



DRAFT 5/2026

This document is a working draft that will be updated this fall to include new RCW and WAC from the 2026 session, primarily related to the passage of [ESHB 1295](#). [Final Bill Report ESHB 1295](#).

Washington State RCW & WAC

Literacy Reference Guide

What is structured literacy? What is the federal law?

[Structured literacy/evidence-aligned instruction](#) addresses the 5 pillars of literacy instruction (National Reading Panel, 2000). It was codified into federal code as the Essential Components of Reading Instruction (ECORI), [20 U.S.C. § 6368\(3\)\(4\)\(5\)\(6\)\(7\)](#).

Under 20 U.S.C. § 6368, federal law defines the essential components of reading instruction as explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (oral reading skills), and reading comprehension strategies.

Does Washington law support the use of structured literacy?

Yes! Washington law requires these essential foundational literacy skills as well as oral language development and instruction, knowledge building ([ESHB 1295](#)), and handwriting/penmanship ([RCW 28A.230.020](#)), making writing foundations a state-level mandate that complements the federal ECORI framework.

RCW (Revised Code of WA) describes “what” districts are required to do. WAC (WA Administrative Code) describes “how” they should accomplish it, as recommended by the related agency, usually OSPI.

Following the passage of ESHB 1295 during the 2026 legislative session, all essential components are included, and expanded, in the adopted WA definition of structured literacy. Beginning in September 2027, all newly adopted curricula must contain these critical components of instruction. (References to aligned existing law are included below). New curricula must include:

- orthographic knowledge, including phonics and spelling
- phonological awareness, including phonemic awareness
- reading and writing fluency
- vocabulary
- language comprehension including semantics, syntax, knowledge building
- oral language development and proficiency

This instruction is universally delivered to all students at tier 1, within an MTSS framework. It is preventative in design, and is:



- diagnostic of and responsive to individual student needs, including by being multisensory, multimodal, high quality, and culturally relevant
- evidence-aligned to established interdisciplinary literacy research and evidence informed in its instructional design
- implemented consistent with curriculum developers guidance and school district policies, with the expectation of achieving fidelity and sustainability over time
- Aligned with PESB literacy related competencies (summer 2026) and OSPI revised ELA learning standards (summer 2026) which are informed by tenets structured literacy

Existing RCW and WAC that support the essential components of structured literacy

Requirements for foundational literacy instruction in Washington are built upon laws regarding basic education, the common school, WAKIDS, and Child Find.

- [RCW 28A.150.210](#) Basic Education - Read with comprehension, write effectively, and communicate successfully in a variety of ways and settings and with a variety of audiences
- [WAC 392-410-115](#); Mandatory areas of study in the common school:
- [RCW 28A.230.020](#) all school districts shall provide instruction **in reading, penmanship, spelling, mathematics, geography, English grammar, physiology, hygiene, and history of the United States.**

WAKIDS [RCW 28A.655.080](#) mandates an observational assessment to assist in identifying each TK/K students' readiness for school in 6 areas, including oral language development and phonemic awareness, twice in a school year, ([WAC 392-425-055](#)) . The **literacy** assessment (early reading and writing skills) are assessed via the strategies Gold Tool-and includes: phonological awareness – rhyme, alliteration, units of sounds -syllables and phonemes, letter ID, Letter sounds knowledge, print concepts, comprehension and response to text, emergent writing ([Gold Objectives and Dimensions, Learning Pathways to Literacy](#)).

- [RCW 28A.150.315](#) Developing initial skills in reading, math, writing, communication skills, hands-on learning, administer at the beginning of the year K
- [Chapter 28A.200 RCW](#) For home-based instruction, part-time, not required to be assessed
- [WAC 392-550-035](#) WAKIDS assessment by a certificated teacher of developing initial skills in the areas of reading, mathematics and writing
- [WAC 392-410-115](#) Common school: all school districts shall provide instruction in reading, penmanship, spelling, mathematics, geography, English grammar, physiology, hygiene, and history of the United States.
- [RCW 28A.300.310](#) Annual screening for k-4 (WaKids, early reading assessment).

Child Find, [WAC 392-172A, 02040](#), directs districts to identify, locate, and evaluate children with disabilities from birth to age 21 to ensure they receive special education, regardless of the severity of the



disability -this requires an evaluation in literacy and language and includes students with a specific learning disability in reading. SLD and special education references below. (Updates for 2026 pending).

- [RCW 28A.155.010](#) and [RCW 28A.155.020](#): Ensures that all children with disabilities shall have the opportunity for an appropriate education at public expense as guaranteed to them by the Constitution of this state and applicable federal laws.
- [RW 28A.155.140](#) — Curriculum based assessment and measures ([CBM](#)). School districts may use curriculum-based assessment procedures as measures for developing academic early intervening services, as defined under part B of the federal individuals with disabilities education improvement act, and curriculum planning: PROVIDED, That the use of curriculum-based assessment procedures shall not deny a student the right to use of other assessments to determine eligibility or participation in special education programs as provided by [RCW 28A.155.010](#) through [28A.155.160](#).

Literacy skills and MTSS in current RCW and WAC

📌 PHONICS (Orthographic Knowledge / Letter-Sound Relationships)

*[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components: language comprehension (including semantics, syntax, and knowledge building,) reading and writing fluency, **orthographic knowledge (including phonics and spelling)**, phonological awareness (including phonemic awareness), vocabulary, and oral language development and proficiency (ESHB 1295 - update pending).

[RCW 28A.300.700](#) — *Dyslexia Screening Tools* Requires screening tools to identify indicators predictive of reading difficulty, including phonological awareness, phonemic awareness, rapid naming skills, **letter sound knowledge**, and family history of difficulty with reading and language acquisition.

[RCW 28A.300.310](#) — *Second grade reading assessment*. (a) Provide a reliable and valid measure of a student's oral reading accuracy and fluency skills; (d) Assess student skills in recognition of **letter sounds**, phonemic awareness, word recognition, and reading connected text. Text used for the test of fluency must be ordered in relation to difficulty.

[RCW 28A.300.530](#) — *Individuals with Dyslexia — Identification and Instruction — Handbook — Reports* Requires OSPI to develop an educator training program to enhance reading, writing, and spelling skills of students with dyslexia. The program must provide research-based, multisensory literacy intervention professional development in the areas of dyslexia and intervention implementation, including **systematic phonics instruction**.



[WAC 392-172A-01035](#) — *Special Education: Definition of Specific Learning Disability* Defines a Specific Learning Disability as a disorder involving "the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, dyslexia, and developmental aphasia." **Phonics-related deficits (basic reading skills and decoding)** are a key qualifying area under this definition.

📌 **PHONOLOGICAL AWARENESS (Including Phonemic Awareness)**

[RCW 28A.300.700](#) — *Dyslexia Screening Tools* Requires screening tools to identify indicators highly predictive of future reading difficulty, including **phonological awareness, phonemic awareness**, rapid naming skills, letter sound knowledge, and family history of difficulty with reading.

*[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components: language comprehension (including semantics, syntax, and knowledge building,) reading and writing fluency, orthographic knowledge (including phonics and spelling), **phonological awareness (including phonemic awareness)**, vocabulary, and oral language development and proficiency (ESHB 1295 - update pending).

[RCW 28A.300.310](#) — *Second grade reading assessment.* (a) Provide a reliable and valid measure of a student's oral reading accuracy and fluency skills; (d) Assess student skills in recognition of letter sounds, **phonemic awareness**, word recognition, and reading connected text. Text used for the test of fluency must be ordered in relation to difficulty.

[RCW 28A.320.250](#) — *Dyslexia Definition* Washington's statutory definition of dyslexia specifically notes that "these difficulties typically result from a **deficit in the phonological components of language** that is often unexpected in relation to other cognitive abilities."

[RCW 28A.320.260](#) — *Dyslexia Interventions / Early Literacy Screening* Requires that literacy screening tools in grades K–2 assess, at minimum: **phonological awareness, phonemic awareness**, letter-sound knowledge, Rapid Automatized Naming (RAN), and family history of difficulty with reading.

[WAC 392-172A-03055](#) — *Specific Learning Disability Eligibility Criteria* [WAC 392-172A-03060](#) — *Response to Scientific Research-Based Intervention* [WAC 392-172A-03065](#) — *Use of Discrepancy Tables* [WAC 392-172A-03075](#) — *Observation of Students Suspected of Having SLD* [WAC 392-172A-03080](#) — *Specific Documentation for SLD Eligibility* Evaluation criteria for SLD include "basic reading skill," which encompasses phonological processing, phonics decoding, and related foundational skills. A student may be found eligible based on deficits in oral expression, listening comprehension, written expression, basic reading skill, reading fluency, or reading comprehension.



FLUENCY (Reading and Writing)

***[RCW 28A.320.202](#)** — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components: language comprehension (including semantics, syntax, and knowledge building,) **reading and writing fluency**, orthographic knowledge (including phonics and spelling), phonological awareness (including phonemic awareness), vocabulary, and oral language development and proficiency (ESHB 1295 - update pending).

[RCW 28A.320.203](#) — *Reading skills — Report cards* (K–4 grade level reporting requirement)

[RCW 28A.300.310](#) — *Second grade reading assessment* (a) Provide a reliable and valid measure of a student's **oral reading accuracy and fluency skills**; (d) Assess student skills in recognition of letter sounds, **phonemic awareness, word recognition, and reading connected text**. Text used for the test of fluency must be ordered in relation to difficulty.

[RCW 28A.655.070](#) — *State Learning Standards — Duties of the Superintendent of Public Instruction* The four learning goals underlying all Washington learning standards include the ability to "read with comprehension, write effectively, and communicate successfully" — with **fluency embedded** within the ELA learning standards developed and maintained under this statute.

[RCW 28A.655.235](#) — *Reading Skills — Intensive Reading and Literacy Improvement Strategy* Requires school districts to implement an intensive reading and literacy improvement strategy for students who scored at or below basic on the third-grade ELA assessment, with OSPI developing a state menu of best practices that includes fluency-building interventions.

[WAC 392-172A-03055](#) — *SLD Eligibility: Reading Fluency Skills* A student may qualify for special education services based on a deficit in **reading fluency skills**, defined as comprising accuracy, rate, and prosody. Not all available assessments measure all three components, so evaluation teams may need to use more than one instrument.

VOCABULARY

***[RCW 28A.320.202](#)** — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated a program under this section must include at least the following essential components:



language comprehension (including semantics, syntax, and knowledge building,) reading and writing fluency, orthographic knowledge (including phonics and spelling), phonological awareness (including phonemic awareness), **vocabulary**, and oral language development and proficiency (ESHB 1295 - update pending).

[RCW 28A.320.250](#) — *Dyslexia Definition (Secondary Consequences)* Washington's statutory definition notes that dyslexia's secondary consequences "may include problems in reading comprehension and reduced reading experience that can impede growth of **vocabulary and background knowledge**."

[RCW 28A.655.070](#) — *State Learning Standards* The ELA learning standards developed under this statute embed vocabulary development throughout, including an explicit emphasis on "regular practice with complex texts and **academic vocabulary**" as one of four key shifts in Washington's ELA standards.

COMPREHENSION (Reading and Listening)

*[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components: **language comprehension (including semantics, syntax, and knowledge building)**, reading and writing fluency, orthographic knowledge (including phonics and spelling), phonological awareness (including phonemic awareness), vocabulary, and oral language development and proficiency (ESHB 1295 - update pending)

[RCW 28A.150.210](#) — Defines basic education and student learning goals, including reading comprehension and effective communication

[RCW 28A.655.235](#) — *Reading Skills — Intensive Reading and Literacy Improvement Strategy* Requires school districts to implement an intensive reading and literacy improvement strategy for students who scored at or below basic on the third-grade ELA assessment. OSPI must develop a state menu of best practices for **intensive reading and literacy improvement** to assist struggling students in reaching grade level by the end of fourth grade.

[RCW 28A.300.570](#) — *Support of Reading and Early Literacy* Directs OSPI to disseminate research and information to school districts about "evidence-based programs and practices in reading readiness skills, early literacy, and **reading instruction**," supporting the comprehensive literacy plan.

[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* — includes student screening with WAKIDS, and [RCW 28A.300.310](#) — *Second Grade Reading Assessment* This statute establishes the second-grade reading assessment, a key tool for identifying students with comprehension and foundational skill deficits before third grade.



[WAC 392-172A-03055](#) — *SLD Eligibility: Reading Comprehension* A student may qualify for special education under the SLD category based on a documented deficit in **reading comprehension** — the ability to understand and make meaning of written text — when it adversely affects educational performance.

ORAL LANGUAGE DEVELOPMENT

*[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components: language comprehension (including semantics, syntax, and knowledge building,) reading and writing fluency, orthographic knowledge (including phonics and spelling), phonological awareness (including phonemic awareness), vocabulary, and **oral language development and proficiency** (ESHB 1295 - update pending).

[RCW 28A.180.090](#) — *English Language Development (ELD) Services* Washington's ELD statutes require services targeting all four language domains. The WIDA assessment tests four domains of language: reading, writing, **speaking, and listening** — with six levels of performance, reflecting the centrality of oral language development for multilingual learners.

[WAC 392-172A-01035](#) — *SLD Definition* The WAC definition of Specific Learning Disability specifically encompasses disorders involving the ability to "listen, think, **speak**" — recognizing oral language as foundational to the broader literacy construct.

[WAC 246-828-105](#) — *Speech-Language Pathology Services (DSHS)* Defines the scope of speech-language pathology treatment to include "language disorders including **phonology, morphology, syntax, semantics, and pragmatics**, including receptive and expressive communication in oral, written, graphic, and manual modalities" — directly governing oral language development services in school settings.

BACKGROUND KNOWLEDGE (Knowledge-Rich Literacy)

*[RCW 28A.320.202](#) — *Comprehensive System of Instruction and Services in Reading and Early Literacy* The central statute requiring school districts to implement a comprehensive literacy program. Once updated, a program under this section must include at least the following essential components:



language comprehension (including semantics, syntax, and **knowledge building**), reading and writing fluency, orthographic knowledge (including phonics and spelling), phonological awareness (including phonemic awareness), vocabulary, and oral language development and proficiency (ESHB 1295 - update pending).

[RCW 28A.655.070](#) — *State Learning Standards*. Washington's ELA learning standards include "building knowledge through **content-rich nonfiction**" as one of four instructional shifts, directly embedding background knowledge development into the state's statutory learning framework. (updated standards released summer 2026).

[RCW 28A.320.250](#) — *Dyslexia Definition* The dyslexia statute explicitly notes that secondary consequences can "impede growth of vocabulary and **background knowledge**" — making this the clearest statutory reference to background knowledge as a literacy outcome in Washington law.

MULTI-TIERED SYSTEMS OF SUPPORTS (MTSS)/Data driven

[RCW 28A.320.260](#) — *Dyslexia Interventions / Early Literacy MTSS Requirements* The primary MTSS mandate for literacy. In accordance with this statute, LEAs and schools must use **Multi-Tiered System of Supports (MTSS)** to: screen students in grades K–2 for indications of below-grade level literacy development including dyslexia; provide **evidence-based multisensory structured literacy** interventions to at-risk students; and communicate and collaborate with families about screening results and intervention plans.

MTSS is primarily governed by [RCW 28A.320.260](#) and [RCW 28A.320.202](#) (pending update), with funding channeled through [RCW 28A.165](#) (LAP). [WAC 392-162](#)

[RCW 28A.300.139](#) — *Washington Integrated Student Supports Protocol* Establishes the framework that MTSS literacy services must operate within, connecting academic supports to wraparound student services. The essential framework of the Washington integrated student supports protocol includes:

(i) Needs assessments: **A system-level needs assessment** with resource mapping must be conducted in order to identify academic and nonacademic supports that are currently available or lacking in schools, school districts, and the community. A student-level needs assessment must be conducted for all at-risk students in order to develop or identify the needed academic and nonacademic supports within the students' school and community. These supports must be coordinated to provide students with a package of mutually reinforcing supports designed to meet the individual needs of each student.

(ii) Integration and coordination: The school and district leadership and staff must establish clear, cooperative policies and procedures with community-based and other out-of-school providers of academic and nonacademic supports to enhance the effectiveness of the protocol.



(iii) Community partnerships: Community partners must be engaged to provide academic, nonacademic, and social-emotional supports to reduce barriers to students' academic success, including supports to students' families.

(iv) **Data driven:** Students' needs and outcomes must be tracked over time to determine student progress and evolving needs.

[RCW 28A.300.570](#) — *Support of Reading and Early Literacy* Directs OSPI to provide "statewide models to support school districts that are implementing **response to intervention initiatives**, positive behavior intervention support systems, or other similar comprehensive models of data-based identification and early intervention."

[RCW 28A.300.720](#) — *Dyslexia Best Practices* Authorizes OSPI to develop and publish best practices for implementing **MTSS for literacy**, including the Dyslexia Guidance document used by schools statewide for tiered literacy interventions.

[RCW 28A.300.730](#) — *Dyslexia Rules* Authorizes the Superintendent of Public Instruction to adopt rules implementing the dyslexia screening and MTSS intervention statutes, including timelines, best practices for screening tool identification, training requirements for staff, and the scope of the Dyslexia Advisory Council.

[RCW 28A.165](#) — *Learning Assistance Program (LAP)* School districts may use **Learning Assistance Program state funds** under this chapter to meet MTSS literacy intervention requirements under RCW 28A.320.260, making LAP a primary funding vehicle for tiered literacy supports.

[WAC 392-172A-03060](#) — *SLD: Response to Scientific Research-Based Intervention* This WAC provision allows school districts to establish SLD eligibility using a student's **response to scientific research-based intervention (RTI/MTSS)** as an alternative or complement to the discrepancy model — directly embedding MTSS into special education eligibility determinations.

GENERAL LITERACY / FOUNDATIONAL FRAMEWORK

General Education:

[RCW 28A.655.070](#) — OSPI's duty to develop and revise ELA learning standards Embedded references to foundational skills. (Revised standards pending summer 2026 release).

Dyslexia specific:

[RCW 28A.300.530](#) — Dyslexia identification, educator training, and handbook

[RCW 28A.320.250](#) — Statutory definition of dyslexia

[RCW 28A.300.700](#) — Dyslexia screening tool identification and best practices



[RCW 28A.320.260](#) — *Dyslexia Interventions / Early Literacy Screening* Requires that literacy — screening tools in grades K–2 assess, at minimum: phonological awareness, phonemic awareness, letter-sound knowledge, Rapid Automated Naming (RAN), and family history of difficulty with reading. If a student shows indications of below grade level literacy development or indications of, or areas of weakness associated with, dyslexia, the school district must provide interventions using evidence-based multitiered systems of support, consistent with the recommendations of the dyslexia advisory council under *RCW [28A.300.710](#) and as required under this subsection (3).

(b) The interventions must be evidence-based multisensory structured literacy interventions and must be provided by an educator trained in instructional methods specifically targeting students' areas of weakness.

[RCW 28A.300.730](#) — *Dyslexia Rules* Authorizes the Superintendent of Public Instruction to adopt rules implementing the dyslexia screening and MTSS intervention statutes, including timelines, best practices for screening tool identification, training requirements for staff, and the scope of the Dyslexia Advisory Council.

SLD/Special education specific:

[WAC 392-172A-01035](#) —SLD definition (including dyslexia, basic reading, oral language)

[WAC 392-172A-03055](#) —SLD eligibility criteria (reading fluency, comprehension, basic skills)

[WAC 392-172A-03060](#) —RTI/MTSS as basis for SLD eligibility

[WAC 392-172A-03065](#) —Discrepancy tables for SLD determination

[WAC 392-172A-03075](#) — Observation requirements for students suspected of SLD

[WAC 392-172A-03080](#) —Documentation for SLD eligibility

[Title 180 WAC](#) —State Board of Education rules, including graduation requirements tied to ELA proficiency

[WAC 246-828-105](#) — *Speech-Language Pathology Services (DSHS)* Defines the scope of speech-language pathology treatment to include "language disorders including **phonology, morphology, syntax, semantics, and pragmatics**, including receptive and expressive communication in oral, written, graphic, and manual modalities" — directly governing oral language development services in school settings.

[Title 181 WAC](#) — Professional Educator Standards Board rules — teacher endorsement standards for literacy competencies

[WAC 392-172A series](#) —Special Education- intersects with all literacy skill areas through SLD eligibility criteria.

