

# ASSEMBLY, No. 5023

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 19, 2017

**Sponsored by:**

**Assemblyman RONALD S. DANCER**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**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**

As introduced.



(Sponsorship Updated As Of: 7/14/2017)

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.

1       4. This act shall take effect immediately and shall first apply to  
2 the 2018-2019 school year.

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STATEMENT

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7       This bill establishes a three-year assistive technology pilot  
8 program in the Department of Education. The purpose of the  
9 program is to provide assistive technology and assistive technology  
10 services to elementary and middle school students with dyslexia and  
11 related conditions. The assistive technology and assistive  
12 technology services will:

- 13       • deliver written material in an accessible auditory or text-to-  
14 speech format to assist students to read at grade level; or
- 15       • allow students with dyslexia or related conditions to more  
16 effectively complete written assignments.

17       Under the pilot program, the Commissioner of Education will  
18 provide a grant to each of the pilot districts to finance the costs  
19 associated with the acquisition of the assistive technology and  
20 assistive technology services and the training of teachers in the use  
21 of the technology.

22       A school district that wants to participate in the pilot program  
23 will submit an application to the commissioner. The application  
24 must provide information on the number of students in the district  
25 who have dyslexia and related conditions, the grade-levels of those  
26 students, the grade-level reading ability of those students, the  
27 assistive technology and assistive technology services to be  
28 acquired under the program, and plans for the training of teachers in  
29 the use of the assistive technology and assistive technology  
30 services. The application is required to detail how the use of the  
31 assistive technology and assistive technology services will serve to  
32 advance the academic achievement of students with dyslexia and  
33 related conditions.

34       The commissioner will select seven districts to participate in the  
35 pilot program, and is required to seek a cross section of school  
36 districts from urban, suburban, and rural areas of the State.

37       Under the bill, the commissioner will submit a report to the  
38 Governor and the Legislature at the conclusion of the pilot program.  
39 The report is required to include: the number of students who  
40 participated in the pilot program; the grade-levels of those students;  
41 the grade-level reading ability of those students prior to  
42 participation in the pilot program; the impact of the pilot program  
43 on enabling those students to access and work on grade-level  
44 content; the number of teachers trained in the use of the assistive  
45 technology; and the commissioner's recommendation on the  
46 feasibility of implementing the program on a Statewide basis.