

ENROLLED ACT NO. 43, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

AN ACT relating to language and literacy competency; providing definitions; specifying screeners, assessments, diagnostics and screening requirements; requiring professional development; establishing school district duties; requiring parental notice; requiring individual reading plans for students with reading difficulties or at risk for poor reading outcomes; requiring reports; establishing additional duties for the department of education; authorizing the state superintendent of public instruction to create a language and literacy division; requiring rulemaking; repealing provisions; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-3-402 through 21-3-405 are created to read:

ARTICLE 4
LANGUAGE AND LITERACY

21-3-402. Wyoming language and literacy program; purpose.

(a) The Wyoming language and literacy program is created.

(b) The purpose of this act is to ensure that every student in kindergarten through grade twelve (12) develops strong language and literacy skills by establishing a comprehensive system of evidence based language and literacy instruction, assessment, intervention and professional development that supports educators, engages families and promotes literacy proficiency for all Wyoming students.

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21-3-403. Definitions.

(a) As used in this article:

(i) "Department" means the state department of education created pursuant to W.S. 21-2-104;

(ii) "Developmental language disorder" or "DLD" means a primary language disorder that is not attributable to a known biomedical condition and is characterized by persistent difficulties learning, understanding or using language that cause functional impairment in everyday activities. The disorder may affect speaking, listening, reading and writing, may co-occur with other neurodevelopmental conditions and typically persists from early childhood into adulthood;

(iii) "Diagnostic assessment" means a valid and reliable specialized assessment used to evaluate specific areas of language and literacy for students with reading difficulties or at risk for poor reading outcomes and provide data to inform individualized reading plans and evidence based language and literacy instruction and intervention;

(iv) "District language and literacy plan" or "DLLP" means a school district's written comprehensive strategy, including professional development, progress monitoring and family engagement and intervention, to identify students with reading difficulties and deliver evidence based language and literacy instruction through a multitiered system of support for students with reading difficulties or at risk for poor reading outcomes;

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(v) "Dyslexia" means a specific learning disability neurobiological in origin, characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities, typically resulting from a deficit in the phonological component of language and often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that may impede growth of vocabulary and background knowledge;

(vi) "Dyslexia screener" means a valid and reliable brief assessment used to identify students who may have characteristics associated with dyslexia and aligned with evidence based language and literacy instruction. A dyslexia screener does not diagnose dyslexia;

(vii) "Evidence based language and literacy instruction" means explicit, systematic, cumulative and diagnostic instruction grounded in the science of reading that develops accurate and fluent word recognition and language comprehension. Instruction includes, as appropriate to developmental level, phonological and phonemic awareness, sound-symbol association, decoding and encoding, syllable structure, morphology, syntax, semantics, vocabulary development, oral reading fluency, background knowledge and discourse-level comprehension, coordinated to support fluent word recognition, deep comprehension and effective written expression;

(viii) "Grade level reading proficiency" means as defined by the state superintendent and adopted in rule;

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(ix) "High quality instructional materials and practices" means curriculum, instructional methods and teaching tools aligned with evidence based language and literacy instruction and supported by strong or moderate evidence of effectiveness;

(x) "Individualized reading plan" or "IRP" means a written plan developed for an individual student identified as having reading difficulties or at risk for poor reading outcomes that includes evidence based language and literacy instruction and intervention, measurable goals and progress monitoring;

(xi) "Literacy proficiency" means the ability to read, write, speak and understand language with accuracy, automaticity and effective expression in order to comprehend and communicate across content areas. Literacy proficiency includes reading fluency, which consists of rate, accuracy and expression, and integration of vocabulary knowledge, background knowledge and language comprehension that support proficient reading and written expression;

(xii) "Multitiered system of support" or "MTSS" means a tiered framework that provides universal, targeted and intensive levels of academic and behavioral support and evidence based language and literacy instruction, and uses screeners and diagnostic assessments, data-based decision making and progress monitoring to improve outcomes for all students;

(xiii) "Reading difficulties" means conditions or patterns of learning that interfere with the development of accurate and fluent word recognition, spelling or comprehension, including but not limited to dyslexia and

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developmental language disorder, as demonstrated by a student's performance on a screener or diagnostic assessment;

(xiv) "State superintendent" means the state superintendent of public instruction;

(xv) "Three-cueing system" means any model of teaching students to read based on meaning, structure and syntax and visual cues;

(xvi) "Universal screener" means a valid and reliable brief assessment used to identify students with reading difficulties or at risk for poor reading outcomes that is aligned with evidence based language and literacy instruction.

21-3-404. School district language and literacy plans; administration of screeners and diagnostic assessments; multitiered system of support; individualized reading plans.

(a) Each school district shall adopt and implement a DLLP to ensure language and literacy competency and literacy proficiency for students in kindergarten through grade twelve (12). The DLLP shall, at a minimum:

(i) Use universal and dyslexia screeners and diagnostic assessments to assess and identify students with reading difficulties and students at risk for poor reading outcomes. After administration of a screener or diagnostic assessment, each school district shall provide the results of the student's performance on the screener or assessment administered pursuant to this paragraph to the student's parent or guardian. Screeners and diagnostic assessments

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shall be approved by the state superintendent pursuant to W.S. 21-3-405(a)(i) and shall be administered as follows:

(A) A dyslexia screener, once each fall, for all students in kindergarten through grade two (2);

(B) A universal screener, three (3) times each school year, for all students in kindergarten through grade three (3);

(C) A universal screener, once each school year, for all students in grades four (4) through twelve (12) who have not demonstrated grade level reading proficiency, for any student transferring into an elementary or secondary public school in the state and for any student identified as not proficient or at risk for poor reading outcomes through district procedures or recent assessments;

(D) Diagnostic assessments as appropriate for any student identified with a reading difficulty or at risk for poor reading outcomes.

(ii) Use high quality instructional materials and practices aligned with the science of reading to deliver evidence based language and literacy instruction;

(iii) Deploy an MTSS that ensures comprehensive and effective evidence based language and literacy instruction and intervention to improve the literacy proficiency of all students. The MTSS shall, at a minimum, include:

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(A) Tier I, to provide explicit and systematic evidence based language and literacy instruction for all students in kindergarten through grade twelve (12);

(B) Tier II, to provide supplemental evidence based language and literacy instruction with targeted assistance and ongoing progress monitoring for students with reading difficulties;

(C) Tier III, to deliver intensive and individualized evidence based language and literacy instruction and intervention for students with significant and persistent reading difficulties.

(iv) Implement an IRP for each student identified as having reading difficulties or at risk for poor reading outcomes. An individualized education program (IEP) prepared for a student pursuant to the federal Individuals with Disabilities in Education Act shall be deemed an IRP for purposes of this paragraph. The IRP shall:

(A) Specify evidence based language and literacy instruction specific to the student's reading difficulties;

(B) Identify measurable language, literacy and reading goals and progress monitoring methods;

(C) Be integrated into the student's educational record;

(D) Be developed in collaboration with the student's parent or guardian and implemented within thirty (30) calendar days after identification of a student with

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reading difficulties or at risk for poor reading outcomes pursuant to paragraph (i) of this subsection. The school district shall notify the student's parent or guardian of the student's progress quarterly during the applicable school year.

(v) Prohibit the use of the three-cueing system as the only basis for teaching word recognition or decoding.

(b) Each school district with sixty percent (60%) or more students not demonstrating grade level reading proficiency, as defined by rule of the state superintendent, shall offer summer literacy camps or extended supports, including after school support and tutoring, for all students in grades one (1) through three (3) with an IRP. The instruction required pursuant to this subsection shall consist of appropriate, evidence based language and literacy instruction aligned with each student's IRP and shall include age and district appropriate hours additional instruction beyond that delivered during the regular course of the school year.

(c) Each school district shall ensure any person employed by the school district receives job embedded, practice based and ongoing literacy related professional development appropriate to their role and level of responsibility. The minimum professional development shall include opportunities for literacy coaching and leadership development to support effective implementation of evidence based language and literacy instruction. The hours and content requirements shall be as defined by rule of the state superintendent pursuant to W.S. 21-3-405(a)(ii).

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(d) Not later than August 15 each year, for the prior school year, each school district shall report to the department:

(i) The percentage of students not achieving grade level reading proficiency;

(ii) The average growth, by grade, for the lowest performing ten percent (10%) of students in relation to grade level reading proficiency;

(iii) A list of the evidence based language and literacy instruction and high quality instructional materials and practices utilized by the school district;

(iv) The qualifications, as defined by rule of the state superintendent, of any person employed by the school district that delivers language and literacy instruction to students.

21-3-405. Additional duties of the state superintendent; rulemaking authority.

(a) The state superintendent shall, by rule:

(i) In consultation with school districts, identify universal and dyslexia screeners, diagnostic assessments, evidence based language and literacy instruction and high quality instructional materials and practices to be utilized by school districts. School districts may request the state superintendent approve use of alternatives not incorporated in rule in the manner and form required by the state superintendent;

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(ii) Establish professional development requirements related to effective language and literacy instruction for all teachers and instructional staff, differentiated by their role, level of responsibility and grade level in supporting literacy proficiency;

(iii) Define terms necessary for the administration and implementation of this act, including but not limited to, "grade level reading proficiency", "qualifications", "significant and persistent reading difficulties", the "science of reading", "progress monitoring" and "at risk for poor reading outcomes";

(iv) Ensure school districts comply with the requirements of this act through monitoring and providing technical assistance to school districts. The rules shall identify policies and procedures for imposition of corrective action plans for school districts failing to adhere to the requirements of this act.

(b) The state superintendent shall post the information reported by school districts pursuant to W.S. 21-3-404(d) to the department's website.

(c) Nothing in this article shall be construed to limit or prohibit the expenditure of federal funds or other funds for the purposes of this article.

Section 2. W.S. 21-3-110(a)(xxiii) is amended to read:

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

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(xxiii) Implement and administer the reading screening and intervention Wyoming language and literacy program for students in kindergarten through grade three (3) twelve (12) as required by W.S. 21-3-401-21-3-402 et seq.;

Section 3.

(a) The state superintendent of public instruction may utilize resources as necessary to establish a literacy division within the department of education and contract for services to support the literacy division to administer the Wyoming language and literacy program as created by section 1 of this act. The literacy division shall:

(i) Maintain a list of approved universal and dyslexia screeners, diagnostic assessments, evidence based language and literacy instruction and high quality instructional materials and practices and review requests by school districts to utilize alternative screeners, assessments, instructional material or high quality instructional materials and practices;

(ii) Provide technical assistance to school districts;

(iii) Support research efforts;

(iv) Publish data and reports collected pursuant to W.S. 21-3-404(d);

(v) Monitor school districts' compliance with the Wyoming language and literacy program, as created by

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section 1 of this act and take corrective action as necessary.

Section 4. W.S. 21-3-401 is repealed.

Section 5. This act is effective July 1, 2026.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk