**Special Education School District Administration and Personnel Regulations,   
603 CMR 28.03(1)**

**Proposed Final Regulation Relating to Early Literacy Screening**

This document shows the proposed final amendment to 603 CMR 28.03 by ~~strikethrough~~ (language deleted) and underline (new language). The proposed final amendment would require all elementary schools to assess each student’s reading abilities and early literacy skills at least twice per year from kindergarten through at least third grade.

The full regulations can be found at: 603 CMR 28.[03](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=03): School District Administration and Personnel Regulations. The proposed final amendments are to 603 CMR 28.03(1).

**Presented to the Board of Elementary and Secondary Education for initial action: 6/28/22**

**Final action by the Board of Elementary and Secondary Education anticipated: 9/20/22**

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**28.03(1) General Responsibilities of the School District**

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(d) **Preschool Screening.** Each school district shall conduct screening for three and four year olds and for all children who are of age to enter kindergarten. Such screening shall be designed to review a child's development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special education services.

1. The school district shall submit information to the Department describing the screening program and its elements as part of the local special education plan, when so requested.

2. Participation in the screening program for three and four year olds shall be optional on the part of the parents.

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(f) **Early Literacy Screening.** Effective July 1, 2023, each school district shall at least twice per year assess each student’s reading ability and progress in literacy skills, from kindergarten through at least third grade, using a valid, developmentally appropriate screening instrument approved by the Department.  Consistent with section 2 of chapter 71B of the general laws and the Department’s dyslexia and literacy guidelines, if such screenings determine that a student is significantly below relevant benchmarks for age-typical development in specific literacy skills, the school shall determine which actions within the general education program will meet the student’s needs, including differentiated or supplementary evidence-based reading instruction and ongoing monitoring of progress.  Within 30 school days of a screening result that is significantly below the relevant benchmarks, the school shall inform the student’s parent or guardian of the screening results and the school’s response and shall offer them the opportunity for a follow-up discussion.

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