

<p><b>Subject:</b> <i>Screening and Intervention for dyslexia and related disorders</i></p> <p><b>Date issued: August 1, 2023</b></p>	<p><b>Legal Reference – HB 377 (2022-2023 Legislative Session)</b></p> <ul style="list-style-type: none"> <li>• <b>RSA 200:59</b></li> </ul>
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*This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation which was passed during the 2022-2023 legislative session. HB 377 amends RSA 200:59, which pertains to screening and intervention for dyslexia and related disorders.*

***This law becomes effective September 26, 2023.***

During the 2022-2023 legislative session, HB 377 was passed into law, which amends the screening requirements for dyslexia and related disorders as set forth in RSA 200:59 to be applicable to both *public schools and chartered public schools*.

### ***Screening Requirements—Public and Chartered Public Schools:***

Upon entry to school, ***school districts*** are required to screen *all public school and chartered public school students*, to include English learners, grades kindergarten through third grade, for the identification of potential indicators or risk factors of dyslexia and related disorders. This screening must be conducted by an evidence-based screener. While school districts are responsible to ensure that all students—public and charter school—are screened, student resident school districts may coordinate efforts with the charter schools to allow the chartered public schools to conduct the screening, similar to what they might do relative to the provision of special education services and supports.

This initial screening must be completed no later than *60 school days* of a student entering school. This required timeline is equally applicable to students who enter school mid-year.

New Hampshire Department of Education has guidance on suggested evidence-based screeners that can be accessed here: [Implementation Guidance- Screening and Intervention for Risk Factors for Dyslexia and Related Disorders \(instructure.com\)](https://www.instructure.com)

The screening process must be repeated one additional time during the current school year and then conducted a minimum of twice yearly through third grade to monitor a child’s progress. The school is required to inform the student’s parent or legal guardian of all screening results.

### ***Intervention Services:***

If a school district screening determines that a student does not meet the relevant benchmarks for grade-typical development in specific foundational skills, then the school district in coordination with the chartered public school must complete a secondary assessment within 30 days to

determine whether the student needs to be provided with evidence-based reading instruction intervention or referred to special education for further evaluation.

For any student who is identified as having characteristics that are associated with potential indicators or risk factors for dyslexia and related disorders, the student's school district or chartered public school is required to provide age appropriate, evidence-based intervention that must start no later than January 1st of the school year, or within 60 school days of the initial screening – if the student enters the school more than 60 school days from the beginning of the school year.

In the case that a special education referral is made, the state's required timelines, in accordance with the Individuals with Disabilities Education Act (IDEA), must be followed. During the time of the referral for special education evaluation, general education accommodations must be initiated within 21 days of the initial screening and continue until the special education determination is made.

For any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia, the school is required to notify the parent or legal guardian with all screening information and findings. Additionally, the school must provide the parent or legal guardian with periodic formal screening results based on individual written intervention and support plans that are developed with the parent or legal guardian.

The parent or legal guardian of any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia and related disorders has the right to obtain an independent evaluation from a licensed reading or intervention specialist that is trained in dyslexia and related disorders for consideration by the student's school district. The cost of any such independent evaluation must be the parent or legal guardian's sole responsibility. NHED would encourage school districts and chartered public schools to incorporate the independent evaluation information into the intervention and support plans as they are developed with the parent or legal guardian.

**For more information on Dyslexia Guidance see attachment:**

[Implementation Guidance- Screening and Intervention for Risk Factors for Dyslexia and Related Disorders \(instructure.com\)](#)

**For questions related to this Technical Advisory, please contact:**

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