

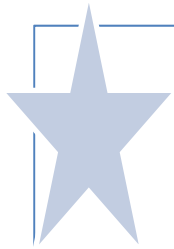
Partners Resource Network's
— FREE STATEWIDE WEBINAR —

**Students with Dyslexia
and Related Disorders:
State Law and Policy Update**

Tuesday, August 14, 2018
12:15 p.m. CST

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Presentation Outline



Part I: Introduction to
Dyslexia and Related
Disorders



Part II: Overview of
Federal Laws



Part III: Summary of
Legislative and Policy
Developments in Texas

Part I

An Introduction to Dyslexia and
Related Disorders

Dyslexia Is...

- **Neurobiological** and **genetic**
- Characterized by difficulties with **accurate and/or fluent word recognition** and by **poor spelling**
- Due typically to a **deficit in the phonological component of language**
- **Unexpected** in relation to other cognitive abilities and the provision of effective classroom instruction
- Is not primarily the result of language difference factors
- “Dyslexia” means a disorder of constitutional origin manifested by a difficulty in learning to read, write, spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity
- “Related disorders” include disorders similar to or related to dyslexia*

International Dyslexia Association

Texas Education Code § 38.003

Dyslexia Looks Like...

Primary Characteristics

- Difficulty reading words in isolation
- Difficulty accurately decoding unfamiliar words
- Difficulty with fluency and oral reading
- Difficulty spelling

Secondary Consequences

- Challenges with reading comprehension
- Challenges with written language
- Limited vocabulary due to reduced reading experiences

Characteristics and Risk Factors

Pre-reader (Pre-school and younger):

- Speech or language delay
- Difficulty rhyming

Early reader (K-2):

- Difficulty remembering letter names and sounds
- Difficulty breaking words into smaller parts
- Difficulty manipulating sounds and phonetic spelling

Later reader (2nd +):

- Difficulty recognizing common sight words
- Difficulty recalling the correct sounds for letters and letter patterns
- Difficulty with pronunciation
- Difficulty with written assignments
- Reliance on listening rather than reading for comprehension

*Associated Conditions

- Attention deficit hyperactivity disorder (ADHD)
- Specific developmental language disorders
- Anger, anxiety, depression, lack of motivation, low self-esteem

** Present in some, but not all, students with dyslexia and related disorders. These conditions can have a significant impact on the effectiveness of instruction.*

Procedures for Assessment and Identification

Screening

- HB 1886 (2017) requires that all students are screened or tested, as appropriate, for Dyslexia and related disorders at the end of the school year of each student in Kindergarten and 1st grade.

Gather Data

- Cumulative data including, but not limited to, various instructional strategies provided and progress monitoring of student's response to the instruction.

Formal Assessment

- Districts should evaluate for Dyslexia and related disorders through either IDEA or §504, as appropriate.

Identification

- Either the Admission, Review, and Dismissal (ARD) committee or the §504 committee, as appropriate, convenes to determine student's eligibility.

Instruction

Based on evidence-based practices and research:

components of Instruction should include:

phonological awareness; sound-symbol association; syllabication; orthography; morphology; reading comprehension; reading fluency

delivery of instruction should be:

explicit, multisensory, systematic, cumulative, diagnostic, synthetic, analytic

A Deeper Look

These additional slides provide a more detailed explanation of some of the terminology as well as additional resources.

The information is based on a review of the Texas Dyslexia Handbook and current research on Dyslexia and related disorders

Basic Elements of Reading

Phonological Awareness

- The ability to attend to sound structure and to recognize that words are made up of a variety of sound units (e.g., phonemes, syllables, words)
- **Phonemic awareness** is the awareness that the speech stream consists of a sequence of sounds, or *phonemes* (the smallest unit of sound)

Orthographic Processing

- Visual memory
- Students with weak orthographic processing rely completely on phonics to read and write words, which affects fluency

Morphological Awareness

- Explicitly thinking about the *smallest units of meaning* in a word, which are called *morphemes*

Critical Components of Instruction

Phonological awareness (see previous slide)

Sound-symbol Association (AKA “alphabetic principle”)

- Knowledge of the various speech sounds to the corresponding letter or letter combination
- Mastery of the alphabetic principle is the foundation for decoding (reading) and encoding (spelling)
- Explicit phonics is a program in which these correspondences are taught explicitly and systematically

Syllabication

- A syllable is a unit of oral language with one vowel sound, i.e. your mouth opens once with each syllable
- There are six basic syllables in English
- Rules for dividing syllables must be taught explicitly and in relation to word structure

Morphology

- The study of how morphemes (smallest unit of meaning, e.g. prefix, root word, suffix) combine to form words

Syntax

- The sequence and function of words in a sentence
- Includes grammar, sentence variation, and language mechanics

Reading Comprehension

- The process of extracting and constructing meaning through the interaction with text

Fluency

- The ability to read text with sufficient speed and accuracy to support comprehension

Critical Methods of Delivery

Explicit

- Method whereby language and print concepts are explained and demonstrated one at a time, rather than left to discovery through incidental encounters. Disabled readers cannot learn that print represents speech simply from exposure to books

Multisensory

- A method of instruction that utilizes all learning pathways simultaneously (visual, auditory, kinesthetic)

Systematic

- Sequence of instruction begins with the easiest concepts and progresses methodically to more difficult ones

Cumulative

- Instruction is based on elements previously learned and is systematically reviewed to strengthen memory

Diagnostic

- Teaching is based on continual assessment of student's retention and application of new concepts
- Requires teacher knowledge of prescriptive instruction that will meet individual student needs

Synthetic

- A method that teaches how word parts (morphemes) work together to form words

Analytic

- A method that teaches how whole words can be broken into its component parts

Related Disorders

Related disorders include disorders similar to Dyslexia in that the ***core phonological deficit characteristic to dyslexia is also the core deficit causing this disorder as well*** and **the impairment is unexpected**

Examples may include:

Developmental dysgraphia – the inability to write legibly when visual – motor skills are not the primary cause of dysgraphia. Dysgraphia may include impaired handwriting and/or impaired spelling (with or without reading problems)

Developmental Auditory Imperception – the inability to receive and understand sounds and sounds and words

Dysphasia – a delay or impairment of comprehension and/or expression of oral language
AKA “developmental language disorder” or “specific language impairment”

Dyscalculia* - A disability in which a person has unusual difficulty solving arithmetic problems

disorders”

**not currently included in SBOE “related*

Part II

An Overview of Federal Laws
Governing the Education of Students
with Dyslexia and Related Disorders

Federal Law: IDEA

The **Individuals with Disabilities Education Act (IDEA)** ensures that students with disabilities are provided a free and appropriate public education (FAPE) in the least restrictive environment.

IDEA outlines process and procedures for each stage from referral and evaluation to reviews and reevaluations.

IDEA also provides procedural safeguards to students and parents which includes notices to different complaint and dispute resolution options.

Federal Law: IDEA

IDEA has its own eligibility standard. Qualification is based upon a two-part standard:

- 1) Child has an impairment; and
- 2) Child has a need for special education.

Under IDEA, the child's impairment are classified into one of ten categories.

Federal Law: IDEA

Under IDEA, a student with Dyslexia or a related disorder might qualify under the Specific Learning Disability category. The federal regulation defining the Specific Learning Disability category includes students with Dyslexia.

34 C.F.R. 300.8(c)(10)

Federal Law: IDEA

Under IDEA, an Admission, Review and Dismissal (ARD) Committee meets to write an individualized education program (IEP) for the student with a disability.

IDEA prescribes who is involved on the ARD Committee and how often the ARD Committee meets.

Federal Law: Section 504

Section 504 of the Rehabilitation Act protects students with disabilities from discrimination on the basis of disability.

The U.S. Department of Education's Office for Civil Rights regulations on Section 504 clarifies and mandates the provision of reasonable accommodations and access to programs and benefits.

Section 504 regulations also mandate FAPE for public school students with disabilities.

Federal Law: Section 504

Section 504 has its own eligibility standard. Qualification is established under one of three standards:

- Individual with an impairment that substantially limits a major life activity.
- Individual with a record of a disability.
- Individual regarded as having a disability.

Federal Law: Section 504

Under Section 504, a student with Dyslexia or a related disorder might qualify on the basis of the impairment – Dyslexia – substantially limiting a major life activity – learning and reading.

34 C.F.R. 104.3(j)(1)

Federal Law: Section 504

Under Section 504, typically a committee meets to develop an individualized plan for the student with a disability.

Section 504 neither mandates a meeting nor a written plan. However, federal policy guidance suggests that schools hold an in-person meeting and document accommodations and services.

Part III

Legislative and Policy Developments
Affecting Students with Dyslexia and
Related Disorders

STATE LAW AND POLICY UPDATE

Several developments in Texas in past year affecting students with Dyslexia and related disorders:

- a. HB 1886 (2017)
- b. TEA Strategic Plan (April 2018)
- c. TEA Dyslexia policy letter (June 2018)
- d. SBOE Dyslexia rulemaking (June 2018)
- e. SBOE Dyslexia Handbook update

STATE LAW AND POLICY UPDATE

HB 1886

This bill was passed by the 85th Legislature in 2017.

<https://capitol.texas.gov/BillLookup/History.aspx?LegSess=85R&Bill=HB1886>.

- Specifies that students in Texas public schools must be screened or tested for Dyslexia and related disorders at the end of each student's kindergarten and first grade years.

STATE LAW AND POLICY UPDATE

HB 1886

- Requires each of the state's 20 Education Service Centers to employ a licensed dyslexia therapist who can provide districts and charter schools with the support and resources needed to serve students with Dyslexia and their families.
- Requires TEA to develop an annual list of training opportunities regarding Dyslexia that will enable educators to: 1) recognize the signs of Dyslexia and other related disorders; and 2) implement evidence-based instruction that meets the needs of students with Dyslexia.

STATE LAW AND POLICY UPDATE

TEA Strategic Plan

The U.S. Department of Education investigated the Texas Education Agency (TEA) and found that the agency had violated IDEA. As a result, TEA had to write a corrective action plan to remedy violations of law. The plan refers to students with Dyslexia and related disorders in several ways.

(NOTE: See previous PRN webinars on correction action plan for more information about the investigation and development of plan.)

STATE LAW AND POLICY UPDATE

TEA Strategic Plan

- i. Dyslexia data in monitoring system.
- ii. Professional development on Dyslexia and related disorders.
- iii. Resources on Dyslexia and related disorders.
- iv. Dyslexia support for districts (\$500,000 specifically in budget).
- v. Study on the reporting of students with Dyslexia and related disorders through PEIMS.

STATE LAW AND POLICY UPDATE

TEA Dyslexia Policy Letter

TEA issued a guidance letter to school districts and charter schools on June 6, 2018. The letter concerns the identification of students with Dyslexia and related disorders.

[https://tea.texas.gov/About TEA/News and Multi media/Correspondence/TAA Letters/Provision of Services for Students with Dyslexia and Related Disorders - Revised June 6, 2018/](https://tea.texas.gov/About%20TEA/News%20and%20Multi%20media/Correspondence/TAA%20Letters/Provision%20of%20Services%20for%20Students%20with%20Dyslexia%20and%20Related%20Disorders%20-%20Revised%20June%206,%202018/).

STATE LAW AND POLICY UPDATE

TEA Dyslexia Policy Letter

- “All students who are identified with dyslexia or a related disorder and who require special education services because of dyslexia or a related disorder should be served under the IDEA as students with a specific learning disability.”
- “A student with dyslexia or a related disorder does not need to present with a second potentially disabling condition to be considered for eligibility under the IDEA.”

STATE LAW AND POLICY UPDATE

TEA Dyslexia Policy Letter

- “Some students who are identified with dyslexia or a related disorder may receive appropriate intervention supports and services under a Section 504 plan through a district dyslexia and related disorder program. Some students with dyslexia or a related disorder reach a point where direct intervention and explicit skill instruction are no longer warranted, but accommodations to provide curriculum access are warranted.”

(NOTE: See previous PRN Facebook Live event on TEA’s Dyslexia policy letter for more information.)

STATE LAW AND POLICY UPDATE

State Board of Education Rule

The State Board of Education (SBOE) has a regulation that governs the screening and provision of services to students with Dyslexia and related disorders. SBOE has amended this regulation to reflect HB 1886 and update other parts.

[https://tea.texas.gov/About TEA/Laws and Rules/SBOE Rules \(TAC\)/State Board of Education Rules - Texas Administrative Code/](https://tea.texas.gov/About%20TEA/Laws%20and%20Rules/SBOE%20Rules%20(TAC)/State%20Board%20of%20Education%20Rules%20-%20Texas%20Administrative%20Code/).

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

(Students with Dyslexia and Related Disorders)

- Adds clarifying provision: “. . . school districts and open-enrollment charter schools shall provide each student with dyslexia or a related disorder access to each program under which the student qualifies for services.”

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

- Reference to Handbook: “Screening as described in the ‘Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders’ and further evaluation should only be conducted by individuals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.”

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

- Expanded Parental Notice: “At least five school days before any identification or evaluation procedure is used selectively with an individual student, the school district or open-enrollment charter school must provide written notification to the student's parent or guardian or another person standing in parental relation to the student of the proposed identification or evaluation.”

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

- Expanded Parental Notice – four elements: (1) a reasonable description of the evaluation procedure to be used with the individual student; (2) information related to any instructional intervention or strategy used to assist the student prior to evaluation;

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

- Expanded Parental Notice – four elements: (3) an estimated time frame within which the evaluation will be completed; and (4) specific contact information for the campus point of contact, relevant Parent Training and Information Projects, and any other appropriate parent resources.

STATE LAW AND POLICY UPDATE

State Board of Education Rule

Title 19 Texas Administrative Code § 74.28

- Information for Parents: “Each school district and open-enrollment charter school shall provide a parent education program for parents/guardians of students with dyslexia and related disorders.”

STATE LAW AND POLICY UPDATE

State Board of Education Dyslexia Handbook

SBOE authorizes the publication of a state resource on students with Dyslexia and related disorders.

The current edition of the Dyslexia Handbook is dated 2014. On February 1, 2018, the SBOE requested that TEA convene a committee to develop recommended updates to the Handbook.

[https://tea.texas.gov/About_TEA/Leadership/State Board of Education/2018/February/Jan-Feb 2018 Committee on Instruction/](https://tea.texas.gov/About_TEA/Leadership/State_Board_of_Education/2018/February/Jan-Feb_2018_Committee_on_Instruction/)

Resources

State Dyslexia Helpline

800.232.3030

Regional Dyslexia Consultant (each of the 20 Education Service Centers will have a regional consultant)

[https://tea.texas.gov/About TEA/Other Services/Education Service Centers /Education Service Centers/](https://tea.texas.gov/About_TEA/Other_Services/Education_Service_Centers/Education_Service_Centers/)

State Board of Education *Dyslexia Handbook**

<https://www.region10.org/r10website/assets/File/DHBwithtabs10214.pdf>

*revised edition coming soon

Texas Education Agency's Compilation of State and Federal Requirements for Special Education

<http://framework.esc18.net/display/Webforms/LandingPage.aspx>

Resources

Partners Resource Network

<http://prntexas.org/resources/>

Disability Rights Texas *IDEA Manual*

https://www.disabilityrightstx.org/files/2018_Updated_IDEA_Manual_copy.pdf

Texas Education Agency's Parent Guide to the Admission, Review, and Dismissal Process

http://framework.esc18.net/Documents/ARD_Guide_ENG.pdf

Texas Special Education Information Center

<http://www.spedtex.org>

Resources

U.S. Department of Education Office for Civil Rights

<https://www2.ed.gov/about/offices/list/ocr/index.html>

International Dyslexia Association

<https://dyslexiaida.org>

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