

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S4/4/19  
**A Bill**

SENATE BILL 664

By: Senator Elliott

By: Representative Scott

### **For An Act To Be Entitled**

AN ACT CONCERNING THE ARKANSAS CORRECTIONAL SCHOOL, THE SCIENCE OF READING, AND DYSLEXIA SCREENING AND INTERVENTION SERVICES; TO REQUIRE A NEWLY COMMITTED INMATE IN THE DEPARTMENT OF CORRECTION TO UNDERGO A READING ASSESSMENT AND DYSLEXIA SCREENING DURING THE INTAKE PROCESS; TO REQUIRE THAT INMATES WHO READ BELOW THE REQUIRED PROFICIENCY LEVEL OR DEMONSTRATE MARKERS OF DYSLEXIA BE PROVIDED WITH APPROPRIATE INTERVENTION SERVICES; TO REQUIRE THAT CURRENT INMATES RECEIVE INFORMATION REGARDING DYSLEXIA AND DYSLEXIA INTERVENTION SERVICES; TO REQUIRE THAT AN INDIVIDUAL WHO TEACHES AT A SCHOOL WITHIN THE CORRECTIONS SCHOOL SYSTEM DEMONSTRATE PROFICIENCY AND AWARENESS OF THE BEST PRACTICES OF SCIENCE-BASED READING INSTRUCTION; AND FOR OTHER PURPOSES.

### **Subtitle**

*TO REQUIRE THAT NEW INMATES RECEIVE READING ASSESSMENTS AND DYSLEXIA SCREENINGS; TO REQUIRE READING AND DYSLEXIA SERVICES; AND TO REQUIRE CORRECTIONS TEACHERS KNOW BEST PRACTICES OF SCIENCE-BASED READING INSTRUCTION.*

*BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:*



SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly finds that:

- (1) Individuals undergo a process known as "intake" when entering the Department of Correction system as a new inmate;
- (2) The intake process for new inmates can take at least three (3) to five (5) days, and sometimes longer in certain situations;
- (3) During intake, inmates are given an academic examination amongst other relevant examinations;
- (4) The inmate population of the department is approximately eighteen thousand (18,000);
- (5) The mission of the department is to:
  - (A) Protect public safety by carrying out the mandate of the courts;
  - (B) Provide a safe and humane environment for all staff members and inmates;
  - (C) Strengthen the work ethic of inmates through teaching and instilling good habits; and
  - (D) Provide opportunities for staff members and inmates to improve spiritually, mentally, and physically; and
- (6) Part of the mission and vision of the department is to provide correctional services that return inmates to the community as productive people.

SECTION 2. *Arkansas Code Title 12, Chapter 29, Subchapter 3, is amended to add an additional section to read as follows:*

12-29-311. Dyslexia screening – Science of reading – Intervention services.

The superintendent of the Arkansas Correctional School shall:

- (1) Promulgate rules that require:
  - (A) Teachers within the Arkansas Correctional School to have and demonstrate awareness of the best practices of scientific reading instruction as required under the Right to Read Act, § 6-17-429;
  - (B) Each inmate who does not have a high school diploma or its equivalent receive:
    - (i) A reading proficiency-level assessment; and
    - (ii)(a) Dyslexia screening administered with

fidelity, as defined under § 6-41-602.

(b) If the Arkansas Correctional School provides dyslexia intervention to an inmate who demonstrates under subdivision (1)(B)(ii)(a) of this section that the inmate is reading below the proficiency level required to be a high-functioning reader, the dyslexia intervention the Arkansas Correctional School provides shall be evidence-based and consistent with science-based research specifically tailored to addressing dyslexia; and

(C) A process be established by which new-intake inmates are:

(i) Assessed and administered a dyslexia screening with fidelity, as defined under § 6-41-602; and

(ii) Provided dyslexia intervention with fidelity, as defined under § 6-41-602, that is evidence-based and consistent with science-based research specifically tailored to addressing dyslexia; and

(2) Submit a plan to the Department of Correction that allows inmates to voluntarily receive:

(A) A reading proficiency-level assessment;

(B) Dyslexia screening administered with fidelity, as defined under § 6-41-602; and

(C) Reading instruction that is consistent with the science of reading, as provided under the Right to Read Act, § 6-17-429.

**SECTION 3. DO NOT CODIFY. Temporary language.**

(a) The superintendent of the Arkansas Correctional School shall comply with:

(1) Section 12-29-311(1) by January 1, 2020; and

(2) Section 12-29-311(2) by October 1, 2020.

(b)(1) When adopting the initial rules to implement § 12-29-311, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(A) On or before January 1, 2020; or

(B) If approval under § 10-3-309 has not occurred by January 1, 2020, as soon as practicable after approval under § 10-3-309.

(2) The superintendent of the Arkansas Correctional School shall file the proposed rule with the Legislative Council under § 10-3-309(c)

sufficiently in advance of January 1, 2020, so that the Legislative Council may consider the rule for approval before January 1, 2020.

/s/Elliott