

ASSEMBLY, No. 2231

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Benson

SYNOPSIS

Establishes pilot program in DOE to provide assistive technology to elementary and middle school students with dyslexia and related conditions.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing an assistive technology pilot program in the
2 Department of Education.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. The Legislature finds and declares that:

8 a. Dyslexia is a specific learning disability that is neurological
9 in origin and is characterized by difficulties with accurate or fluent
10 word recognition and by poor spelling and decoding abilities;

11 b. With 10% of the population in the United States suffering
12 from dyslexia according to studies conducted by the National
13 Institutes of Health, dyslexia is the most common learning disability
14 in children, and it persists throughout life;

15 c. The difficulties that individuals with dyslexia typically
16 experience are the result of a deficit in the phonological component
17 of language that is often unexpected in relation to other cognitive
18 abilities and the provision of effective classroom instruction;

19 d. Individuals with dyslexia typically do not have difficulty
20 with comprehension, but rather the task of reading itself. Dyslexia
21 compromises the ability to comprehend written material, and
22 students with dyslexia often struggle with written expression,
23 including spelling, grammar, and handwriting, due to difficulties
24 with encoding language. Assistive technology that can scan and
25 read the material aloud, or deliver human or text-to-speech
26 narration of the written material, while the students read along on a
27 laptop, tablet, or other device, is an invaluable tool which can help
28 students with dyslexia and related conditions to access curriculum
29 content at grade-level and greatly increase their academic success,
30 independence, confidence, and self-esteem; and

31 e. Assistive technology tools often also include support for
32 study skills, such as the use of voice notes to answer summary
33 questions, or the extraction of highlighted text for vocabulary words
34 and review. Similarly, accommodations for writing can allow
35 students who currently limit their writing to just the words they
36 know how to spell, to fully express what they think, and
37 communicate more clearly what they know. Assistive technology
38 to support writing includes the use of text-to-speech for review,
39 specialized spell-check software that takes into account the kinds of
40 phonetic misspellings and letter omissions that students with
41 dyslexia often make, and the use of speech-to-text to help students
42 get their ideas out quickly and easily. All of these assistive
43 technology tools need to be paired with instruction, often more
44 explicit instruction than is included in class.

45

46 2. As used in this act:

47 “Assistive technology device” means any item, piece of
48 equipment, or product system, whether acquired commercially off

1 the shelf, modified, or customized, that is used to increase,
2 maintain, or improve functional capabilities of a child with a
3 disability. An assistive technology device does not include a
4 medical device that is surgically implanted or the replacement of
5 such a device.

6 “Assistive technology service” means any service that directly
7 assists a student with a disability in the selection, acquisition, or use
8 of an assistive technology device, including:

9 a. the evaluation of the needs of the student, including a
10 functional evaluation of the student in the student’s customary
11 learning environment;

12 b. purchasing, leasing, or otherwise providing for the
13 acquisition of assistive technology devices;

14 c. selecting, designing, fitting, customizing, adapting,
15 applying, maintaining, repairing or replacing assistive technology
16 devices;

17 d. coordinating and using other therapies, interventions, or
18 services with assistive technology devices, such as those associated
19 with existing education and rehabilitation plans and programs;

20 e. training or technical assistance for the student or the family
21 of the student; and

22 f. training or technical assistance for professionals, including
23 individuals providing education and rehabilitation services,
24 employers, or other individuals who provide services to, employ, or
25 are otherwise substantially involved in the major life functions of
26 the student.

27 “Dyslexia” means a specific learning disability that is
28 neurobiological in origin. It is characterized by difficulties with
29 accurate or fluent word recognition and by poor spelling and
30 decoding abilities. These difficulties typically result from a deficit
31 in the phonological component of language that is often unexpected
32 in relation to other cognitive abilities and the provision of effective
33 classroom instruction. Secondary consequences may include
34 problems in reading comprehension and reduced reading experience
35 that can impede growth of vocabulary and background knowledge.

36 “Student with dyslexia or related conditions” means a student
37 attending a public school who exhibits a deficit in the areas of
38 reading or writing, despite having normal intelligence, characterized
39 by difficulty with phonological processing, spelling, rapid visual-
40 verbal responding, word decoding, fluency, or comprehension.

41 A student does not need to be classified for special education
42 programs and services to be considered a student with dyslexia or
43 related conditions.

44

45 3. a. The Commissioner of Education, in consultation with the
46 Office of Information Technology, shall establish a three-year
47 assistive technology pilot program. The purpose of the program
48 shall be to provide elementary and middle school students who have

1 dyslexia or related conditions with access to assistive technology
2 and assistive technology services in the classroom. The assistive
3 technology and assistive technology services included in the
4 program shall:

5 (1) deliver written material in an accessible auditory or text-to-
6 speech format to assist students to read at grade level; or

7 (2) allow students with dyslexia or related conditions to more
8 effectively complete written assignments.

9 Under the pilot program, the commissioner shall provide a grant
10 to each of the pilot districts to finance the costs associated with the
11 acquisition of the assistive technology, assistive technology
12 services, and the training of teachers in the use of the technology.

13 b. A school district that wants to participate in the pilot
14 program shall submit an application to the commissioner. The
15 application shall provide information on the number of students in
16 the district who have dyslexia and related conditions, the grade-
17 levels of those students, the grade-level reading ability of those
18 students, the assistive technology and assistive technology services
19 to be acquired under the program, and plans for the training of
20 teachers in the use of the assistive technology and assistive
21 technology services. The application shall detail how the use of the
22 assistive technology and assistive technology services will serve to
23 advance the academic achievement of students with dyslexia and
24 related conditions.

25 In the evaluation of the applications, the commissioner shall
26 consider a school district's use of existing hardware and
27 connectivity and the incorporation of software and applications that
28 support the goals of the pilot program and New Jersey's Tiered
29 System of Supports.

30 c. The commissioner shall select seven districts to participate
31 in the pilot program, including: two districts in counties of the first
32 class; two districts in counties of the second class; two districts in
33 counties of the third class; and one district in a county of the fifth
34 class. The commissioner shall seek a cross section of school
35 districts from urban, suburban, and rural areas of the State.

36 d. At the conclusion of the pilot program, the commissioner
37 shall submit a report to the Governor and, pursuant to section 2 of
38 P.L.1991, c.164 (C.52:14-19.1), the Legislature. The report shall
39 include: the number of students who participated in the pilot
40 program; the grade-levels of those students; the grade-level reading
41 ability of those students prior to participation in the pilot program;
42 the impact of the pilot program on enabling those students to access
43 and work on grade-level content; the number of teachers trained in
44 the use of the assistive technology; and the commissioner's
45 recommendation on the feasibility of implementing the program on
46 a Statewide basis.

