. Many students with dyslexia stump their teachers and specialists and, therefore, do not receive adequate accommodations and/or support. Every single content area can be impacted by dyslexia including music class and physical education. Most students with dyslexia are not found eligible for an IEP, yet they still need to be understood and taught in ways that are effective for how they learn —in every single subject area.

The number one concern we hear day in and day out at the center is parents being told their child is doing too well to receive accommodations. Keep in mind that most students with dyslexia have average to above average intelligence, and some have gifted IQs. So they are often incredibly bright and teachers mistake this for them doing just fine and not needing any accommodations, services, or support.

Data from the 2021-2022 academic year in ND clearly demonstrates the need for HB 1231.

- 2021-2022 enrollment = 116,694 students
- Of those, 4,728 received special education services under the category of Specific Learning Disability.
- It is estimated that approximately 85% of students categorized under SLD have a language-based learning difference/dyslexia. So in ND, approximately 4,018 students with dyslexia receive special education services.
- Up to 20% of the population has dyslexia. That means that in ND schools, up to 23,338 students have dyslexia compared to 4,018 who were eligible for special education. Approximately 3% of ND dyslexic students are on an IEP versus the actual dyslexic population which is up to 20%. This is in alignment with the national average of about 4% of dyslexic students receiving special education services according to Sally Shaywitz (Shaywitz, 2020).
- Approximately 19,320 dyslexic students in ND public schools were not eligible for special education. My own sons would not be found eligible for an IEP. I

have never expected an IEP for them understanding how eligibility works, but they have been failed by our educational systems. They are not understood and would never have received the interventions they needed if I had not done it myself, and continue to do it myself. This is a general education issue that impacts every single subject area and every single academic year pre-k through 12 and beyond.

The trouble is—because dyslexia is generally misunderstood and under-identified, most are missed. 19,000 ND students are a lot of students. Students with dyslexia often experience anxiety and exhaustion from working so hard. To deny correct and appropriate accommodations in a classroom setting based on a perception that a student is doing “just fine” is not acceptable. They deserve us as adults ensuring they are successful in all of their learning environments. This means identifying dyslexia early, and acknowledging that this student will always be dyslexic. There is more to dyslexia than the reading piece.

The anxiety and exhaustion then overflows into the home when the school day is done. The teachers may never see the full effect it is having, because these students hide it all day long, but they then collapse when in a safe place. It is devastating. I am having to homeschool my youngest again this year due to these very reasons. It is unnecessary that families are still going through this emotional turmoil simply because of a lack of an understanding of what dyslexia really is, how to identify and support it in the classroom, and how dyslexia affects more than just reading.

I would also like to touch on the fact that dyslexia is one of the reasons why some of our students are experiencing social-emotional difficulties, yet as the data shows, dyslexia isn't even being recognized in a majority of students. The emotional damage that results when dyslexia is not identified, supported, and correctly remediated is staggering.

- 1 in 6 children who are not reading proficiently in third grade do not graduate from high school on time, four times the rate for children with proficient third grade reading skills (Hernandez, 2011)
- Approximately 80% of prison inmates are functionally illiterate, 48% of them being dyslexic (Moody, et.al., 2000)

- U.S. Senator Bill Cassidy included a provision for screening inmates for dyslexia in the First Step Act (S.3649)
- According to Dr. Nadine Gaab, PhD, a “late diagnosis of dyslexia often leads to low self-esteem, depression, and antisocial behavior” (Fliesler, 2017).

It is a myth that dyslexia can't be identified early, as it is possible to identify early warning signs as young as ages 3-4, particularly when there is a family history of language-based learning disabilities. Dr. Nadine Gaab, PhD of Boston Children's, along with her colleagues, studied the brains of infants with and without a family history of dyslexia. They discovered the following:

- “Atypical brain development associated with Developmental Dyslexia is already present within the first 18 months of life” (Gaab, et. al, 2015)
- Dyslexia is genetic, and those brain differences are present in infancy.
- Children are entering Kindergarten with a brain “less optimized to learn to read” (Gaab, 2017).
- A wait-to-fail approach results in “considerable psychological damage and stigma” (Fliesler, 2017)

Being a reading specialist, or having a master's degree in education, does not mean that there is specific training and education regarding dyslexia. My oldest boys worked with reading specialists, yet not one of them identified dyslexia in them. Their teachers were trained in whole language and balanced literacy approaches that are *not* the same thing as the Orton-Gillingham/Structured Literacy approach that is *essential* for dyslexia. So, as much as they did all that they could to help my boys, it was ineffective instruction that did not remediate their difficulties. HB 1231 works to actively address these issues.

My frustration as a mother is more than I can put into words. This information is not new. A couple of weeks ago I discovered a textbook at my mom's house that was from one of her graduate school courses on learning disabilities. She was a North Dakota public school

teacher and has asked me many times throughout our journey with our own sons and with our non-profit center what has gone wrong in ND schools, and that she had learned the very things that we are asking for when she was a teacher. The textbook I am referring to is from 1971 and discusses the same approaches that we use at Inspiring Minds and are recommended by the International Dyslexia Association. There are cited references to publications from Dr. Orton from 1937 in this textbook. It is unacceptable for us to do anything other than what is best for children and families, and this information has been readily available for decades.

It is also important that as a community we realize that the responsibility of full remediation of dyslexia does not land solely on our schools who are also educating hundreds of students with various learning and emotional difficulties. What is the responsibility of the schools is to acknowledge and identify students who fit the profile for dyslexia and to then provide the learning environment, emotional support, ongoing accommodations, and instruction that is effective for all learners. To learn the science of reading and to be knowledgeable of all of the areas impacted by dyslexia for up to 20% of their student population.

We have seen the incredible effectiveness of correct instruction privately for many years, but we now also have exciting data showing its effectiveness in a school setting with the pilot program. As a state, we need to first and foremost be concerned with what is best for children and families. There is no acceptable reason to deny children identification of their dyslexia, to deny them proven effective instruction and accommodations, and to deny families the essential support that they need throughout a child's academic journey.

North Dakota has an opportunity to do what is right for our students with dyslexia, to be an example to other states as to how to do it well, and to change the trajectory for future generations. I ask that you vote yes on House Bill 1231. Thank you for your time and your consideration of HB 1231.

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**TESTIMONY ON HB 1231  
HOUSE EDUCATION COMMITTEE**

**January 18, 2023**

**By: Lea Kugel, Assistant Director, Office of Specially Designed Services  
701-328-4561  
North Dakota Department of Public Instruction**

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Mr. Chairman and Members of the Committee:

My name is Lea Kugel, and I am the Assistant Director in the Office of Specially Designed Services with the Department of Public Instruction (DPI), where I hold the portfolio for Specific Learning Disabilities. I am here to provide information relating to House Bill 1231 relating to mandatory dyslexia screening and the dyslexia screening and intervention program.

During the 2021-2022 school year, there were 116,694 students enrolled in public education in ND. Of those, 17,054, or 13%, were students who had been identified with disabilities, and 4,728 (28%) students with disabilities had a primary identification area in specific learning disabilities. In ND, the most prevalent disability category in special education is Specific Learning Disabilities. The International Dyslexia Association reports that about 85% of those students identified with a Specific Learning Disability have a primary learning disability in reading or language processing.

The International Dyslexia Association states that 15–20% of the student population may exhibit some symptoms of dyslexia, including slow or inaccurate

reading, poor spelling, poor writing, or mixing up similar words. Not all students with symptoms of dyslexia will qualify for special education, but they will likely struggle with many aspects of academic learning and benefit from systematic, explicit instruction in reading, writing, and language.

Early identification of students with dyslexic characteristics and the appropriate provision of individual interventions can significantly affect the individual student's future academic success. When students are screened at an early age, and appropriate interventions are provided through direct, systematic, and explicit instruction, the student's reading gap between them and their peers may close to the point that they can participate in the general education classroom without individualized support. Not only does identifying students early and providing appropriate interventions enable the student to be successful in the general education classroom, but it may also reduce the number of students identified with a specific learning disability when they get older. Most students with dyslexia aren't eligible for IEPs, and a large portion of those students aren't even identified with dyslexia. This is far beyond a special education issue. This is a general education issue.

Chairman Heinert and Members of the Committee that concludes my prepared testimony, and I will stand for any questions you may have.

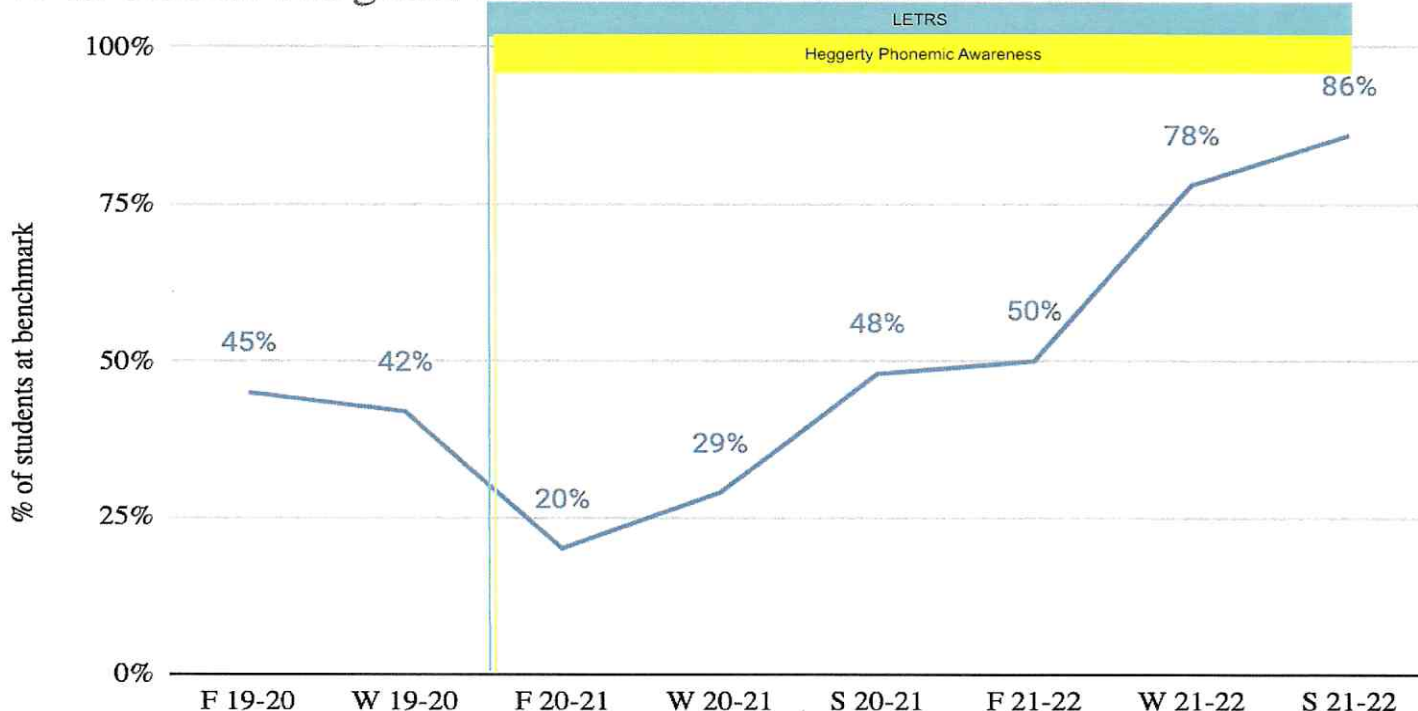


# Southeast Consortium Dyslexia Pilot Program

Kindred, Northern Cass, Lisbon, Enderlin, &  
Richland

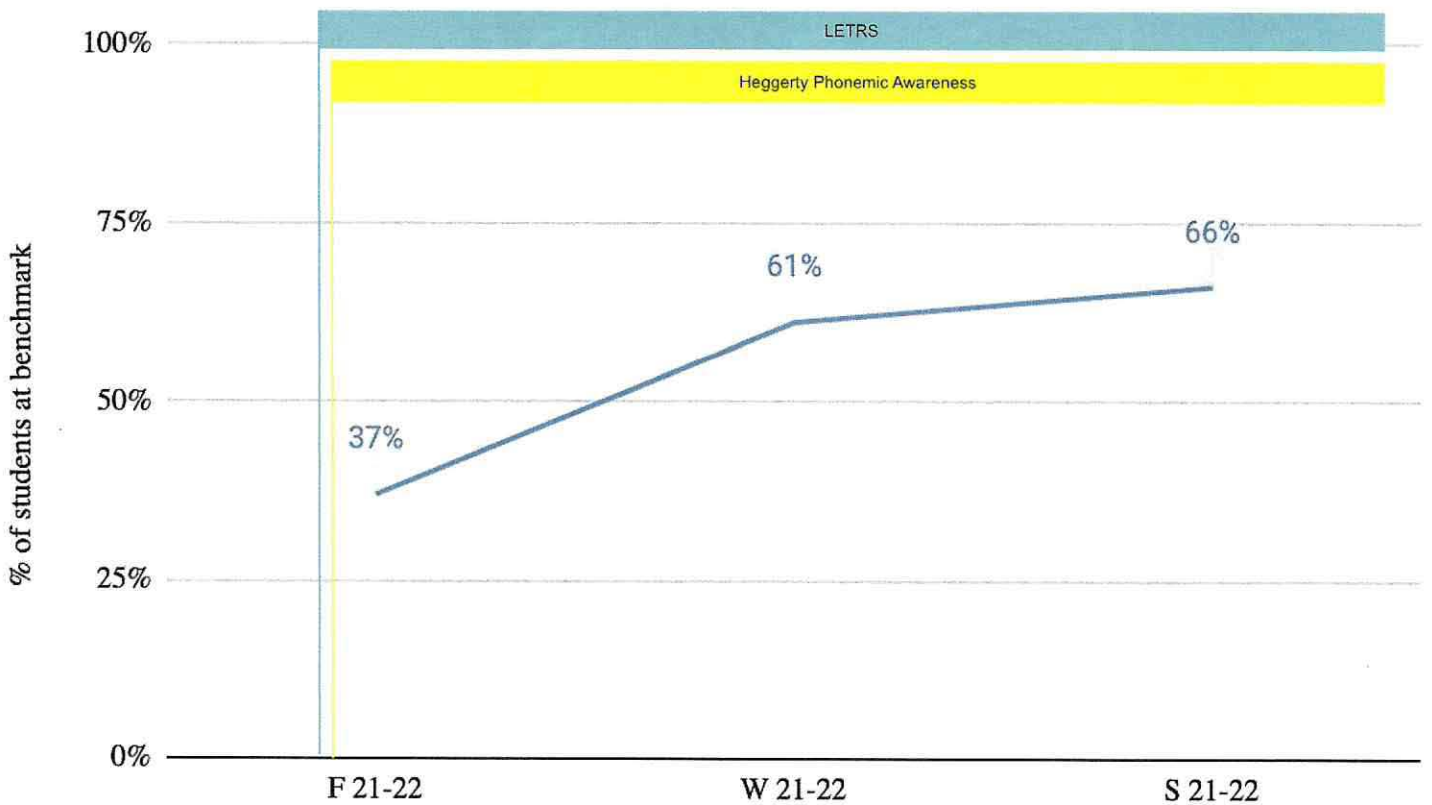
1. Implementation of Dyslexia Program – Literacy Success for All
2. Facts About Dyslexia
3. Data for System Health
4. Budget Outline
5. Summary Pages
6. Impact Statements from Stakeholders
7. Appendix

% of current 3rd grade students at benchmark over time

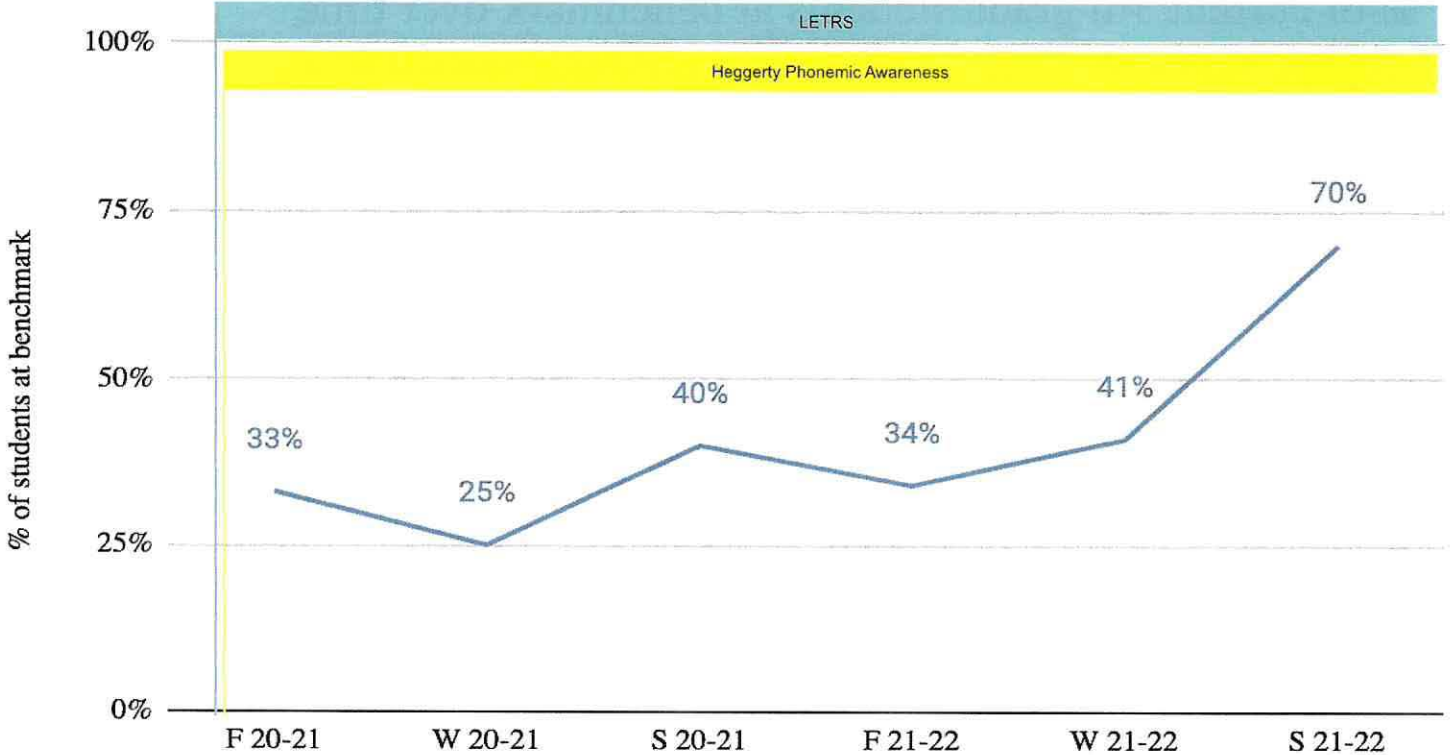


*\*example data chart from one district within the Southeast Consortium*

% of current 1st grade students at benchmark over time

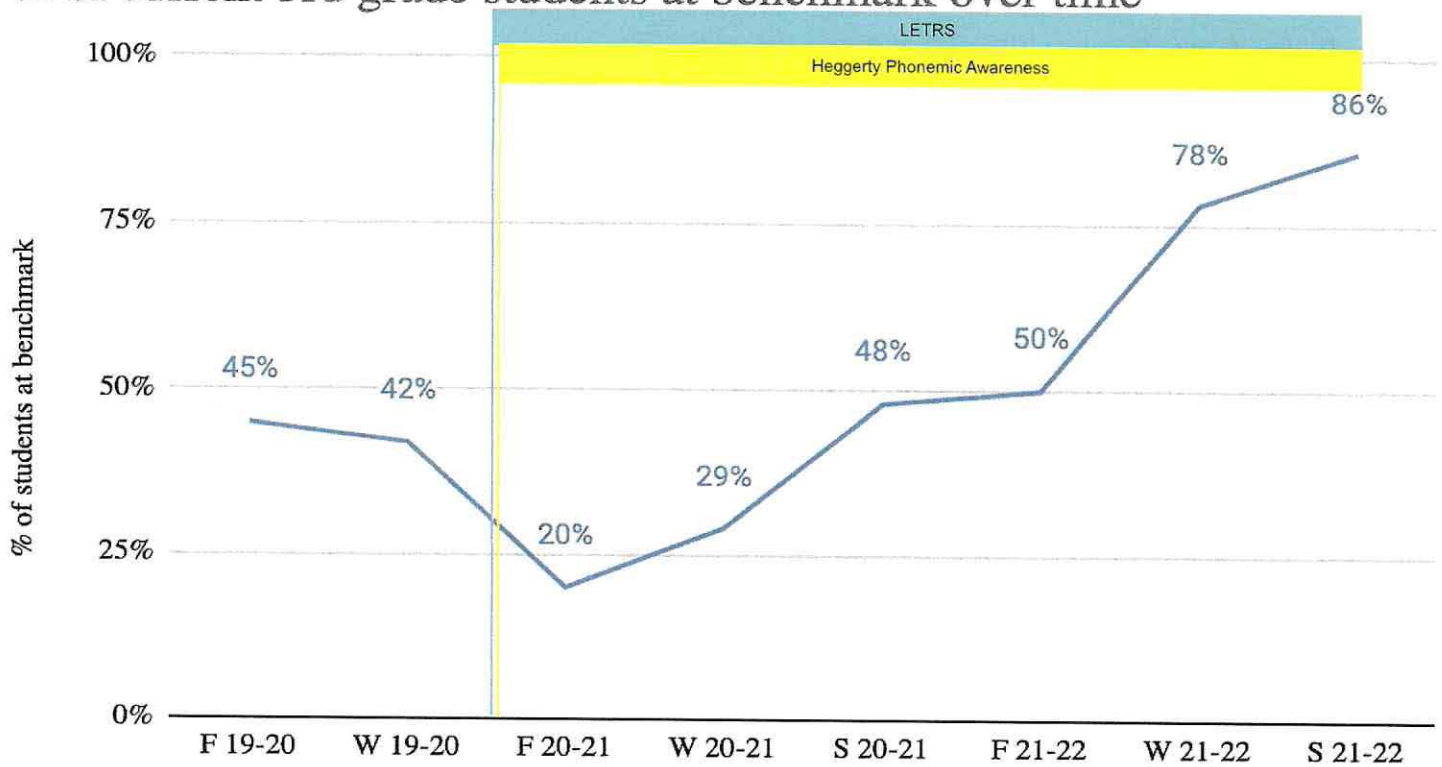


% of current 2nd grade students at benchmark over time

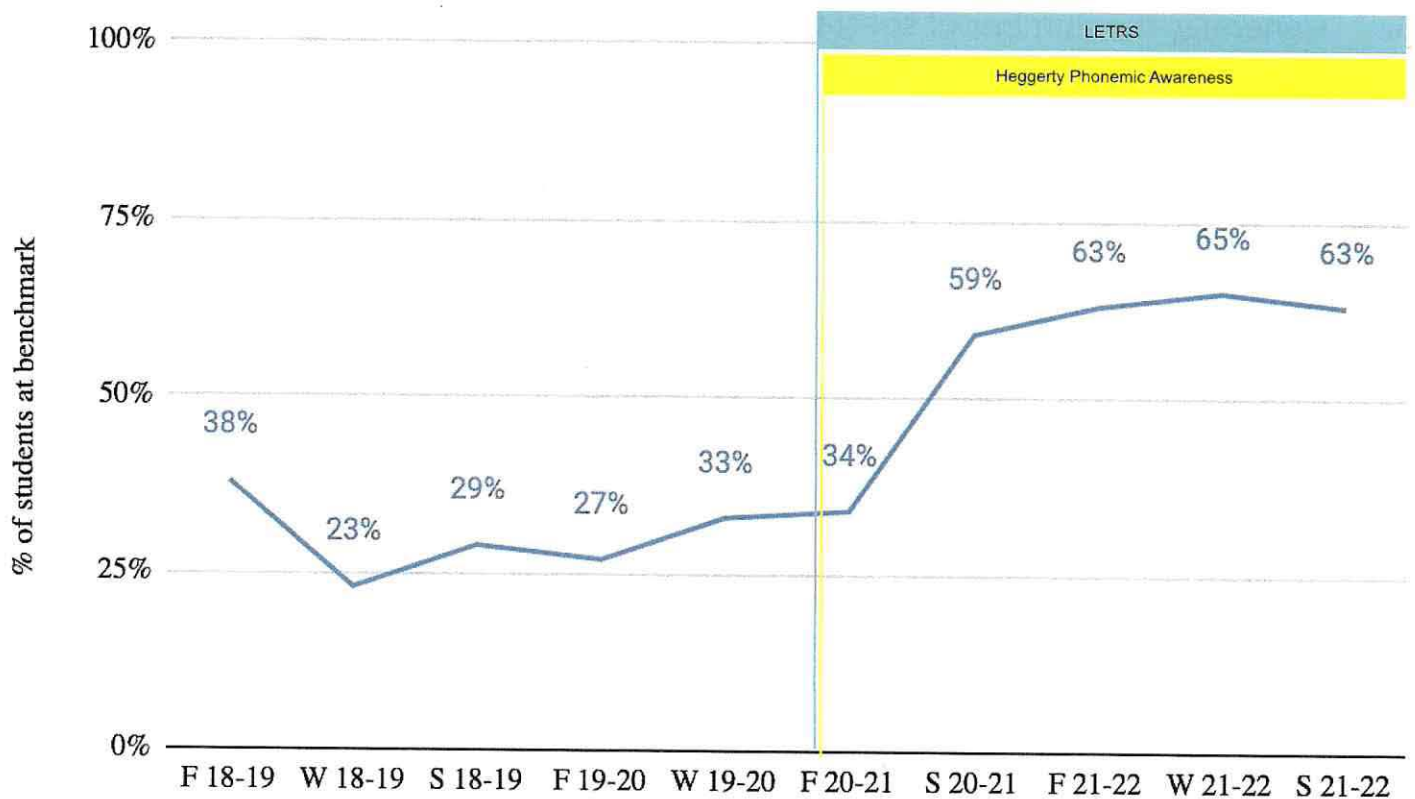


# Data for System Health

## % of current 3rd grade students at benchmark over time



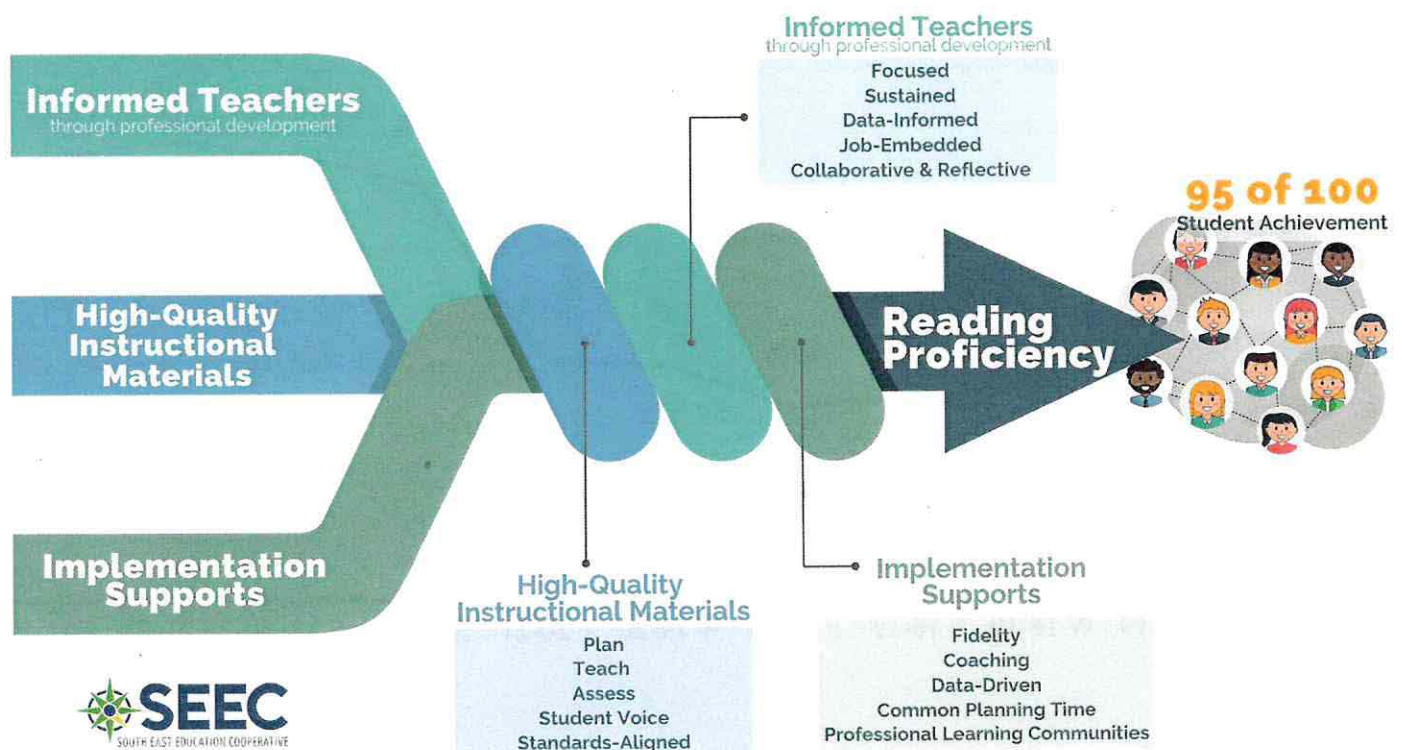
## % of current 4th grade students at benchmark over time



\*example data charts from one district within the Southeast Consortium

# Summary

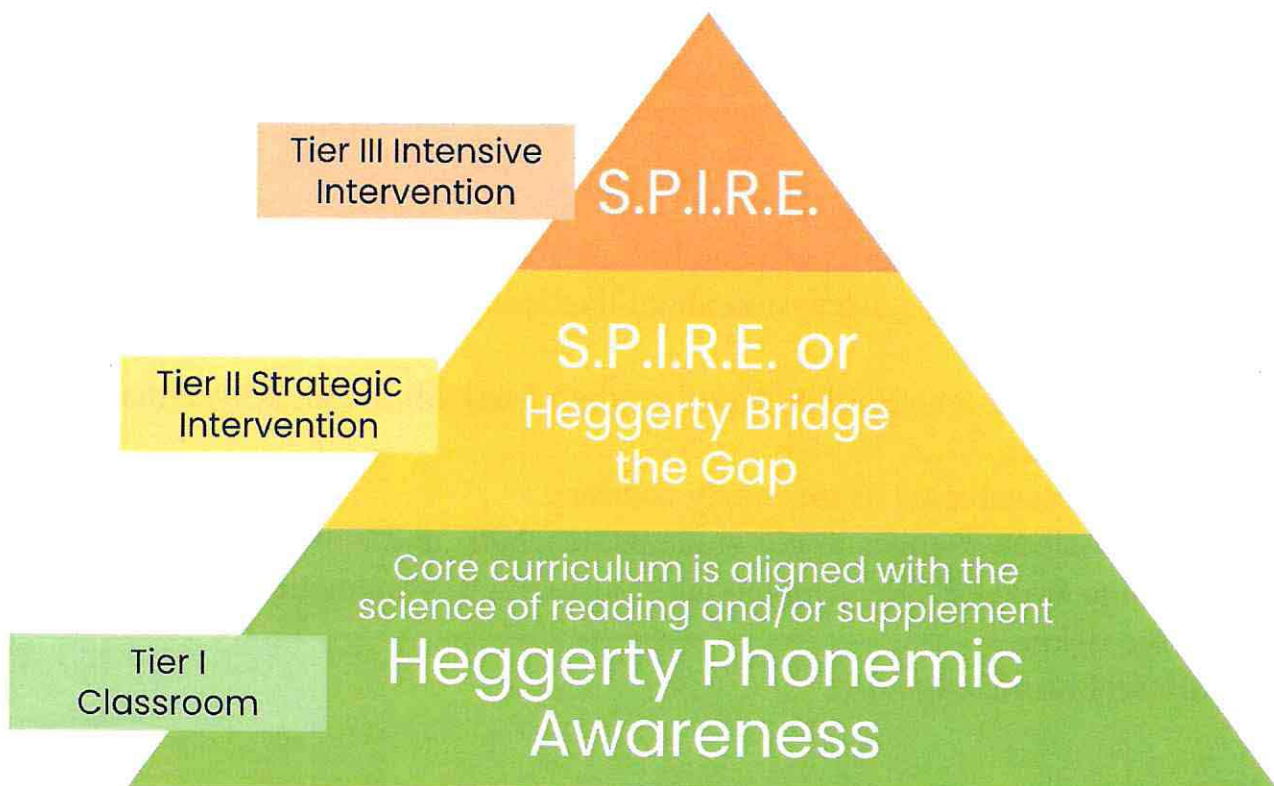
1. Both dyslexia screening and Science of Reading professional development are essential for the success of our learners in North Dakota. However, we cannot choose between the two. It cannot be one or the other; it must be both.
2. Students with dyslexia are found in all tiers of the classroom such as students at benchmark, students who need intervention (including students with IEPs), and students who are gifted. Therefore, curriculum and intervention adjustments must be made throughout the school in all tiers of instruction.
3. Dyslexic learners need high-quality instructional materials that are explicit, systematic, and multisensory. Fortunately, what is essential for students with dyslexia is beneficial for all.
4. As reflected in our data, each school district had unique variables that impacted their data including COVID closures, adding supplemental programs into our classrooms, adopting a new core reading curriculum, fluctuations of newly enrolled students, etc.
5. Generally, the number of special education referrals decreases as the number of students who reach benchmark increases. The goal of an effective system is about 80% of students at benchmark.



# Curriculum Summary

Students with dyslexia and dyslexic-like characteristics need high-quality instructional materials that are explicit, systematic, and multisensory. Fortunately, what is essential for students with dyslexia is beneficial for all students learning to read. We chose to supplement our PK and primary classrooms with Heggerty Phonemic Awareness and the SPIRE intervention for our students at risk for dyslexia. These programs are explicit, systematic, and multisensory as well as easy to implement into an existing MTSS program.

All districts in our consortium supplemented Heggerty Phonemic Awareness into Tier I classrooms, and some districts have recently adopted a new core curriculum that is aligned to the science of reading. Finally, we decided to purchase the SPIRE intervention, because it included the essential elements of high-quality instruction as well as being based on the Orton-Gillingham methodology. An additional perk from the SPIRE intervention included a shorter time commitment for professional development. The SPIRE training required two days of professional learning for our interventionists and special education teachers to acquire the necessary skills and training.



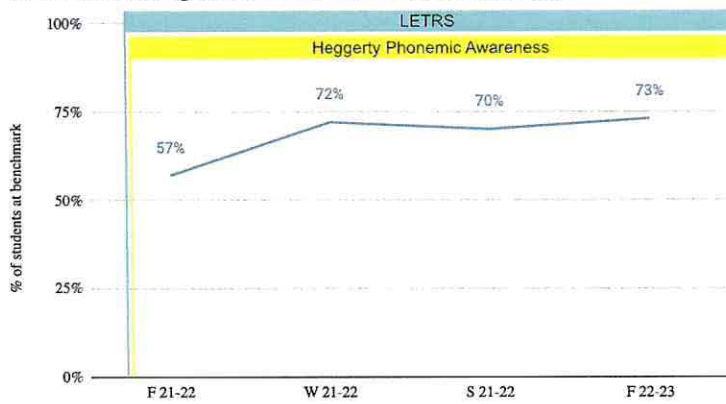
# What Our Stakeholders Are Saying About the Impacts of the **Dyslexia GRANT**

- [My teachers] wished they would have known this stuff earlier in their career
- How we once thought kids learned to read was wrong!
- **Absolutely transformational**
- We've learned so much related to reading and HOW kids learn to read
- We now teach more explicitly
- Our first-grade team has completely transformed the way we teach reading, spelling, and phonics
- [Now we know how to] analyze the best way to help each student succeed
- We can dig deeper into figuring out deficits and more confident in knowing what type of instruction is needed to build stronger readers
- **Services are more intentional based on individual needs**
- Tools in the classroom help implement reading and phonics instruction in a format based on the latest reading research
- [Teachers are] trained to analyze data and complete diagnostic assessments to pinpoint learning gaps
- **The data clearly shows significant gains**
- Progress monitoring graph is proof that this program works
- [Staff awareness training] about a student struggling with reading issues was an eye opener
- **Informed teachers change lives**
- Made us more aware as educators of what to look for in our struggling students
- [The grant has] created more discussion about dyslexia within our school, which has led to more awareness
- Our school has adopted a researched based reading curriculum that is systematic and will benefit all readers
- **Driving the positive success of our early readers**
- Brought many positive changes to our students, teachers, and families
- The new learning from LETRS coupled with the explicit, systematic instruction in SPIRE was the ticket
- [We] finally feel knowledgeable

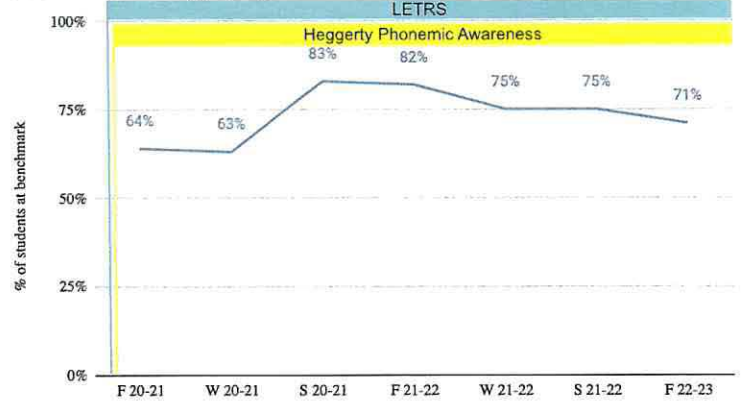
# Appendix A – Data by School District

## School District A

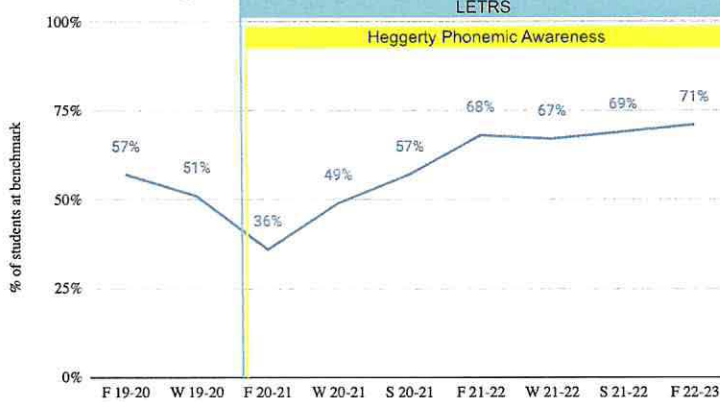
% of current 1st grade students at benchmark over time



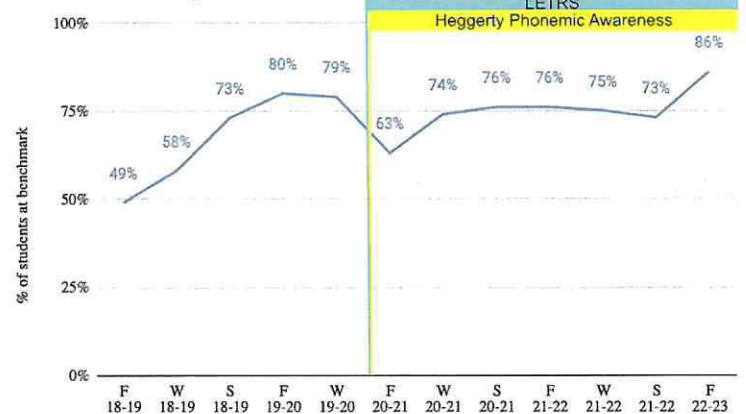
% of current 2nd grade students at benchmark over time



% of current 3rd grade students at benchmark over time

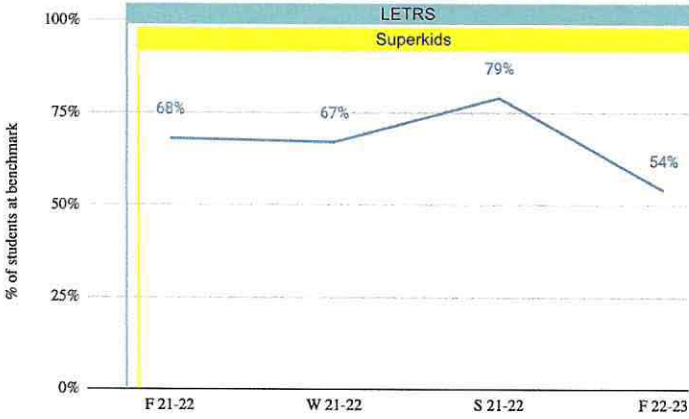


% of current 4th grade students at benchmark over time

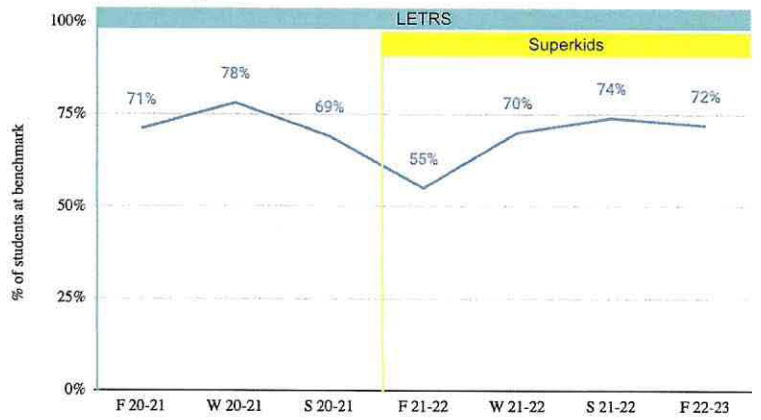


# School District B

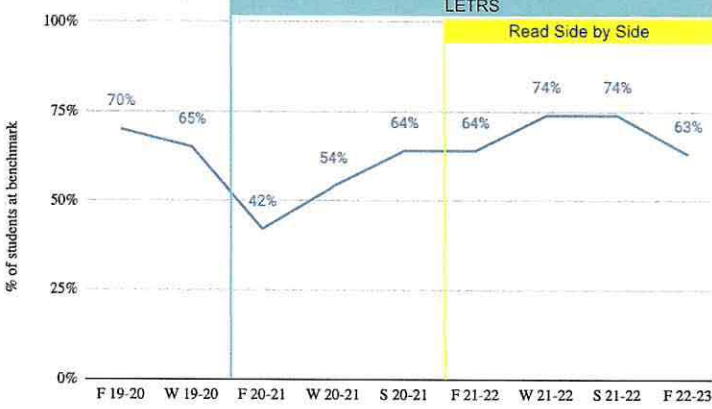
% of current 1st grade students at benchmark over time



% of current 2nd grade students at benchmark over time



% of current 3rd grade students at benchmark over time

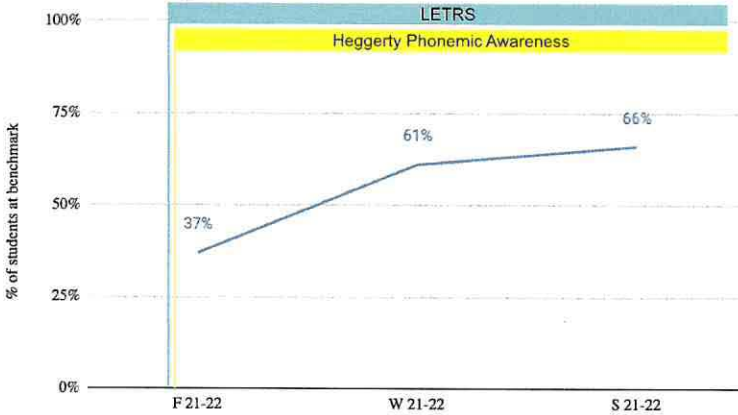


% of current 4th grade students at benchmark over time

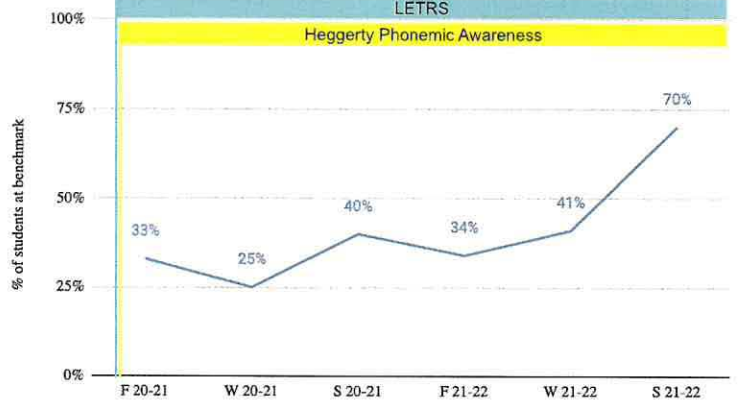


# School District C

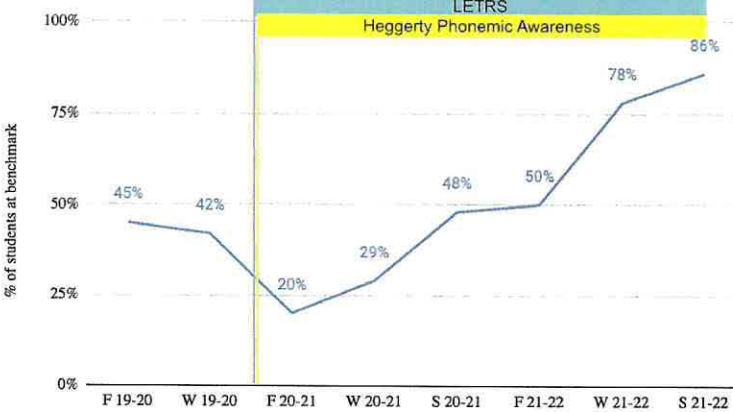
% of current 1st grade students at benchmark over time



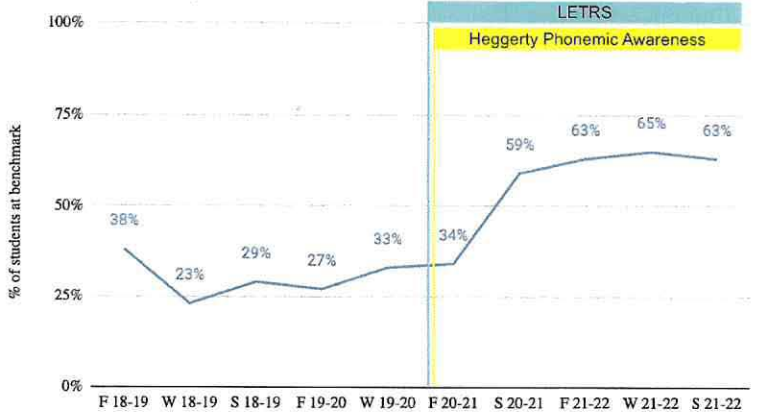
% of current 2nd grade students at benchmark over time



% of current 3rd grade students at benchmark over time



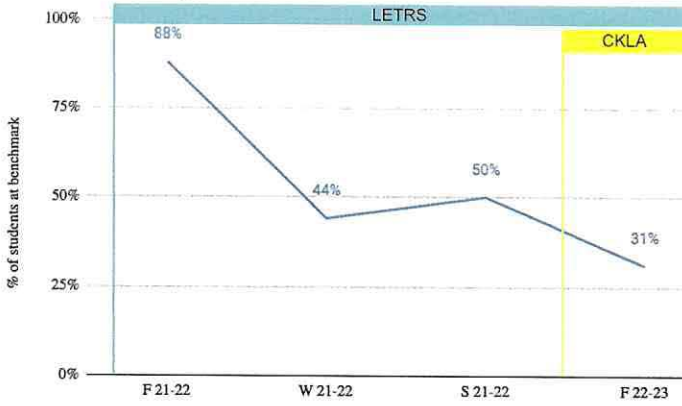
% of current 4th grade students at benchmark over time



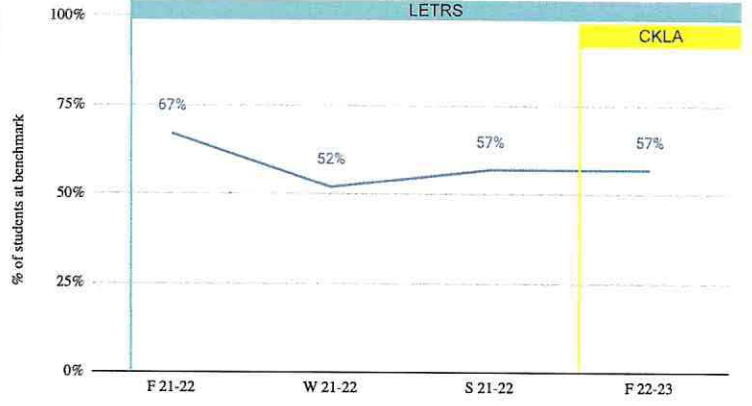


# School District D

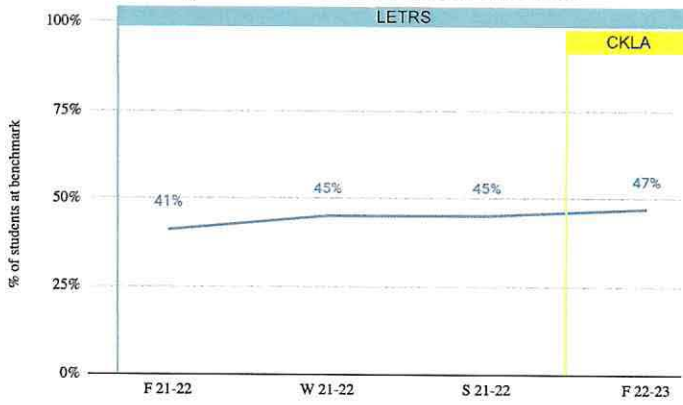
% of current 1st grade students at benchmark over time



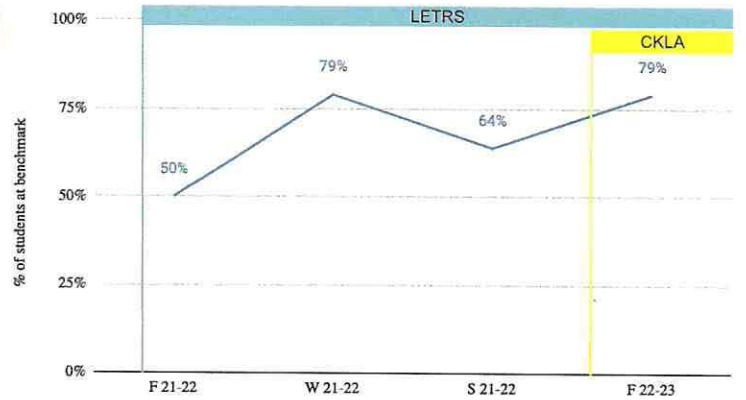
% of current 2nd grade students at benchmark over time



% of current 3rd grade students at benchmark over time

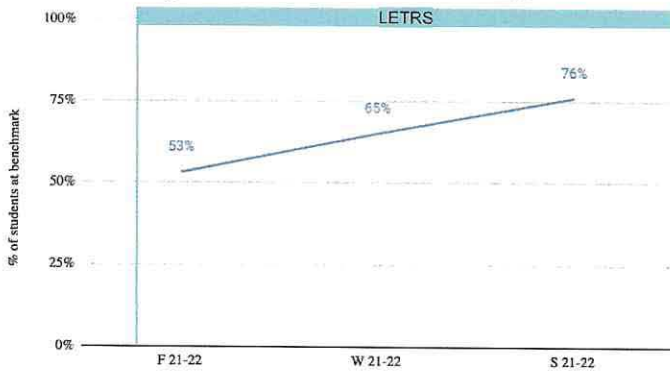


% of current 4th grade students at benchmark over time

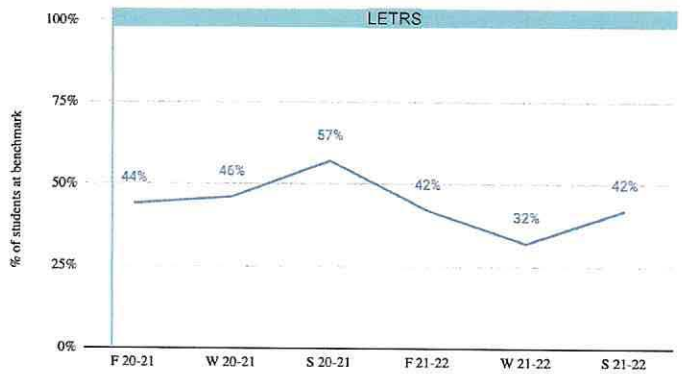


# School District E

% of current 1st grade students at benchmark over time



% of current 2nd grade students at benchmark over time



# Southeast Consortium

*Total number of students identified and receiving dyslexia intervention*

2020-2021	
K	32
1	48
2	11
3	9
4	1
5	0
6	0
Total	101

2021-2022	
K	50
1	65
2	37
3	26
4	21
5	8
6	9
Total	216

2022-2023 <i>*current totals so far this school year</i>	
K	55
1	53
2	56
3	40
4	10
5	14
6	10
Total	238

# Appendix B – Impact Statements

## Principal Impact Statements:

The Dyslexia Grant has provided so much to our school. The professional development provided my teachers the opportunity to take LETRS training and having Haley's Hope explain to all our staff what it's like for a student struggling with reading issues was an eye opener. And lastly the curriculum to help with interventions is great. Even the classroom teachers like using the curriculum to help their lower students get more opportunities with reading practice that is multisensory.

[Our District] has been committed to many areas of learning and improvement in the area of Dyslexia through our pilot program afforded by the Department of Public Instruction. We have implemented the Shaywitz screener in primary grades. We revamped our intervention process and programs to assure alignment and support for learners with all sorts of reading needs, but ensuring they also support our dyslexic learners. We have SPIRE intervention and Heggerty phonemic awareness as Tier 2 or 3 interventions which align with the Science of Reading and truly help us address and monitor growth of our learners. We are LETRS trained or in the process of training for all PK-5 ELA educators, interventionists, and our library media specialist. We also have our level 3 departmentalized educators in math, science, social studies, counselor, music and peer educators trained per state requirements on basic understanding of the SoR. We have sound walls in all K and 1 learning centers and intervention rooms. We are implementing K-5 tier 1 and 2 interventions in learning centers assuring all learners' needs regarding reading development are addressed and gaps are filled. We are thrilled to finally feel knowledgeable in properly teaching our learners and digging into specific gaps or needs at deeper levels.

Being part of the Dyslexia Grant for the past three years has brought many positive changes to our students, teachers, and families. The knowledge that has been gained during this time has been instrumental to our increasing our overall reading scores. We use AimsWeb Plus to benchmark and monitor our students. We have seen an increase in our early learner's scores in the past couple of years when we compare them to previous years. Our K-2 teachers, Title I reading, and Special Education teachers are trained or working on the LETRS professional development through SEEC. This along with other information and curriculum that we have learned about is what is driving the positive success of our early readers. Teachers have been using visual phonics, creating and adding to sound walls and word walls. Overall, this has been a very positive thing for our students and our teachers. They feel more confident in teaching our early readers and having success.

[New Principal] I don't have a baseline to compare to, but teachers who have taken LETRS training, have expressed that they wished they would have known this stuff earlier in their career. When I visit classrooms, I hear Heggerty being taught, and have witnessed student engagement and response to the Heggerty lesson. I only have the data presented to us this year, but it clearly shows that our WIN time and reading pathway, which includes SPIRE, has shown significant gains.

We have been so grateful to be part of the dyslexia grant at [our District]. The grant has helped our students in many ways. It has provided funding for professional development/training in the science of reading. All staff working with students in grades kindergarten through 4<sup>th</sup> grade have participated in one of the following trainings provided through SEEC: LETRS, Visual Phonics, Introduction to SOR. Teachers have been trained to analyze data and complete diagnostic assessments to pinpoint learning gaps. Small group interventions within the classroom and pull-out services are more intentional based on individual needs. The grant has also helped fund instructional materials such as SPIRE intervention curriculum and decodable readers. After learning more about the science of reading, our school has adopted a research-based reading curriculum that is systematic and will benefit all readers. The collaboration between multiple districts has also been very valuable. Reading interventionists meet monthly to discuss best instructional practices and monitoring and assessing student growth. Several times throughout the school year the dyslexia grant team meets to discuss progress, analyze data, and collaborate on next steps.

### **Teacher Impact Statements:**

We are excited to share some of the changes we have been making over the past year with the implementation of Lexia that we have taken from the authors of LETRS. Our learners seem to thoroughly enjoy the program and educators have been impressed with the successes we see. While enrolled in the LETRS program, I have gained a wealth of knowledge about literacy and the science of reading. "Informed teachers change lives," and I have found this to be true with the instruction we've been given. This year, our cohort decided to take some time in our day to give our learners explicit intervention time (25 minutes of reading and 25 minutes of math). I personally have implemented Vowel Valley into my intervention time with my learners and things seem to really be clicking. I never realized how big of an impact your mouth placement has when learning the sounds letters make and reading words on the page. We have been very fortunate with the work our team has put in to making this grant useful for the instruction and success of our learners.

Our first-grade team has completely transformed the way we teach reading, spelling, and phonics with the guidance of LETRS training, the Heggerty curriculum, and resources provided through the dyslexia grant. LETRS training provided us with the most explicit way to teach students, collect data, and analyze the best way to help each student succeed. Heggerty has improved students' phonemic awareness through engaging repetition. The dyslexia grant has also provided us with manipulatives and visuals to reinforce skills with students. Our biggest takeaways from the grant materials include:

- Students need both word recognition and language comprehension in order to comprehend what they are reading
- The importance of having a language-rich classroom where the quality of words matters, not the quantity
- Using multisensory instruction to make connections between visual and auditory cues
- Teaching heart words instead of sight words while focusing on sound parts, not just memorizing words

We now teach more explicitly and provide students with more meaningful, engaging experiences with the help of the dyslexia grant.

The Dyslexia Grant has allowed us to purchase tools that we are using on a daily basis in our classrooms. Heggerty and Tools 4 Reading have been used as tools in the classroom to help implement reading and phonics instruction in a format based on the latest reading research. Heggerty has allowed us to closely monitor and assess phonemic awareness in our K-2 classrooms. The dyslexia grant has also created more discussion about dyslexia within our school, which has led to more awareness. We have also had dyslexic training as part of one of our professional development days which I feel has made us more aware as educators of what to look for in our struggling students. I feel that as a classroom teacher, I am better at identifying students who are exhibiting dyslexic tendencies and using resources to better assist those students, as well as referring those students for a dyslexia screening if need be.

As a 2nd grade team, we feel we've learned so much related to reading and HOW kids learn to read as a result of our new reading curriculum that is based on the science of reading as well as LETRS training. We have to continue to give ourselves grace in knowing that we previously were just doing what we knew or the best we could. We now know that what we were once doing and how we once thought kids learned to read was wrong! Now we know better, we do better! The LETRS training has been absolutely transformational related to how we instruct kids to read. We're so much more reflective on where kids are at and feel much more confident in determining their specific needs. We're able to better analyze writing, spelling, and reading and then provide the needed support for our kids. We also are so fortunate to work at a district that has embarked on this journey. We're only in our second year of having a Tier 1 curriculum and are already seeing great progress and growth in our kiddos related to literacy. We can't wait to see the results after this year!

According to my credentials, I became a reading specialist ten years ago. However, those first years, I was always bothered by the question in the back of my head. "There's got to be something that actually works in teaching kids to read, isn't there?" We went from piecing things together on our own to trying some programs that just weren't explicit enough, and it seemed like we stumbled along until we were gifted with the LETRS training. At this same time, our district started using SPIRE and Heggerty for our kids who were in reading intervention. The new learning from LETRS coupled with the explicit, systematic instruction in SPIRE was the ticket to finally answering the question that had bugged me for so many years. Knowledge of and use of the science of reading changed so much for us! We are just over two years in with our new learning! As an intervention staff, we are more aware of the ways we can dig deeper into figuring out deficits and more confident in knowing what type of instruction is needed to build stronger readers. I am thrilled with the changes both as a staff member in the district and also as a parent to children who are getting structured literacy in school!

### **Parent Impact Statements:**

"I've noticed a tremendous attitude [improvement] in the way my child approaches reading. Last year, he struggled and was much lower than the expectations at his grade level. He qualified for additional intervention support, and what a change. He's been receiving interventions using the SPIRE curriculum and he now loves to read, and it is not a struggle at home. He picks up books on his own, without being told, and I can often hear him breaking down a word if he is unfamiliar instead of just skipping over it or shutting down like he used to. I would say this program used has a huge impact on how students view reading, or at least for my child it did!" ~parent of a 2<sup>nd</sup> grader

My son, who reads significantly below grade level, started the SPIRE program last year (1st grade). He just completed Level 1 and passed! This program has been a game changer for him. Last year, he would not even pick up a book to read. He is now asking me to listen to him read, reading notes I leave, and text messages I receive. It is still very hard for him, but he has grown so much and his progress monitoring graph is proof that this program works.

As a parent that has a child with Dyslexic tendencies and after taking my child to Haley's Hope for help. Haley's Hope told me that [my child's school] already has a great curriculum SPIRE that will help my child. I couldn't believe my child could get help right at his own school.

Our oldest son is profoundly dyslexic and has struggled with learning to read since preschool. His deficits have been so profound that we never thought he would become a fluent reader. He started 5<sup>th</sup> grade reading only 62 words per minute, and his district benchmark percentiles have always been in the single digits for reading. In the past, we have tried tutoring with the Barton program a few times a week, but it was not enough to catch him up to his peers. Now in 6<sup>th</sup> grade, this is his third year in the SPIRE program, and he is reading 148 words per minute. He only gets pulled out of the classroom for intervention time (every day for 30 minutes) and is getting straight As in all of his regular ed classes. He is motivated to do well in school and is a happy and healthy child.

23.0362.03001

Sixty-eighth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1231**

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act to amend and reenact ~~sections 15.1-32-25 and~~section 15.1-32-26 of the North  
2 Dakota Century Code, relating to ~~mandatory dyslexia screening and~~ the dyslexia screening and  
3 intervention program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating  
4 to mandatory dyslexia screening; and to provide for a legislative management report.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 ~~SECTION 1. AMENDMENT. Section 15.1-32-25 of the North Dakota Century Code is~~  
7 ~~amended and reenacted as follows:~~

8 ~~15.1-32-25. Reading Dyslexia screening.~~

9 ~~Each public elementary school shall include in the developing and processing of~~  
10 ~~assessments and screening of reading, administer universal screening for dyslexia which~~  
11 ~~includes the core components of phonetic awareness, decoding, and spelling and which is~~  
12 ~~approved by the superintendent of public instruction. The screening also must be offered if~~  
13 ~~requested by a parent, legal guardian, or teacher.~~

14 **SECTION 1. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **15.1-32-26. Dyslexia screening and intervention –Pilot program - Report to legislative**  
17 **management - Professional development.**

18 1. For purposes of this section:

19 a. "Dyslexia" means a specific learning disability that is ~~neurological~~neurobiological  
20 in origin and characterized by difficulties with accurate or fluent recognition of  
21 words and poor spelling and decoding abilities, independent of the individual's  
22 general intelligence level.

23 b. "Specialist trained in dyslexia" means an individual who:

- 1                   (1) Has expertise providing training in phonological and phonemic awareness,  
2                   sound and symbol relationships, alphabet knowledge, rapid naming skills,  
3                   and encoding and decoding skills; and  
4                   (2) ~~Is fluent in the dyslexia intervention process; and~~  
5                   ~~(3)~~ Has training in identifying dyslexia characteristics and intervention  
6                   processes from an approved provider on a list maintained by the  
7                   superintendent of public instruction.
- 8                   2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~  
9                   ~~year, the~~The superintendent of public instruction shall establish and operate a pilot  
10                   program to provide guidance and recommendations regarding proven strategies and  
11                   early screening and intervention services for children with risk factors for dyslexia  
12                   characteristics, including low phonemic awareness.
- 13                   3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
14                   association, or and special education unit must submit an application to the  
15                   superintendent which shall:  
16                   a. ~~Identifies a method of screening children for low phonemic awareness and other~~  
17                   ~~risk factors for dyslexia;~~  
18                   b. ~~Provides for the enrollment of children identified as having risk factors for~~  
19                   ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~  
20                   ~~multisensory structured language programs; and~~  
21                   c. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
22                   ~~identified risk factors of the child.~~
- 23                   4. Each grantee selected to participate in the program shall:  
24                   a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~  
25                   ~~children under seven years of age through a reading program established under~~  
26                   ~~subsection 3; Provide~~ screening for low phonemic awareness and other dyslexia  
27                   ~~risk factors~~ a universal screening for dyslexia including core components of  
28                   phonetic awareness, decoding, and spelling for children under seven years of  
29                   age which must be ~~provided~~ approved by the superintendent of public instruction  
30                   and developed and overseen by staff trained in dyslexia and multisensory  
31                   structured language programs ~~characteristics;~~



- 1           **b.** Include a process to further evaluate identified risk factors;
- 2           **c.** Describe the intervention services for the identified dyslexia risk factors;
- 3           **b.d.** ~~Provide reading intervention services to students identified as having~~  
4           ~~dyslexia~~with dyslexia characteristics;
- 5           **e.e.** Administer assessments, approved by the superintendent of public instruction, to  
6           determine the effectiveness of the ~~program~~intervention services in improving the  
7           reading and learning skills of ~~children enrolled in the program~~the child; and
- 8           **d.f.** Provide professional development on dyslexia ~~identification~~characteristics and  
9           interventions to ~~grant participants~~ appropriate personnel of the school district and  
10          special education unit who serve students in kindergarten through grade three.  
11          Professional development must meet the requirements for continuing education  
12          credits for license renewal.
- 13          4. A school district or special education unit shall provide an assessment under  
14          subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.
- 15          5. ~~The board of each participating grantee shall report annually to the superintendent of~~  
16          ~~public instruction regarding the operation, results, and effectiveness of the pilot~~  
17          ~~program in a manner prescribed by the superintendent. Before July 1, 2024~~2024, the  
18          superintendent of public instruction shall ~~compile the information and~~provide a report  
19          to the legislative management ~~with a recommendation whether to continue~~regarding  
20          ~~the pilot program~~ beyond the 2022-23 school year regarding dyslexia screening and  
21          intervention under this section.

22          **SECTION 2. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

23.0362.03002  
Title.

Prepared by the Legislative Council staff for  
Representative Schreiber-Beck  
February 13, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1231

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to teacher license requirements for reading instruction competency; to"

Page 1, line 1, replace "sections 15.1-32-25 and" with "section"

Page 1, line 2, remove "mandatory dyslexia screening and"

Page 1, line 3, replace "and" with "to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a legislative management study;"

Page 1, line 3, after "report" insert "; and to provide an effective date"

Page 1, replace lines 5 through 12 with:

**"SECTION 1.** A new section to chapter 15.1-13 of the North Dakota Century Code is created and enacted as follows:

**Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A kindergarten through grade three initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

Page 1, line 18, overstrike "neurological" and insert immediately thereafter "neurobiological"

Page 1, line 22, after "dyslexia" insert "characteristics"

Page 2, line 3, after the semicolon insert "and"

Page 2, line 4, overstrike "Is fluent in the dyslexia intervention process; and"

Page 2, line 5, overstrike "(3)"

Page 2, line 5, after "dyslexia" insert "characteristics and intervention processes from an approved provider on a list maintained by the superintendent of public instruction"

Page 2, line 7, overstrike "operate a"

Page 2, line 8, overstrike "program to"

Page 2, line 9, after "dyslexia" insert "characteristics"

Page 2, line 12, remove "and"

Page 2, line 12, overstrike "special education unit"

Page 2, line 22, remove the overstrike over "a."

Page 2, line 24, remove "Provide screening for low phonemic awareness and other dyslexia"

Page 2, line 25, replace "risk factors for" with "For enrolled"

Page 2, line 25, remove "under"

Page 2, line 25, replace "which must be provided" with "and younger, provide a universal screening for dyslexia including core components of phonetic awareness, decoding, and spelling, which must be approved by the superintendent of public instruction and which must be developed and overseen"

Page 2, line 25, replace "staff" with "a specialist"

Page 2, line 26, replace "and multisensory structured language programs" with "characteristics"

Page 3, line 5, replace "appropriate" with "kindergarten through grade three"

Page 3, line 6, after "unit" insert ". Professional development must meet the requirements for continuing education credits for license renewal"

Page 3, after line 6, insert:

"4. A school district or special education unit shall provide an assessment under subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher."

Page 3, line 11, remove "regarding"

Page 3, line 12, overstrike "the"

Page 3, line 12, overstrike "program"

Page 3, line 12, after "year" insert "regarding dyslexia screening and intervention under this section"

Page 3, after line 12, insert:

**"SECTION 3. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA - STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related teacher training. The study must include a review of the pilot program established under section 15.1-32-36. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1, 2025."

Renumber accordingly

23.0362.03002

Sixty-eighth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1231**

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act to create and enact a new section to chapter 15.1-13 of the North Dakota  
 2 Century Code, relating to teacher license requirements for reading instruction competency; to  
 3 amend and reenact sections 15.1-32-25 and section 15.1-32-26 of the North Dakota Century  
 4 Code, relating to mandatory dyslexia screening and the dyslexia screening and intervention  
 5 program; and to repeal section 15.1-32-25 of the North Dakota Century Code, relating to  
 6 mandatory dyslexia screening; to provide for a legislative management study; to provide for a  
 7 legislative management report; and to provide an effective date.

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 ~~— **SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is~~  
 10 ~~amended and reenacted as follows:~~

11 ~~— **15.1-32-25. Reading Dyslexia screening.**~~

12 ~~— Each public elementary school shall include in the developing and processing of~~  
 13 ~~assessments and screening of reading, administer universal screening for dyslexia which~~  
 14 ~~includes the core components of phonetic awareness, decoding, and spelling and which is~~  
 15 ~~approved by the superintendent of public instruction. The screening also must be offered if~~  
 16 ~~requested by a parent, legal guardian, or teacher.~~

17 **SECTION 1.** A new section to chapter 15.1-13 of the North Dakota Century Code is created  
 18 and enacted as follows:

19 **Teaching license - Reading instruction competency.**

20 1. The board shall ensure a candidate for teacher licensure demonstrates competencies  
 21 in beginning reading instruction based on scientifically and research-based best  
 22 practices. Competencies must include the acquisition of knowledge of the essential  
 23 components of beginning reading instruction, including:

24 a. Phonemic awareness:

- 1 b. Phonics;
- 2 c. Fluency;
- 3 d. Vocabulary;
- 4 e. Comprehension;
- 5 f. How to assess student reading ability; and
- 6 g. How to identify and correct reading difficulties.
- 7 2. A kindergarten through grade three initial teacher licensure candidate must provide
- 8 evidence that the candidate meets the competency standards of the components
- 9 under subsection 1.
- 10 3. A teacher licensure candidate satisfies the requirements of this section if the candidate
- 11 demonstrates the candidate has received training in competencies related to reading
- 12 instruction from an accredited or approved program, or demonstrates mastery of the
- 13 topics provided under subsection 1. The board may issue a provisional license for up
- 14 to two years to a teacher licensure candidate who does not meet the requirements of
- 15 this section.

16 **SECTION 2. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **15.1-32-26. Dyslexia screening and intervention -Pilot program - Report to legislative**  
19 **management - Professional development.**

- 20 1. For purposes of this section:
  - 21 a. "Dyslexia" means a specific learning disability that is ~~neurological~~neurobiological
  - 22 in origin and characterized by difficulties with accurate or fluent recognition of
  - 23 words and poor spelling and decoding abilities, independent of the individual's
  - 24 general intelligence level.
  - 25 b. "Specialist trained in dyslexia characteristics" means an individual who:
    - 26 (1) Has expertise providing training in phonological and phonemic awareness,
    - 27 sound and symbol relationships, alphabet knowledge, rapid naming skills,
    - 28 and encoding and decoding skills; and
    - 29 (2) ~~Is fluent in the dyslexia intervention process; and~~

- 1 ~~(3)~~ Has training in identifying dyslexia characteristics and intervention  
2 processes from an approved provider on a list maintained by the  
3 superintendent of public instruction.
- 4 2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~  
5 ~~year, the~~The superintendent of public instruction shall establish and ~~operate a pilot~~  
6 ~~program to~~ provide guidance and recommendations regarding proven strategies and  
7 early screening and intervention services for children with risk factors for dyslexia  
8 characteristics, including low phonemic awareness.
- 9 3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
10 association, or ~~and special education unit~~ must submit an application to the  
11 superintendent which shall:
- 12 a. Identifies a method of screening children for low phonemic awareness and other  
13 risk factors for dyslexia;
- 14 b. Provides for the enrollment of children identified as having risk factors for  
15 dyslexia in a reading program staffed by specialists trained in dyslexia and  
16 multisensory structured language programs; and
- 17 e. Includes a methodology for evaluating the effects of the reading program on the  
18 identified risk factors of the child.
- 19 4. Each grantee selected to participate in the program shall:
- 20 a. Provide low phonemic awareness and other dyslexia risk factor screenings for  
21 children under seven years of age through a reading program established under  
22 subsection 3; ~~Provide screening for low phonemic awareness and other dyslexia~~  
23 ~~risk factors for~~For enrolled children under seven years of age which must be  
24 provided and younger, provide a universal screening for dyslexia including core  
25 components of phonetic awareness, decoding, and spelling, which must be  
26 approved by the superintendent of public instruction and which must be  
27 developed and overseen by staffa specialist trained in dyslexia and multisensory-  
28 structured language programscharacteristics;
- 29 b. Include a process to further evaluate identified risk factors;
- 30 c. Describe the intervention services for the identified dyslexia risk factors;

- 1        ~~b.d.~~ Provide reading intervention services to students ~~identified as having~~  
2        ~~dyslexia~~with dyslexia characteristics;
- 3        ~~e.e.~~ Administer assessments, approved by the superintendent of public instruction, to  
4        determine the effectiveness of the ~~program~~intervention services in improving the  
5        reading and learning skills of children ~~enrolled in the program~~the child; and
- 6        ~~d.f.~~ Provide professional development on dyslexia ~~identification~~characteristics and  
7        interventions to ~~grant participants~~ appropriate kindergarten through grade three  
8        personnel of the school district and special education unit. Professional  
9        development must meet the requirements for continuing education credits for  
10       license renewal.
- 11       4. A school district or special education unit shall provide an assessment under  
12       subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.
- 13       5. ~~The board of each participating grantee shall report annually to the superintendent of~~  
14       ~~public instruction regarding the operation, results, and effectiveness of the pilot~~  
15       ~~program in a manner prescribed by the superintendent. Before July 1, 2024~~2024, the  
16       superintendent of public instruction shall ~~compile the information and provide a~~ report  
17       to the legislative management ~~with a recommendation whether to continue~~regarding  
18       ~~the pilot program~~ beyond the ~~2022-23 school year~~ regarding dyslexia screening and  
19       intervention under this section.

20       **SECTION 3. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

21       **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA -**  
22       **STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider  
23       studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related  
24       teacher training. The study must include a review of the pilot program established under section  
25       15.1-32-36. The legislative management shall report its findings and recommendations,  
26       together with any legislation necessary to implement the recommendations, to the sixty-ninth  
27       legislative assembly.

28       **SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1,  
29       2025.



HB 1231 Dyslexia Early Screening and Intervention

Kerri Whipple, Director of Literacy, South East Education Cooperative

Tuesday, March 7, 2023

Good morning, Chair Elkin and members of the Senate Education Committee,

For the record my name is Kerri Whipple, and I work on literacy and language initiatives with the South East Education Cooperative. We are one of seven regional education agencies in North Dakota. As part of my work at SEEC, I have been supporting the Southeast Consortium Dyslexia Pilot Program group.

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I will submit full testimony on Monday, March 6, 2023



## NORTH DAKOTA ASSOCIATION OF SCHOOL PSYCHOLOGISTS

The North Dakota Association of School Psychologists (NDASP), along with the National Association of School Psychologists (NASP) support the need to provide prevention and early intervention services to meet the needs of all students in the general education setting. As such, the NDASP support the need for a kindergarten through grade three initial teacher licensure candidate to provide evidence that the candidate meets the competency standards inclusive of the acquisition of knowledge of the essential components of beginning reading instruction, including (a) phonemic awareness, (b) phonics, (c) fluency, (d) vocabulary, (e) comprehension, (f) how to assess reading ability; and (g) how to identify and correct reading difficulties.

As it relates to dyslexia-specific screening and intervention, the North Dakota Department of Public Instruction (ND DPI) has existing guidance and recommendations regarding the intentional shift away from identifying and diagnosing characteristics that are internal to the student to an evidence-based early screening and intervention service model for children demonstrating lagging basic reading skills as part of the IDEA mandated child-find process.

This [link](#) is available for review and is inclusive of IDEA's definition of a specific learning disability, the need to consider the condition of dyslexia among other conditions (such as perceptual disabilities, brain injury, minimal brain dysfunction, and developmental aphasia) when completing a comprehensive evaluation of students and determining a need for specially designed instruction.

While these terms and conditions may be considered in determining the unique needs of a student, NDASP takes the position that these conditions are not exempt from these ND DPI established guidelines. Thus they do not require their own policies, procedures, and treatments that would be considered unique to already established evidence-validated assessments and interventions provided by trained North Dakota teachers, support staff, interventionists, and other related professionals.

NDASP welcomes and supports training opportunities for educators to identify learning disabilities, including dyslexia, and to deliver quality instruction for all students. Schools provide trained special education teachers and interventionists to treat reading disabilities as defined by the SLD definition and criteria explained in the document link above. These skilled staff receive the same training to meet the needs of students identified as having dyslexia.

Many students in North Dakota suffer from difficulties with learning in many areas. NDASP encourages ongoing screening and progress monitoring of students as this association, and its members, believe is tantamount to their academic success. NDASP believes dyslexia and other like conditions should be referenced in appropriate documentation when conducting a special education evaluation.

NDASP recommends additional consideration to the language in subsection 4 of HB1231 that states "A school district or special education unit shall provide an assessment under subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher." Federal IDEA guidelines mandate that evaluation requests be *considered* by the school team, not necessarily acted on, if the school team can provide evidence that an evaluation is unnecessary. There are cases when an assessment is requested and is unwarranted by multiple data sources due to the student not showing an educational need for evaluation.



Results from a special education evaluation may find students diagnosed with a dyslexia condition eligible for special education services if the assessment team concludes all available sources of data demonstrate the disability or impairment have such an adverse effect on the student's educational performance that would require special education and related services through an Individualized Education Program (IEP). Dyslexia should not be considered a standalone qualification which would result in specially designed instruction through IEP.

It is recommended legislators match appropriations to the need to train and deliver appropriate instruction within the guidelines put forth in HB1231. Without appropriate funding, school districts will be unable to implement with fidelity, making another mandate an ineffective use of time and resources.

To reiterate, the North Dakota Association of School Psychologists is not opposed to additional training and interventions targeted to needs like dyslexia, but would ask that consideration be given to the language used within the bill and the execution of such mandates.

Sincerely,

A handwritten signature in black ink, reading "Alannah Valenta". The signature is written in a cursive style with a large initial "A".

Alannah Valenta, PsyS, NCSP

NDASP President, on behalf of North Dakota Association of School Psychologists

<https://www.nd.gov/dpi/sites/www/files/documents/SpeEd/Guidelines/Guidelines%20with%20ORTI.2.pdf>



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Bismarck, ND 58503  
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**Testimony HB 1231**  
**Senate Education Committee**  
**March 7, 2023**  
**Education Standards and Practice Board**

Good morning, Chairman Elkin, and members of the Committee. My name is Rebecca Pitkin, and I am the Executive Director of the Education Standards and Practices Board. I am here today to testify in support of SB 1231, specifically Section 1. The stated requirements for K-3 candidates for licensure align exactly with the competencies required for currently practicing teachers, and reflect as stated in line 13, scientifically and research based best practices. Our current state context, not unlike many states, indicates we need to work together with the same goals to foster increased reading competency for our North Dakota children, with a specific focus on grades kindergarten to grade 3 where students learn to read and can then read to learn in the following grades. The language in this section aligns entities so that everyone is spreading the same message regarding the science of reading. Language in a bill does not automatically increase children's reading competency, but it does provide a common path forward for those training teachers who will receive an initial educator's license, and those who are currently teachers. The focus on these concepts in training teacher candidates has been ongoing and was codified last Session in 15.1-13-35.1 but applied to kindergarten through grade 12 teachers and special education teachers. HB 1231 aligns the focus for future and current teachers. North Dakota has been selected to participate in the Hunt Institute Path Forward Initiative and a cross agency group is working diligently to align the K-16 focus of reading to make positive impacts on students' reading ability. As a former reading specialist, I have seen the effect on adults when they cannot read and countless studies indicate the positive impacts an educated citizenship has on the economic well-being of a state, and more importantly, in the life of a child.

Thank you for this opportunity to speak on a critically important topic and this concludes my testimony. I am willing to answer any questions relating to my testimony.

Rebecca Pitkin, PhD  
Executive Director, ESPB  
[rpitkin@nd.gov](mailto:rpitkin@nd.gov)  
701.328.9646

**HB 1231 Dyslexia Early Screening and Intervention****Representative Michelle Strinden****Tuesday, March 7<sup>th</sup> 2023****Good Afternoon, Chair Elkin and members of the Senate Education Committee,****For the record my name is Michelle Strinden, and I represent the people of South Fargo's District 41. I have the pleasure to present to you HB 1231 on behalf of thousands of students and parents who are affected by Dyslexia across our state.****Dyslexia affects 20 percent of the population and knows no socio economic, racial or ethnic boundary. It is defined as a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent recognition of words, poor spelling and decoding abilities independent of an individual's general level of intelligence. Research shows that a structured literacy approach that is phonetically based, multi-sensory and systematic is not only effective for students with Dyslexia, but will benefit all readers...especially all early readers!****Our family has been personally touched as our son Joseph has Dyslexia. I, like so many parents across our state and country, have a passion for literacy and urgently searched for answers to help our dyslexic child learn to read. Thankfully, our son is one of the fortunate ones. When Joseph was young there was only one person in our area who offered structured literacy tutoring and intensive therapy. The Reading Therapy Center in Moorhead, MN had just opened (2008) providing one on one Orton-Gillingham therapy based in the Science of Reading(SoR). It was an answer to fervent prayer and quite literally life changing for our son. His therapy sessions began in 2<sup>nd</sup> grade and in 3<sup>rd</sup> grade**

**we decided to homeschool Joseph due to the amount of therapy he needed to catch up to his peers. Homeschooling and reading therapy continued through 6<sup>th</sup> grade costing our family approximately 30,000 dollars of therapy over many years including summer months.**

**Joseph was eager to get back to school in 7<sup>th</sup> grade and he was ready! His school provided accommodations for his diagnosed dyslexia in a 504 plan. However, throughout middle school and high school we had to continue to actively advocate for him to receive appropriate accommodations in most classes. I can proudly say he is now in college doing very well. It is my sincere hope and dream that one day struggling readers in North Dakota will not have to leave their elementary school buildings to learn to read.**

**In 2019, students, parents, and teachers from all over our state filled our hearing rooms to testify for HB 1461. Now, four years since it was enacted we have the data to prove its success. The bill provided for early screening of dyslexia in K-1, structured literacy intervention and professional development for teachers and staff. Three pilots were funded in 2019, and then two pilots in 2021 as the Covid 19 pandemic delayed full implementation. Since 2019, our state has made progress in its approach to the teaching of reading, but there is still much work to be done. The Dyslexia pilot has positively impacted the elementary schools reading assessments and curriculum in significant ways. For instance, Reading Recovery, which uses an ineffective approach based in whole language called Balanced Literacy, is thankfully no longer being used in these buildings for struggling readers. The schools with pilots have also changed reading curriculum and assessments to align with the Science of Reading. Mandatory screening is CRITICAL at the beginning of 1<sup>st</sup> Grade. The state of ND has a responsibility to our citizens to reliably screen for reading difficulties by age 7 and begin appropriate interventions with clear objectives. Research**

**shows this will significantly impact our children identified with characteristics of dyslexia and improve ALL students reading proficiency.**

**In 2021, I introduced and our legislature enacted the Dyslexia Specialist credential while the University of North Dakota developed a three course offering the credential. North Dakota Century Code (HB 1388) also instructs teacher licensure competency in beginning reading instruction to be based on scientifically and researched based best practices.**

**Higher education must teach research based programs and properly train its students in our Colleges of Teaching and Learning. Currently, the Hunt Institute is working with the ND Department of Public Instruction and key stakeholders on “The Path Forward” which aims to develop a comprehensive action plan to incorporate the Science of Reading in teacher preparation programs and licensure. The amendment provided today additionally establishes a task force within ND DPI to make ongoing recommendations. This will inform ND educators and administrators in a timely manner of best practices helping to reduce the financial burden to school districts. Additional amendments are being offered for an appropriation for dyslexia and related literacy policy in SB 2284.**

**During my campaign for the ND state legislature, I stated that one of my main policy goals was to strengthen education by improving literacy for students in District 41 and across the state. Our ND DPI dashboard at [Insights.nd.gov](https://insights.nd.gov) shows that only forty-four percent of our students are reading proficiently. Early identification of dyslexia and reading instruction using the structured literacy approach for ALL of our students is essential to ensure life long success for our citizens.**

**Thank you, Mr Chair and Education committee members for your consideration. It is my pleasure to stand for any questions you may have.**



HB 1231 Dyslexia Early Screening and Intervention

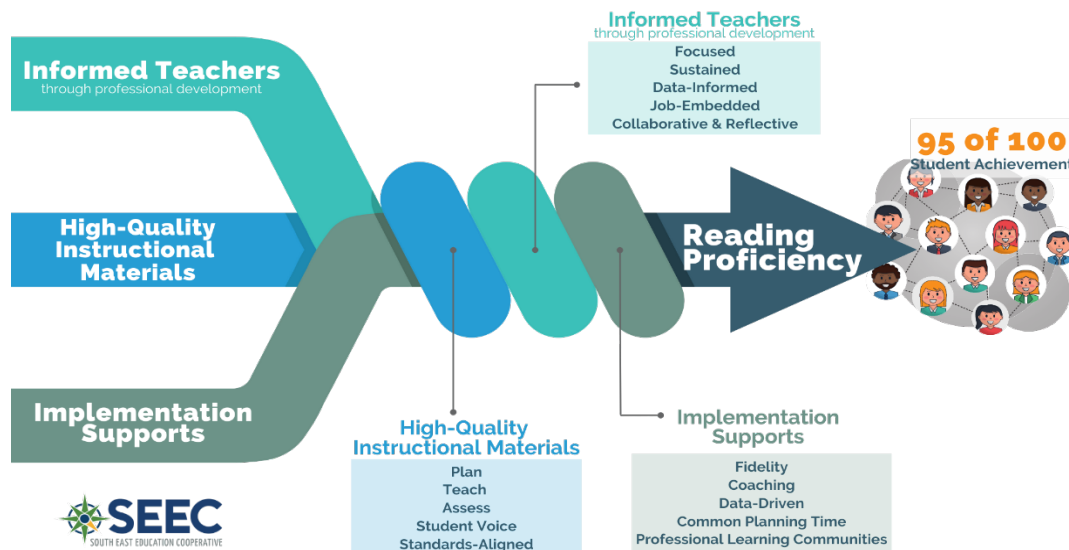
Kerri Whipple, Director of Literacy, South East Education Cooperative

Tuesday, March 7, 2023

Good morning, Chair Elkin and members of the Senate Education Committee,

For the record my name is Kerri Whipple, and I work on literacy and language initiatives with the South East Education Cooperative. We are one of seven regional education agencies in North Dakota. As part of my work at SEEC, I have been supporting the Southeast Consortium Dyslexia Pilot Program group.

Through our literacy work with districts, we realized that successful systems have three components that create positive outcomes for students. We refer to these three components as the SOR (Science of Reading) Strands of Success.



Through the dyslexia pilot program, our member schools had the funding to bring in experts to help them understand that they likely already have the assessments that they need to identify students who have characteristics of dyslexia. They also funded teacher trainings like LETRS, Foundations of Reading, Reaching All Learners and other SOR-based opportunities (you may also hear this called structured literacy). They funded the training itself as well as substitute teacher pay. This meets our first SOR Strand of Success – informed teachers. When teachers share a common language and work toward a common goal, it is known as collective efficacy. Education researcher John Hattie found that collective teacher efficacy is the one of the top factors that influences student achievement.

We have trained over 750 educators in LETRS, over 275 educators in Foundations of Reading and more than 1500 educators in Reaching All Learners in the past 4 years in North Dakota. The great thing about the Science of Reading work is that it benefits all students and harms none. Students with characteristics of dyslexia benefit greatly when their teachers have deep knowledge around structured literacy. This bill supports the work that has resulted in student outcomes for students with characteristics of dyslexia.

Once teachers have high knowledge, they need the right materials in their classrooms to practice their new skills. This may include materials for all students in the general education classroom for tier I instruction or materials for intervention for students who are found to need additional help based on their assessment results. Our second strand of success is just this – High Quality Instructional Materials. Our dyslexia pilot schools used funds to purchase and train on specific interventions to help students with characteristics of dyslexia. This bill asks schools to ensure that their interventions are aligned with how the brain learns to read, which supports all students.

The third strand of success is implementation supports which can be accomplished in many ways. The schools in our SE consortium worked together as a professional learning community to examine their data and make decisions about supports for their students. This group planned professional learning together based on the needs of their teachers, created reports to share with stakeholders, and have shared their journey with other schools at the NDMTSS conference. In addition, some of our most successful dyslexia pilot schools also have literacy coaches. This bill asks each school to have someone on staff who understands characteristics of dyslexia and assessment and intervention processes. This person may support staff in similar ways to a coach.

Schools may already have some of the requirements of this bill in place, and they just need training about how to use the information that they have. For example, most schools already use an assessment system for universal screening that will help them identify students in need of this type of intervention, but they may need training to be able to view their assessment data in a new way. For other requirements in this bill, such as professional development, funding is necessary to carry out the good work that this bill requires.

Without an appropriation, our testimony can be viewed as neutral because these requirements would be a burden on our schools as an unfunded mandate. However, it is my understanding that an appropriation for the work in this bill was submitted as an amendment to SB2284. Our support for this bill is contingent on this funding. If appropriately funded, this bill would benefit not only students with characteristics of dyslexia, but all students in North Dakota.

In section 1 of this bill, the seven areas of competency are similar to, but not the same as NDCC 15.1-21.12.1, which is the area of code that relates to professional development for in-service teachers. The areas of phonemic awareness, phonics, fluency, vocabulary and comprehension are the same. However, the areas of assessment and correction of reading difficulties in this bill are different. In 15.1-21.12.1 areas a and c are scientifically-based and systematic and direct instruction. It would be easiest for the educational system in ND if the required components for pre-service and in-service teachers are an exact match. I believe this would also require a repeal of NDCC 15.1-13-35.1 which asks all preservice K-12 teachers (in the higher education portion of the bill) to prepare to teach beginning readers, which may be an unnecessary burden for some high school content area educators.

I am happy to stand for any questions you may have regarding the Science of Reading work that has been happening across our state.

ADD THE FOLLOWING:

- one simile
- one metaphor
- one sentence with two independent clauses and a conjunction
- one sentence with a dependent clause at the beginning
- at least 5 adjectives
- at least 5 adverbs
- three examples of "strong" vocabulary
- one transition word / phrase

IDEAS TO INCLUDE:

- Trying out for the musical
- Hitting the wrong notes
- Feeling embarrassed
- Running offstage

#1 6th Grade

I heard the oboes clapping,  
the other girl was done.  
with her performance. I stepped on  
stage anxiously and saw the  
crown of grandma the mikton.  
with shalle hears. I put it to my  
mouth. I dropped my mike and  
ran to the bath and cry.

Name \_\_\_\_\_

WIST Irregular Words

#1

6<sup>th</sup> grade

1 into \_\_\_\_\_

21

2 from \_\_\_\_\_

22

3 put put \_\_\_\_\_

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4 of of \_\_\_\_\_

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5 they \_\_\_\_\_

25

6 move move \_\_\_\_\_

26

7 year \_\_\_\_\_

27

8 all only \_\_\_\_\_

28

9 father father \_\_\_\_\_

29

10 some \_\_\_\_\_

30

11 done \_\_\_\_\_

12 send said \_\_\_\_\_

13 could could \_\_\_\_\_

14 front front \_\_\_\_\_

15 — hours \_\_\_\_\_

16 friends friends \_\_\_\_\_

17 shoes \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_

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2	blind		22
3	shock		23
4	street ste stres	stress	24
5	sprint		25
6	plastink	plastic	26
7	sang	sag	27
8	glomp	globe	28
9	stang		29
10	clamps		30
11	hrv	nerve	31
12	dotnewend	document	32
13	throst	thrust	33
14	& floo	flaw	34
15	/	conquest	35
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17			37
18			38
19			39
20			40

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6<sup>th</sup> grade

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3 box

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5 flag

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8 mrck mark

9 small

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H2

2nd grade

Name \_\_\_\_\_

#2  
W/ST Irregular Words

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4 in of 24

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6 mov move 26

7 your 27

8 onle only 28

9 frgr first 29

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11 duh done

12 sed said

13 cud could

14

15

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19

20

2<sup>nd</sup> grade

Name \_\_\_\_\_

WIST Irregular Words

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19 \_\_\_\_\_

20 \_\_\_\_\_

guess what  
grade . . . .



1 eat yet  
2 blined blind  
3 sock shock  
4 stras stress  
5 spreint sprint  
6 plastik plastic  
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guess what  
grade . . . .

**Testimony for Public Hearing**  
**SENATE EDUCATION COMMITTEE**  
**Public Hearing on House Bill 1231**  
**March 6th, 2023**

Good morning, Chairman, and members of the Education Committee.

Thank you for the opportunity to address House Bill #1231...

My name is Kari Bucholz, Founder and Executive Director of Haley's Hope. Haley's Hope is a nonprofit Dyslexia Learning Center located in West Fargo, serving students across the State of North Dakota.

To give you a brief background on why I am here, my journey with dyslexia started with my son Haley, just one month into his pre-school year back in 2005. After being told he was not keeping up with the other kids in his class, our family started on a 2 ½ roller coaster trying to find an answer to our bright, young boy's academic challenges. After Title 1 interventions, reading 20 minutes a night, neuro appointments, eye doctors, hearing tests, and private tutors, the last straw for me was the fact I lost my highly intelligent, happy-go-lucky little boy to crying, not wanting to go to school or be social with his friends. The embarrassment and emotional toll were just too much for him at the ripe age of 6. I ended up following this little word, dyslexia, which led me to St. Paul for the diagnosis that gave us the answer. Our son Haley is profoundly dyslexic and severely dysgraphic. I tell you this as a backdrop to why I passionately support House Bill 1231. Had our education and medical systems known what to look for back then, we would have understood the reason Haley could not read or write and be able to intervene sooner.

I have dedicated the past 18 years to studying dyslexia and language-based learning disabilities. I always hoped North Dakota could start to **say** the word **dyslexia**, **believe** it is real, and work on **discovering how to help students** across our state who struggle with this learning style. That partially happened with the passing of HB 1461, a dyslexia

pilot program. I say partially because the pilot program, while extremely successful, needs to be expanded to include the entire state of North Dakota.

There is so much to talk about regarding dyslexia and the lack of resources for students, it is difficult to know where to start.

The phrase: “Kids are taught to read up to third grade, and from third grade on, they need to read to learn”. This sounds like a perfect progression, but if you are dyslexic, and not identified early, meaning kindergarten or first grade, the chance of reading at-grade level by 3<sup>rd</sup> grade is simply impossible.

**The fact is...If you can't read (or write) the ability to LEARN is totally wiped out.**

Early literacy, the development of skills to transition from learning to read to reading to learn, is a foundation of academic success. Students with dyslexia are at risk of a lifetime of illiteracy when they don't receive adequate support to identify and build skills to read and write, the cornerstone of success.

To briefly demonstrate what I mean, I would like to introduce you to a few of the students in our ND Education system. The students we work with come from over 188 different communities in North Dakota, not just the Fargo/West Fargo Area. (Refer to the list of counties)

### **Student 1: 6th-grade boy**

- On an IEP since Kindergarten.
- His IEP this year, in September of 2022, stated his school-wide benchmarks were between the 4<sup>th</sup> and 8<sup>th</sup> percentile for reading.
- He has 3 goals in his IEP (reading, math, language)
- Reading: to move from 46 cwpm to 80 cwpm.
  - Goal for this grade 50 % is 140 cwpm/ 25 % is 111 cwpm/winter.
  - 50 minutes a day intervention small group

### **Our testing:**

Phonological Awareness at the 5 % ile/Poor

Reading <1 % ile

Spelling <1 % ile

Please review the writing samples from this 6th-grade student.

Can you read the story he wrote?

Now, look at the words he was unable to spell correctly. Words that are used in everyday reading and writing.

**Student 2:** a 2nd-grade boy

- Has been in speech for 4 years, both at school and privately
- Chronic ear infections
- Wears glasses
- Very social
- Reading Corps 1x week for 30 minutes
- Summer School

**Our Testing:**

Reading: <1 % ile

Spelling: 3 % ile

Please review the spelling of words this young boy had trouble with, specifically the words written without any vowels.

**Student 3:** How old is this student?

Compare the words spelled wrong on this one with the other samples I gave you.

After 18 years of dedication to learning about dyslexia and LBLD, and 12 years of directly supporting over 1200 students and their families with adequate identification, OG-based tutoring for literacy, math, study skills, and 504 and IEP support. I still don't understand **why our great state of North Dakota continues to allow something we can easily identify and remediate to rob our community of future workers and leaders.**

Students with dyslexia are at risk of a lifetime of illiteracy when they don't receive adequate support to identify and build skills to read and write, the cornerstone of success. Improving literacy rates improves social and emotional well-being and can move the needle on broader societal dilemmas, such as dropout rates, delinquency, substance abuse, unemployment, and generational inequities.

If you can't read or write, it is difficult to function in our society. For instance:

1. How many of you work up this morning to an alarm clock you set last night, looked at your watch or phone to tell the time, understanding am and pm.
2. How many picked up the newspaper or magazine, looked at a website, or read a pile of papers like the stack you have in front of you now?
3. How many stopped to get gas, had to read the instructions of how to do it, push the numbers for your zip code, and known to push the words "yes" or "no", are you paying with a credit card, cash, debit, do you want a carwash...what type...
4. Did you purchase a coffee today? Read the list of items available?
5. Who took a pen or pencil to jot something down? Sent a text, or email? Fill out a job application and sign your name when using a credit card.

Today, House Bill 1231 is in front of you for consideration. Today you can impact thousands of children by providing dyslexia-specific resources to educators across our state. Fill the void our educators are feeling when they are not able to adequately help their students due to a lack of information, education, and resources. Student literacy failure is not due to a lack of effort by our educators or our children. From today on, the state of ND can either move forward in eliminating illiteracy in our students or continue to sweep it under the rug and complain about the social, emotional, and economic devastation our communities will continue to face because of untreated dyslexia.

Thank you for your time and consideration. I would be happy to answer any questions.

**Kari Bucholz**  
Haley's Hope  
Founder/Executive Director

701.373.0397  
Kari@haleyshope.org

Website: [haleyshope.org](http://haleyshope.org)  
1150 Prairie Parkway  
West Fargo, ND 58078

**Qualifications:**

- Certified in Orton Gillingham-based Barton Reading and Spelling System- 2008
- Certified in Screening for Dyslexia - 2011
- Certified Structured Literacy Teacher (C-SLCT) -The Center for Effective Reading Instruction (CERI)
- Dyslexia Studies and Language-Based Learning Disability- Graduate Certificate- Southern New Hampshire University - 2016
- International Dyslexia Association- Upper Midwest Branch- Board Member
- Atlantic Seaboard Dyslexia Learning Center- Multisensory Math 1
- Certified Irlen Screener

03/06/2023

Chairman Elkin and Education Committee Members,

My name is Leslie Bieber and I am the Superintendent of Alexander Public School. I am writing in opposition of HB 1231.

The pilot of dyslexia went well from what I understand. I have questions that I would like you to ask before you even consider Do Pass on HB 1231.

- Why are we moving away from what the pilot schools piloted?
- Did a certified dyslexia specialist do the universal screener for the pilot programs?
- Where will the rural schools find a certified dyslexia specialist?
- Will I train another teacher and pull them from their classroom time to screen all of my children seven years and under at the beginning of the year and every time a new student enrolls?
- Is there any other universal screener that is provided by a specialist?

Alexander currently has three students with dyslexia who receive interventions and are doing well. We used our screener in our curriculum and then sought what was needed for the students. We identified their need and they receive the services needed because that is what we do.

HB 1231 requires more professional development on top of the Science of Reading for my teachers K-3, I dread telling them that they have more mandated state training. The original version of the bill states that professional development will be provided for the appropriate staff, why change it to everyone?

Teachers are leaving and everyone is concerned about what we will do with a teacher shortage?

I ask you to give a Do Not Pass to HB1231, please stop putting more and more on my teachers' shoulders, and just let them teach!

Thank you for allowing me to be here virtually. I will stand for any questions.

Respectfully,

Leslie Bieber

## Testimony in Support of House Bill 1231

Justine Gibbon, Kindred Elementary Title 1 Reading Teacher

Good morning, Chair Elkin and members of the Senate Education Committee. My name is Justine Gibbon, and I am a Title 1 Reading Specialist at Kindred Elementary in Kindred, North Dakota. Our district is part of the Southeast Consortium Dyslexia pilot program. The Southeast Consortium is made up of five districts: Kindred, Northern Cass, Enderlin, Lisbon, and Richland. For the past four years, I have had the opportunity to be part of this consortium as we research, develop, and implement dyslexia screening and intervention procedures for our districts. I am testifying today in support of House Bill 1231, which will enable educators to screen for dyslexic characteristics and quickly place these students into an intervention that targets dyslexic-specific deficits, such as phonemic awareness.

North Dakota has made large strides in educating teachers about best practices in reading instruction. The new requirements for all K-3 teachers to receive professional development in science of reading has been a huge lift for the dyslexic community, because the instruction that is necessary for dyslexic learners is the science of reading come to life. However, it's not enough to just train teachers about best practices in reading instruction. North Dakota students need teachers who are trained in reading instruction AND students need to be screened for dyslexia. It's not one or the other. We need both, because it is absolutely necessary to teach all learners to read.

Let me give you an example of why screening for dyslexia is critical for our school systems and our children. When a parent brings a child into the walk-in clinic with a fever, the pediatrician would not prescribe amoxicillin without first investigating further into the problem. We can easily apply the same methodology to our schools. North Dakota schools need a process for investigating beyond universal screener in order understand why a student does not reach benchmark and how to help these learners. Our piloted dyslexia screening process provided diagnostic information needed to place students into the right intervention.



Districts may have some type of benchmark testing system already in place to assess student learning, as would be required through this bill. For our dyslexia screening process, we utilized our current benchmarking systems already in place such as AIMSweb and FASTbridge, we just learned how to use our data more effectively. All students identified with dyslexic characteristics then benefited from the intensive, systematic instruction that our intervention provided.

The word dyslexia should not be viewed as intimidating or too specific because dyslexic learners are in every classroom. Dyslexia is a spectrum disorder, so students with dyslexia can be mildly dyslexic or profoundly dyslexic or somewhere in the middle. Students on the more profound side may be students who qualify for special education services. Dyslexia is a very common reading deficit and is not dependent on intelligence, gender, race, or social economic status. This is why learning about dyslexia is so important for North Dakota educators. A student with dyslexia can fall anywhere on the spectrum and therefore anywhere in the school system; meaning they can be in need of intervention, at grade-level, or gifted and talented. Learning more about the word dyslexia helps schools "prescribe" the right intervention. By using the word dyslexia, we know more about the student and how to help them.

If you took a tour in our schools today, you would see teachers actively screening students for dyslexic characteristics, identifying students in need of intervention, and instructional methods using explicit, systematic instruction. The dyslexia pilot program has made an immensely positive impact on our schools, but our consortium consists of five small districts in the vast state of North Dakota. For all the reasons I listed above, I support HB 1231 and recommend applying this screening process statewide.

I would like to take this opportunity to offer a small change in the wording of this bill. On behalf of our dyslexia pilot consortium, we would suggest removing the word "spelling" from Section 2 Line 16 and replace it with the words "word reading." This particular reading skill and specific phrasing would match the benchmarking process most universal screening tools offer such as AIMSweb, Fastbridge, and DIBELS.

Thank you for the opportunity to testify in support of HB 1231.

Re: HB 1231

Date: March 6, 2023

To: Chairman Elkin and members of the Senate Education Committee

My name is Sarah Robinson. I am a clinical associate professor at UND and the director of the Dyslexia and Language-based Reading Disorders certificate. I supervise the evaluation and service delivery of children with dyslexia. I also helped to collect and analyze the data in the Grand Forks Dyslexia Pilot program. My testimony today, however, reflects my own thoughts and experiences and I do not represent UND or Grand Forks Public Schools.

I write in support of HB 1231.

In 2005, the US Department of Education sent out a public notice directing public school to use the word dyslexia. They encouraged the schools to evaluate children for this specific reading disorder. Unfortunately, the school districts in North Dakota did not follow this directive and continued to view dyslexia as a medical diagnosis. I am happy to say, in the past two years North Dakota has come a long way. Leaders in the ND Department of Education and several educators now understand dyslexia to be a neurobiological difference that impacts word-level decoding and spelling. But we still have work to do in order to ensure that children in North Dakota become proficient readers.

HB 1231 outlines the key components of what we need to do.

1. Mandatory screening at the beginning of 1st grade is CRITICAL!

We can reliably screen for dyslexia and language-based reading difficulties by age 7.

2. A detailed intervention plan for students that do not pass the screening, along with a method for assessing the intervention plan (including a timeline with clear objectives) is also important. Research suggests that we can change the trajectory of a struggling reader by rewiring the brain through early, targeted intervention. For some students that targeted intervention (referred to as Tier 2 intervention) will not be enough. We need a clear criteria for determining when to refer a student for a full evaluation to be considered for special education.

I also suggest that ND DPI develop a task force to help guide school districts in appropriate screening materials and interventions. DPI has been instrumental and very successful in leading the Science of Reading movement. By taking the lead, school districts would benefit both financially (by not having to devote a school-level individual to figure this out) and instructionally (most educators are asking for guidance). Many districts already administer assessments that could be used for universal screening purposes; there should be minimal to no additional cost. Districts just need guidance in interpreting this data.

Educators do, however, need support in learning more about best practices in providing services for those with dyslexia. I am humbled and honored to teach educators that work all day with students and then pay out of their pockets, and invest their own time to learn how to better serve students with dyslexia. We are lucky to have them serving the students of North Dakota.

Respectfully submitted,

Sarah Robinson, PhD, CCC-SLP



1 HB 1231

2 Testimony In opposition

3 Chairman Elkin and honorable members of the Senate education committee. I am here  
4 representing NDCEL and your school leaders. I come to you today carrying a message  
5 from my specialists that work in this area with a note of concern that may very well be  
6 solvable from the legislative standpoint. The first iteration of this bill came with grave  
7 concerns from the field – those concerns in the newly amended version are now at the  
8 point of completely unworkable.

9 Last session this body approved pilot programs to screen for dyslexia. We realize there  
10 is a need for this. I come in opposition sharing concern from Special Education Directors  
11 (one of my affiliate organizations) as well as other leaders regarding a bill that is  
12 incomplete. We are missing grave components. Funding, and a universal screener, and  
13 now additional layers to a science of reading mandate that has been extensively at  
14 question before additional pieces were layered on.

15 The PD, screening tool, dyslexia specialist and services required in this bill will cost  
16 money and time. Is there a plan to pay for that?? – if not – that is yet again another  
17 unfunded mandate which erodes our ability to provide services to students as well as  
18 our ability to appropriately fund employees. Who will pay for the training or time of  
19 this new “certified screener” that each and every school now needs to have?

20  
21 This doesn’t even touch the redundancy of requiring both districts and their special ed  
22 units to do the same thing as it appears parts of this bill require. We believe there can  
23 be a pathway to meet the needs of all involved, however, we believe it is important that  
24 to solve a problem for students it needs to be looked at beyond the “we just need to do  
25 this” standpoint. The “how,” the “why”, and the “how much” needs to all be  
26 considered and accounted for. As we consider the “how much” we need to also  
27 understand that this must be ongoing funding not one time as the screener is about  
28 \$15 per student plus FTE time to conduct the screening. These are similar issue we

*NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education  
for all students in North Dakota.*

*Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoherz*



1 encountered last session when it was put into a pilot that was funded. If we funded  
2 the pilot, we must logically believe the statewide application should be funded as well  
3 as overcoming the redundancies in the bill.

4

5 As an initial step toward resolution, Rep. Timmons has developed an amended version  
6 of the bill taking it back to closer to its original version, but it is still missing funding.  
7 Passage of policy bills that cost extensive amounts without recognition of a need for  
8 fiscal notes is detrimental to districts. At minimum, this bill needs to be moved to the  
9 amendment provided to be even modestly workable for districts. Without funding  
10 supports, however, this bill may still be unworkable.

11

12

13 Thank you for your thoughtful consideration of this as you discuss this bill.

14

23.0362.04001

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~  
2 ~~Century Code, relating to teacher license requirements for reading instruction competency; to~~  
3 amend and reenact ~~section~~sections 15.1-32-25 and 15.1-32-26 of the North Dakota Century  
4 Code, relating to ~~the dyslexia screening and intervention program; to repeal section 15.1-32-25~~  
5 ~~of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a~~  
6 ~~legislative management study~~ and the dyslexia screening and intervention program; and to  
7 provide for a legislative management report; ~~and to provide an effective date.~~

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~  
10 ~~and enacted as follows:~~

11 ~~Teaching license - Reading instruction competency:~~

12 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~  
13 ~~in beginning reading instruction based on scientifically and research-based best~~  
14 ~~practices. Competencies must include the acquisition of knowledge of the essential~~  
15 ~~components of beginning reading instruction, including:~~

16 ~~a. Phonemic awareness;~~

17 ~~b. Phonics;~~

18 ~~c. Fluency;~~

19 ~~d. Vocabulary;~~

20 ~~e. Comprehension;~~

21 ~~f. How to assess student reading ability; and~~

22 ~~g. How to identify and correct reading difficulties.~~

1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~  
2 ~~evidence that the candidate meets the competency standards of the components~~  
3 ~~under subsection 1.~~

4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~  
5 ~~demonstrates the candidate has received training in competencies related to reading~~  
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~  
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~  
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~  
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-32-25. ReadingDyslexia screening.**

13 Each public elementary school shall ~~include in the developing and processing of~~  
14 ~~assessments and screening of reading;~~ administer universal screening for dyslexia which  
15 includes the core components of phonetic awareness, decoding, and spelling and which is  
16 approved by the superintendent of public instruction. The screening also must be offered if  
17 requested by a parent, legal guardian, or teacher.

18 **SECTION 2. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **15.1-32-26. Dyslexia screening and intervention –Pilot program - Report to legislative**  
21 **management - Professional development.**

22 1. For purposes of this section:

23 a. "Dyslexia" means a specific learning disability that is ~~neurological~~neurobiological  
24 in origin and characterized by difficulties with accurate or fluent recognition of  
25 words and poor spelling and decoding abilities, independent of the individual's  
26 general intelligence level.

27 b. "Specialist trained in dyslexia characteristics" means an individual who:

28 (1) Has expertise providing training in phonological and phonemic awareness,  
29 sound and symbol relationships, alphabet knowledge, rapid naming skills,  
30 and encoding and decoding skills; and

31 (2) ~~Is fluent in the dyslexia intervention process;~~ and

- 1                   (3) Has training in identifying dyslexia characteristics and intervention  
2                                   processes from an approved provider on a list maintained by the  
3                                   superintendent of public instruction.
- 4           2. Beginning with the 2019-20 school year and continuing through the 2022-23 school  
5           year, ~~the~~The superintendent of public instruction shall establish and operate a pilot  
6           program to provide guidance and recommendations regarding proven strategies and  
7           early screening and intervention services for children with risk factors for dyslexia  
8           characteristics, including low phonemic awareness.
- 9           3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
10           association, or and special education unit must submit an application to the  
11           superintendent which shall:
- 12           a. Identifies a method of screening children for low phonemic awareness and other  
13           risk factors for dyslexia;
- 14           b. Provides for the enrollment of children identified as having risk factors for  
15           dyslexia in a reading program staffed by specialists trained in dyslexia and  
16           multisensory structured language programs; and
- 17           c. Includes a methodology for evaluating the effects of the reading program on the  
18           identified risk factors of the child.
- 19           4. Each grantee selected to participate in the program shall:
- 20           a. Provide low phonemic awareness and other dyslexia risk factor screenings for  
21           children under seven years of age through a reading program established under  
22           subsection 3; ~~For enrolled children seven years of age and younger, provide a~~  
23           universal screening for dyslexia including core components of phonemic  
24           awareness, decoding, and spelling, which must be approved by the  
25           superintendent of public instruction and which must be developed and overseen  
26           by a specialist trained in dyslexia characteristics;
- 27           b. Include a process to further evaluate identified risk factors;
- 28           c. Describe the intervention services for the identified dyslexia risk factors;
- 29           **b.d.** Provide reading intervention services to students identified as having  
30           dyslexia with dyslexia characteristics;

1           e.e. Administer assessments, approved by the superintendent of public instruction, to  
2           determine the effectiveness of the ~~program~~intervention services in improving the  
3           reading and learning skills of ~~children enrolled in the program~~the child; and

4           d.f. Provide professional development on dyslexia ~~identification~~characteristics and  
5           interventions to ~~grant participants~~kindergarten through grade threeappropriate  
6           personnel of the school district and special education unit. ~~Professional~~  
7           development must meet the requirements for continuing education credits for  
8           license renewal.

9           4. ~~A school district or special education unit shall provide an assessment under~~  
10           ~~subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.~~

11       ~~5.~~ The board of each participating grantee shall report annually to the superintendent of  
12       public instruction regarding the operation, results, and effectiveness of the pilot  
13       program in a manner prescribed by the superintendent. Before July 1, 2021~~2024~~, the  
14       superintendent of public instruction shall ~~compile the information and~~provide a report  
15       to the legislative management with a recommendation whether to continue the pilot  
16       program ~~beyond the 2022-23 school year~~regarding dyslexia screening and  
17       intervention under this sectionthe program.

18       ~~SECTION 3. REPEAL.~~ Section 15.1-32-25 of the North Dakota Century Code is repealed.

19       ~~SECTION 4. LEGISLATIVE MANAGEMENT STUDY -- LITERACY AND DYSLEXIA --~~

20       ~~STATUTORY REVIEW.~~ During the 2023-24 interim, the legislative management shall consider  
21       studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related  
22       teacher training. The study must include a review of the pilot program established under section  
23       15.1-32-36. The legislative management shall report its findings and recommendations,  
24       together with any legislation necessary to implement the recommendations, to the sixty-ninth  
25       legislative assembly.

26       ~~SECTION 5. EFFECTIVE DATE.~~ Section 1 of this Act becomes effective on January 1,  
27       2025.



## Testimony in Support of House Bill 1231

Rachel Richtsmeier, Northern Cass Data Performance Strategist

Chairman Elkin and Members of the Committee, my name is Rachel Richtsmeier, and I am the Data Performance Strategist for the Northern Cass School District in Hunter, North Dakota. Our district is part of the Southeast Consortium Dyslexia pilot program. The Southeast Consortium is made up of five districts: Northern Cass, Kindred, Enderlin, Lisbon, and Richland. I have been a researcher and developer for the consortium for the past four years as we have implemented screening and intervention procedures in our districts. I am writing to testify today in support of the concepts in House Bill 1231.

Prior to the pilot, even as a licensed reading teacher, I felt ill-equipped when it came to understanding reading difficulties. Hearing the word 'dyslexia' caused alarm because there was so much that I, along with my colleagues, did not understand. Dyslexia has always been considered a medical diagnosis and is rarely addressed in a school setting. The pilot work was valuable to me as a reading specialist and as a parent when we began the process of screening learners, analyzing data, training staff members, and implementing curriculum that aligned with the science of reading. Staff members in the Northern Cass district quickly gained confidence and knowledge with immediate results. Our learners have been directly impacted in a positive manner.

One of the first steps our pilot group took was committing to universal screening for all students through nationally-normed screeners. Using a consistent process in universal screening gave our

district a clear picture of learner strengths and deficits in reading. As a result of the data we gather each testing period through the universal screener, we have the option to further test if needed and the results help us analyze specific needs of our children who have characteristics of dyslexia. The Northern Cass district uses Pearson aimswebPlus as a universal screening tool.

Districts in our pilot group made necessary changes to curriculum to ensure alignment to the science of reading in both regular classrooms and in intervention settings. Explicit, systematic, and multi-sensory instruction in each regular classroom and intervention setting is vital to reading success for all children. Each district selected curriculum to meet their individual needs. For Northern Cass specifically, we adopted Superkids as our core curriculum for all K-2 classrooms and S.P.I.R.E. as a reading intervention curriculum. Our pilot group utilized budget-friendly, easy-to-implement curriculums that did not require extensive training. Receiving training, however, is a necessity in order to experience success.

In addition to curriculum changes, our pilot group prioritized professional learning for all staff to be properly trained in the science of reading. The new curriculum coupled with LETRS (Language Essentials for Teachers of Reading and Spelling) training and dyslexia-specific awareness workshops has given our staff a well-rounded understanding that positively impacts reading proficiency. Our pilot group also prioritized creating a professional learning community for interventionists from each district. We reached out to experts in the International Dyslexia Association (IDA), a dyslexia academy in Minnesota, and a local dyslexia tutoring center to help answer questions as well as develop procedures and protocols.

One of the most impactful findings in the work of our pilot group is the correlation between well-educated staff members and high-quality curriculum. In order to provide appropriate instruction so children with dyslexia can become proficient readers, teachers need to be educated on the characteristics of dyslexia, how to analyze data, and how to support each unique need through efficient reading instruction.

With funding support from the state for the assessments and training for districts, HB 1231 could have a significant impact on learners throughout North Dakota.

Thank you for the opportunity to provide written testimony in support of House Bill 1231.

**TESTIMONY ON HB 1231  
SENATE EDUCATION COMMITTEE**

**March 7, 2023**

**By: Brenda Ehrmantraut, Assistant Director of Academic Support  
701-328-1809  
North Dakota Department of Public Instruction**

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Chairman Elkin and Members of the Committee:

My name is Brenda Ehrmantraut and I am an Assistant Director with the Department of Public Instruction. I am here to provide information on House Bill 1231 relating to teacher license requirements for reading instruction competency and a dyslexia screening and intervention program report and legislative study.

The Department of Public Instruction is grateful to the 66<sup>th</sup> and 67<sup>th</sup> Legislative Assemblies for the opportunity to operate and learn from a pilot program between 2019 and 2023 supporting selected districts in setting up systems for screening and providing intervention instruction to students with characteristics of dyslexia. The program also provided professional development to teachers within the pilot sites about recognizing signs of dyslexia and supporting students struggling with identified reading skill deficits. Pilot sites were required to provide periodic updates to the Department of Public Instruction on the success of their approaches.

Dyslexia is a neurobiological condition characterized by slow or inaccurate reading, poor spelling, poor writing or mixing up similar words. The International Dyslexia Association states that 15 – 20% of the student population may exhibit

characteristics of dyslexia. Not all students with symptoms of dyslexia will qualify for special education, but they will likely struggle with many aspects of academic learning. Systematic, explicit instruction in reading, writing, and language benefit many students who are challenged by dyslexia. The skills in the areas of phonemic awareness, phonics and fluency are frequently indicative of dyslexia and are targeted for intervention.

The districts in the North Dakota pilot program have learned to rely on a systematic approach to screening, identifying, instructing, and progress monitoring to provide early and direct support to students with dyslexic characteristics. First, all pilot districts have developed a universal early screening and follow-up process for deeper examination of subtests to identify children at risk of academic struggles due to dyslexia. Second, all pilot schools have identified scientifically based programs and practices to provide intervention instruction specifically aligned with the skill deficits revealed through screening and diagnosis. Third, all districts involved have provided dyslexia awareness professional development and explicit and systematic literacy instruction training to teachers of early elementary students. Last, all districts monitored the progress of students and provided evidence of increased phonemic and word recognition skills since adjusting their core and intervention delivery models. School teams also work together to adjust programmatic approaches to intensify intervention as necessary.

Sometimes, it is necessary for a student to receive intensive support under the supervision of an expert in dyslexia intervention. The pilot schools have demonstrated that much can be done within a well-designed, well-informed local school system to meet the needs of students with dyslexia traits. Early identification and intervention of students with dyslexic characteristics and the appropriate provision of individual interventions can significantly affect the individual student's future academic success.

Chairman Elkin and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.

## **Dyslexia is HARD...let's make it easier with professional development and early identification.**

### **HB 1231 - SUPPORT Testimony**

Kayla Effertz Kleven

[kayla@olsoneffertz.com](mailto:kayla@olsoneffertz.com)

3/07/2022, Senate Education Committee

Mr. Chairman and members of the committee, for the record my name is Kayla Effertz Kleven and today I take off my lobbyist badge and humbly put on my step mom badge of honor as I stand before you to support HB 1231.

My stepson was diagnosed with dyslexia and dysgraphia the summer going into his 7th grade. He is now in 8th grade. Today I will work hard at not airing my grievances, and rather tell our story in an effort to give an example of why this is such an important step forward in helping kids.

#### **SCREENING FOR ALL**

Every year since kindergarten at parent teacher conferences, I would ask--"Do you think he has dyslexia?" I was repeatedly told, no. He would be turning his letters, and that's just not the case. Finally in the summer entering into the 7th grade we decided to have him privately tested. I forget the exact labels, but know the summary said dyslexia is impacting his ability to learn, with many proficiency percentiles in the 1% level.

#### **PROCESS & PROFESSIONAL DEVELOPMENT**

When we entered into the 7th grade with the diagnoses, we were filled with hope--finally, maybe we could have some answers of why my stepson was struggling so much. Sadly, we were greeted with more frustration. Let me be clear, I do believe that teachers and administrators did the best they knew how to help this 7th grader operating with a 1st to 3rd grade level of vocabulary and comprehension. There simply just was a gap in knowledge of what to do and where to start. I remember all too well the 2 hour meeting when I said to the room full of frustrated teachers and administrators, "This shouldn't be this hard to write IEP goals or understand if we start with tools or learning gaps." We were all learning together and while I was all in to do what I could, I couldn't help but think, what about all of the other children who aren't diagnosed, who don't have parents with the blessing of time to sit in frustration and demand to work through this "hard."

Fast forward to present day and we know now our best work as parents is to work on transitions to a new grade, new semester, and new routines. 90% of the time when I start the conversation with a new administrator or teacher I'm met with their personal experience with dyslexia---not strategies, plans, systems that are in place to support the child. When we are relying on personal experiences, we are still in a trial and error phase and not research based, proven methods.

Additionally, we find that while we have accommodations written into our IEP, many teachers simply don't have awareness of what that looks like for dyslexic students. The practice of accommodations for dyslexic students isn't normalized as we still battle retaking tests orally. Do not misinterpret my words---there are wonderful teachers but the knowledge to know how to implement or discover the right accommodations doesn't come standard in every college curriculum.

## **FUNDING**

The part of this bill that will likely be noted in opposition or even neutral testimony is the absence of a fiscal note for a mandate. Please do not let that be the reason you vote no or amend this bill. I have always been opposed to unfunded mandates--until this experience. Throughout last year, I offered multiple times to write a check to the school or school foundation for additional tools, professional development, even time to pay teachers for collaboration or additional training. However everytime I offered, I was told--"No, there is plenty of money. We have resources for this." And you know what, maybe there's room to absorb one student's needs, but we can't rely on parents to privately test their students for dyslexia and then find tools that work by trial and error versus pathways of best practices. And until this becomes a priority for the state, unfortunately, it is just too easy to not deal with the "hard"--because let me tell you, dyslexia is more than letters backwards---it's hard and unique for every student.

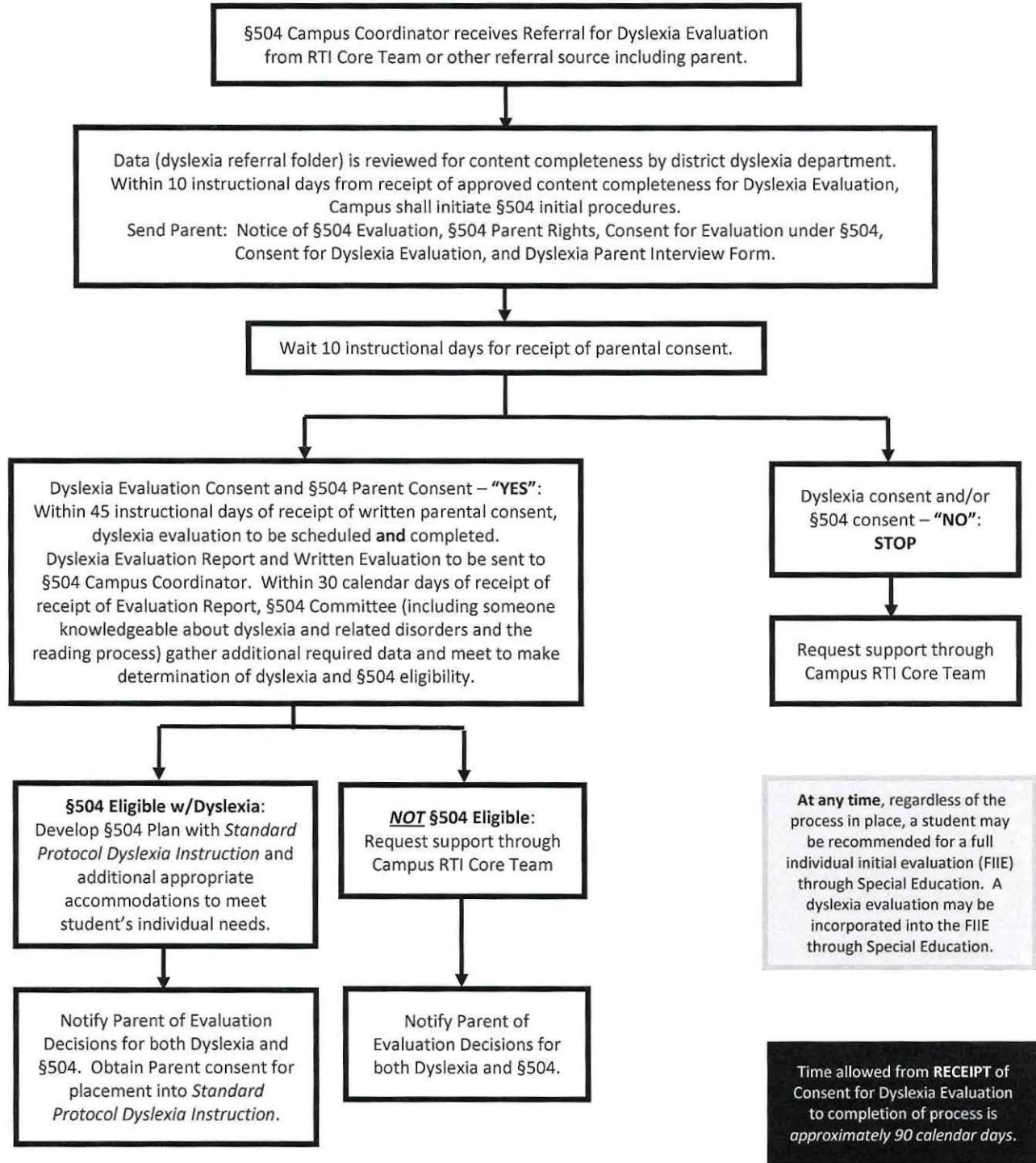
Finally, I would be remiss if I didn't highlight the immediate crosswalk we have researched and observed between behavioral health challenges and students with learning disabilities like dyslexia. Last year my stepsons' diagnosis and accommodations were very new to other kids. We struggled and learned the hard way and know that more students will benefit from our struggles. This year, we have tools that work. We are grateful for teachers and building administrators that stuck it out with us. However the unexpected challenge we experienced in this past semester was bullying and teasing because of this strange label dyslexia. The school recognized this and has done some wonderful awareness activities but I can't help but struggle with the concept that the word dyslexia is all new for kids.

I thank you for your time, and working on something hard. I've attached my recommendations and thoughts on more work that can be done in this space. I will stand for any questions.



NEW BOSTON INDEPENDENT SCHOOL DISTRICT

**DISTRICT TIMELINE FLOWCHART  
COORDINATION WITH SECTION 504 PROCEDURES**



23.0362.04001

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~  
 2 ~~Century Code, relating to teacher license requirements for reading instruction competency; to~~  
 3 amend and reenact ~~section~~sections 15.1-32-25 and 15.1-32-26 of the North Dakota Century  
 4 Code, relating to ~~the dyslexia screening and intervention program; to repeal section 15.1-32-25~~  
 5 ~~of the North Dakota Century Code, relating to mandatory dyslexia screening; to provide for a~~  
 6 legislative management study and the dyslexia screening and intervention program; and to  
 7 provide for a legislative management report; ~~and to provide an effective date.~~

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~  
 10 ~~and enacted as follows:~~

11 ~~Teaching license - Reading instruction competency:~~

12 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~  
 13 ~~in beginning reading instruction based on scientifically and research-based best~~  
 14 ~~practices. Competencies must include the acquisition of knowledge of the essential~~  
 15 ~~components of beginning reading instruction, including:~~

- 16 ~~a. Phonemic awareness;~~
- 17 ~~b. Phonics;~~
- 18 ~~c. Fluency;~~
- 19 ~~d. Vocabulary;~~
- 20 ~~e. Comprehension;~~
- 21 ~~f. How to assess student reading ability; and~~
- 22 ~~g. How to identify and correct reading difficulties.~~

1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~  
2 ~~evidence that the candidate meets the competency standards of the components~~  
3 ~~under subsection 1.~~

4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~  
5 ~~demonstrates the candidate has received training in competencies related to reading~~  
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~  
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~  
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~  
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-32-25. ReadingDyslexia screening.**

13 Each public elementary school shall ~~include in the developing and processing of~~  
14 ~~assessments and screening of reading, administer universal screening for dyslexia which~~  
15 ~~includes~~ the core components of phonetic awareness, decoding, and spelling ~~and which is~~  
16 ~~approved by the superintendent of public instruction.~~ The screening also must be offered if  
17 requested by a parent, legal guardian, or teacher.

18 **SECTION 2. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **15.1-32-26. Dyslexia screening and intervention –Pilot program - Report to legislative**  
21 **management - Professional development.**

22 1. For purposes of this section:

23 a. "Dyslexia" means a specific learning disability that is ~~neurological~~neurobiological  
24 in origin and characterized by difficulties with accurate or fluent recognition of  
25 words and poor spelling and decoding abilities, independent of the individual's  
26 general intelligence level.

27 b. "Specialist trained in dyslexia characteristics" means an individual who:

28 (1) Has expertise providing training in phonological and phonemic awareness,  
29 sound and symbol relationships, alphabet knowledge, rapid naming skills,  
30 and encoding and decoding skills; and

31 (2) ~~is fluent in the dyslexia intervention process; and~~

- 1                   (3) Has training in identifying dyslexia characteristics and intervention  
2                   processes from an approved provider on a list maintained by the  
3                   superintendent of public instruction.
- 4                   2. Beginning with the 2019-20 school year and continuing through the 2022-23 school  
5                   year, ~~the~~The superintendent of public instruction shall establish and operate a pilot  
6                   program to provide guidance and recommendations regarding proven strategies and  
7                   early screening and intervention services for children with risk factors for dyslexia  
8                   characteristics, including low phonemic awareness.
- 9                   3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
10                   association, or and special education unit must submit an application to the  
11                   superintendent which shall:
- 12                   a. ~~Identifies a method of screening children for low phonemic awareness and other~~  
13                   ~~risk factors for dyslexia;~~
- 14                   b. ~~Provides for the enrollment of children identified as having risk factors for~~  
15                   ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~  
16                   ~~multisensory structured language programs; and~~
- 17                   c. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
18                   ~~identified risk factors of the child.~~
- 19                   4. ~~Each grantee selected to participate in the program shall:~~
- 20                   a. Provide low phonemic awareness and other dyslexia risk factor screenings for  
21                   children under seven years of age through a reading program established under  
22                   ~~subsection 3; For enrolled children seven years of age and younger, provide a~~  
23                   ~~universal screening for dyslexia including core components of phonemic~~  
24                   ~~awareness, decoding, and spelling, which must be approved by the~~  
25                   ~~superintendent of public instruction and which must be developed and overseen~~  
26                   ~~by a specialist trained in dyslexia characteristics;~~
- 27                   b. Include a process to further evaluate identified risk factors;
- 28                   c. Describe the intervention services for the identified dyslexia risk factors;
- 29                   b.d. Provide reading intervention services to students identified as having  
30                   ~~dyslexia~~with dyslexia characteristics;

- 1           e.e. Administer assessments, approved by the superintendent of public instruction, to  
2           determine the effectiveness of the ~~program~~intervention services in improving the  
3           reading and learning skills of children ~~enrolled in the program~~the child; and
- 4           d.f. Provide professional development on dyslexia identificationcharacteristics and  
5           interventions to ~~grant participants~~kindergarten through grade threeappropriate  
6           personnel of the school district and special education unit. ~~Professional-~~  
7           development must meet the requirements for continuing education credits for  
8           license renewal.
- 9           4. ~~A school district or special education unit shall provide an assessment under~~  
10           ~~subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.~~
- 11         ~~5.~~ The board of each participating grantee shall report annually to the superintendent of  
12           public instruction regarding the operation, results, and effectiveness of the pilot  
13           program in a manner prescribed by the superintendent. Before July 1, 2021~~2024~~, the  
14           superintendent of public instruction shall ~~compile the information and~~provide a report  
15           to the legislative management with a recommendation whether to continue the pilot  
16           program beyond the 2022-23 school year regarding dyslexia screening and  
17           intervention under this section~~the program.~~
- 18         ~~SECTION 3. REPEAL.~~ Section 15.1-32-25 of the North Dakota Century Code is repealed.
- 19         ~~SECTION 4. LEGISLATIVE MANAGEMENT STUDY—LITERACY AND DYSLEXIA—~~  
20         ~~STATUTORY REVIEW.~~ During the 2023-24 interim, the legislative management shall consider  
21           studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related  
22           teacher training. The study must include a review of the pilot program established under section  
23           15.1-32-36. The legislative management shall report its findings and recommendations,  
24           together with any legislation necessary to implement the recommendations, to the sixty-ninth  
25           legislative assembly.
- 26         ~~SECTION 5. EFFECTIVE DATE.~~ Section 1 of this Act becomes effective on January 1,  
27           2025.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-32-25 and"

Page 1, line 3, remove the second "the"

Page 1, remove line 4

Page 1, line 5, remove "Century Code, relating to"

Page 1, line 5, remove "; to provide for a legislative"

Page 1, line 6, replace "management study" with "and the dyslexia screening and intervention program"

Page 1, line 6, after the first semicolon insert "and"

Page 1, line 6, remove "; and to provide an effective"

Page 1, line 7, remove "date"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-32-25 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-32-25. ReadingDyslexia screening.**

Each public elementary school shall ~~include in the developing and processing of assessments and screening of reading, administer universal screening for dyslexia~~ which includes the core components of phonetic awareness, decoding, and spelling and which is approved by the superintendent of public instruction. The screening also must be offered if requested by a parent, legal guardian, or teacher."

Page 2, line 25, remove "from an approved provider on a list maintained by the"

Page 2, line 26, remove "superintendent of public instruction"

Page 2, line 28, remove the overstrike over "operate a"

Page 2, line 29, remove the overstrike over "program to"

Page 3, line 2, after "or" insert "and"

Page 3, line 2, remove the overstrike over "special education unit"

Page 3, line 12, remove the overstrike over "Provide low phonemic awareness and other dyslexia risk factor screenings for"

Page 3, line 13, remove the overstrike over "~~children under seven years of age~~"

Page 3, line 14, remove "For enrolled children seven years of age and younger, provide a"

Page 3, remove lines 15 through 17

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, replace "kindergarten through grade three" with "appropriate"

Page 3, line 28, remove ". Professional development must"

Page 3, line 29, remove "meet the requirements for continuing education credits for license renewal"

Page 3, line 30, remove "A school district or special education unit shall provide an assessment under"

Page 3, remove line 31

Page 4, line 1, overstrike "5."

Page 4, line 6, remove "dyslexia screening and"

Page 4, line 7, replace "intervention under this section" with "the program"

Page 4, remove lines 8 through 17

Renumber accordingly

23.0362.04003

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

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 4 Code, relating to ~~the~~ dyslexia screening and intervention ~~program; to repeal section 15.1-32-25~~  
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21 **management - Professional development.**

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3 words and poor spelling and decoding abilities, independent of the individual's  
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16 program beyond the 2022-23 school year ~~regarding dyslexia screening and~~  
17 ~~intervention under this section~~the program.

18 ~~SECTION 3. REPEAL. Section 15.1-32-25 of the North Dakota Century Code is repealed.~~

19 **SECTION 3. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA -**  
20 **STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider  
21 studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related  
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24 together with any legislation necessary to implement the recommendations, to the sixty-ninth  
25 legislative assembly.

26 ~~SECTION 5. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1,~~  
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23.0362.04004

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Sixty-eighth  
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21 **management - Professional development.**

22 1. For purposes of this section:

23 a. "Dyslexia" means a specific learning disability that is ~~neurological~~ neurobiological  
24 in origin and characterized by difficulties with accurate or fluent recognition of  
25 words and poor spelling and decoding abilities, independent of the individual's  
26 general intelligence level.

27 b. "Specialist trained in dyslexia characteristics" means an individual who:

28 (1) Has expertise providing training in phonological and phonemic awareness,  
29 sound and symbol relationships, alphabet knowledge, rapid naming skills,  
30 and encoding and decoding skills; and

31 (2) Is fluent in the dyslexia intervention process; and

- 1                   (3) Has training in identifying dyslexia characteristics and intervention  
2   ~~processes from an approved provider on a list maintained by the~~  
3   ~~superintendent of public instruction.~~
- 4           2. Beginning with the 2019-20 school year and continuing through the 2022-23 school  
5           year, ~~the~~The superintendent of public instruction shall establish and operate a pilot  
6           program to provide guidance and recommendations regarding proven strategies and  
7           early screening and intervention services for children with risk factors for dyslexia  
8           characteristics, including low phonemic awareness.
- 9           3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
10           association, or and special education unit must submit an application to the  
11           superintendent which shall:  
12           a. ~~Identifies a method of screening children for low phonemic awareness and other~~  
13           ~~risk factors for dyslexia;~~  
14           b. ~~Provides for the enrollment of children identified as having risk factors for~~  
15           ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~  
16           ~~multisensory structured language programs; and~~  
17           c. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
18           ~~identified risk factors of the child.~~
- 19           4. ~~Each grantee selected to participate in the program shall:~~  
20           a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~  
21           ~~children under seven years of age through a reading program established under~~  
22           ~~subsection 3; For enrolled children seven years of age and younger, provide a~~  
23           ~~universal screening for dyslexia including core components of phonemic~~  
24           ~~awareness, decoding, and spelling, which must be approved by the~~  
25           ~~superintendent of public instruction and which must be developed and overseen~~  
26           ~~by a specialist trained in dyslexia characteristics;~~  
27           b. Include a process to further evaluate identified risk factors;  
28           c. Describe the intervention services for the identified dyslexia risk factors;  
29           b.d. Provide reading intervention services to students identified as having  
30           dyslexia with dyslexia characteristics;

1 e.e. Administer assessments, approved by the superintendent of public instruction, to  
2 determine the effectiveness of the ~~program~~intervention services in improving the  
3 reading and learning skills of ~~children enrolled in the program~~the child; and

4 d.f. Provide professional development on dyslexia ~~identification~~characteristics and  
5 interventions to ~~grant participants~~kindergarten through grade threeappropriate  
6 personnel of the school district and special education unit. ~~Professional~~  
7 ~~development must meet the requirements for continuing education credits for~~  
8 ~~license renewal.~~

9 ~~4. A school district or special education unit shall provide an assessment under~~  
10 ~~subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.~~

11 ~~5. The board of each participating grantee shall report annually to the superintendent of~~  
12 ~~public instruction regarding the operation, results, and effectiveness of the pilot~~  
13 ~~program in a manner prescribed by the superintendent. Before July 1, 2021~~2024, the  
14 superintendent of public instruction shall ~~compile the information and~~provide a report  
15 to the legislative management with a recommendation whether to continue the pilot  
16 program beyond the 2022-23 school year ~~regarding dyslexia screening and~~  
17 ~~intervention under this section~~the program.

18 ~~SECTION 3. REPEAL. Section 15.1-32-25 of the North Dakota Century Code is repealed.~~

19 **SECTION 3. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA -**

20 **STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider  
21 studying all provisions of the North Dakota Century Code relating to literacy, dyslexia, and  
22 related teacher training. The study must include a statutory review completed by a task force  
23 comprised of the kindergarten through grade twelve education coordination council or a  
24 subcommittee designated by the kindergarten through grade twelve education coordination  
25 council, including representative teachers, administrators, and college preparatory program  
26 administrators. The study also must include a review of the pilot program established under  
27 section 15.1-32-36. The legislative management shall report its findings and recommendations,  
28 together with any legislation necessary to implement the recommendations, to the sixty-ninth  
29 legislative assembly.

30 ~~SECTION 5. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1,~~  
31 ~~2025.~~

23.0362.04002

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~  
2 ~~Century Code, relating to teacher license requirements for reading instruction competency;~~ to  
3 amend and reenact ~~section~~sections 15.1-02-04, 15.1-13-35.1, and 15.1-32-26 of the North  
4 Dakota Century Code, relating to the creation of a dyslexia and literacy task force, reading  
5 instruction competency for teacher licensure, and the dyslexia screening and intervention  
6 program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory  
7 dyslexia screening; to provide for a ~~legislative management study; to provide for a legislative~~  
8 ~~management~~ report; and to provide an ~~effective~~expiration date.

9 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

10 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~  
11 ~~and enacted as follows:~~

12 ~~Teaching license -- Reading instruction competency.~~

13 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~  
14 ~~in beginning reading instruction based on scientifically and research-based best~~  
15 ~~practices. Competencies must include the acquisition of knowledge of the essential~~  
16 ~~components of beginning reading instruction, including:~~

17 ~~a. Phonemic awareness;~~

18 ~~b. Phonics;~~

19 ~~c. Fluency;~~

20 ~~d. Vocabulary;~~

21 ~~e. Comprehension;~~

22 ~~f. How to assess student reading ability; and~~

23 ~~g. How to identify and correct reading difficulties.~~



- 1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~  
2 ~~evidence that the candidate meets the competency standards of the components~~  
3 ~~under subsection 1.~~
- 4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~  
5 ~~demonstrates the candidate has received training in competencies related to reading~~  
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~  
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~  
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~  
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30,**  
13 **2023)**

14 ~~The superintendent of public instruction:~~

- 15 ~~1. Shall supervise the provision of elementary and secondary education to the students~~  
16 ~~of this state.~~
- 17 ~~2. Shall supervise the establishment and maintenance of schools and provide advice and~~  
18 ~~counsel regarding the welfare of the schools.~~
- 19 ~~3. Shall supervise the development of course content standards.~~
- 20 ~~4. Shall supervise the assessment of students.~~
- 21 ~~5. Shall serve as an ex officio member of the board of university and school lands.~~
- 22 ~~6. Shall keep a complete record of all official acts and appeals.~~
- 23 ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~
- 24 ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and~~  
25 ~~compensate personnel necessary to enable the state board of public school education~~  
26 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~  
27 ~~and dissolution.~~
- 28 ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten~~  
29 ~~through grade twelve education strategic vision. The process must include input and~~  
30 ~~participation from a steering committee that includes representatives of all state-level~~  
31 ~~entities receiving state education funding and education stakeholder groups. Each~~

1 ~~steering committee member entity receiving state education funds shall provide~~  
2 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~  
3 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~  
4 ~~plans of each committee member entity receiving state education funds. The~~  
5 ~~superintendent shall provide the collaborative report and any updates to the strategic~~  
6 ~~vision to the legislative management during each interim and to a joint meeting of the~~  
7 ~~education standing committees during each regular legislative session.~~

8 ~~10. Shall administer a student loan forgiveness program for individuals teaching at grade~~  
9 ~~levels, in content areas, and in geographical locations identified as having a teacher~~  
10 ~~shortage or critical need.~~

11 ~~11. Shall facilitate the development and implementation of a North Dakota learning~~  
12 ~~continuum in collaboration with the department of career and technical education,~~  
13 ~~upon the recommendation of the kindergarten through grade twelve education~~  
14 ~~coordination council.~~

15 ~~12. Shall collaborate with workforce development stakeholders and the kindergarten~~  
16 ~~through grade twelve education coordination council to determine how best to~~  
17 ~~integrate computer science and cybersecurity into elementary, middle, and high school~~  
18 ~~curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the~~  
19 ~~superintendent shall provide a report to the legislative management regarding the~~  
20 ~~outcome of this collaboration.~~

21 ~~**Superintendent of public instruction—Duties. (Effective after June 30, 2023)**~~

22 The superintendent of public instruction:

- 23 1. Shall supervise the provision of elementary and secondary education to the students
- 24 of this state.
- 25 2. Shall supervise the establishment and maintenance of schools and provide advice and
- 26 counsel regarding the welfare of the schools.
- 27 3. Shall supervise the development of course content standards.
- 28 4. Shall supervise the assessment of students.
- 29 5. Shall serve as an ex officio member of the board of university and school lands.
- 30 6. Shall keep a complete record of all official acts and appeals.
- 31 7. As appropriate, shall determine the outcome of appeals regarding education matters.

- 1       8. Shall direct school district annexation, reorganization, and dissolution and employ and  
2       compensate personnel necessary to enable the state board of public school education  
3       to carry out its powers and duties regarding school district annexation, reorganization,  
4       and dissolution.
- 5       9. Shall facilitate a process to review and update annually the statewide prekindergarten  
6       through grade twelve education strategic vision. The process must include input and  
7       participation from a steering committee that includes representatives of all state-level  
8       entities receiving state education funding and education stakeholder groups. Each  
9       steering committee member entity receiving state education funds shall provide  
10      components of the entity's strategic plan which are aligned to the statewide strategic  
11      vision. The steering committee shall prepare a collaborative report of the strategic  
12      plans of each committee member entity receiving state education funds. The  
13      superintendent shall provide the collaborative report and any updates to the strategic  
14      vision to the legislative management during each interim and to a joint meeting of the  
15      education standing committees during each regular legislative session.
- 16     10. Shall facilitate the development and implementation of a North Dakota learning  
17     continuum in collaboration with the department of career and technical education,  
18     upon the recommendation of the kindergarten through grade twelve education  
19     coordination council.
- 20     11. Shall appoint a task force consisting of nine members to review all statutes in this  
21     code relating to literacy, dyslexia, and related teacher training and report the findings  
22     and recommendations of the task force, together with any legislation necessary to  
23     implement the recommendations, to the sixty-ninth legislative assembly. The task  
24     force must include:
  - 25     a. The superintendent of public instruction or the superintendent's designee;
  - 26     b. A teacher teaching a grade from prekindergarten through third grade;
  - 27     c. A representative from a state-approved teacher preparation program;
  - 28     d. A school administrator from a school district with three hundred or more high  
29     school students;
  - 30     e. A school administrator from a school district with fewer than three hundred high  
31     school students;

1 f. An elementary school principal;

2 g. A representative from the governor's office; and

3 h. Two members of the legislative assembly, one from each house.

4 **SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-13-35.1. Teaching license - Reading instruction competency.**

- 7 1. The board shall ensure a candidate for teacher licensure who will be certified in  
8 prekindergarten through grade three demonstrates competencies in beginning reading  
9 instruction based on scientifically and research-based best practices. Competencies  
10 must include the acquisition of knowledge of the essential components of beginning  
11 reading instruction, including:
- 12 a. Phonemic awareness;
  - 13 b. Phonics;
  - 14 c. Fluency;
  - 15 d. Vocabulary;
  - 16 e. Comprehension;
  - 17 f. How to assess student reading ability; and
  - 18 g. How to identify and correct reading difficulties.
- 19 2. A prekindergarten, kindergarten, elementary, and special education initial teacher  
20 licensure candidate must provide evidence that the candidate meets the competency  
21 standards of the components under subsection 1.
- 22 3. A prekindergarten through grade ~~twelve and a secondary education~~three initial teacher  
23 licensure candidate must provide evidence that the candidate meets the competency  
24 standards of the components under subsection 1.
- 25 4. A teacher licensure candidate satisfies the requirements of this section if the candidate  
26 demonstrates the candidate has received training in competencies related to reading  
27 instruction from an accredited or approved program, or demonstrates mastery of the  
28 topics provided under subsection 1. The board may issue a provisional license for up  
29 to two years to a teacher licensure candidate who does not meet the requirements of  
30 this section.

1       **SECTION 3. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **15.1-32-26. Dyslexia screening and intervention –~~Pilot program~~ - Report to legislative**  
4 **management - Professional development.**

5       1. For purposes of this section:

6           a. "Dyslexia" means a specific learning disability that is ~~neurological~~neurobiological  
7 in origin and characterized by difficulties with accurate or fluent recognition of  
8 words and poor spelling and decoding abilities, independent of the individual's  
9 general intelligence level.

10          b. "Specialist trained in dyslexia characteristics" means an individual who:

11           (1) Has expertise providing training in phonological and phonemic awareness,  
12 sound and symbol relationships, alphabet knowledge, rapid naming skills,  
13 and encoding and decoding skills; and

14           (2) ~~Is fluent in the dyslexia intervention process;~~ and

15           (3) Has training in identifying dyslexia characteristics and intervention  
16 processes from an approved provider on a list maintained by the  
17 superintendent of public instruction.

18          2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~  
19 ~~year, the~~The superintendent of public instruction shall ~~establish and operate a pilot~~  
20 ~~program to provide~~ guidance and recommendations regarding proven strategies and in  
21 early screening and intervention services for children with risk factors for dyslexia  
22 characteristics, including low phonemic awareness.

23          3. ~~To be eligible to participate in the program, a~~Each school district, ~~regional education~~  
24 ~~association, or special education unit must submit an application to the superintendent~~  
25 ~~which shall:~~

26           a. ~~Identifies a method of screening children for low phonemic awareness and other~~  
27 ~~risk factors for dyslexia;~~

28           b. ~~Provides for the enrollment of children identified as having risk factors for~~  
29 ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~  
30 ~~multisensory structured language programs; and~~

Sixty-eighth  
Legislative Assembly

- 1 e. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
2 ~~identified risk factors of the child.~~
- 3 4. ~~Each grantee selected to participate in the program shall:~~
- 4 a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~  
5 ~~children under seven years of age through a reading program established under~~  
6 ~~subsection 3; For enrolled children seven years of age and younger, provide a~~  
7 ~~universal screening for dyslexia including core components of phonemic~~  
8 ~~awareness, decoding, and spelling, which must be approved by the~~  
9 ~~superintendent of public instruction and which must be developed and overseen~~  
10 ~~by a specialist trained in dyslexia characteristics;~~
- 11 b. ~~Include a process to further evaluate identified risk factors;~~
- 12 c. ~~Describe the intervention services for the identified dyslexia risk factors;~~
- 13 ~~b.d.~~ ~~Provide reading intervention services to students ~~identified as having~~~~  
14 ~~dyslexia~~ ~~with dyslexia characteristics;~~
- 15 e.e. ~~Administer assessments, approved by the superintendent of public instruction, to~~  
16 ~~determine the effectiveness of the ~~program~~intervention services in improving the~~  
17 ~~reading and learning skills of ~~children enrolled in the program~~the child; and~~
- 18 ~~d.f.~~ ~~Provide professional development on dyslexia ~~identification~~characteristics and~~  
19 ~~interventions to ~~grant participants~~kindergarten through grade three personnel of~~  
20 ~~the school district and special education unit. Professional development must~~  
21 ~~meet the requirements for continuing education credits for license renewal.~~
- 22 4. ~~A school district or special education unit shall provide an assessment under~~  
23 ~~subdivision a of subsection 3 upon request by a parent, legal guardian, or teacher.~~
- 24 5. ~~The board of each participating grantee shall report annually to the superintendent of~~  
25 ~~public instruction regarding the operation, results, and effectiveness of the pilot~~  
26 ~~program in a manner prescribed by the superintendent. Before July 1, ~~2024~~2024, the~~  
27 ~~superintendent of public instruction shall ~~compile the information and~~provide a report~~  
28 ~~to the legislative management with a recommendation whether to continue the pilot~~  
29 ~~program beyond the 2022-23 school yearregarding dyslexia screening and~~  
30 ~~intervention under this section.~~

31 **SECTION 4. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

1 ~~—SECTION 3. LEGISLATIVE MANAGEMENT STUDY—LITERACY AND DYSLEXIA—~~  
2 ~~STATUTORY REVIEW.~~ During the 2023-24 interim, the legislative management shall consider  
3 ~~studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related~~  
4 ~~teacher training. The study must include a review of the pilot program established under section~~  
5 ~~15.1-32-36. The legislative management shall report its findings and recommendations,~~  
6 ~~together with any legislation necessary to implement the recommendations, to the sixty-ninth~~  
7 ~~legislative assembly.~~

8 ~~—SECTION 5. EFFECTIVE DATE.~~ Section 1 of this Act becomes effective on January 1,  
9 ~~2025.~~

10 **SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,  
11 2024, and after that date is ineffective.

HB1231

**15.1-13-35.1. Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure who will be certified in kindergarten through grade three demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:

a. Phonemic awareness;

b. Phonics;

c. Fluency;

d. Vocabulary;

e. Comprehension;

~~f. How to assess student reading ability; and~~

~~g. How to identify and correct reading difficulties.~~

f. scientifically based, evidence based and research based curriculums

g. use of systematic direct instruction to ensure all students obtain necessary early reading skills

2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.

3. A ~~pre~~kindergarten through grade ~~three twelve and a secondary education~~ initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.

4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section.



23.0362.04006  
Title.

Prepared by the Legislative Council staff for  
Representative Strinden  
April 13, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

That the Senate recede from its amendments as printed on pages 1679 and 1680 of the House Journal and pages 1430 and 1431 of the Senate Journal and that Engrossed House Bill No. 1231 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-02-04, 15.1-13-35.1, and"

Page 1, line 3, after "to" insert "the creation of a dyslexia and literacy task force, reading instruction competency for teacher licensure, and"

Page 1, line 5, remove "legislative"

Page 1, line 6, remove "management study; to provide for a legislative management"

Page 1, line 6, replace "effective" with "expiration"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30, 2023)**

The superintendent of public instruction:

1. ~~Shall supervise the provision of elementary and secondary education to the students of this state.~~
2. ~~Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.~~
3. ~~Shall supervise the development of course content standards.~~
4. ~~Shall supervise the assessment of students.~~
5. ~~Shall serve as an ex officio member of the board of university and school lands.~~
6. ~~Shall keep a complete record of all official acts and appeals.~~
7. ~~As appropriate, shall determine the outcome of appeals regarding education matters.~~

8. ~~Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~
9. ~~Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.~~
10. ~~Shall administer a student loan forgiveness program for individuals teaching at grade levels, in content areas, and in geographical locations identified as having a teacher shortage or critical need.~~
11. ~~Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.~~
12. ~~Shall collaborate with workforce development stakeholders and the kindergarten through grade twelve education coordination council to determine how best to integrate computer science and cybersecurity into elementary, middle, and high school curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the superintendent shall provide a report to the legislative management regarding the outcome of this collaboration.~~

**Superintendent of public instruction – Duties. (Effective after June 30, 2023)**

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.

7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
11. Shall appoint a task force consisting of nine members to review all statutes in this code relating to literacy, dyslexia, and related teacher training and report the findings and recommendations of the task force, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly. The task force must include:
  - a. The superintendent of public instruction or the superintendent's designee;
  - b. A teacher teaching a grade from prekindergarten through third grade;
  - c. A representative from a state-approved teacher preparation program;
  - d. A school administrator from a school district with three hundred or more high school students;
  - e. A school administrator from a school district with fewer than three hundred high school students;
  - f. An elementary school principal;
  - g. A representative from the governor's office; and
  - h. Two members of the legislative assembly, one from each house.

**SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-35.1. Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure who will be certified in prekindergarten through grade three demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. How to assess student reading ability; and
  - g. How to identify and correct reading difficulties.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. A prekindergarten through grade ~~twelve and a secondary education~~three initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

Page 2, line 14, remove the colon

Page 2, line 15, overstrike "a. "Dyslexia" and insert immediately thereafter ", dyslexia"

Page 2, line 19, overstrike "b. "Specialist trained in dyslexia"

Page 2, line 19, remove "characteristics"

Page 2, line 19, overstrike "" means an individual who:"

Page 2, overstrike lines 20 and 21

Page 2, overstrike line 22 overstrike "and encoding and decoding skills;"

Page 2, line 23, overstrike "(2)"

Page 2, line 24, overstrike "Has training in identifying dyslexia"

Page 2, line 24, remove "characteristics and intervention"

Page 2, remove line 25

Page 2, line 26, remove "superintendent of public instruction"

Page 2, line 26, overstrike the period

Page 2, line 29, replace the second "and" with "in"

Page 3, line 17, remove "and which must be developed and overseen"

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, after "interventions" insert "related to phonological and phonemic awareness, sound and symbol relationships, alphabet knowledge, rapid naming skills, and encoding and decoding skills."

Page 3, line 27, after "participants" insert "appropriate"

Page 3, line 28, replace "must" with "may"

Page 3, line 30, replace "an assessment" with "a universal screener"

Page 4, replace lines 9 through 17 with:

**"SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31, 2024, and after that date is ineffective."

Renumber accordingly

23.0362.04006

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz  
Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~  
2 ~~Century Code, relating to teacher license requirements for reading instruction competency; to~~  
3 amend and reenact ~~section~~sections 15.1-02-04, 15.1-13-35.1, and 15.1-32-26 of the North  
4 Dakota Century Code, relating to the creation of a dyslexia and literacy task force, reading  
5 instruction competency for teacher licensure, and the dyslexia screening and intervention  
6 program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory  
7 dyslexia screening; to provide for a ~~legislative management study; to provide for a legislative-~~  
8 ~~management~~ report; and to provide an ~~effective~~expiration date.

9 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

10 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~  
11 ~~and enacted as follows:~~

12 ~~Teaching license - Reading instruction competency:~~

13 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~  
14 ~~in beginning reading instruction based on scientifically and research-based best~~  
15 ~~practices. Competencies must include the acquisition of knowledge of the essential~~  
16 ~~components of beginning reading instruction, including:~~

- 17 ~~a. Phonemic awareness;~~
- 18 ~~b. Phonics;~~
- 19 ~~c. Fluency;~~
- 20 ~~d. Vocabulary;~~
- 21 ~~e. Comprehension;~~
- 22 ~~f. How to assess student reading ability; and~~
- 23 ~~g. How to identify and correct reading difficulties.~~

- 1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~  
2 ~~evidence that the candidate meets the competency standards of the components~~  
3 ~~under subsection 1.~~
- 4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~  
5 ~~demonstrates the candidate has received training in competencies related to reading~~  
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~  
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~  
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~  
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties. (Effective through June 30,**  
13 **2023)**

14 ~~The superintendent of public instruction:~~

- 15 ~~1. Shall supervise the provision of elementary and secondary education to the students~~  
16 ~~of this state.~~
- 17 ~~2. Shall supervise the establishment and maintenance of schools and provide advice and~~  
18 ~~counsel regarding the welfare of the schools.~~
- 19 ~~3. Shall supervise the development of course content standards.~~
- 20 ~~4. Shall supervise the assessment of students.~~
- 21 ~~5. Shall serve as an ex officio member of the board of university and school lands.~~
- 22 ~~6. Shall keep a complete record of all official acts and appeals.~~
- 23 ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~
- 24 ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and~~  
25 ~~compensate personnel necessary to enable the state board of public school education~~  
26 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~  
27 ~~and dissolution.~~
- 28 ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten~~  
29 ~~through grade twelve education strategic vision. The process must include input and~~  
30 ~~participation from a steering committee that includes representatives of all state-level~~  
31 ~~entities receiving state education funding and education stakeholder groups. Each~~

1 ~~steering committee member entity receiving state education funds shall provide~~  
2 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~  
3 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~  
4 ~~plans of each committee member entity receiving state education funds. The~~  
5 ~~superintendent shall provide the collaborative report and any updates to the strategic~~  
6 ~~vision to the legislative management during each interim and to a joint meeting of the~~  
7 ~~education standing committees during each regular legislative session.~~

8 ~~10. Shall administer a student loan forgiveness program for individuals teaching at grade-~~  
9 ~~levels, in content areas, and in geographical locations identified as having a teacher-~~  
10 ~~shortage or critical need.~~

11 ~~11. Shall facilitate the development and implementation of a North Dakota learning~~  
12 ~~continuum in collaboration with the department of career and technical education,~~  
13 ~~upon the recommendation of the kindergarten through grade twelve education-~~  
14 ~~coordination council.~~

15 ~~12. Shall collaborate with workforce development stakeholders and the kindergarten-~~  
16 ~~through grade twelve education coordination council to determine how best to~~  
17 ~~integrate computer science and cybersecurity into elementary, middle, and high school~~  
18 ~~curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the~~  
19 ~~superintendent shall provide a report to the legislative management regarding the~~  
20 ~~outcome of this collaboration.~~

21 ~~**Superintendent of public instruction - Duties. (Effective after June 30, 2023)**~~

22 The superintendent of public instruction:

- 23 1. Shall supervise the provision of elementary and secondary education to the students  
24 of this state.
- 25 2. Shall supervise the establishment and maintenance of schools and provide advice and  
26 counsel regarding the welfare of the schools.
- 27 3. Shall supervise the development of course content standards.
- 28 4. Shall supervise the assessment of students.
- 29 5. Shall serve as an ex officio member of the board of university and school lands.
- 30 6. Shall keep a complete record of all official acts and appeals.
- 31 7. As appropriate, shall determine the outcome of appeals regarding education matters.



- 1        8. Shall direct school district annexation, reorganization, and dissolution and employ and  
2        compensate personnel necessary to enable the state board of public school education  
3        to carry out its powers and duties regarding school district annexation, reorganization,  
4        and dissolution.
- 5        9. Shall facilitate a process to review and update annually the statewide prekindergarten  
6        through grade twelve education strategic vision. The process must include input and  
7        participation from a steering committee that includes representatives of all state-level  
8        entities receiving state education funding and education stakeholder groups. Each  
9        steering committee member entity receiving state education funds shall provide  
10       components of the entity's strategic plan which are aligned to the statewide strategic  
11       vision. The steering committee shall prepare a collaborative report of the strategic  
12       plans of each committee member entity receiving state education funds. The  
13       superintendent shall provide the collaborative report and any updates to the strategic  
14       vision to the legislative management during each interim and to a joint meeting of the  
15       education standing committees during each regular legislative session.
- 16       10. Shall facilitate the development and implementation of a North Dakota learning  
17       continuum in collaboration with the department of career and technical education,  
18       upon the recommendation of the kindergarten through grade twelve education  
19       coordination council.
- 20       11. Shall appoint a task force consisting of nine members to review all statutes in this  
21       code relating to literacy, dyslexia, and related teacher training and report the findings  
22       and recommendations of the task force, together with any legislation necessary to  
23       implement the recommendations, to the sixty-ninth legislative assembly. The task force  
24       must include:
- 25       a. The superintendent of public instruction or the superintendent's designee;  
26       b. A teacher teaching a grade from prekindergarten through third grade;  
27       c. A representative from a state-approved teacher preparation program;  
28       d. A school administrator from a school district with three hundred or more high  
29       school students;  
30       e. A school administrator from a school district with fewer than three hundred high  
31       school students;

1 f. An elementary school principal;

2 g. A representative from the governor's office; and

3 h. Two members of the legislative assembly, one from each house.

4 **SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15.1-13-35.1. Teaching license - Reading instruction competency.**

- 7 1. The board shall ensure a candidate for teacher licensure who will be certified in  
8 prekindergarten through grade three demonstrates competencies in beginning reading  
9 instruction based on scientifically and research-based best practices. Competencies  
10 must include the acquisition of knowledge of the essential components of beginning  
11 reading instruction, including:
- 12 a. Phonemic awareness;
  - 13 b. Phonics;
  - 14 c. Fluency;
  - 15 d. Vocabulary;
  - 16 e. Comprehension;
  - 17 f. How to assess student reading ability; and
  - 18 g. How to identify and correct reading difficulties.
- 19 2. A prekindergarten, kindergarten, elementary, and special education initial teacher  
20 licensure candidate must provide evidence that the candidate meets the competency  
21 standards of the components under subsection 1.
- 22 3. A prekindergarten through grade ~~twelve and a secondary education~~three initial teacher  
23 licensure candidate must provide evidence that the candidate meets the competency  
24 standards of the components under subsection 1.
- 25 4. A teacher licensure candidate satisfies the requirements of this section if the candidate  
26 demonstrates the candidate has received training in competencies related to reading  
27 instruction from an accredited or approved program, or demonstrates mastery of the  
28 topics provided under subsection 1. The board may issue a provisional license for up  
29 to two years to a teacher licensure candidate who does not meet the requirements of  
30 this section.

1       **SECTION 3. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **15.1-32-26. Dyslexia screening and intervention –Pilot program - Report to legislative**  
4 **management - Professional development.**

5       1. For purposes of this section:

6       ~~a. "Dyslexia". "dyslexia" means a specific learning disability that is~~  
7               neurological~~neurobiological~~ in origin and characterized by difficulties with  
8               accurate or fluent recognition of words and poor spelling and decoding abilities,  
9               independent of the individual's general intelligence level.

10       ~~b. "Specialist trained in dyslexia characteristics" means an individual who:~~

11       ~~(1) Has expertise providing training in phonological and phonemic awareness,~~  
12               ~~sound and symbol relationships, alphabet knowledge, rapid naming skills,~~  
13               ~~and encoding and decoding skills; and~~

14       ~~(2) Is fluent in the dyslexia intervention process; and~~

15       ~~(3) Has training in identifying dyslexia characteristics and intervention~~  
16               ~~processes from an approved provider on a list maintained by the~~  
17               ~~superintendent of public instruction.~~

18       2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~  
19               ~~year, the~~The superintendent of public instruction shall establish and operate a pilot  
20               ~~program to provide~~ guidance and recommendations regarding proven strategies ~~and in~~  
21               early screening and intervention services for children with risk factors for dyslexia  
22               characteristics, including low phonemic awareness.

23       3. ~~To be eligible to participate in the program, a~~Each school district, regional education  
24               association, or special education unit must submit an application to the superintendent  
25               which shall:

26       a. Identifies a method of screening children for low phonemic awareness and other  
27               risk factors for dyslexia;

28       b. Provides for the enrollment of children identified as having risk factors for  
29               dyslexia in a reading program staffed by specialists trained in dyslexia and  
30               multisensory structured language programs; and

- 1 e. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
2 ~~identified risk factors of the child.~~
- 3 4. ~~Each grantee selected to participate in the program shall:~~
- 4 a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~  
5 ~~children under seven years of age through a reading program established under~~  
6 ~~subsection 3; For enrolled children seven years of age and younger, provide a~~  
7 ~~universal screening for dyslexia including core components of phonemic~~  
8 ~~awareness, decoding, and spelling, which must be approved by the~~  
9 ~~superintendent of public instruction and which must be developed and overseen~~  
10 ~~by a specialist trained in dyslexia characteristics;~~
- 11 b. Include a process to further evaluate identified risk factors;
- 12 c. Describe the intervention services for the identified dyslexia risk factors;
- 13 ~~b.d.~~ d. Provide reading intervention services to students identified as having  
14 dyslexia with dyslexia characteristics;
- 15 ~~e.e.~~ e. Administer assessments, approved by the superintendent of public instruction, to  
16 determine the effectiveness of the program intervention services in improving the  
17 reading and learning skills of children enrolled in the program the child; and
- 18 ~~d.f.~~ f. Provide professional development on dyslexia identification characteristics and  
19 interventions related to phonological and phonemic awareness, sound and  
20 symbol relationships, alphabet knowledge, rapid naming skills, and encoding and  
21 decoding skills. to grant participants appropriate kindergarten through grade three  
22 personnel of the school district and special education unit. Professional  
23 development ~~must~~ may meet the requirements for continuing education credits for  
24 license renewal.
- 25 4. A school district or special education unit shall provide ~~an assessment~~ a universal  
26 screener under subdivision a of subsection 3 upon request by a parent, legal guardian,  
27 or teacher.
- 28 5. ~~The board of each participating grantee shall report annually to the superintendent of~~  
29 ~~public instruction regarding the operation, results, and effectiveness of the pilot~~  
30 ~~program in a manner prescribed by the superintendent. Before July 1, 2024~~2024~~, the~~  
31 ~~superintendent of public instruction shall compile the information and provide a report~~

1 to the legislative management with a recommendation whether to continue the pilot  
2 program beyond the 2022-23 school year regarding dyslexia screening and  
3 intervention under this section.

4 **SECTION 4. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

5 ~~**SECTION 3. LEGISLATIVE MANAGEMENT STUDY – LITERACY AND DYSLEXIA –**~~

6 ~~**STATUTORY REVIEW.** During the 2023-24 interim, the legislative management shall consider~~  
7 ~~studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related~~  
8 ~~teacher training. The study must include a review of the pilot program established under section~~  
9 ~~15.1-32-36. The legislative management shall report its findings and recommendations,~~  
10 ~~together with any legislation necessary to implement the recommendations, to the sixty-ninth~~  
11 ~~legislative assembly.~~

12 ~~**SECTION 5. EFFECTIVE DATE.** Section 1 of this Act becomes effective on January 1,~~  
13 ~~2025.~~

14 **SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,  
15 2024, and after that date is ineffective.

### Section 1 Amendment

11. Shall appoint a task force in collaboration with the K12 Coordination Council. This taskforce shall review all statutes in this code relating to literacy, dyslexia, and related teacher training and report the findings and recommendations of the task force, together with any legislation necessary to implement the recommendations, to the K12 Coordination Council and to the sixty-ninth legislative assembly.

### Section 2 Amendment

#### **15.1-13-35.1. Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure who will be certified to be an elementary teacher demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:

- a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;
  - f. scientifically based, evidence based and research based curriculums
  - g. use of systematic direct instruction to ensure all students obtain necessary early reading skills
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
3. An initial elementary teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section.

23.0362.04007  
Title.

Prepared by the Legislative Council staff for  
Senator Beard

April 19, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1231

That the Senate recede from its amendments as printed on pages 1679 and 1680 of the House Journal and pages 1430 and 1431 of the Senate Journal and that Engrossed House Bill No. 1231 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 15.1-13 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to teacher license requirements for reading instruction competency;"

Page 1, line 3, replace "section" with "sections 15.1-02-04, 15.1-13-35.1, and"

Page 1, line 3, after "to" insert "the creation of a dyslexia and literacy task force, reading instruction competency for teacher licensure, and"

Page 1, line 5, remove "to provide for a legislative"

Page 1, line 6, remove "management study;"

Page 1, line 6, replace "effective" with "expiration"

Page 1, remove lines 9 through 22

Page 2, replace lines 1 through 9 with:

**"SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-04. Superintendent of public instruction - Duties - Report.**  
**(Effective through June 30, 2023)**

The superintendent of public instruction:

1. ~~Shall supervise the provision of elementary and secondary education to the students of this state.~~
2. ~~Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.~~
3. ~~Shall supervise the development of course content standards.~~
4. ~~Shall supervise the assessment of students.~~
5. ~~Shall serve as an ex officio member of the board of university and school lands.~~
6. ~~Shall keep a complete record of all official acts and appeals.~~
7. ~~As appropriate, shall determine the outcome of appeals regarding education matters.~~

8. ~~Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.~~
9. ~~Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state-education funding and education stakeholder groups. Each steering-committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative-report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative-report and any updates to the strategic vision to the legislative-management during each interim and to a joint meeting of the education-standing committees during each regular legislative session.~~
10. ~~Shall administer a student loan forgiveness program for individuals-teaching at grade levels, in content areas, and in geographical locations-identified as having a teacher shortage or critical need.~~
11. ~~Shall facilitate the development and implementation of a North Dakota-learning continuum in collaboration with the department of career and-technical education, upon the recommendation of the kindergarten through-grade twelve education coordination council.~~
12. ~~Shall collaborate with workforce development stakeholders and the-kindergarten through grade twelve education coordination council to-determine how best to integrate computer science and cybersecurity into-elementary, middle, and high school curriculum under sections 15.1-21-01-and 15.1-21-02. Before September 1, 2022, the superintendent shall-provide a report to the legislative management regarding the outcome of-this collaboration.~~

**~~Superintendent of public instruction – Duties. (Effective after June 30, 2023)~~**

The superintendent of public instruction:

1. Shall supervise the provision of elementary and secondary education to the students of this state.
2. Shall supervise the establishment and maintenance of schools and provide advice and counsel regarding the welfare of the schools.
3. Shall supervise the development of course content standards.
4. Shall supervise the assessment of students.
5. Shall serve as an ex officio member of the board of university and school lands.
6. Shall keep a complete record of all official acts and appeals.



7. As appropriate, shall determine the outcome of appeals regarding education matters.
8. Shall direct school district annexation, reorganization, and dissolution and employ and compensate personnel necessary to enable the state board of public school education to carry out its powers and duties regarding school district annexation, reorganization, and dissolution.
9. Shall facilitate a process to review and update annually the statewide prekindergarten through grade twelve education strategic vision. The process must include input and participation from a steering committee that includes representatives of all state-level entities receiving state education funding and education stakeholder groups. Each steering committee member entity receiving state education funds shall provide components of the entity's strategic plan which are aligned to the statewide strategic vision. The steering committee shall prepare a collaborative report of the strategic plans of each committee member entity receiving state education funds. The superintendent shall provide the collaborative report and any updates to the strategic vision to the legislative management during each interim and to a joint meeting of the education standing committees during each regular legislative session.
10. Shall facilitate the development and implementation of a North Dakota learning continuum in collaboration with the department of career and technical education, upon the recommendation of the kindergarten through grade twelve education coordination council.
11. Shall appoint a task force in collaboration with the kindergarten through grade twelve education coordination council. The task force shall review all statutes in this code relating to literacy, dyslexia, and related teacher training and report the findings and recommendations of the task force, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly.

**SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-13-35.1. Teaching license - Reading instruction competency.**

1. The board shall ensure a candidate for teacher licensure who will be certified to be an early childhood or elementary teacher demonstrates competencies in beginning reading instruction based on scientifically and research-based best practices. Competencies must include the acquisition of knowledge of the essential components of beginning reading instruction, including:
  - a. Phonemic awareness;
  - b. Phonics;
  - c. Fluency;
  - d. Vocabulary;
  - e. Comprehension;

- f. How to assess student reading ability;~~and~~
  - g. How to identify and correct reading difficulties;
  - h. Scientifically based, evidence based, and research based curricula;  
and
  - i. The use of systematic direct instruction to ensure all students obtain necessary early reading skills.
2. A prekindergarten, kindergarten, elementary, and special education initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  3. ~~A prekindergarten through grade twelve and a secondary education~~An early childhood and elementary initial teacher licensure candidate must provide evidence that the candidate meets the competency standards of the components under subsection 1.
  4. A teacher licensure candidate satisfies the requirements of this section if the candidate demonstrates the candidate has received training in competencies related to reading instruction from an accredited or approved program, or demonstrates mastery of the topics provided under subsection 1. The board may issue a provisional license for up to two years to a teacher licensure candidate who does not meet the requirements of this section."

Page 2, line 14, remove the colon

Page 2, line 15, overstrike "a. "Dyslexia" and insert immediately thereafter ", dyslexia"

Page 2, line 19, overstrike "b. "Specialist trained in dyslexia"

Page 2, line 19, remove "characteristics"

Page 2, line 19, overstrike "" means an individual who:"

Page 2, overstrike lines 20 and 21

Page 2, overstrike line 22 overstrike "and encoding and decoding skills;"

Page 2, line 23, overstrike "(2)"

Page 2, line 24, overstrike "Has training in identifying dyslexia"

Page 2, line 24, remove "characteristics and intervention"

Page 2, remove line 25

Page 2, line 26, remove "superintendent of public instruction"

Page 2, line 26, overstrike the period

Page 2, line 29, replace the second "and" with "in"

Page 3, line 17, remove "and which must be developed and overseen"

Page 3, line 18, remove "by a specialist trained in dyslexia characteristics"

Page 3, line 27, after "interventions" insert "related to phonological and phonemic awareness, sound and symbol relationships, alphabet knowledge, rapid naming skills, and encoding and decoding skills."

Page 3, line 27, after "participants" insert "appropriate"

Page 3, line 28, replace "must" with "may"

Page 3, line 30, replace "an assessment" with "a universal screener"

Page 4, replace lines 9 through 17 with:

**"SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31, 2024, and after that date is ineffective."

Re-number accordingly

23.0362.04007

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1231

Introduced by

Representatives Strinden, J. Johnson, Pyle, Satrom, Schatz

Senators Cleary, Davison, Kreun, Myrdal

1 A BILL for an Act ~~to create and enact a new section to chapter 15.1-13 of the North Dakota~~  
 2 ~~Century Code, relating to teacher license requirements for reading instruction competency; to~~  
 3 amend and reenact ~~section~~sections 15.1-02-04, 15.1-13-35.1, and 15.1-32-26 of the North  
 4 Dakota Century Code, relating to the creation of a dyslexia and literacy task force, reading  
 5 instruction competency for teacher licensure, and the dyslexia screening and intervention  
 6 program; to repeal section 15.1-32-25 of the North Dakota Century Code, relating to mandatory  
 7 dyslexia screening; ~~to provide for a legislative management study;~~ to provide for a legislative  
 8 management report; and to provide an ~~effective~~expiration date.

9 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

10 ~~SECTION 1. A new section to chapter 15.1-13 of the North Dakota Century Code is created~~  
 11 ~~and enacted as follows:~~  
 12 ~~Teaching license – Reading instruction competency:~~  
 13 ~~1. The board shall ensure a candidate for teacher licensure demonstrates competencies~~  
 14 ~~in beginning reading instruction based on scientifically and research-based best~~  
 15 ~~practices. Competencies must include the acquisition of knowledge of the essential~~  
 16 ~~components of beginning reading instruction, including:~~  
 17 ~~a. Phonemic awareness;~~  
 18 ~~b. Phonics;~~  
 19 ~~c. Fluency;~~  
 20 ~~d. Vocabulary;~~  
 21 ~~e. Comprehension;~~  
 22 ~~f. How to assess student reading ability; and~~  
 23 ~~g. How to identify and correct reading difficulties.~~

1 ~~2. A kindergarten through grade three initial teacher licensure candidate must provide~~  
2 ~~evidence that the candidate meets the competency standards of the components~~  
3 ~~under subsection 1.~~

4 ~~3. A teacher licensure candidate satisfies the requirements of this section if the candidate~~  
5 ~~demonstrates the candidate has received training in competencies related to reading~~  
6 ~~instruction from an accredited or approved program, or demonstrates mastery of the~~  
7 ~~topics provided under subsection 1. The board may issue a provisional license for up~~  
8 ~~to two years to a teacher licensure candidate who does not meet the requirements of~~  
9 ~~this section.~~

10 **SECTION 1. AMENDMENT.** Section 15.1-02-04 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **15.1-02-04. Superintendent of public instruction - Duties - Report. (Effective through**  
13 **June 30, 2023)**

14 ~~The superintendent of public instruction:~~

15 ~~1. Shall supervise the provision of elementary and secondary education to the students~~  
16 ~~of this state.~~

17 ~~2. Shall supervise the establishment and maintenance of schools and provide advice and~~  
18 ~~counsel regarding the welfare of the schools.~~

19 ~~3. Shall supervise the development of course content standards.~~

20 ~~4. Shall supervise the assessment of students.~~

21 ~~5. Shall serve as an ex officio member of the board of university and school lands.~~

22 ~~6. Shall keep a complete record of all official acts and appeals.~~

23 ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~

24 ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and~~  
25 ~~compensate personnel necessary to enable the state board of public school education~~  
26 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~  
27 ~~and dissolution.~~

28 ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten~~  
29 ~~through grade twelve education strategic vision. The process must include input and~~  
30 ~~participation from a steering committee that includes representatives of all state level~~  
31 ~~entities receiving state education funding and education stakeholder groups. Each~~

- 1 ~~steering committee member entity receiving state education funds shall provide~~  
2 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~  
3 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~  
4 ~~plans of each committee member entity receiving state education funds. The~~  
5 ~~superintendent shall provide the collaborative report and any updates to the strategic~~  
6 ~~vision to the legislative management during each interim and to a joint meeting of the~~  
7 ~~education standing committees during each regular legislative session.~~
- 8 ~~10. Shall administer a student loan forgiveness program for individuals teaching at grade~~  
9 ~~levels, in content areas, and in geographical locations identified as having a teacher~~  
10 ~~shortage or critical need.~~
- 11 ~~11. Shall facilitate the development and implementation of a North Dakota learning~~  
12 ~~continuum in collaboration with the department of career and technical education,~~  
13 ~~upon the recommendation of the kindergarten through grade twelve education~~  
14 ~~coordination council.~~
- 15 ~~12. Shall collaborate with workforce development stakeholders and the kindergarten~~  
16 ~~through grade twelve education coordination council to determine how best to~~  
17 ~~integrate computer science and cybersecurity into elementary, middle, and high school~~  
18 ~~curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the~~  
19 ~~superintendent shall provide a report to the legislative management regarding the~~  
20 ~~outcome of this collaboration.~~
- 21 ~~**Superintendent of public instruction – Duties. (Effective after June 30, 2023)**~~  
22 The superintendent of public instruction:
- 23 1. Shall supervise the provision of elementary and secondary education to the students  
24 of this state.
- 25 2. Shall supervise the establishment and maintenance of schools and provide advice and  
26 counsel regarding the welfare of the schools.
- 27 3. Shall supervise the development of course content standards.
- 28 4. Shall supervise the assessment of students.
- 29 5. Shall serve as an ex officio member of the board of university and school lands.
- 30 6. Shall keep a complete record of all official acts and appeals.
- 31 7. As appropriate, shall determine the outcome of appeals regarding education matters.

- 1       8. Shall direct school district annexation, reorganization, and dissolution and employ and  
2       compensate personnel necessary to enable the state board of public school education  
3       to carry out its powers and duties regarding school district annexation, reorganization,  
4       and dissolution.
- 5       9. Shall facilitate a process to review and update annually the statewide prekindergarten  
6       through grade twelve education strategic vision. The process must include input and  
7       participation from a steering committee that includes representatives of all state-level  
8       entities receiving state education funding and education stakeholder groups. Each  
9       steering committee member entity receiving state education funds shall provide  
10      components of the entity's strategic plan which are aligned to the statewide strategic  
11      vision. The steering committee shall prepare a collaborative report of the strategic  
12      plans of each committee member entity receiving state education funds. The  
13      superintendent shall provide the collaborative report and any updates to the strategic  
14      vision to the legislative management during each interim and to a joint meeting of the  
15      education standing committees during each regular legislative session.
- 16     10. Shall facilitate the development and implementation of a North Dakota learning  
17     continuum in collaboration with the department of career and technical education,  
18     upon the recommendation of the kindergarten through grade twelve education  
19     coordination council.
- 20     11. Shall appoint a task force in collaboration with the kindergarten through grade twelve-  
21     education coordination council. The task force shall review all statutes in this code  
22     relating to literacy, dyslexia, and related teacher training and report the findings and  
23     recommendations of the task force, together with any legislation necessary to  
24     implement the recommendations, to the sixty-ninth legislative assembly.
- 25     **SECTION 2. AMENDMENT.** Section 15.1-13-35.1 of the North Dakota Century Code is  
26     amended and reenacted as follows:
- 27     **15.1-13-35.1. Teaching license - Reading instruction competency.**
- 28     1. The board shall ensure a candidate for teacher licensure who will be certified to be an-  
29     early childhood or elementary teacher demonstrates competencies in beginning  
30     reading instruction based on scientifically and research-based best practices.

- 1 Competencies must include the acquisition of knowledge of the essential components  
2 of beginning reading instruction, including:
- 3 a. Phonemic awareness;
  - 4 b. Phonics;
  - 5 c. Fluency;
  - 6 d. Vocabulary;
  - 7 e. Comprehension;
  - 8 f. How to assess student reading ability; ~~and~~
  - 9 g. How to identify and correct reading difficulties;
  - 10 h. Scientifically based, evidence based, and research based curricula; and
  - 11 i. The use of systematic direct instruction to ensure all students obtain necessary  
12 early reading skills.
- 13 2. A prekindergarten, kindergarten, elementary, and special education initial teacher  
14 licensure candidate must provide evidence that the candidate meets the competency  
15 standards of the components under subsection 1.
- 16 3. ~~A prekindergarten through grade twelve and a secondary education~~An early childhood-  
17 and elementary initial teacher licensure candidate must provide evidence that the  
18 candidate meets the competency standards of the components under subsection 1.
- 19 4. A teacher licensure candidate satisfies the requirements of this section if the candidate  
20 demonstrates the candidate has received training in competencies related to reading  
21 instruction from an accredited or approved program, or demonstrates mastery of the  
22 topics provided under subsection 1. The board may issue a provisional license for up  
23 to two years to a teacher licensure candidate who does not meet the requirements of  
24 this section.

25 **SECTION 3. AMENDMENT.** Section 15.1-32-26 of the North Dakota Century Code is  
26 amended and reenacted as follows:

27 **15.1-32-26. Dyslexia screening and intervention –~~Pilot program~~ - Report to legislative**  
28 **management - Professional development.**

- 29 1. For purposes of this section:
- 30 ~~a. "Dyslexia", "dyslexia"~~ means a specific learning disability that is  
31 ~~neurological~~neurobiological in origin and characterized by difficulties with



1 accurate or fluent recognition of words and poor spelling and decoding abilities,  
2 independent of the individual's general intelligence level.

3 ~~b. "Specialist trained in dyslexia characteristics" means an individual who:~~

4 ~~(1) Has expertise providing training in phonological and phonemic awareness,~~  
5 ~~sound and symbol relationships, alphabet knowledge, rapid naming skills,~~  
6 ~~and encoding and decoding skills; and~~

7 ~~(2) Is fluent in the dyslexia intervention process; and~~

8 ~~(3) Has training in identifying dyslexia characteristics and intervention~~  
9 ~~processes from an approved provider on a list maintained by the~~  
10 ~~superintendent of public instruction.~~

11 2. ~~Beginning with the 2019-20 school year and continuing through the 2022-23 school~~  
12 ~~year, the~~The superintendent of public instruction shall establish and operate a pilot  
13 program to provide guidance and recommendations regarding proven strategies and in  
14 early screening and intervention services for children with risk factors for dyslexia  
15 characteristics, including low phonemic awareness.

16 3. ~~To be eligible to participate in the program, a~~Each school district, regional education-  
17 association, or special education unit must submit an application to the superintendent  
18 whichshall:

19 a. ~~Identifies a method of screening children for low phonemic awareness and other~~  
20 ~~risk factors for dyslexia;~~

21 b. ~~Provides for the enrollment of children identified as having risk factors for~~  
22 ~~dyslexia in a reading program staffed by specialists trained in dyslexia and~~  
23 ~~multisensory structured language programs; and~~

24 e. ~~Includes a methodology for evaluating the effects of the reading program on the~~  
25 ~~identified risk factors of the child.~~

26 4. Each grantee selected to participate in the program shall:

27 a. ~~Provide low phonemic awareness and other dyslexia risk factor screenings for~~  
28 ~~children under seven years of age through a reading program established under~~  
29 ~~subsection 3; For enrolled children seven years of age and younger, provide a~~  
30 universal screening for dyslexia including core components of phonemic  
31 awareness, decoding, and spelling, which must be approved by the

- 1 superintendent of public instruction and which must be developed and overseen  
2 by a specialist trained in dyslexia characteristics;
- 3 b. Include a process to further evaluate identified risk factors;
- 4 c. Describe the intervention services for the identified dyslexia risk factors;
- 5 b.d. Provide reading intervention services to students identified as having  
6 dyslexia with dyslexia characteristics;
- 7 e.e. Administer assessments, approved by the superintendent of public instruction, to  
8 determine the effectiveness of the program intervention services in improving the  
9 reading and learning skills of children enrolled in the program the child; and
- 10 d.f. Provide professional development on dyslexia identification characteristics and  
11 interventions related to phonological and phonemic awareness, sound and  
12 symbol relationships, alphabet knowledge, rapid naming skills, and encoding and  
13 decoding skills, to grant participants appropriate kindergarten through grade three  
14 personnel of the school district and special education unit. Professional  
15 development must may meet the requirements for continuing education credits for  
16 license renewal.
- 17 4. A school district or special education unit shall provide an assessment a universal  
18 screener under subdivision a of subsection 3 upon request by a parent, legal guardian,  
19 or teacher.
- 20 5. The board of each participating grantee shall report annually to the superintendent of  
21 public instruction regarding the operation, results, and effectiveness of the pilot  
22 program in a manner prescribed by the superintendent. Before July 1, 2024 2024, the  
23 superintendent of public instruction shall compile the information and provide a report  
24 to the legislative management with a recommendation whether to continue the pilot  
25 program beyond the 2022-23 school year regarding dyslexia screening and  
26 intervention under this section.

27 **SECTION 4. REPEAL.** Section 15.1-32-25 of the North Dakota Century Code is repealed.

28 ~~SECTION 3. LEGISLATIVE MANAGEMENT STUDY - LITERACY AND DYSLEXIA -~~  
29 ~~STATUTORY REVIEW.~~ During the 2023-24 interim, the legislative management shall consider  
30 studying provisions of the North Dakota Century Code relating to literacy, dyslexia, and related  
31 teacher training. The study must include a review of the pilot program established under section

1 ~~15.1-32-36. The legislative management shall report its findings and recommendations,~~  
2 ~~together with any legislation necessary to implement the recommendations, to the sixty-ninth~~  
3 ~~legislative assembly.~~

4 ~~—SECTION 5. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1,~~  
5 ~~2025.~~

6 **SECTION 5. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,  
7 2024, and after that date is ineffective.