

# How do I know they are doing it right?

WHAT EVERY PARENT SHOULD KNOW ABOUT DYSLEXIA  
SERVICES IN SCHOOLS



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# Questions I will try to answer today:

## What do I need to know about dyslexia?

- Dyslexia and Related disorders basics
- How dyslexia is diagnosed (testing)

## What do I need to know about services at school?

- Common Problems in Schools.
- What parents can do to spot them.
- How to make sure your child makes progress.

## What are my rights? (Relevant Laws)

- IDEA
- 504
- Reasons system is broken
- Common Q&A



# WHY I am a Dyslexia Advocate....



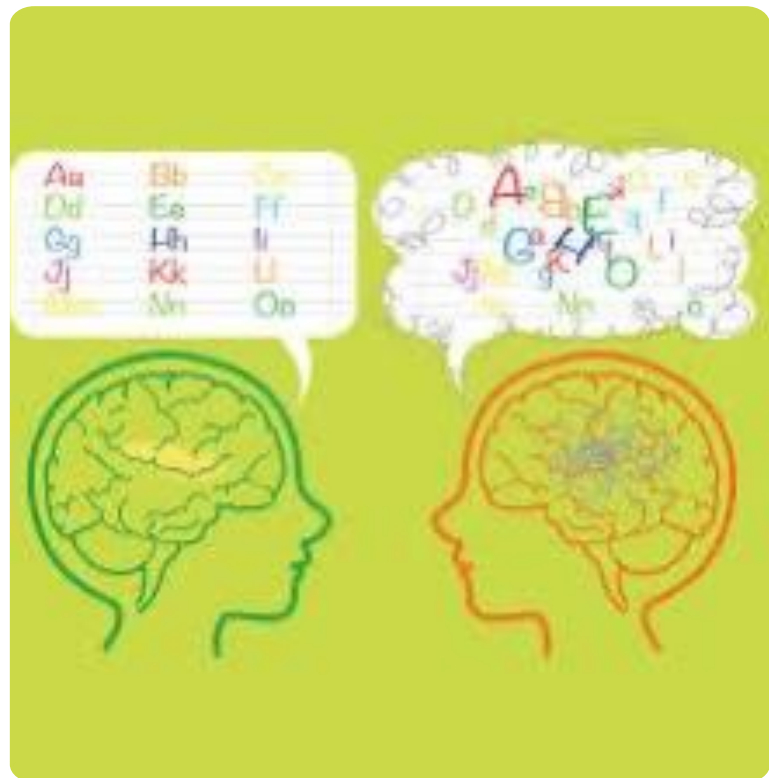
# HELEN RICHTER WATSON GALLERY



1 IN 5



# What is Dyslexia?

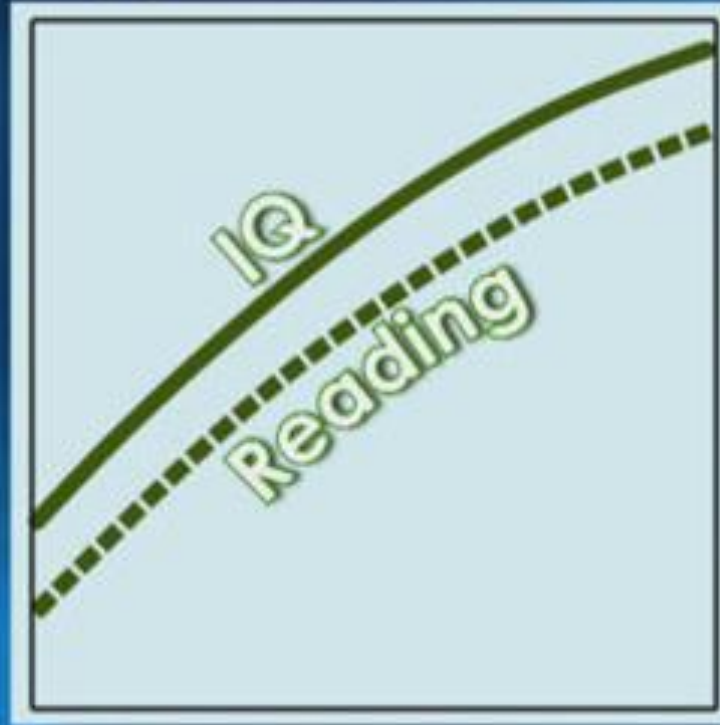


Dyslexia is a ***specific learning disability*** that is ***neurobiological*** in origin. It is characterized by **difficulties in accurate and/or fluent word recognition** and by **poor spelling** and **decoding** abilities. These difficulties typically result from a deficit in the phonological component of language that is **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 can **impede growth of vocabulary and background knowledge**.

Adopted by the IDA Board of Directors, November 12, 2002



## Typical Readers



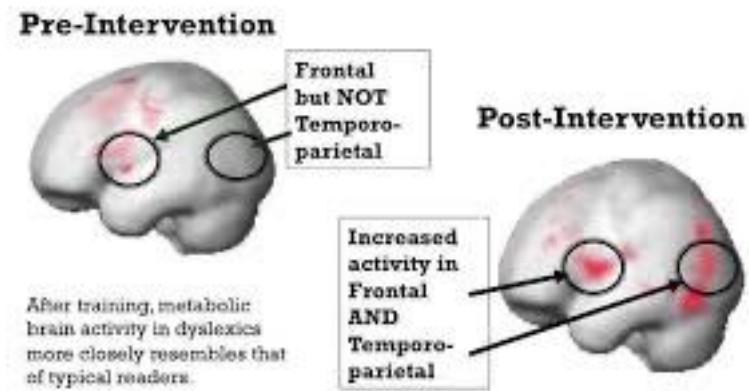
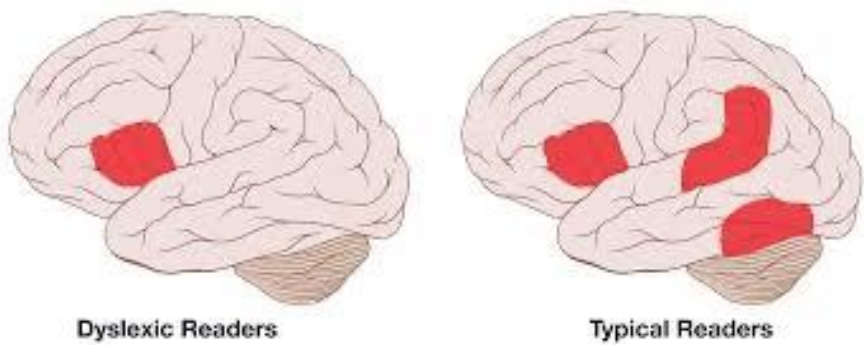
## Dyslexic Readers



Ferrer, Shaywitz et al., 2010

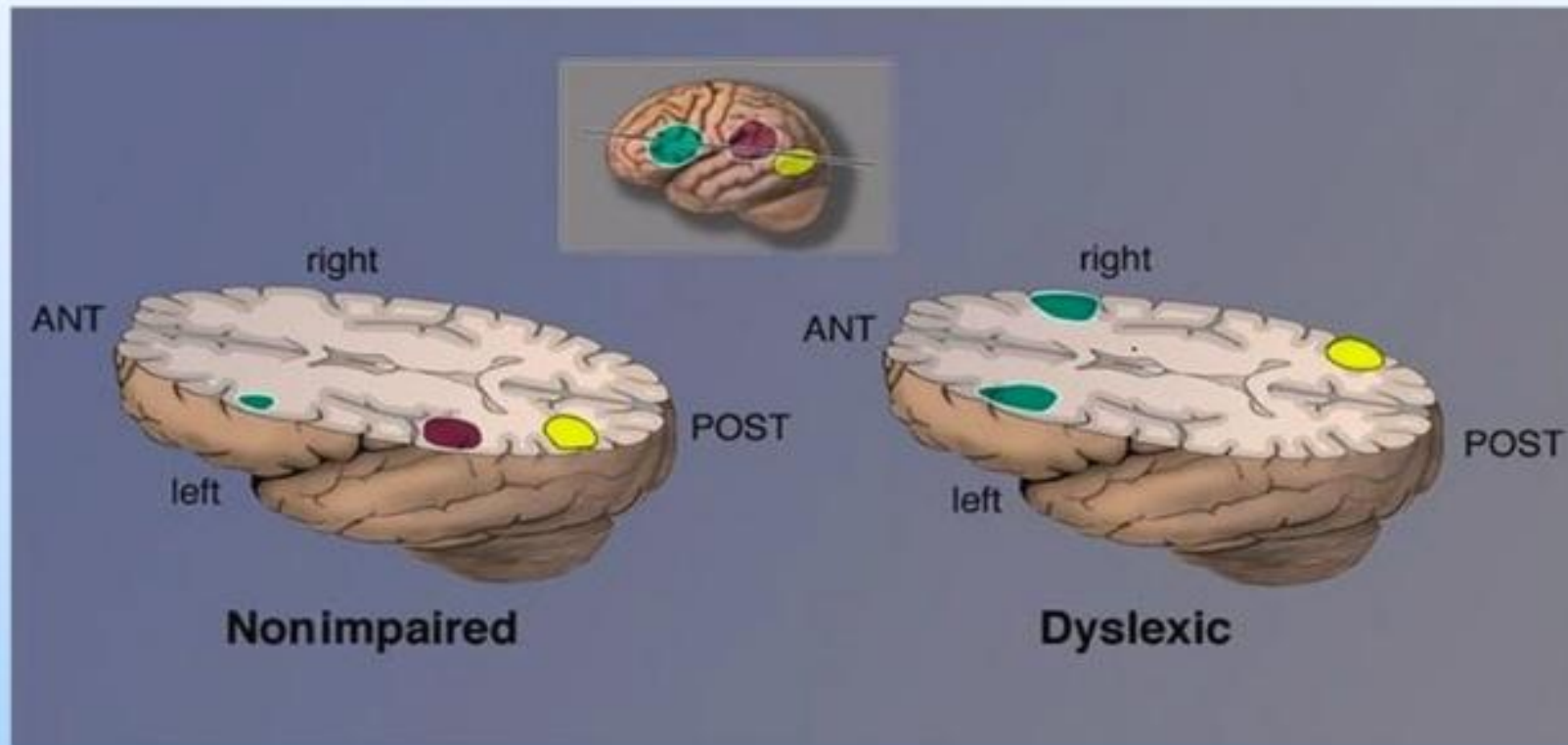


We know more.....



# What is Dyslexia?

## The Neurological Signature of Dyslexia

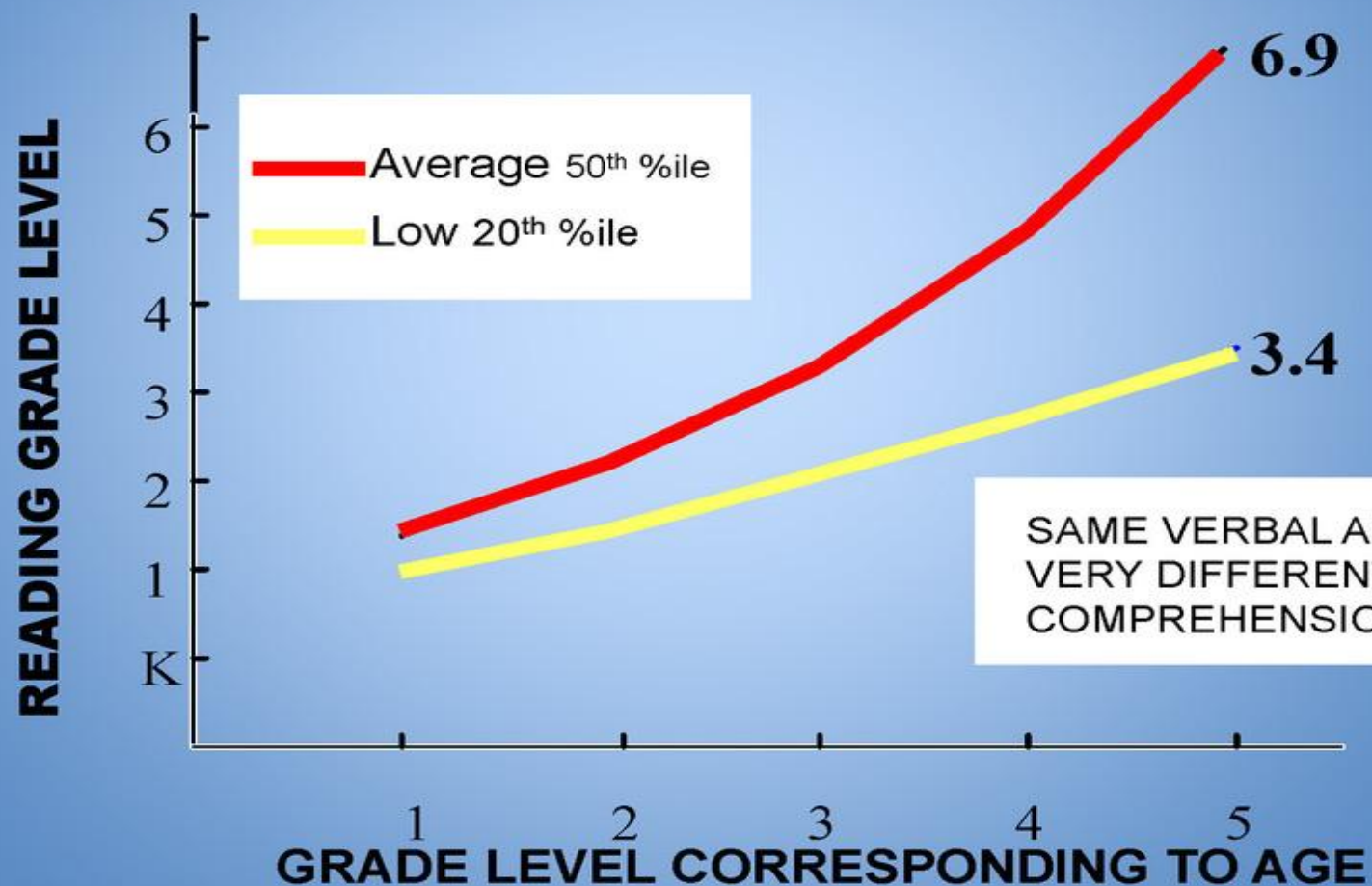


Study of 144 matched children B. A. Shaywitz et al. 2002



# “Progress” in READING COMPREHENSION if entering Grade 1 in bottom 20<sup>th</sup> %ile Phonological Awareness

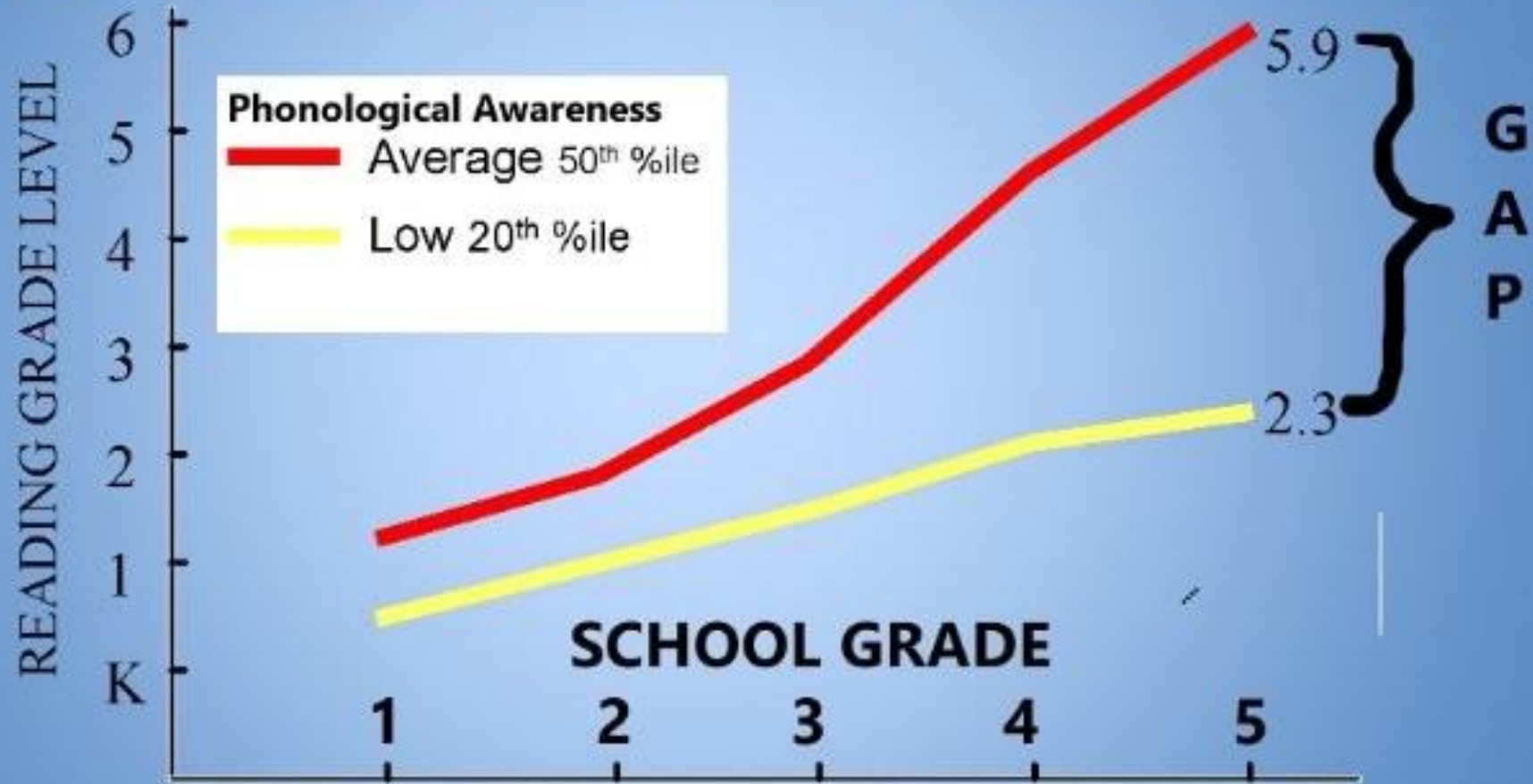
[NOTE: “Progress” does NOT mean the GAP is being closed – insist on “closing the GAP” for BEST outcomes]



## YOU WANT TO GLOSE THE GAP!!!

[NOTE: "Progress" does NOT mean the GAP is being closed – insist on "closing the GAP" for BEST outcomes]  
(Torgesen & Mathes, 2000)

**Learning Phonics: On Grade Level vs "Making Progress" but Still Falling Behind Peers**



# Risk Factors Associated with Dyslexia:

Family history of dyslexia or reading difficulty

Early language difficulties such as delayed talking or trouble pronouncing words

Difficulty identifying and manipulating individual sounds in words

Challenges remembering letter names or connecting sounds to letters

Difficulty reading and/or spelling words accurately

Avoidance of reading and writing tasks

Inaccurate or slow oral reading fluency

Difficulty with note taking and written production



# What most experts agree on regarding Dyslexia

- **Neurobiological disorder.** Affects the development of basic reading skills, spelling, and automaticity with sound-symbol connections.
- Often accompanied by specific weaknesses in cognitive factors that predict **poor reading and spelling.**
- It is **a lifelong condition** but effective interventions reduce the impact.
- Many other abilities are often intact and can even be **advanced.**



*“Dyslexia is an island of weakness in a sea of strengths”*

Dr. Sally Shaywitz

## What you need to know about dyslexia testing?

- Important thing to know about testing for dyslexia....Its all about the SUBTESTS! They shouldn't just average out scores. The person testing needs to know how dyslexia is diagnosed.
- There is a pattern of strengths and weakness





- Dyslexia can be diagnosed as early as age 5 years old.
- Early Identification is KEY! The sooner a diagnosis is made, the quicker your child can get help, and the more likely you are to prevent secondary blows to their self-esteem.
- By 3<sup>rd</sup> grade, a child is reading to learn as opposed to learning to read. If they can not read by 3<sup>rd</sup> grade, they are at high risk for other emotional and behavioral issues.



# What the stats say.....

- 70 % of below average readers in 1<sup>st</sup> grade remain below average readers in 8th grade (Landerl & Wimmer, 2008). Children with reading difficulties in 3rd grade are likely to struggle throughout their entire educational career (Francis et al., 1996).
- 65% of fourth-graders are reading below grade level (unchanged in last 25+ years); approx. 80% of those from low socio-economic backgrounds.
- Difficulty reading at grade-level can lead to low self-esteem, feelings of shame, inadequacy, and helplessness, and struggling readers are at a higher risk for suicide
- Struggling readers are at a greater risk for developing internalizing symptoms (anxiety, depression), and/or externalizing behavioral problems (e.g. AHD)



# Common Myths



# Dyslexia Can be cured using colored overlays or through vision therapy. **FALSE!**



- Dyslexia is not a visual problem. Reading relies on the same circuits as language (S. Shaywitz, Overcoming Dyslexia)
- Vision Therapy does not cure dyslexia. “Diagnostic and treatment approaches for dyslexia that lack scientific evidence of efficacy such as behavioral vision therapy, eye muscle exercises, or colored filters and lenses are not endorsed or recommended” (American Academy of Ophthalmology, 2014, p.9).



You cannot have  
dyslexia if you  
are gifted?  
**FALSE!**

- The term “twice exceptional” (“2e”) was coined by Whitmore (1980, 1981) and Maker (Udall & Maker, 1983; Whitmore & Maker, 1985) and (Callahan & Hertberg-Davis, 2013). Twice exceptional dyslexic individuals may not be identified gifted and with a disability based on the ways schools identify students. “He is fine...his grades are good....he is really smart, he just isn’t trying”



***Dyslexia involves letter reversals and transposing letters. FALSE!***

B d

- Transposing letters and letter reversals are related to the struggling student's reading level, and not a psychological phenomenon or visual processing deficit.



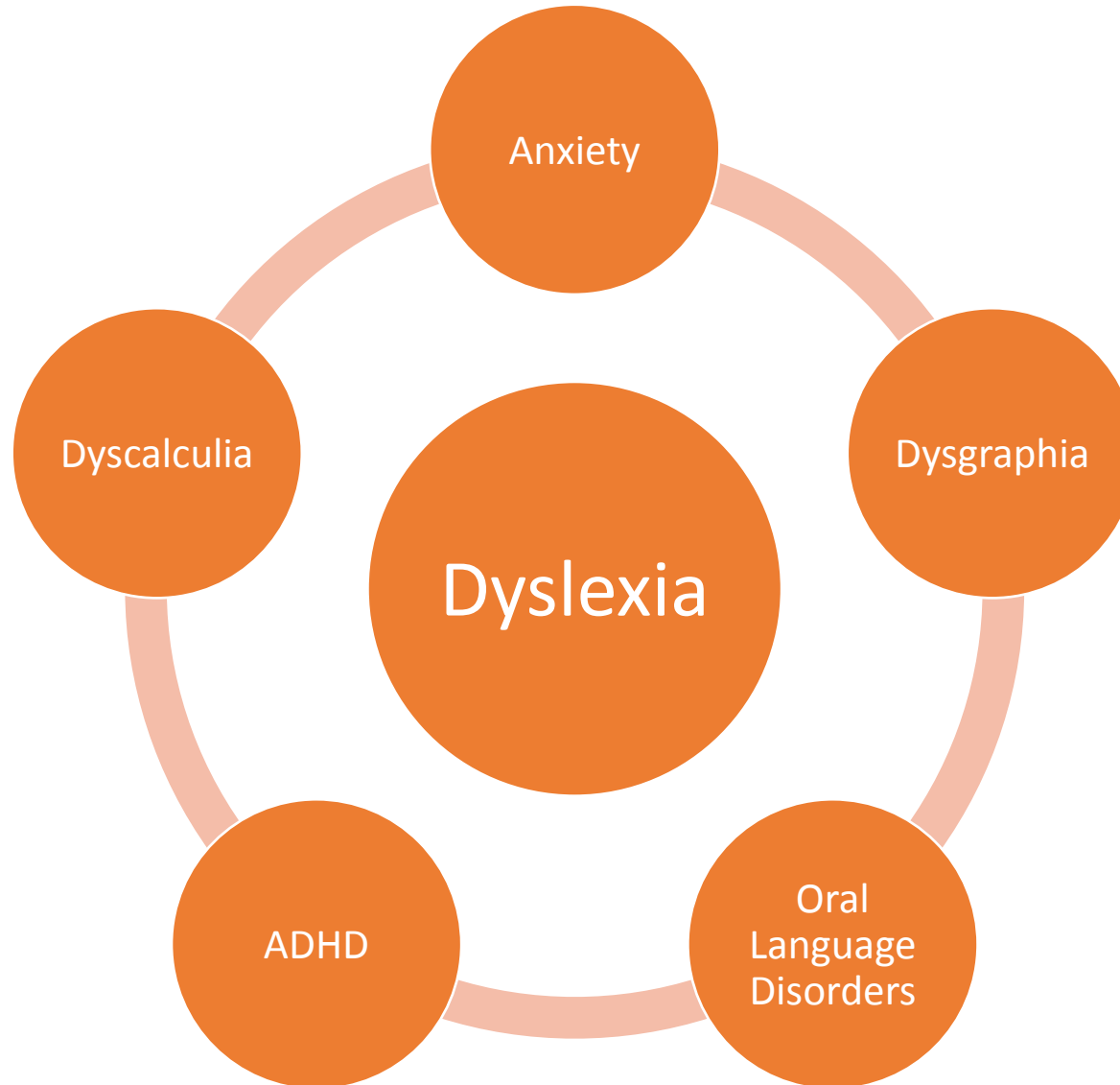


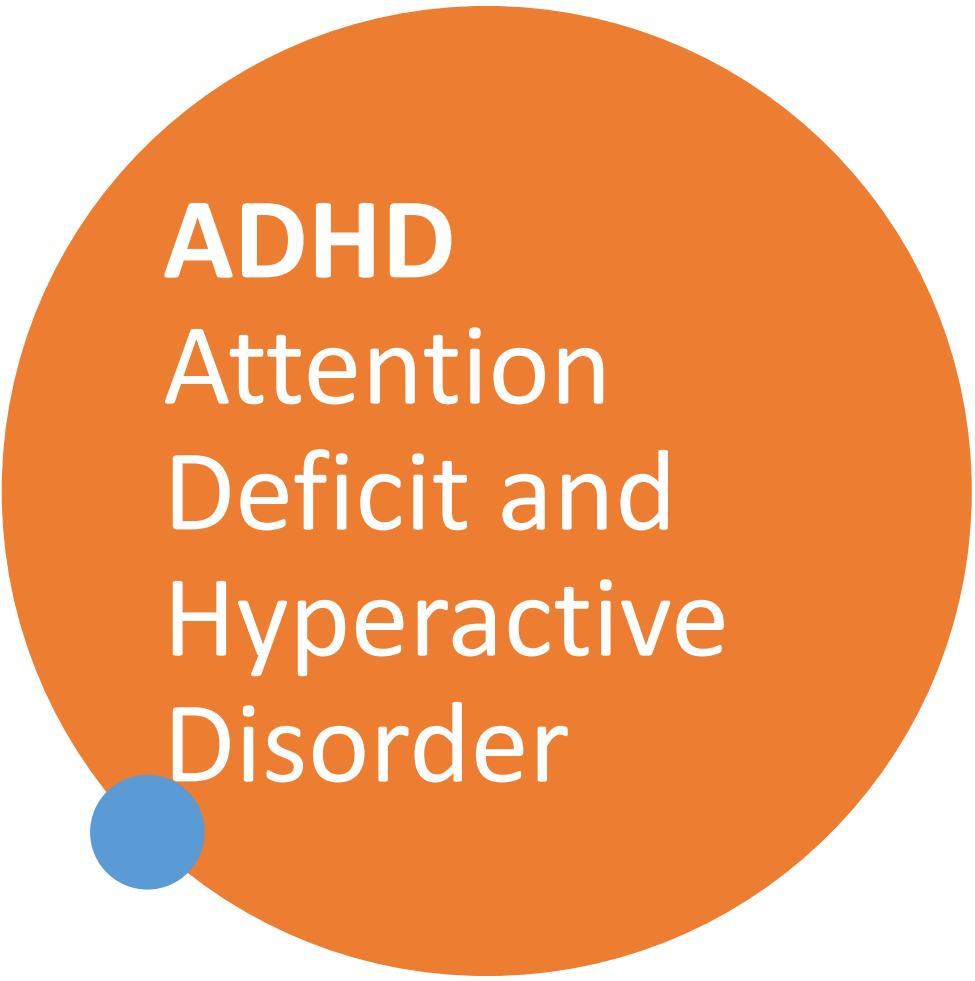
**If a dyslexic child reads out loud for 20 minutes per day, it will improve his or her reading. FALSE!**

Reading out loud will not help a child sound out unknown words. Instead, he will continue to try to memorize the shape of a word and use pictures and context clues to try and guess it which will not help his reading development.




# Comorbid Conditions/Related Disabilities





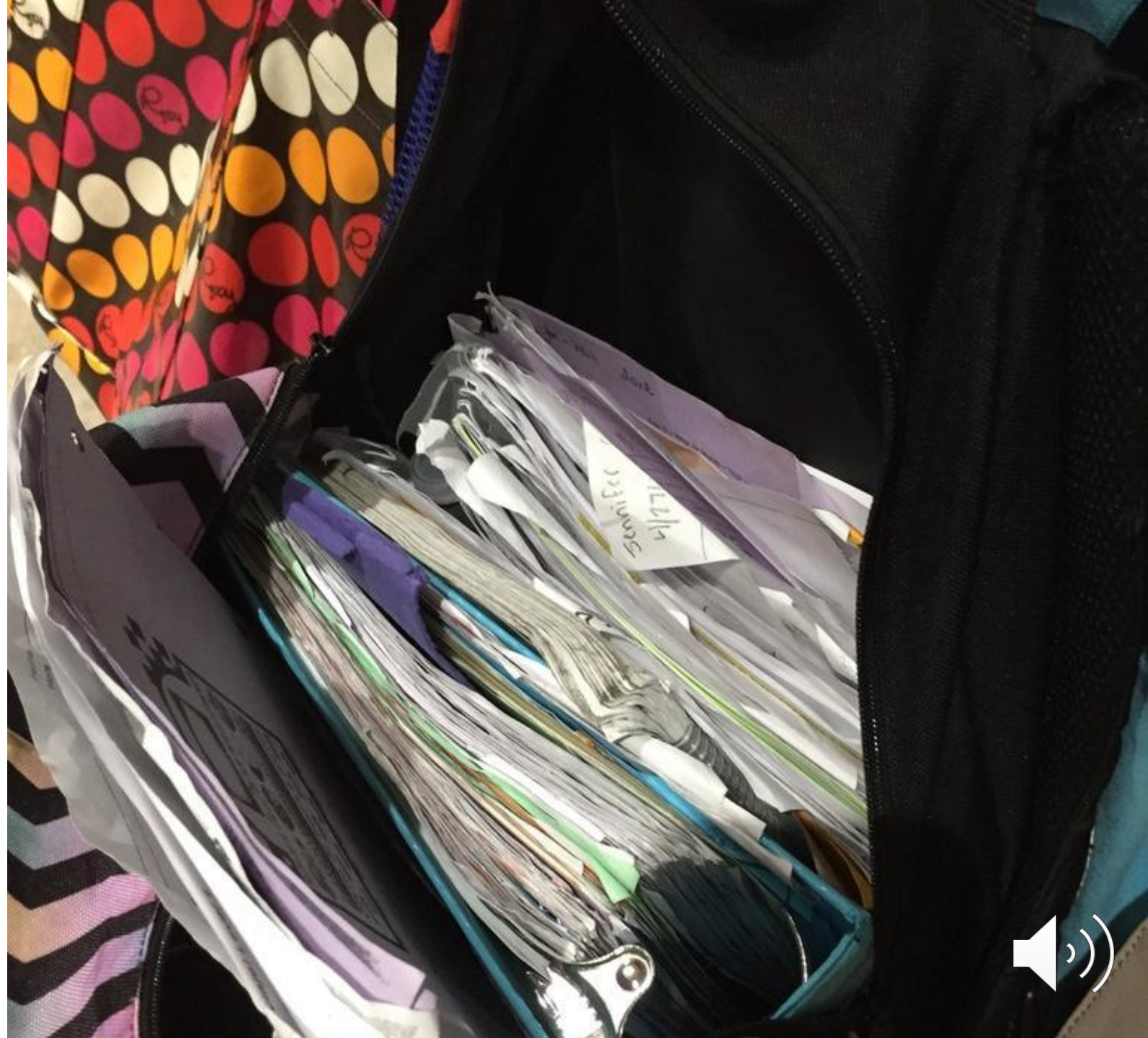
# ADHD

Attention  
Deficit and  
Hyperactive  
Disorder

- 
- *Inattentive*
  - *Hyperactive*
  - *Combined Type*



***Does your child's  
backpack look like  
this??***



# ADHD: Often Listed under “OHI” Other Health Impaired

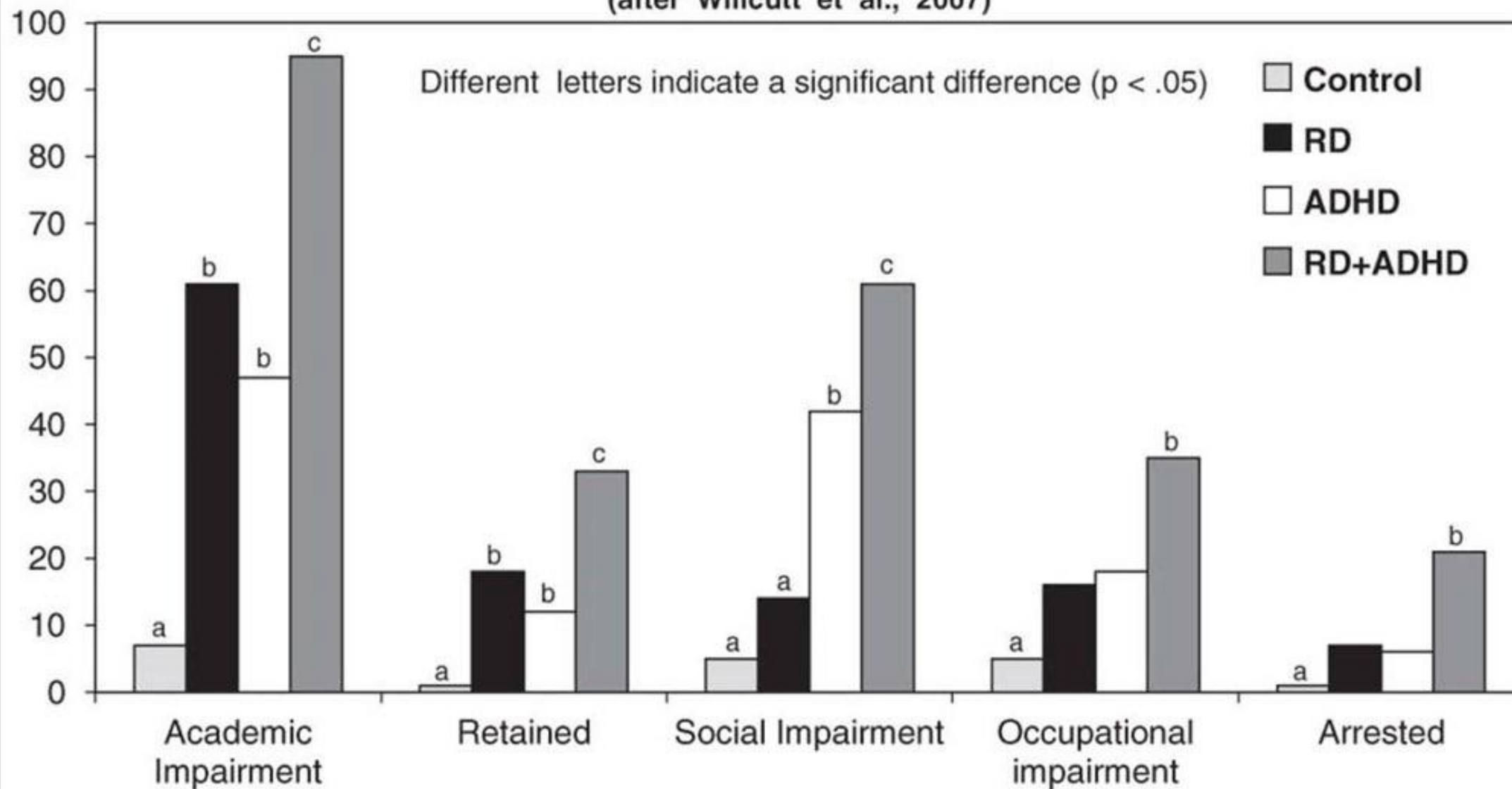
Among psychiatric disorders, ADHD is the most frequently associated with dyslexia (Kronenberger & Dunn, 2003)

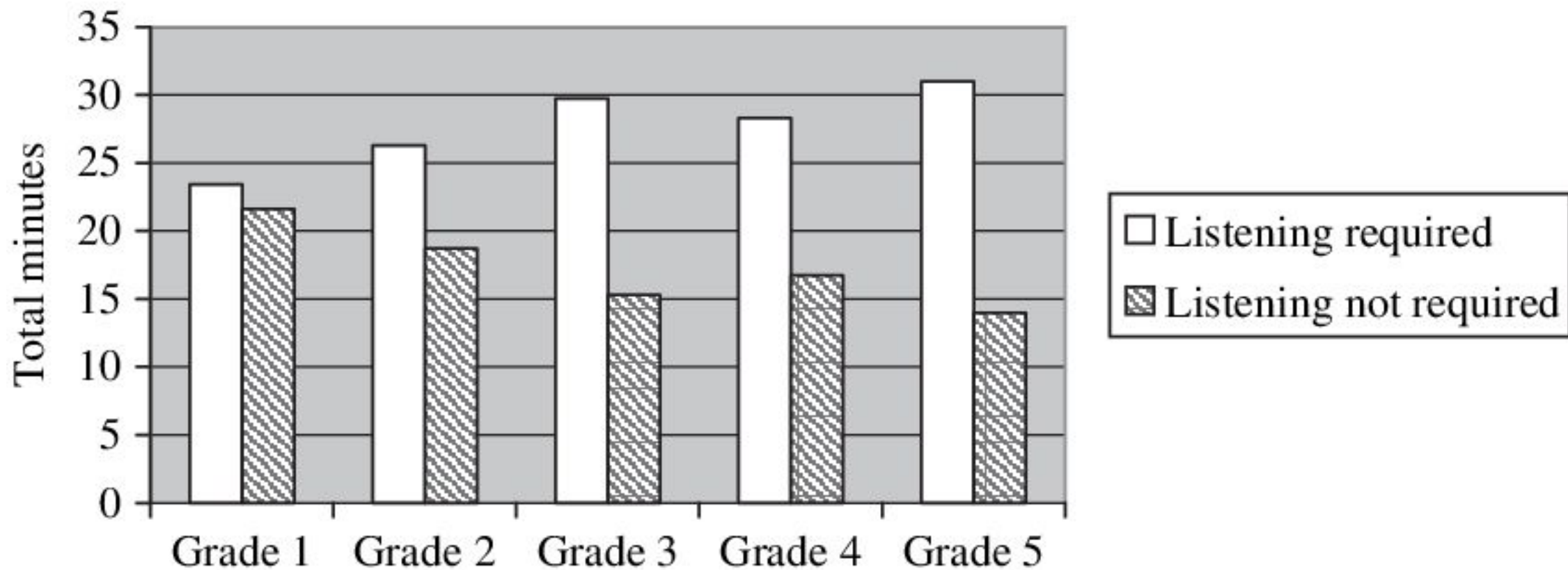
According to the CDC almost 50% of children diagnosed with ADHD also have a learning disorder like dyslexia.



## Impairment (%) in Groups with and without RD and ADHD

(after Willcutt et al., 2007)





Imhof, Margarete (2008) What Have You Listened to in School Today? International Journal of Listening



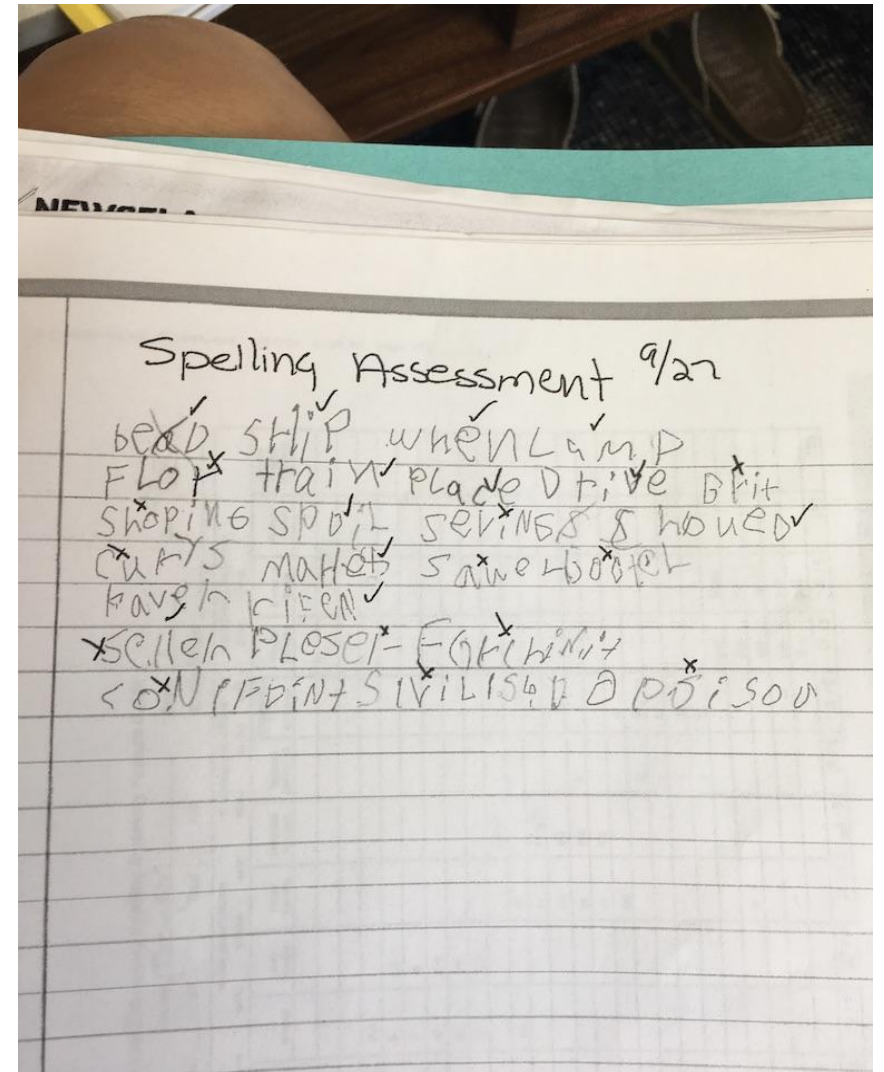
***REMEMBER!!!!***

*ADHD, while being a co-morbid condition, would **NOT** explain why a child can not decode or read words. Don't let school blame everything on a child's ADHD!*



# What is Dysgraphia?

- Dysgraphia is best defined as a **neurodevelopmental disorder** manifested by **illegible and/or inefficient handwriting due to** difficulty with letter formation. This difficulty is the result of deficits in graphomotor function (hand movements used for writing) and/or **storing and retrieving orthographic codes (letter forms)** (Berninger, 2015). Secondary consequences may include problems with **spelling and written expression**. It is not solely due to lack of instruction and is not associated with other developmental or neurological conditions that involve motor impairment.



# Dysgraphia: SLD Written Expression

Variably shaped and poorly formed letters

Excessive erasures and cross-outs

Poor spacing between letters and words

Letter and number reversals beyond the early stages of writing

Awkward, inconsistent pencil grip

Inadequate, heavy, or variable pressure during handwriting

Hand fatigue

Slow writing and copying with legible or illegible handwriting  
(Andrews & Lombardino, 2014)

Difficulty copying words and/or sentences

Avoidance of written tasks



My name is Hahhah.

I am 6 years old.

I am a girl sometimes

and I want

all of the hum hum

holders I promise

to do my work and

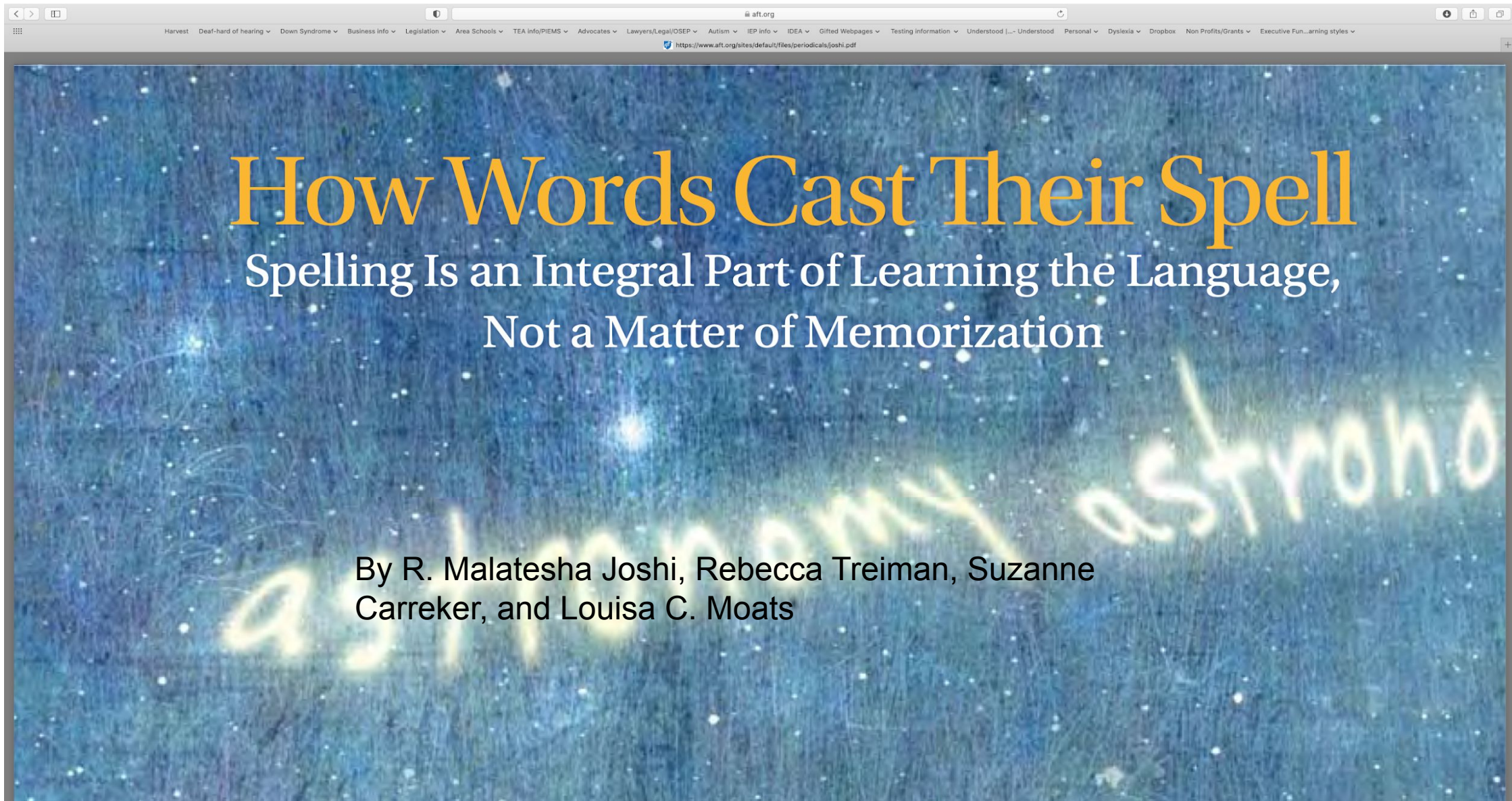


# ***SPELLING and READING are Related!!***

***Correlation between Spelling and Reading ranges from 0.66 to 0.90.***

Louisa C. Moats, Barbara R. Foorman, and Patrick Taylor, “How Quality of Writing Instruction Impacts High-Risk Fourth Graders’ Writing,” *Reading and Writing: An Interdisciplinary Journal* 19 (2006): 363–91; and Anna Maria Re, Martina Pedron, and Cesare Cornoldi, “Expressive Writing Difficulties in Children Described as Exhibiting ADHD Symptoms,” *Journal of Learning Disabilities* 40 (2007): 244–55.



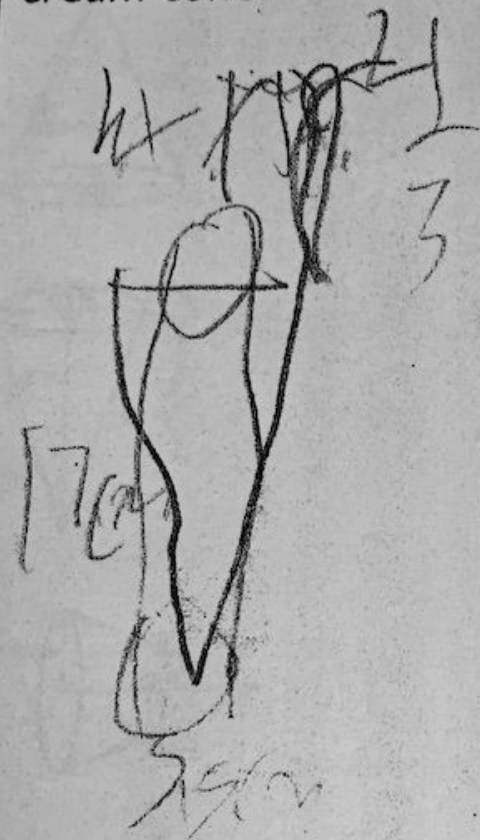


<https://www.aft.org/sites/default/files/periodicals/joshi.pdf>



cm  
a  
ne of

4. An ice cream package is cone shaped. It has a radius of 5.5 cm and a height of 17cm. Find the volume of the ice cream cone.



has a radius of 85 meters and a height of 85 meters. How much corn can the silo hold?



## Spelling Assessment 9/27

bed ship wheel lamp  
float train plane drive Brit  
shopping spoon sewing showed  
charts makes sawed boot  
have been  
Kellen Pleser - FGHW  
CONFIDENTIAL CIVILIS D O DISO

# Speech and Language Disorders:

Expressive Language

Receptive Language



Articulation Disorders

Pragmatic Language Disorders



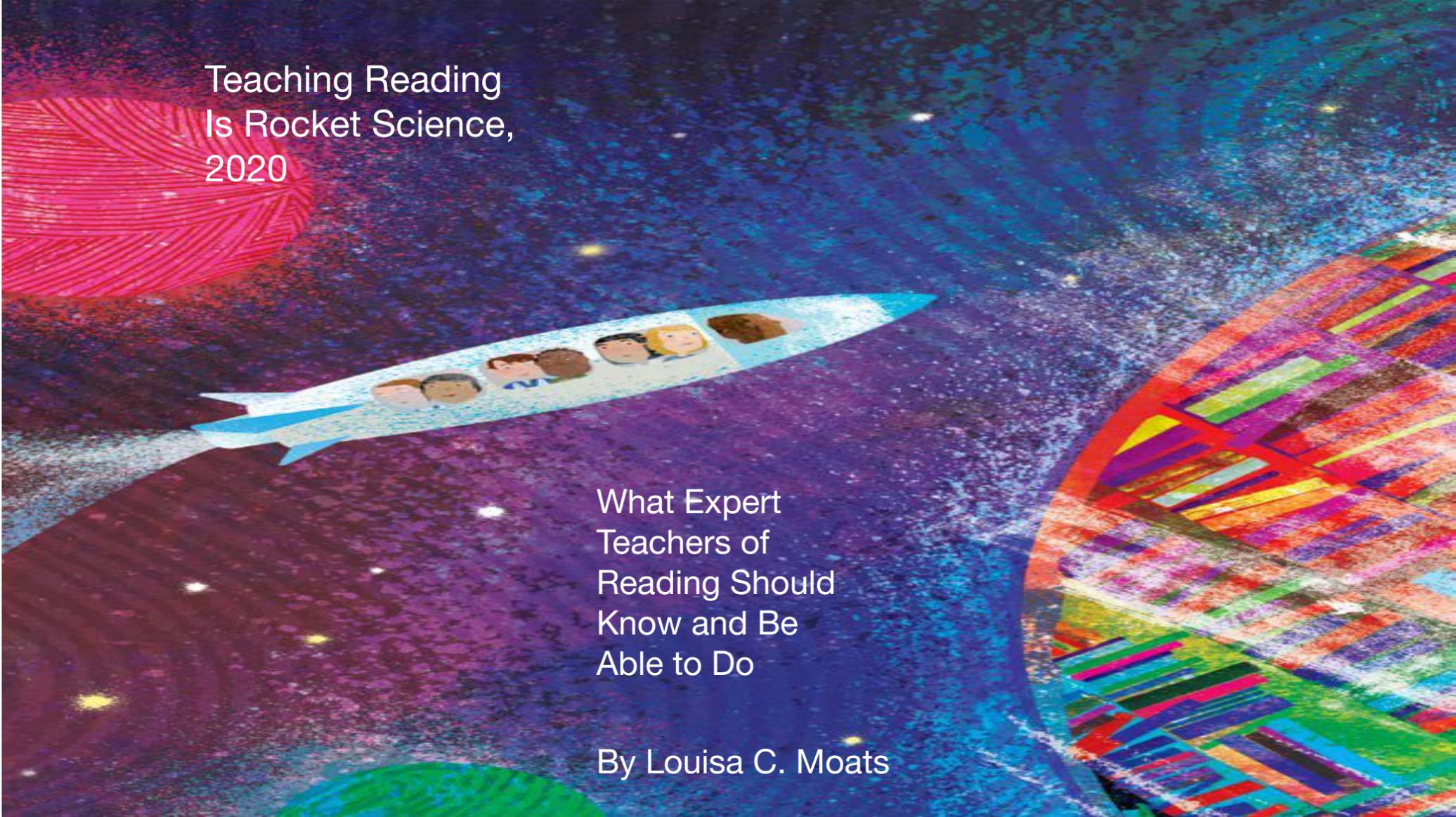
# Dyscalculia



Counting/skip counting	Money	Subitizing
Basic calculation	Place value	Time
Number lines	Sequence	Calendar 
Rounding 	Mental math	Fractions/decimals
Graphs/charts/tables	Geometry	Measurement
Problem solving	Estimation	Probability



dyslexia  
difficult to  
remediate?

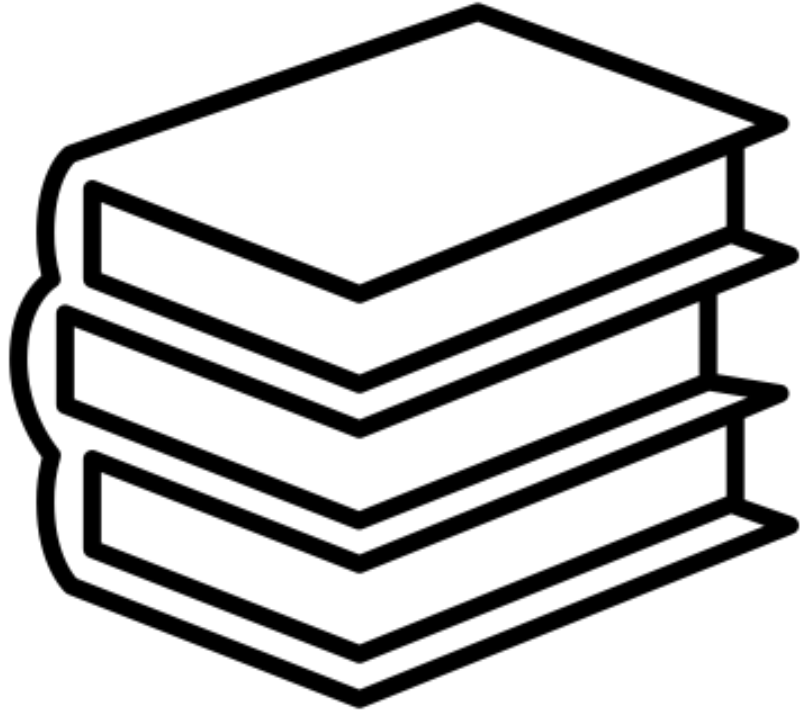


Teaching Reading  
Is Rocket Science,  
2020

What Expert  
Teachers of  
Reading Should  
Know and Be  
Able to Do

By Louisa C. Moats

<https://www.aft.org/ae/summer2020/moats>



How do children  
learn to read?  
(View of Reading)

# The Components of Reading:

Phonology  
(the sound system)

Orthography (the  
writing system)

Morphology  
(the meaningful  
parts of words)

Semantics  
(the relationships  
among words)

Syntax  
(the structure of  
sentences)

Pragmatics  
(the use and  
interpretation of  
language)

Discourse  
(the organization of  
language)

# WHAT MAKES a STUDENT BECOME A SKILLED READER?

## SKILLED READERS

- Recognize words easily and don't need to rely on content.
- They can decode words effectively.

## POOR READERS

- Don't recognize words easily so they have to rely on the content.
- They have poor phonemic awareness so they struggle to decode the words and often guess words either by context or words that look similar.

# Scarborough Reading Rope:

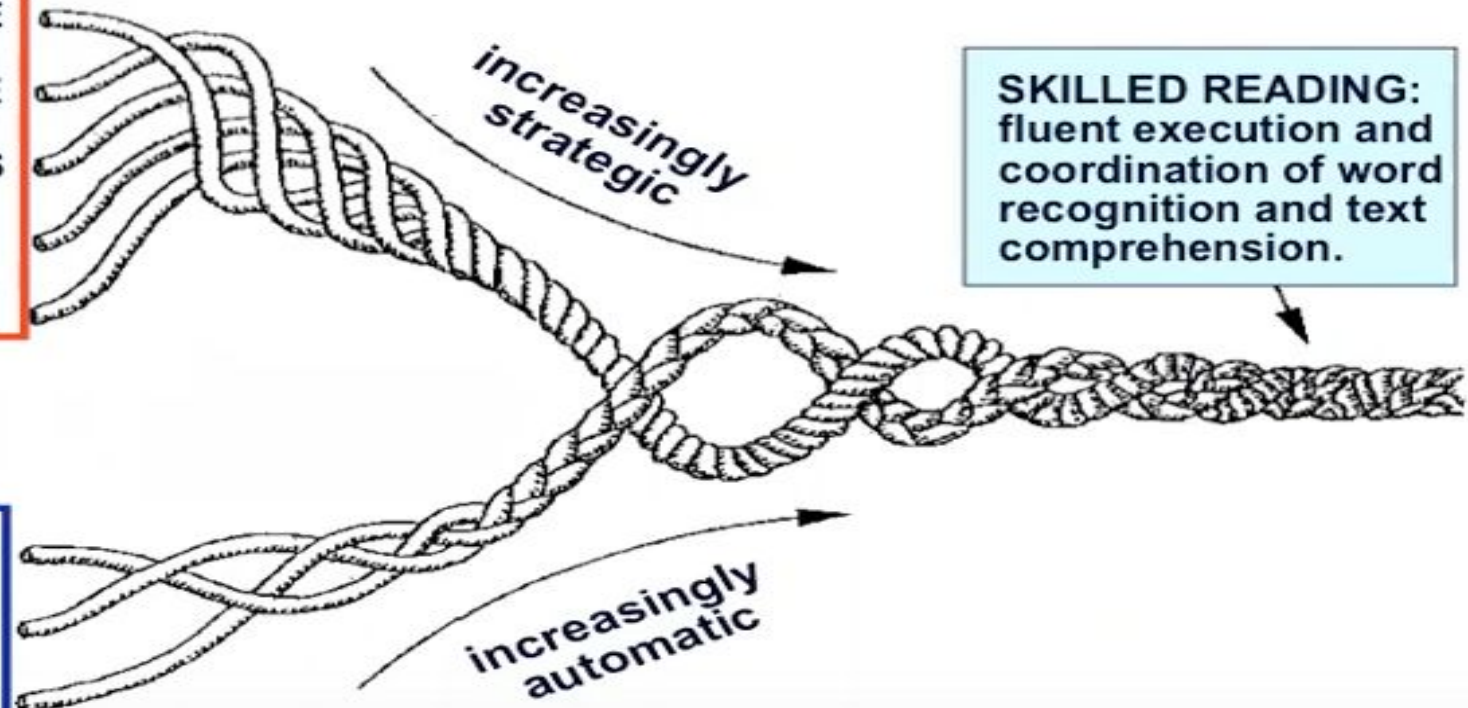
The Many Strands that are Woven into Skilled Reading  
(Scarborough, 2001)

## LANGUAGE COMPREHENSION

BACKGROUND KNOWLEDGE  
VOCABULARY KNOWLEDGE  
LANGUAGE STRUCTURES  
VERBAL REASONING  
LITERACY KNOWLEDGE

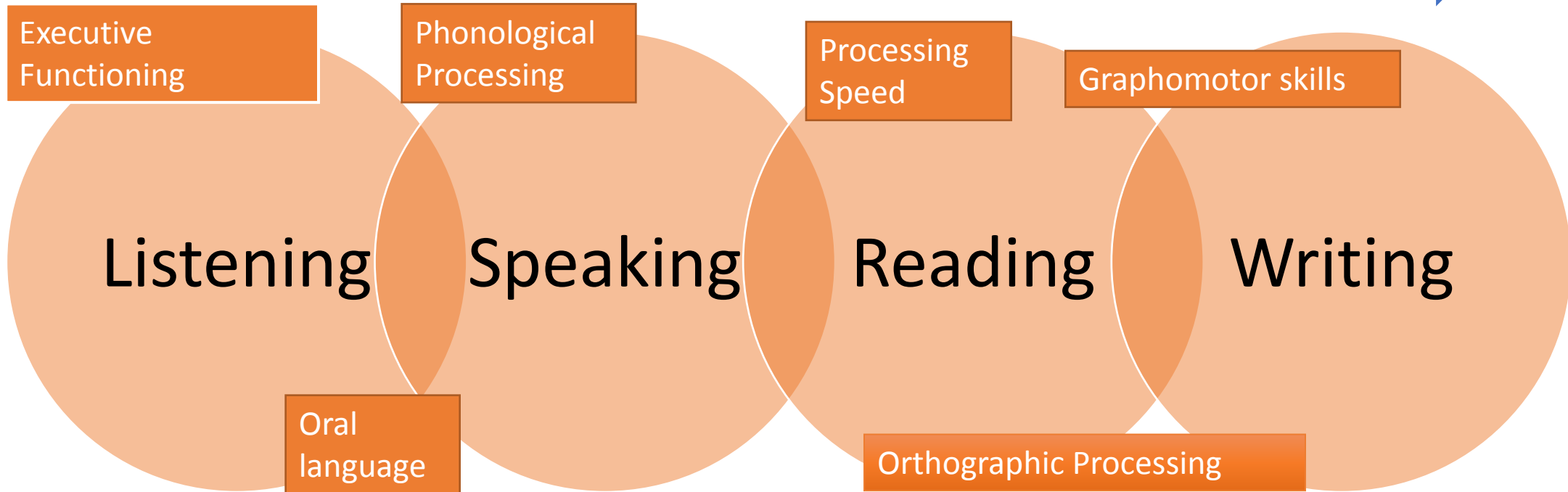
## WORD RECOGNITION

PHON. AWARENESS  
DECODING (and SPELLING)  
SIGHT RECOGNITION



Reading is a multifaceted skill, gradually acquired over years of instruction and practice.

## *Language Continuum*





## ***What is the Science of Reading?***

It means we have evidence that supports that children learn to read a certain way.

LOTS of Research showing we are doing it wrong. Ever hear “Balanced Literacy” or “Whole Language” or the name Lucy Caukins???

Most teachers have not been taught the “Science of Reading”

***Science of Reading***  
is delivered using....

***Structured Literacy:***

**Content:**

- Phonology
- Sound-symbol Association
- Syllable Instruction
- Morphology
- Syntax
- Semantics

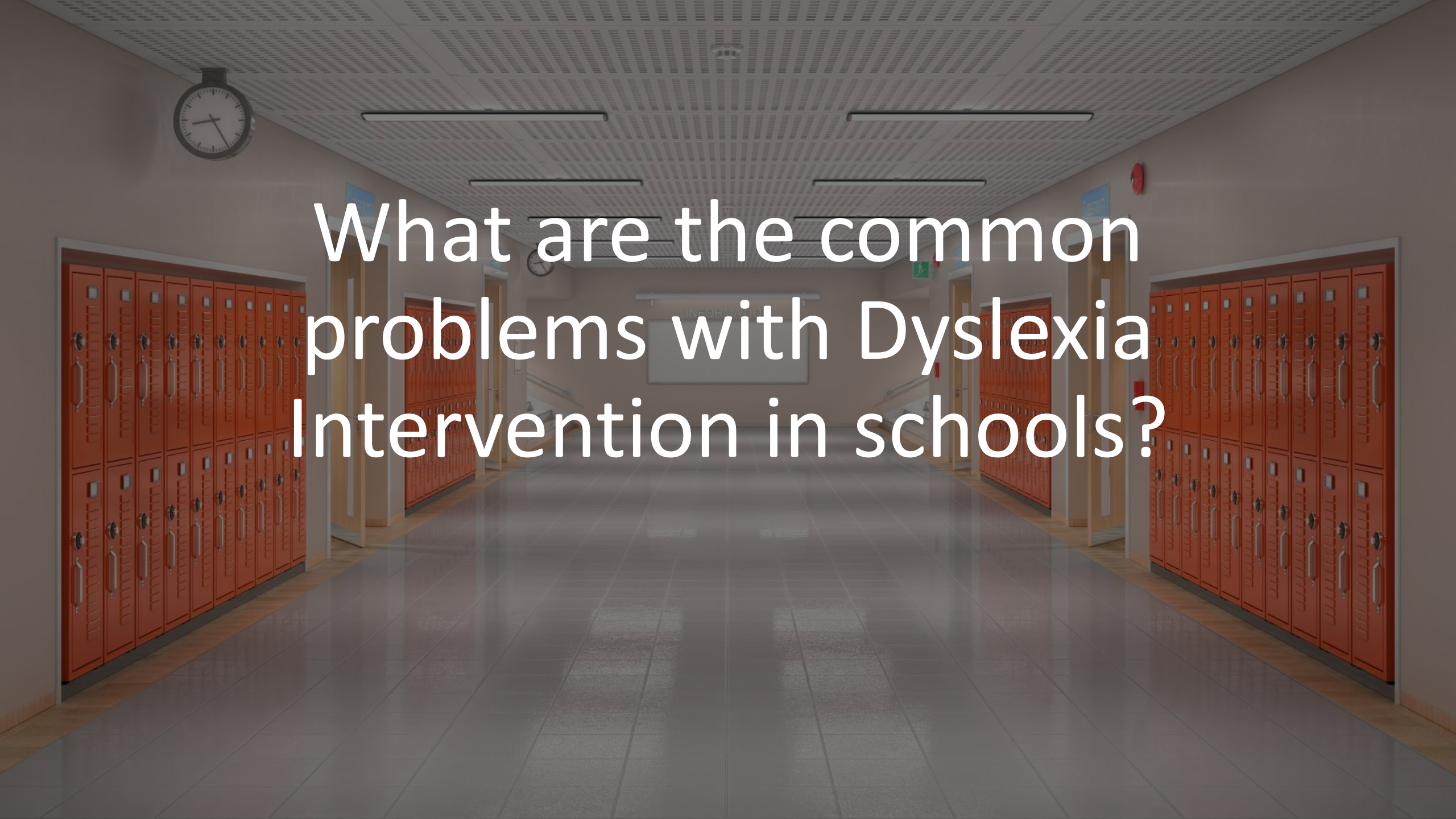
**Principles and methods of instruction:**

- Explicit Instruction
- Systematic and cumulative
- Diagnostic Teaching



- SYSTEMATIC EXPLICIT INSTRUCTION- “Evidence Based” not just “Research Based”
- PROVIDED BY TRAINED TEACHERS CALT- Certified Academic Language Therapist or SLP Speech Language Pathologist, Dyslexia Therapist.
- DONE WITH FIDELITY- As Prescribed by the Program.

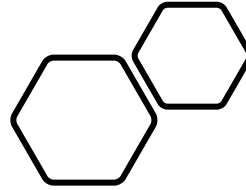
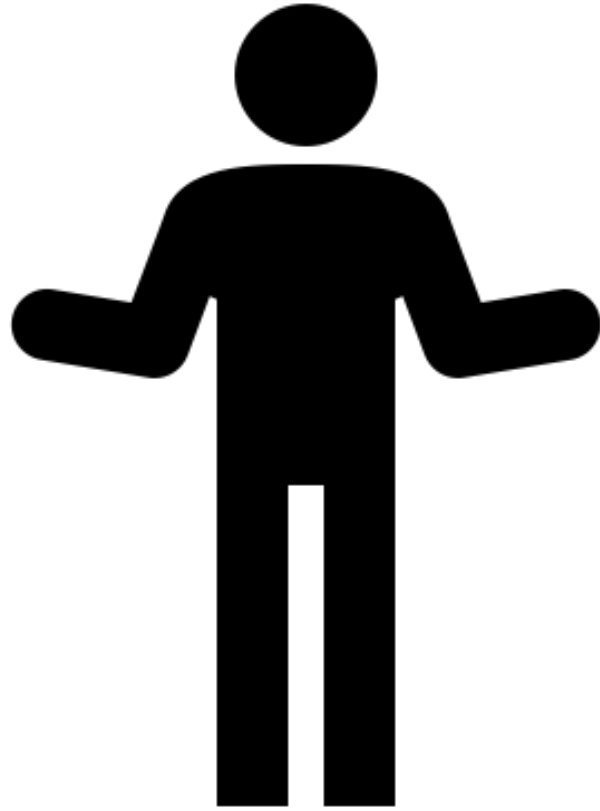
*Easy Right????*

A photograph of a school hallway with rows of orange lockers on both sides. A round analog clock is mounted on the left wall. The floor is made of large, light-colored tiles. In the background, there are glass doors and a sign that says "INFORMATION". The text "What are the common problems with Dyslexia Intervention in schools?" is overlaid in the center in a large, white, sans-serif font.

What are the common  
problems with Dyslexia  
Intervention in schools?

# Common Problems with Dyslexia Intervention

Problem	Reasons	What you need to know...
<b>THEY DON'T DO THE PROGRAM AS PRESCRIBED</b>	<ul style="list-style-type: none"><li>• Shorten the days</li><li>• Shorten the time</li><li>• Don't use the dyslexia teacher appropriately. (Pull out teachers to fill other jobs or too many meetings)</li></ul>	<p><i>A dyslexia program must be delivered the way the program was designed to be delivered.</i></p> <ul style="list-style-type: none"><li>• <i>Keep record of when your child sees their dyslexia teacher and mark it on the calendar. ("Did you see Ms. Smith today?" "Ms. Smith was absent today....We didn't go to Ms. Smiths class because of ....")</i></li></ul>




Why is Fidelity  
Important????



*“I didn’t think it would matter if I just took my pills once a week???”*

# Common Problems with Dyslexia Intervention:

Problem	Reasons	Supreme Court Says...
<b>The school offers a program that is not appropriate to the specific needs of your child</b>	<ul style="list-style-type: none"><li>• This is what the district offers.</li><li>• We don't have a teacher trained in another program</li><li>• We don't have money in our budget for that</li></ul>	<ul style="list-style-type: none"><li>• Florence County vs. Carter 1993 (Pete Wright)</li><li>• Dyslexia Case</li><li>• School argued "cost prohibitive" and lost</li><li>• IDEA- Free and Appropriate Education</li></ul>

A doctor with dark hair, wearing a white lab coat and a stethoscope, is holding a tablet and looking at it. To her left, a woman with long brown hair, wearing a denim jacket over a dark shirt, is looking at the tablet. A young child with short blonde hair is standing next to the woman, also looking at the tablet. The background is a blurred clinical setting with a white wall and some medical equipment.

What if you were told by a doctor  
that the chemo your child needed  
was too expensive?

# Common Problems with Dyslexia Intervention

Problem	Reasons	What you need to know....
<b>STUDENT IS MOVED TO NEW LESSON WHEN THEY HAVEN'T MASTERED THE PREVIOUS ONE ...Or Teacher didn't circle back and review a concept that a student may not have understood.</b>	<ul style="list-style-type: none"><li>• The progression of lessons are developed around the school calendar and not the individual child's pace.</li><li>• The child might be identified midyear and be placed in the middle of the program without proper assessment.</li><li>• One teacher, one way. "That's they way we do it"</li></ul>	<i>Remember: A dyslexia program must be delivered the <b>way the program was designed to be delivered</b> which is usually cumulative. Evidence-based dyslexia programs move from simple to complex concepts. They also design the programs so that a teacher will be diagnostically teaching and circling back with students who may have had trouble with a concept.</i>

# OTHER considerations when Dyslexia Intervention isn't working:

Problem	Reasons	What you need to know...
<b>Child makes little or no progress.</b>  (assuming fidelity)	<ul style="list-style-type: none"><li>• Program is not appropriate because they <b>have co-morbid conditions</b> that are not being addressed.</li><li>• <b><u>For Example:</u></b> Undiagnosed Oral Language Disorder, ADHD not addressed/medicated. Anxiety and depression not addressed/medicated.</li><li>• Not enough <b>intensity</b> for the severity of child's dyslexia.</li></ul>	<ul style="list-style-type: none"><li>• Make sure they are progress monitoring so you don't find out a program doesn't work after a year or two!</li><li>• A child's dyslexia may be so severe that it requires 1x1 dyslexia instruction requiring a dyslexia specialist or other specialist (like SLP) to incorporate and modify a program to meet the specific needs of that student. The teachers training would then require even more knowledge and skills that would allow individualized pacing and mix of programming.</li></ul>



## ***Why I think schools aren't "doing it right"***

- They don't know the law...even though they should.
- They don't have the money to do the right thing.
- The system is big and broken and even if one person wanted to do it right, they don't have the power to do it.

# ***PROGRESS MONITORING***

.....



***WHAT ARE  
YOU  
MEASURING?***

Pseudoword  
nonsense  
words

Phonologica  
l awareness

Fluency

Comprehension

Reading  
Accuracy

Spelling

Prosody

# ***Common tools used in schools when they talk about your child's progress: (ps....it is super confusing)***

Leveled Literacy

I-station

DRA

SRA

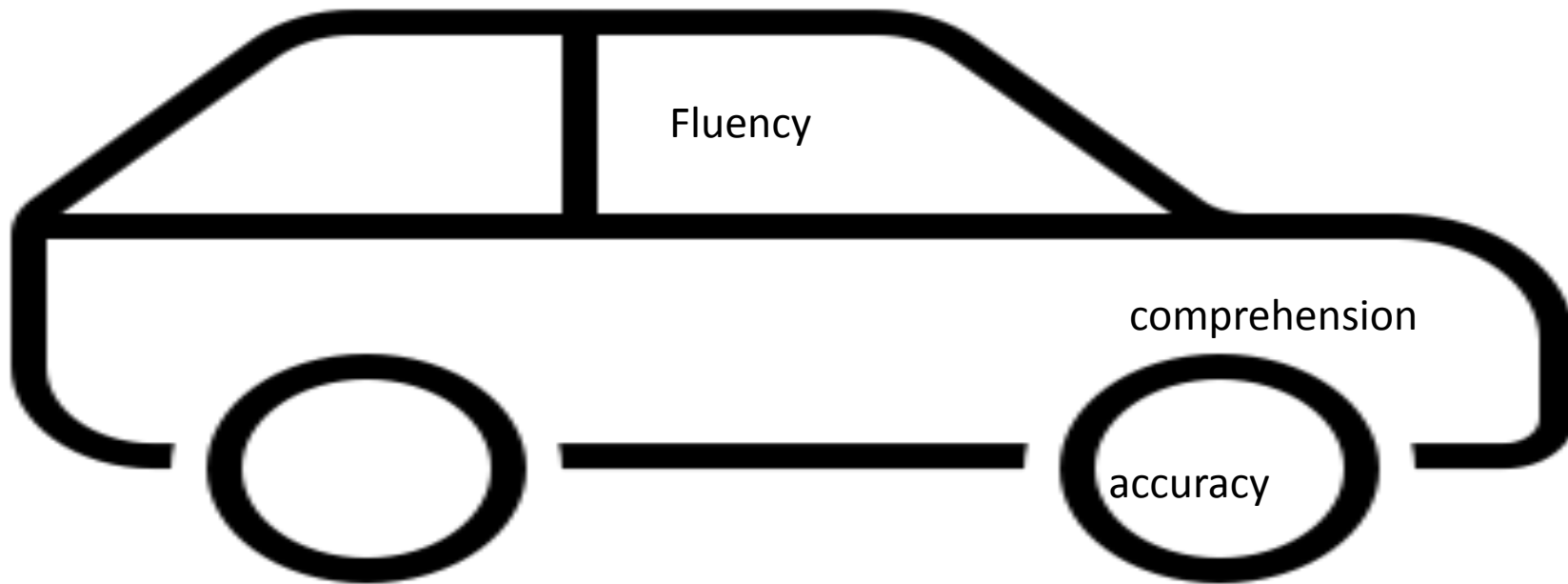
Lexile Levels

Name	Measures	What used for..
Fountas and Pinnell Benchmark Assessments	Oral Reading Accuracy Oral Reading Fluency (words per minute and prosody) Comprehension	Instructional planning Determination of which additional assessments to administer
CTOPP 2- Comprehensive Test of Phonological Processing (PRO-ED) Diagnosis Instructional planning	Elision Blending Words Phoneme Isolation Memory for Digits Nonword Repetition Rapid Digit Naming Rapid Letter Naming Phonological Awareness Phonological Memory Rapid Symbolic Naming	Diagnosis Instructional planning
GORT 5-Gray Oral Reading Test (PRO-ED) *Timed test	Rate Accuracy Fluency Comprehension	Diagnosis Instructional planning
GSRT- Gray Silent Reading Test (PRO-ED) Silent Reading Comprehension Diagnosis Instructional planning	Sight Word Efficiency Phonemic Decoding Efficiency	Diagnosis Instructional planning
TOWRE- Test of Word Reading Efficiency (PRO-ED)	Sight Word Efficiency Phonemic Decoding Efficiency	Diagnosis Instructional planning
The Phonological Awareness Test 2 (LinguiSystems)	Rhyming Segmentation Isolation Deletion Substitution Blending Graphemes	Diagnosis Instructional planning

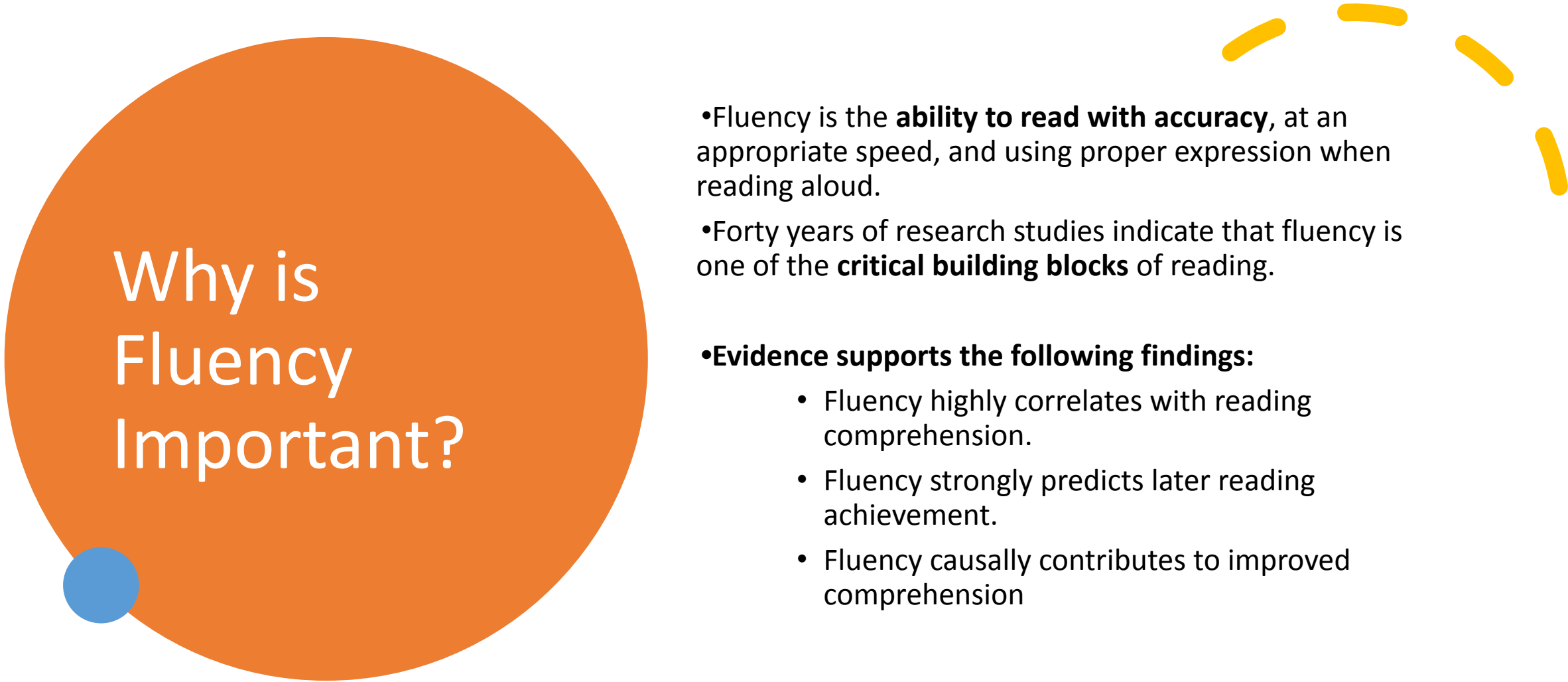
## *Three things wrong with car...*

- Flat Tire
- Cracked Windshield
- Engine needs oil





If you could only pick one? **FLUENCY!**



# Why is Fluency Important?

- Fluency is the **ability to read with accuracy**, at an appropriate speed, and using proper expression when reading aloud.
- Forty years of research studies indicate that fluency is one of the **critical building blocks** of reading.
- **Evidence supports the following findings:**
  - Fluency highly correlates with reading comprehension.
  - Fluency strongly predicts later reading achievement.
  - Fluency causally contributes to improved comprehension

# DIBELS

## DIBELS®8<sup>th</sup> Edition Benchmark Goals

updated: 9.19.19

		LNF	PSF	NWF-CLS	NWF-WRC	WRF	ORF	ORF-ACC	Maze	Composite
Kindergarten	Beginning	--	20+	20+	--	--				332+
		25+	12-19	10-19	1+	1+				306-331
		16-24	7-11	4-9	--	--				280-305
		0-15	0-6	0-3	0	0				200-279
	Middle	--	43+	36+	9+	10+				393+
		37+	32-42	26-35	4-8	5-9				373-392
		31-36	23-31	17-25	2-3	1-4				360-372
		0-30	0-22	0-16	0-1	0				200-359
	End	--	53+	41+	13+	14+				452+
		42+	47-52	33-40	8-12	10-13				428-451
		35-41	37-46	24-32	4-7	6-9				406-427
		0-34	0-36	0-23	0-3	0-5				200-405
First Grade	Beginning	--	51+	47+	16+	20+	35+	--		350+
		51+	39-50	42-46	8-15	15-19	21-34	67+		331-349
		42-50	29-38	25-41	1-7	8-14	5-20	41-66		323-330
		0-41	0-28	0-24	0	0-7	0-4	0-40		200-322
	Middle	--	57+	68+	20+	32+	51+	--		401+
		60+	43-56	54-67	10-19	17-31	35-50	87+		386-400
		54-59	34-42	41-53	5-9	13-16	10-34	54-86		375-385
		0-53	0-33	0-40	0-4	0-12	0-9	0-53		200-374
	End	--	61+	87+	25+	50+	76+	--		479+
		63+	45-60	60-86	15-24	25-49	44-75	91+		441-478
		58-62	40-44	49-59	7-14	20-24	28-43	85-90		422-440
		0-57	0-39	0-48	0-6	0-19	0-27	0-84		200-421
Second Grade	Beginning			72+	25+	52+	85+	--	11.0+	352+
				55-71	15-24	30-51	51-84	92+	5.0-10.5	330-351
				43-54	8-14	20-29	35-50	84-91	2.5-4.5	316-329
				0-42	0-7	0-19	0-34	0-83	0-2.0	200-315
	Middle			92+	36+	63+	105+	--	16.0+	421+
				64-91	23-35	37-62	73-104	97+	10.0-15.5	385-420
				56-63	15-22	28-36	59-72	91-96	8.0-9.5	373-384
				0-55	0-14	0-27	0-58	0-90	0-7.5	200-372
	End			117+	39+	72+	128+	--	20.5+	477+
				76-116	24-38	46-71	94-127	98+	11.0-20.0	440-476
				59-75	17-23	31-45	79-93	--	8.0-10.5	418-439
				0-58	0-16	0-30	0-78	0-97	0-7.5	200-417
Third Grade	Beginning			121+	34+	60+	104+	--	15.0+	363+
				81-120	24-33	46-59	77-103	98+	9.0-14.5	332-362
				71-80	18-23	32-45	61-76	94-97	5.0-8.5	314-331
				0-70	0-17	0-31	0-60	0-93	0-4.5	200-313
	Middle			133+	40+	65+	132+	--	21.5	427+
				104-132	30-39	53-64	105-131	98+	14.0-21.0	395-426
				90-103	23-29	45-52	88-104	--	10.5-13.5	377-394
				0-89	0-22	0-44	0-87	0-97	0-10.0	200-376
	End			146+	45+	71+	136+	--	25.5	467+
				112-145	31-44	55-70	112-135	99+	19.5-25.0	442-466
				93-111	24-30	49-54	96-111	--	13.0-19.0	424-441
				0-92	0-23	0-48	0-95	0-98	0-12.5	200-423

### Legend

Blue oval = Core support; Negligible risk (< 10% chance of not achieving at or above 40 <sup>th</sup> percentile on criterion measure)
Green range = Core support; Minimal risk (< 20% chance of not achieving at or above 40 <sup>th</sup> percentile on criterion measure)
Yellow range = Strategic support; Some risk (>20% chance of not achieving at or above 40 <sup>th</sup> percentile on criterion measure)
Red range = Intensive support; At risk (>20% chance of not achieving at or above 20 <sup>th</sup> percentile on criterion measure)

University of Oregon (2018). 8th Edition of Dynamic Indicators of Basic Early Literacy Skills (DIBELS®). Eugene, OR: University of Oregon. Available: <https://dibels.uoregon.edu>

9-19-19

# COMPILED ORF NORMS

Hasbrouck & Tindal (2017)


From Hasbrouck, J. & Tindal, G. (2017). *An update to compiled ORF norms* (Technical Report No. 1702). Eugene, OR. Behavioral Research and Teaching, University of Oregon.

Grade	Percentile	Fall WCPM*	Winter WCPM*	Spring WCPM*
<b>1</b>	90		97	116
	75		59	91
	50		29	60
	25		16	34
	10		9	18
<b>2</b>	90	111	131	148
	75	84	109	124
	50	50	84	100
	25	36	59	72
	10	23	35	43
<b>3</b>	90	134	161	166
	75	104	137	139
	50	83	97	112
	25	59	79	91
	10	40	62	63

Grade	Percentile	Fall WCPM*	Winter WCPM*	Spring WCPM*
<b>4</b>	90	153	168	184
	75	125	143	160
	50	94	120	133
	25	75	95	105
	10	60	71	83
<b>5</b>	90	179	183	195
	75	153	160	169
	50	121	133	146
	25	87	109	119
	10	64	84	102
<b>6</b>	90	185	195	204
	75	159	166	173
	50	132	145	146
	25	112	116	122
	10	89	91	91

\*WCPM = Words Correct Per Minute

***If you only remember ONE goal, it should be this one.....(\*for almost every child)***



This is complicated.  
What do I do about  
goals?

Lauren will read \_\_\_\_\_ words correct per minute, cold read, on a grade level or \*instructional level) text.

Look at the chart and plug in the rate at which your child should be reading.

\*In few children with dyslexia, they may not have ANY problems with Fluency. So, write your goal with comprehension if that is the problem. Just make sure the goals are ambitious and close the gap.

# ***What does the LAW SAY ABOUT HOW SCHOOLS PROVIDE DYSLEXIA INSTRUCTION?***



**FEDERAL LAWS**



**STATE LAWS**



**\*HANDBOOK**



**FEDERAL LAWS**

# **Individuals with Disabilities in Education Act: IDEA**



# Individuals with Disabilities Education Act of 2004 (IDEA) Eligibility

*A child is eligible to receive special education and/or related services if the child:*

- *Is determined to have a disability (SLD-like Dyslexia, Dysgraphia)*
- *As a result of the disability, needs special education and related services.*

# ***IDEA Components:***

<b>Specialized Instruction</b>	<b>Related Services</b>	<b>Accommodations</b>	<b>Assistive Technology</b>
<b>Instruction designed to meet the child's individual differences and needs</b>  <b>Example: explicit reading and/or writing instruction</b>	<b>Services that help the child benefit from special education</b>  <b>Examples: speech and occupational therapy, counseling</b>	<b>Changes in the classroom to how the child learns the curriculum</b>  <b>Examples: extra time on tests, copies of notes</b>	<b>Tools that help the child work around barriers to learning</b>  <b>Examples: calculators, keyboards, graphic organizers, books on tape.</b>

# BASIC RIGHTS:

## FAPE Free and Appropriate Education

- Did you pay for testing or tutoring because school said no?
- Is your child making progress? Is intervention appropriate? (evidenced-based)

## Individualized

- Is the school giving your child the program he needs or the program they offer?

## In the Least Restrictive Setting

- Is your child in the wrong setting? Maybe not offered an advanced class because they say he is in “special ed”?

# IDEA 300.8 Child with a disability:

- 1) Child with a disability means a child evaluated in accordance with §§300.304 through 300.311 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, and other health impairment, a **specific learning disability**, deaf-blindness, or multiple disabilities, and
- [\(2\)](#) who, **by reason thereof**, needs special education and related services.

## (9) Learning disability.

- (A) Prior to and **as part of the evaluation** described in subparagraph (B) of this paragraph and 34 CFR, §§300.307-300.311, and in order to ensure that underachievement in a student suspected of having a **specific learning disability is not due to lack of appropriate instruction** in reading or mathematics, the following must be considered:
- (i) data that demonstrates the student was provided **appropriate instruction** in reading (as described in 20 United States Code (USC), §6368(3)), and/or mathematics within general education settings delivered by qualified personnel; and
  - (ii) **data-based documentation** of repeated assessments of achievement at reasonable intervals, **reflecting formal evaluation** of student progress during instruction. Data-based documentation of repeated assessments may include, but is not limited to, response to intervention **progress monitoring** results, **in-class tests on grade-level curriculum**, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program.

# Child Find under IDEA



- Each State must have in effect policies and procedures to ensure that all children with disabilities residing in the State, **regardless of the severity of their disability**, and who are in need of special education and related services, are identified, located, and evaluated. Child find also must include children who are suspected of being a child with a disability under §300.8 and in need of special education, even though they are advancing from grade to grade; and highly mobile children, including migrant children.
- Nothing in the law requires that children be classified by their disability so long as each child who has a disability that is listed in §300.8 and who, **by reason of that disability**, needs special education and related services is regarded as a child with a disability under Part B of the Act.

34 C.F.R. §300.111

# Specific Learning Disabilities

Oral Expression

Listening  
Comprehension

Basic Reading  
Skills

Reading Fluency

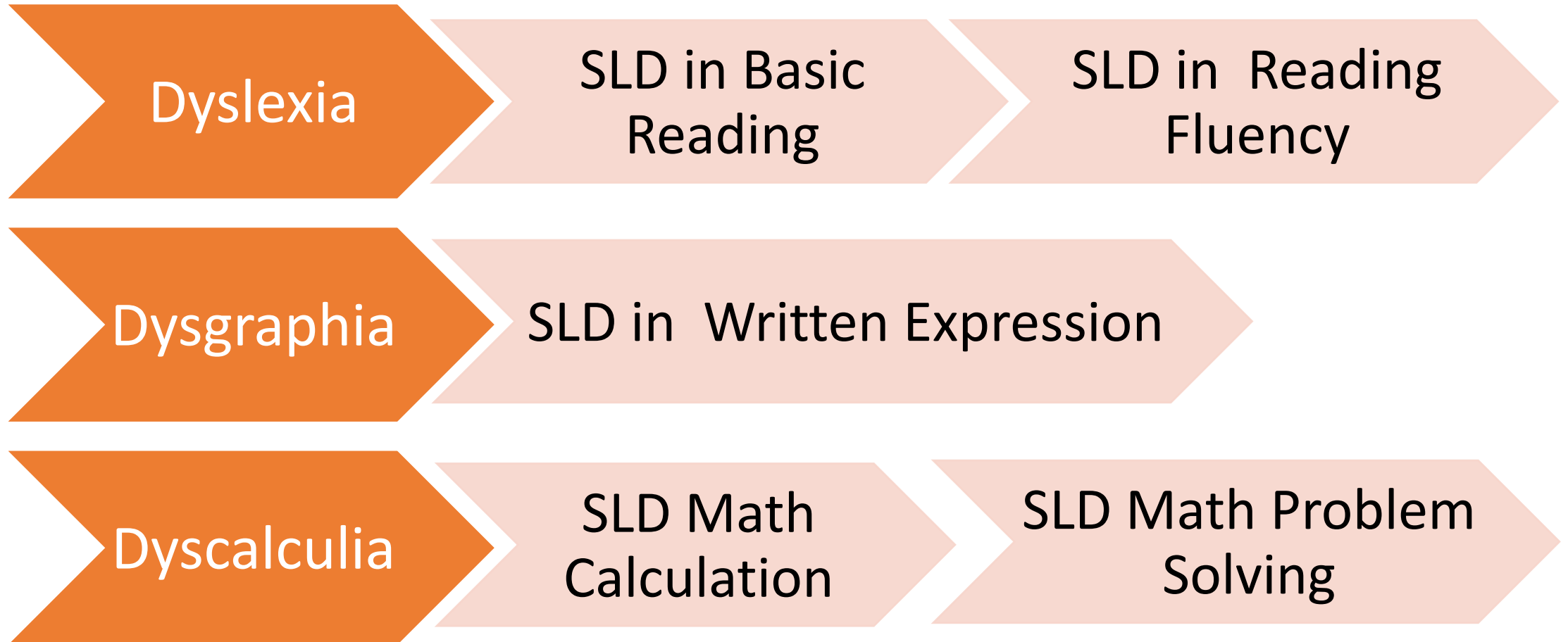
Reading  
Comprehension

Written  
Expression

Math  
Calculation

Math Problem  
Solving

# Specific Learning Disabilities (SLD)



# So, who decides eligibility and services?



***"The IEP Team*** is responsible for determining what special education and related services are needed to address the unique needs of the individual child with a disability. The fact that some of those services may also be considered **'best teaching practices'** or **'part of the district's regular education program'** does not preclude those services from meeting the definition of **'special education'** or **'related services'** and being included in the child's IEP. The [local educational agency] LEA must provide a child with a disability specially designed instruction that addresses the unique needs of the child that result from the child's disability, and ensures access by the child to the general curriculum, even if that type of instruction is being provided to other children, with or without disabilities, in the child's classroom, grade, or building." [OSEP Letter to Chambers \(May 9, 2012\)](#).

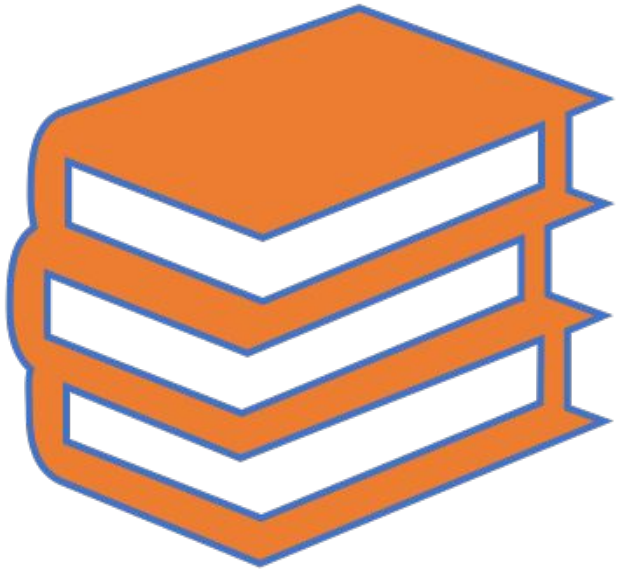
**"The Act does not require the IEP to include information about the specific person(s) providing the services."** 71 Fed. Reg. 46667 (August 14, 2006).

## Public Law 107 - 110, the *No Child Left Behind* Act of 2001, Title IX at 37, the term 'scientifically based research' means:

- A) research that involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and
- (B) includes research that
- (i) employs ***systematic, empirical methods that draw on observation or experiment;***
  - (ii) involves ***rigorous data analyses*** that are adequate to test the stated hypotheses and justify the general conclusions drawn;
  - (iii) relies on measurements or observational methods that provide ***reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;***

# Section 504:

Federal Civil Rights Law that Bans  
Discrimination in Public Schools



# Highlights of 504

- It is an “Access Law”
- Need to have a physical or mental disability that substantially limits at least ONE area of life.
- Schools can not discriminate and must make reasonable accommodations so that student can have access to the general education.
- For dyslexia this could mean extended time on test, assistive technology like “speech to text,” books on tape (Learning Ally and Bookshare), calculators if issues with math, computer for dysgraphia, etc.

# 504 vs. Special Education (IEP)

## 504 PLANS

- Don't have timeline for dyslexia evaluations. Law just says "reasonable" The evaluations are only for dyslexia.
- Can not get an IEE- Independent Educational Evaluation (like a second opinion)
- Parent is usually invited but not "voting member"
- Does not require Progress Monitoring
- If disagreement you file complaints with OCR- Office of Civil Rights.

## IEP PLANS

- School has 60 days to get a Full and Comprehensive Evaluation.
- Can get an IEE at district expense
- Parent Involvement- equal member of the team
- Requires Progress Monitoring and use of Evidence Based Programs. Very detailed Plans.
- If disagreement you have right to Due Process and are eligible for what is called "Compensatory Education"



**STATE LAWS**

# Rules for States to follow re: identification SLD

“[T]he regulations **do not require or prohibit a State's use of ‘cut scores’** when determining if there is a **severe discrepancy** between intellectual ability and achievement for determining whether a child has an SLD; rather, the regulations allow a **State flexibility** in establishing its criteria for determining whether a child has an SLD, as long as those criteria meet the requirements in 34 CFR § 300.307(a).

It is important to note that in determining whether a child has a disability -- whether an SLD or any of the other disability categories identified in 34 CFR § 300.8 -- the IDEA requires the use of a **variety of assessment tools** and strategies to gather relevant **functional, developmental, and academic information** about the child, and **prohibits the use of any single measure or assessment as the sole criterion** for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. 34 CFR § 300.304(b)(1) and (2).

***So, a State can use cut scores???? YES and NO????***

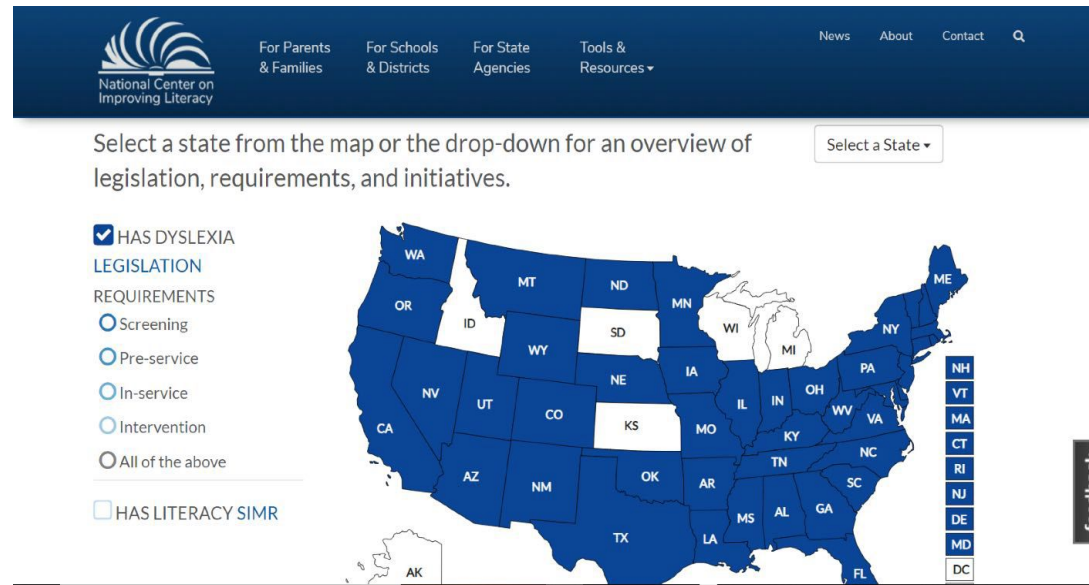
# Texas Guidelines for SLD Identification

- (A) A student with a learning disability is one who:
  - (i) has been determined through a variety of assessment tools and strategies to meet the criteria for a specific learning disability as stated in 34 CFR, §300.8(c)(10), in accordance with the provisions in 34 CFR, §§300.307-300.311; and
  - (ii) **does not achieve adequately** for the **student's age** or meet state-approved **grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving** when provided appropriate instruction, as indicated by performance on **multiple measures** such as in-class tests; grade average over time (e.g., six weeks, semester); norm- or criterion-referenced tests; statewide assessments; or a process based on the student's response to scientific, research-based intervention; and



STATE HANDBOOKS


# Does your State have a Dyslexia Handbook?



<https://improvingliteracy.org/state-of-dyslexia>




\*Remember: State Law can not trump Federal Law.

A close-up photograph of a map with several red pushpins. The pushpins are of varying heights and are scattered across the map. The map shows various streets and landmarks, including a road labeled 'ROAD' and a building labeled 'SOLARE'. The background is blurred, focusing attention on the pushpins and the map.

What does your  
State Require???

COMMON QUESTIONS:





School says they are using  
\_\_\_\_\_ program. Is  
that a good one?



Just because  
the mention  
a program  
you need  
**WAY** more  
info.....

## WILSON PROGRAMS:

- **FUNDATIONS:** For grades K-3 general education students and struggling or **at-risk readers** in the lowest 30<sup>th</sup> percentile.
- **JUST WORDS:** For students in grades 4-12 and adults who are **decoding and encoding below grade level**.
- **Wilson Reading System-** For students 2-12. This system is designed for students who require **more intensive** instruction due to a language-based learning disability, as well as those who are not making sufficient progress in intervention. When implemented with fidelity, this comprehensive program provides multisensory, structured instruction in all five areas of reading (phonemic awareness, word structure/phonics, fluency, vocabulary, and comprehension) plus spelling.





Intensive  
Intervention ▾

Tools  
Charts ▾

Implementation  
Support ▾

Intervention  
Materials ▾

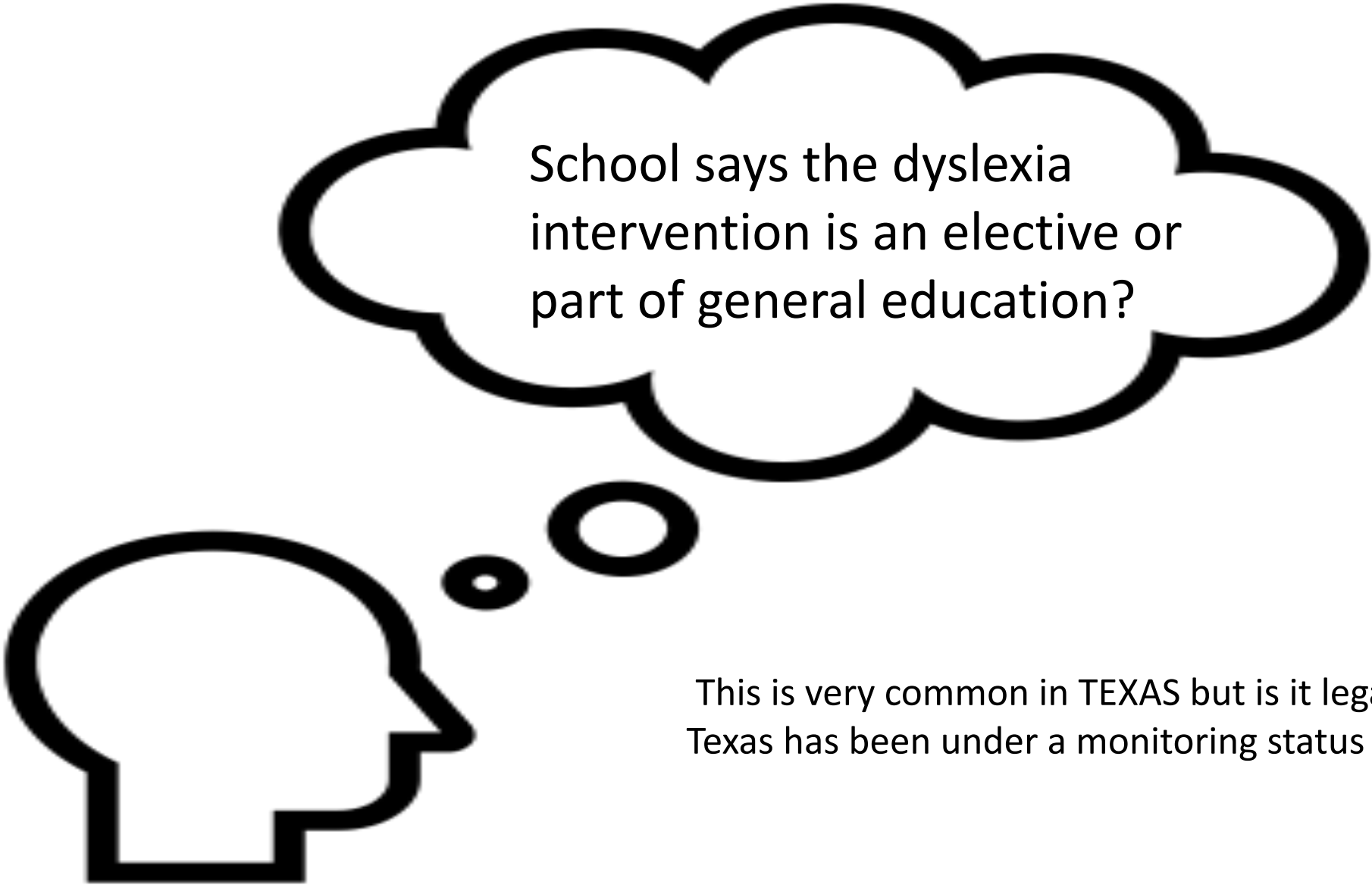
Information  
For... ▾

Resource Library

## National Center on Intensive Intervention Mission and Approach

NCII builds the capacity of state and local education agencies, universities, practitioners, and other stakeholders to support implementation of intensive intervention in literacy, mathematics, and behavior for students with severe and persistent learning and/or behavioral needs, often in the context of their multi-tiered system of support (MTSS) or special education services. NCII's approach to intensive intervention is **data-based individualization (DBI)**, a research-based process that integrates the systematic use of assessment data, validated interventions, and intensification strategies.





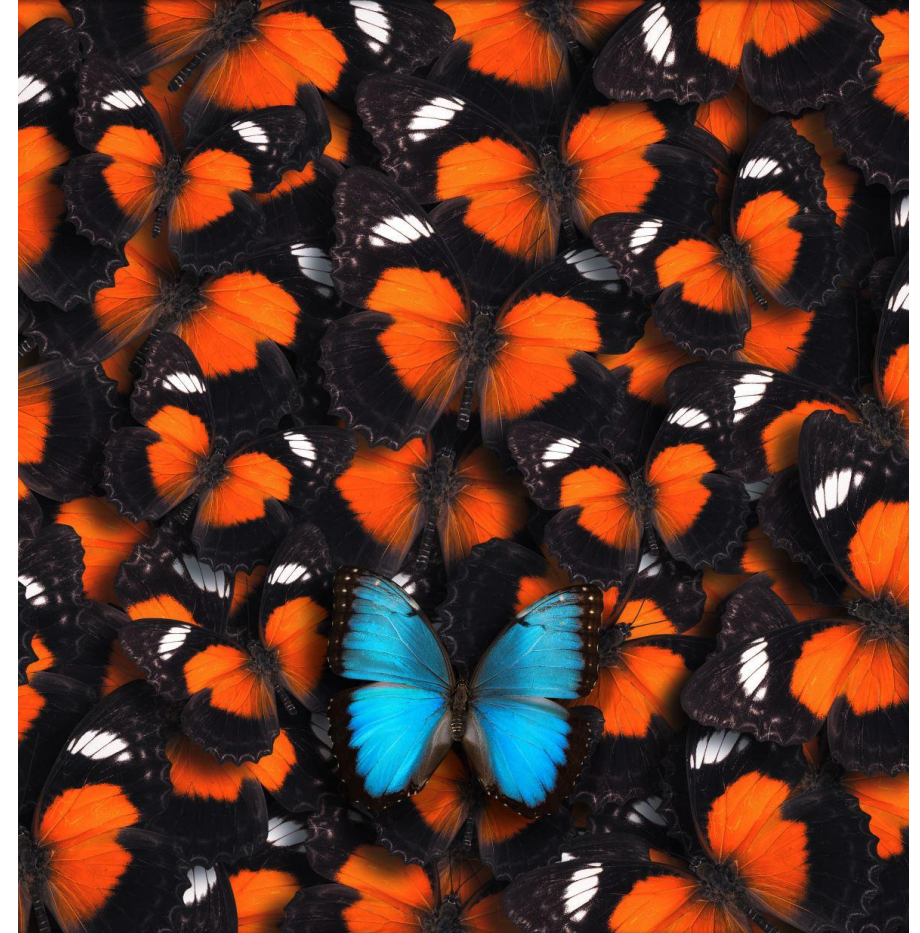
School says the dyslexia  
intervention is an elective or  
part of general education?

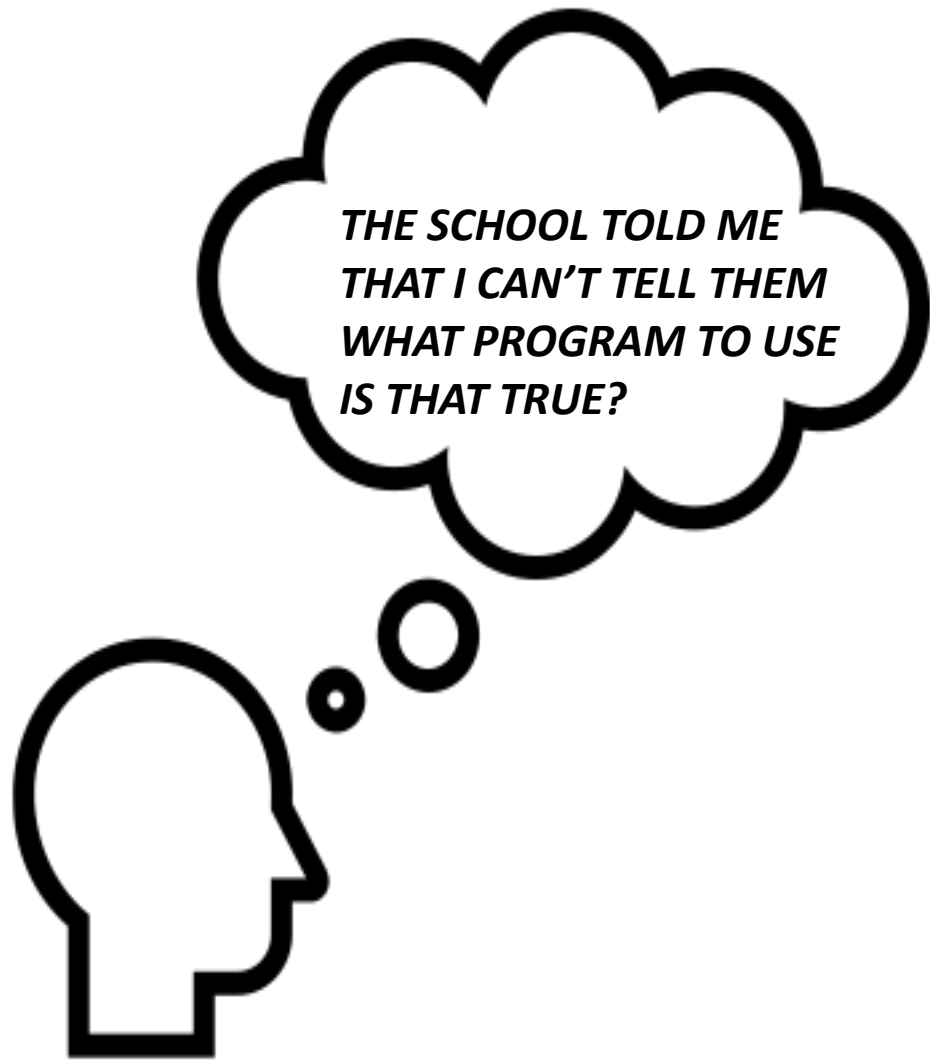
This is very common in TEXAS but is it legal? Remember,  
Texas has been under a monitoring status since 2017)



“OSEP recognizes that classrooms across the country are changing as the field of special education responds to innovative practices and increasingly flexible methods of teaching. **While the needs of many learners can be met using such methods, they do not replace the need of a child with a disability for *unique, individualized instruction* that responds to his or her disability and enables the child to meet the educational standards within the jurisdiction of the public agency that apply to all children.**”

*OSEP Letter to Chambers (May 9, 2012).*





SORT OF.....If your child has a need for SPECIFICALLY DESIGNED INSTRUCTION, then you have the right to get an EVIDENCED BASED PROGRAM that works for your child's SPECIFIC NEEDS. If they don't have that program, they they need to get it. So, the question becomes.....

WHAT EVIDENCE BASED PROGRAM WORKS TO HELP MY CHILD'S SPECIFIC NEEDS?





**YES!** Under 34 C.F.R. 300.500(b)(1) consent means that the parent has been informed of all information relevant to the activity for which consent is sought . . ." Thus, the parent is entitled to be informed as to all the relevant information so that the parent can determine whether to consent to the IEP. A parent is clearly not "informed" if the parent is ignorant about the education, training and experience of the personnel who will be implementing your child's disability program.

See: Gwinnett County School System, 4 ECLRP 98, 419, 429 (SEA Georgia 1999), the Hearing officer said, "the parents were not able to access the information that they needed to make an informed decision and could not, therefore, give their "informed consent."



# ***Group of Qualified Professionals***

**Federal Registry comments regarding qualifications of person doing evaluations...**




“We believe this [flexibility under § 300.308(b)] allows decisions about the specific qualifications of the members to be made at the local level, so that the composition of the group may vary depending on the nature of the child’s suspected disability, the expertise of local staff, and other relevant factors.

For example, for a child suspected of having an [specific learning disability] SLD in the area of reading, it might be important to include a reading specialist as part of the eligibility group.

However, for a child suspected of having an SLD in the area of listening comprehension, it might be appropriate for the group to include a speech-language pathologist with expertise in auditory processing disorders.”

*71 Fed. Reg. 46650 (August 14, 2006).*





My child didn't qualify but we  
spend hours on homework and  
my child gets tutoring.



# “Mitigating Factors”


“A student who has developed compensatory strategies as a result of personal strengths, family support, service augmentation, and what is certainly a lot of hard work, does not equate to benefiting from the curriculum which is the right provided under a Free and Appropriate Public Education (FAPE)”.

“OSEP recognizes a service augmentation effect as a result of extra learning support (such as tutoring) outside of school on the educational achievement levels of students with a specific learning disability such as dyslexia. Guidance states it is appropriate for school teams to consider this in the evaluation process.”

"Moreover, it has been the Department's long-standing position that, in general, it would be appropriate for the evaluation team to consider information about outside or extra learning support provided to the child to determine whether the child's current academic achievement reflects the service augmentation, and not what the child's achievement would be without such help."

•(Office of Special Education Programs Guidance, 2010)





They said my child is too smart  
for special ed?



# *Gifted...can't be special ed???*

---

“In the Analysis of Comments and Changes in the 2006 final regulations implementing Part B of the IDEA, the Department, in responding to public comments, ***recognized that there will be some students who are gifted but also need special education and related services.*** See 71 Fed. Reg. 46540, 46647 (Aug. 14, 2006) (‘Discrepancy models are not essential for identifying children with SLD who are gifted.

However, the regulations clearly allow discrepancies in achievement domains, typical of children with SLD who are gifted, to be used to identify children with SLD.’). In responding to a public comment specifically addressing students who are gifted and who have difficulty with reading fluency, the Department stated as follows: ***‘No assessment, in isolation, is sufficient*** to indicate that a child has an SLD. Including reading fluency in the list of areas to be considered when determining whether a child has an SLD makes it more likely that a child who is gifted and has an SLD would be identified.’ 71 Fed. Reg. at 46652.”

[OSEP Letter to Delisle \(December 20, 2013\).](#)




# What about this letter from OSEP?

Therefore, it would be inconsistent with the IDEA for a child, ***regardless of whether the child is gifted, to be found ineligible*** for special education and related services under the SLD category ***solely because the child scored above a particular cut score established by State policy.***

Further, under 34 CFR § 300.309(a)(1), the group described in § 300.306 may determine that a child has an SLD if the child ‘does not achieve adequately for the child's age or to meet State-approved grade level standards . . . when provided with learning experiences and instruction appropriate for the child's age or State-approved grade level standards’ in one or more of the following areas: ***oral expression; listening comprehension; written expression; basic reading skill; reading fluency skills; reading comprehension; mathematics calculation; or mathematics problem solving.***”

[OSEP Letter to Delisle \(December 20, 2013\).](#)





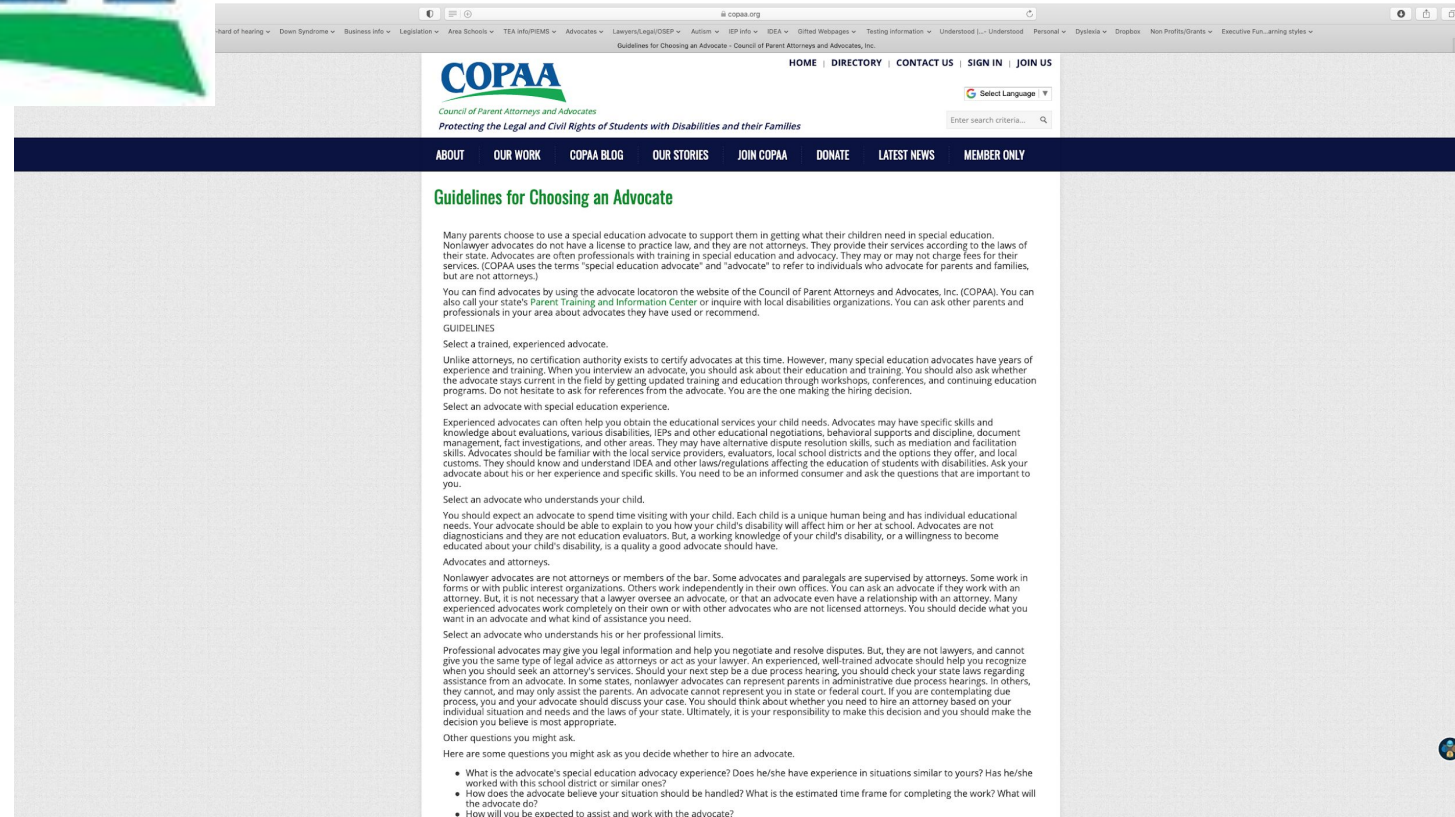
What if I want to hire an  
advocate?





# Council of Parent Attorneys and Advocates

\*COPAA has a directory of attorneys and advocates across the country



<https://www.copaa.org/page/GuidelinesAdv>





CONTACT PROGRAM PUBLISHER of Programs.



KEEP RECORDS AND SAMPLES OF YOUR CHILDS WORK..



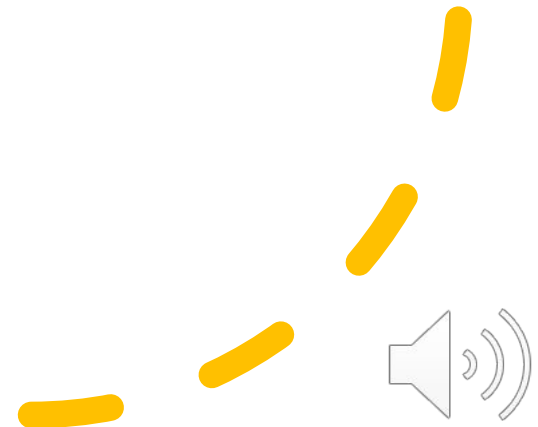
**MOST IMPORTANTLY:  
ALWAYS GO WITH YOUR  
GUT!**



# RESOURCES:

Plus Great  
Books,  
Websites,  
Non-Profits.

- <http://dyslexiahelp.umich.edu>
- <https://madebydyslexia.blog>
- <https://dyslexiaida.org>
- <https://www.facebook.com/DecodingDyslexiaTX/>
- <https://www.altaread.org>
- <https://www.wrightslaw.com>
- <http://www.ldonline.org>
- <https://www.readingrockets.org>
- <https://improvingliteracy.org>
- <https://learningally.org>
- <https://www.bookshare.org/cms/>



[Decoding Dyslexia](#) is a network of parent-led grassroots movements across the country concerned with the limited access to educational interventions for dyslexia within the public education system. Decoding Dyslexia aims to raise dyslexia awareness, empower families to support their children and inform policy-makers on best practices to identify, remediate and support students with dyslexia.



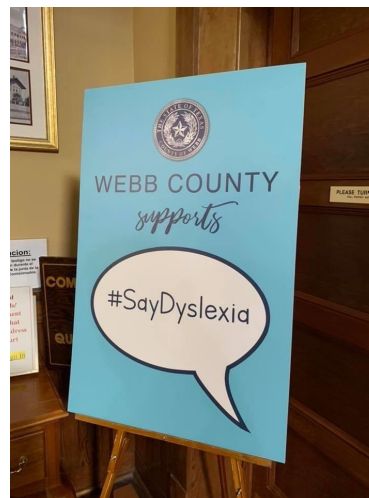


Proud to be  
TIME Magazine

"They're well  
professor at  
of Law who  
got the time



International  
**DYSLEXIA**  
Association®



#SayDyslexia with us and  
@HarveyHubbellIV Join  
Decoding Dyslexia from hom...





[www.readingrockets.org](http://www.readingrockets.org)



*Launching young readers!*

# Reading Rockets

For Students Who Are Not Yet Fluent, Silent Reading Is  
Not the Best Use of Classroom Time

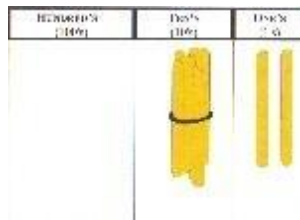
By: [Jan Hasbrouck](#)



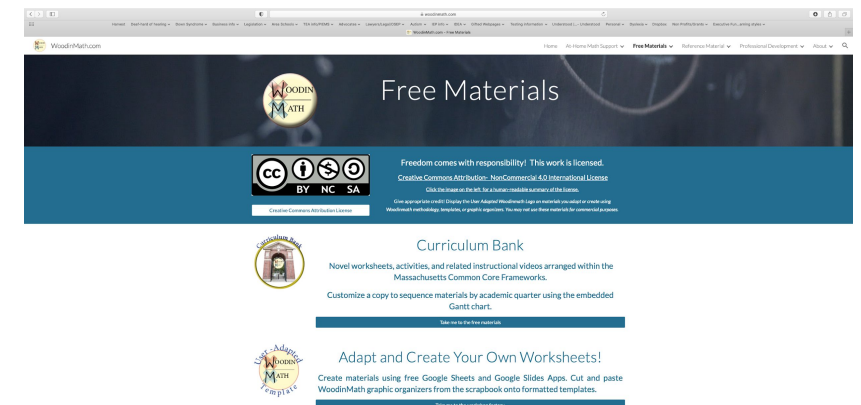
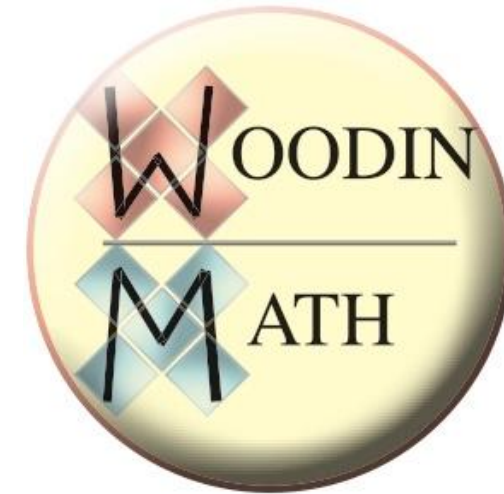
Richard Branson made Virgin.  
But dyslexia made Richard Branson.



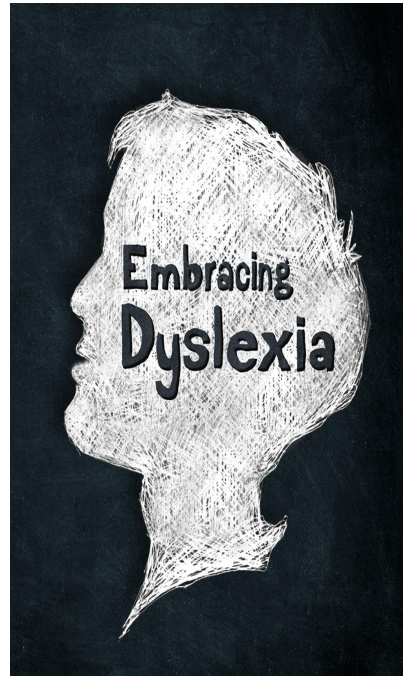
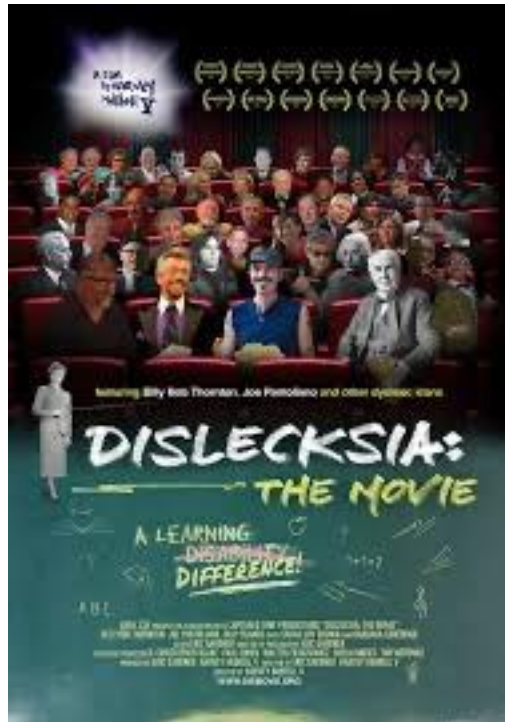
# Resources For DYSCALCULIA:



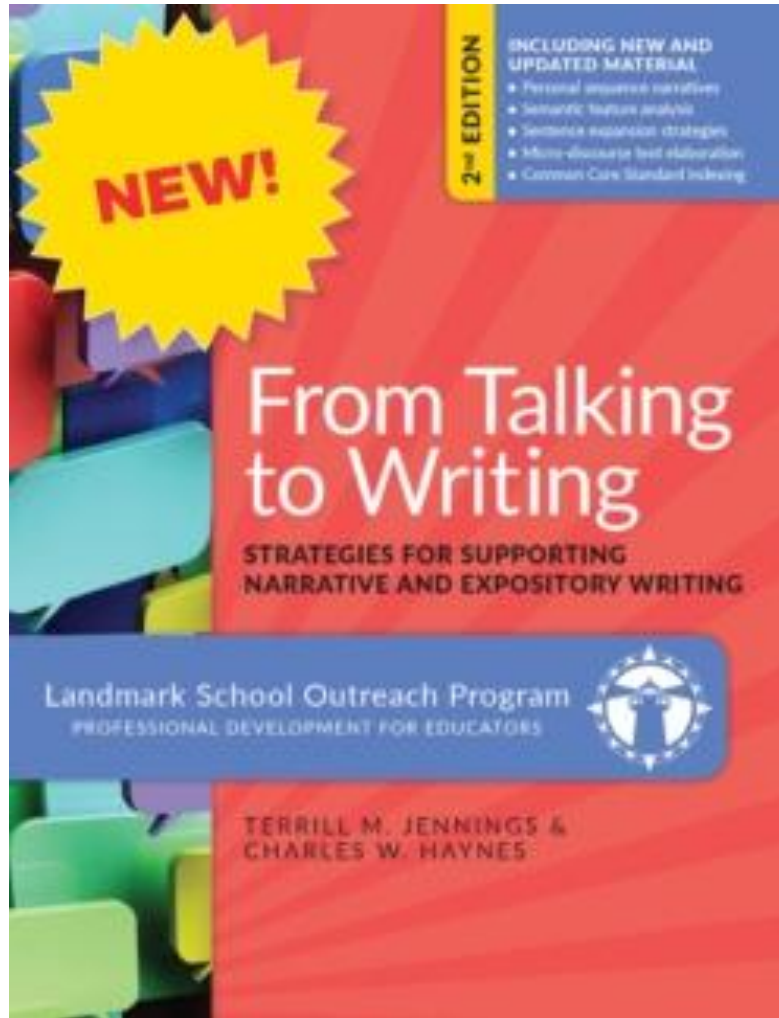
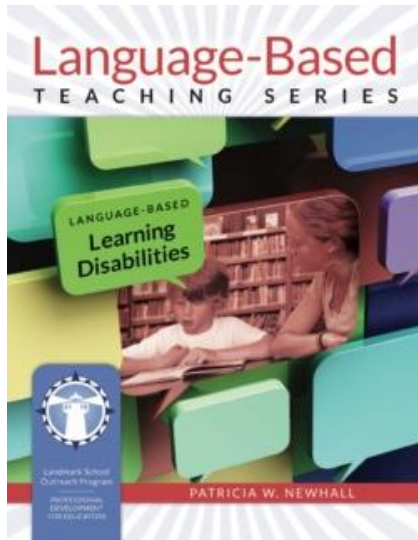
MULTISENSORY MATH - MARILYN ZECHER...



# Great Movies about Dyslexia:



# Dysgraphia Resources:



## Teaching Writing to Students with Dyslexia and Other Language LDs

Karin Eide  
Young Dyslexic  
Writers Awards  
[DyslexicAdvantage.org](http://DyslexicAdvantage.org)

Dr Charles Haynes

Massachusetts General Hospital  
IDA Margaret Rawson Lifetime Achievement Award

Join the Movement at: [DyslexicAdvantage.com](http://DyslexicAdvantage.com)

Dyslexic Advantage is a 501(c)3 non-profit organization.



# Dyslexia remediation Program for Spanish Speakers:



Dr. Elsa Cárdenas-Hagan



<https://www.valleyspeech.org/esperanza>



Where many *Dyslexia Specialist* get certified:

Some universities also offer training.





My favorite short video explaining dyslexia by Dr Sandy Hurley



## Dyslexia Fact Sheet

### Dyslexia is...

- ✓ A brain-based issue that makes it hard to learn to read accurately and fluently.
- ✓ A lifelong condition. Kids don't outgrow dyslexia, but with the right support, key skills can improve.
- ✓ A common learning issue. Many successful people have it, and researchers have been studying it for over a century.

### Dyslexia is not...

- ✗ A problem of intelligence. Kids with dyslexia are just as smart as their peers.
- ✗ A problem of vision. The core issue involves understanding how the sounds in words are represented by letters.
- ✗ A problem of laziness. Kids with dyslexia are already trying hard. They need more help to make progress.



### Ways to help kids with dyslexia

- Multisensory structured literacy instruction engages kids through sight, hearing, movement and touch.
- Accommodations help kids learn and show what they know, like doing an oral report instead of a written assignment.
- Assistive technology tools, like audiobooks and text-to-speech apps, can help level the playing field for struggling readers.

### Success stories

- Salma Hayek, Oscar-nominated actress
- Daymond John, Shark Tank star and CEO of FUBU
- Carol Greider, Nobel Prize-winning scientist

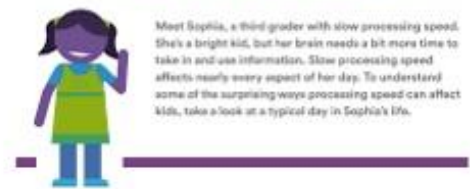
Understood

For more information on dyslexia and how to help, visit [u.org/dyslexia](https://www.understood.org/dyslexia)

## My Child's Grades Are "Too Good" for Accommodations. What Can I Do?

By Bob Cunningham, Ed.M.

## A Day in the Life of a Child With Slow Processing Speed



<https://www.dyslexiatraininginstitute.org>

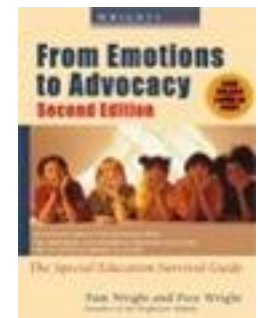
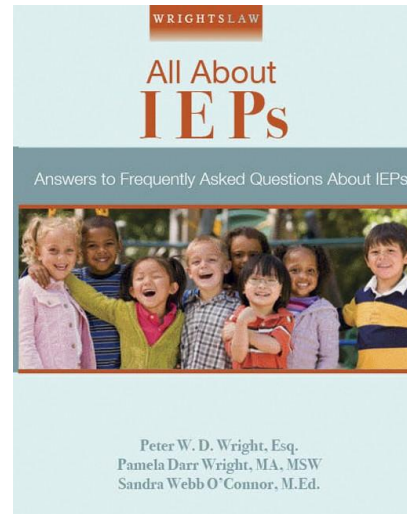
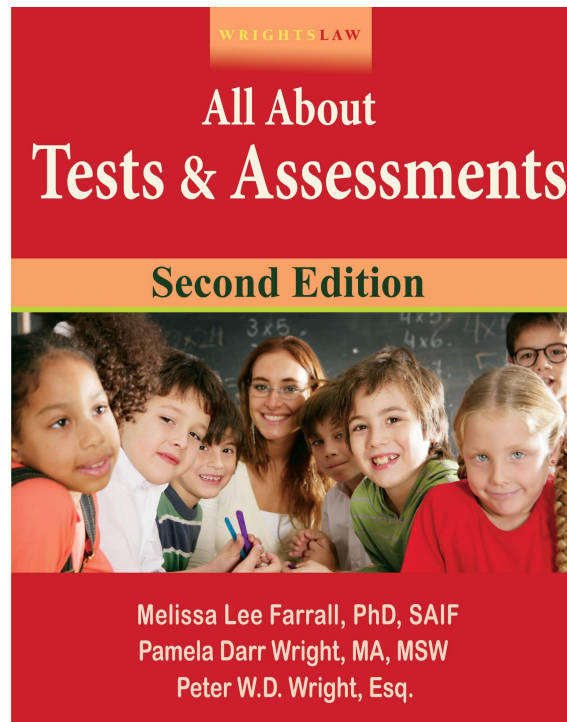


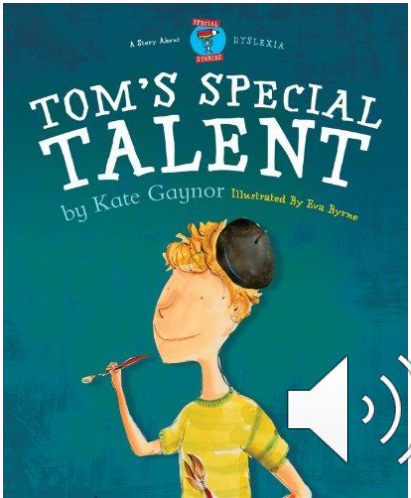
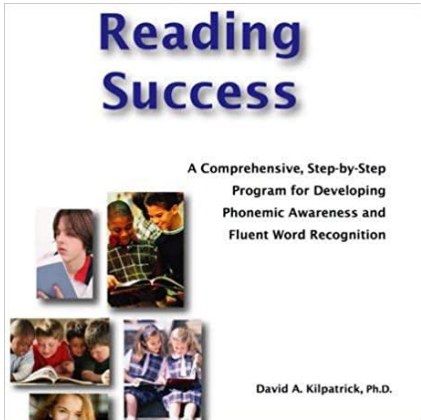
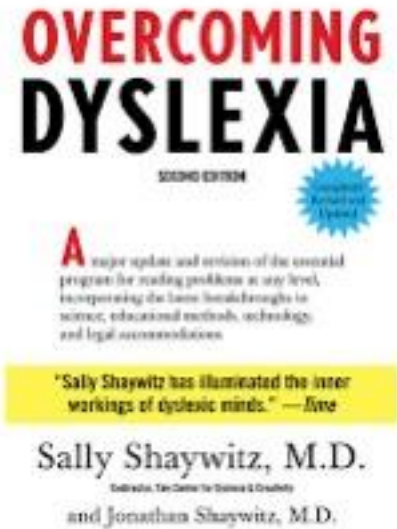
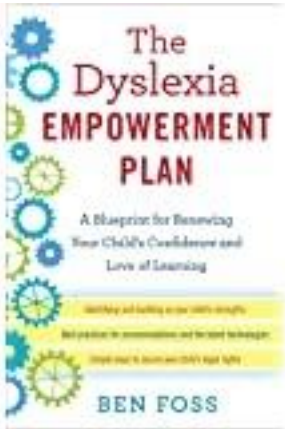
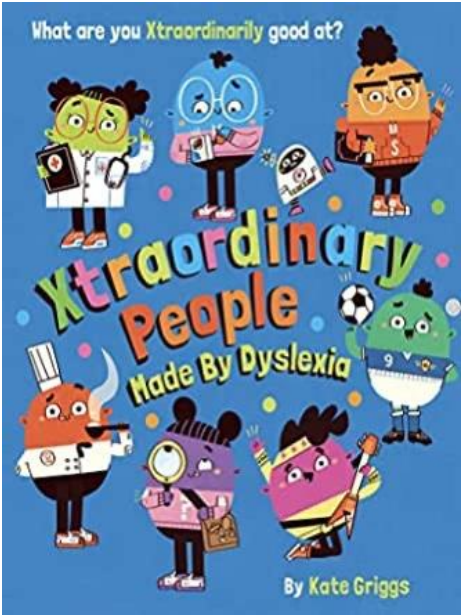
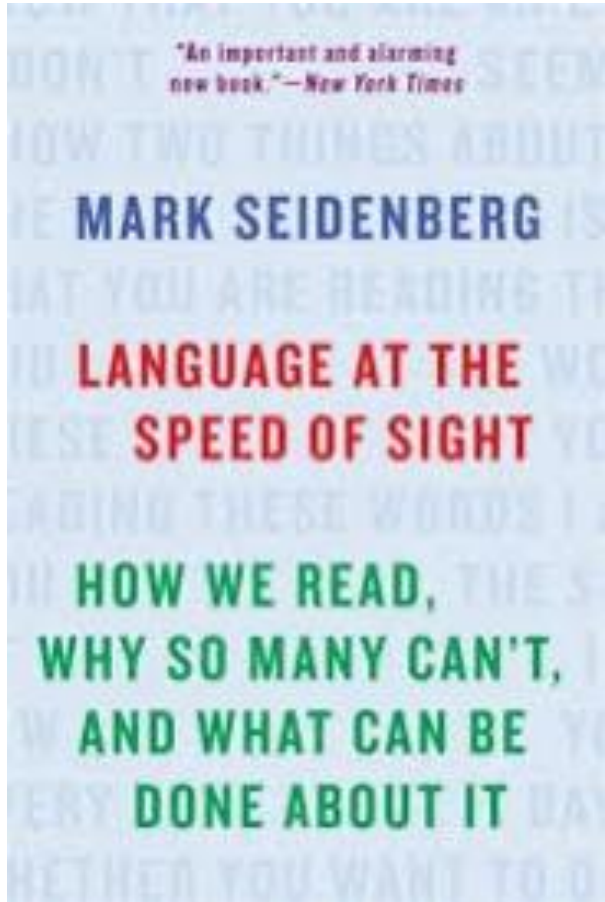
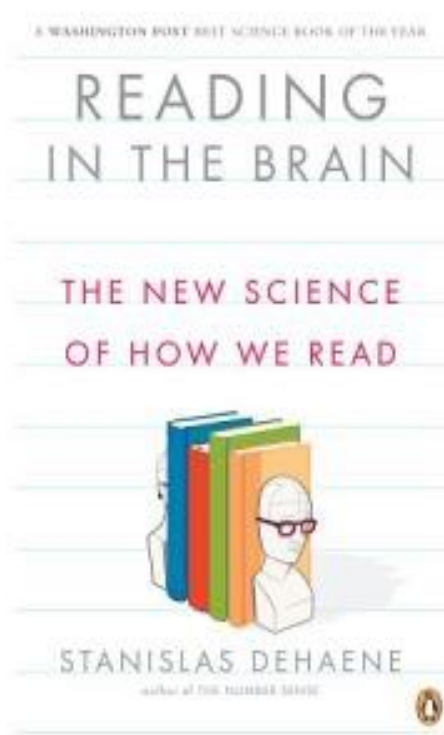
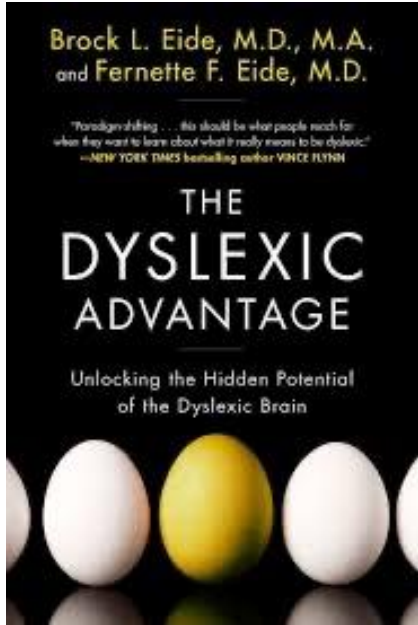
## History Now

New content is added regularly to the website, including ONLINE EXHIBITIONS, VIDEOS, lesson plans, and issues of the online journal History Now, which features ESSAYS by leading scholars on major topics in American history.



Favorite Parent Right training:





# Data and Research Links:

- [https://www.95percentgroup.com/docs/default-source/understanding-dyslexia/understanding-dyslexia-resource\\_comorbidity.pdf?sfvrsn=2](https://www.95percentgroup.com/docs/default-source/understanding-dyslexia/understanding-dyslexia-resource_comorbidity.pdf?sfvrsn=2)
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3878726/>
- [https://www.understood.org/en/school-learning/special-services/special-education-basics/understanding-special-education#What\\_is\\_special\\_education](https://www.understood.org/en/school-learning/special-services/special-education-basics/understanding-special-education#What_is_special_education)
- [https://assets.ctfassets.net/p0qf7j048i0q/5mCyZWw2Px6V0rd7eM6pD9/2cd896d2bcc9568ed70d86d02c8581b3/IDEA\\_Fact\\_Sheet\\_Understood.pdf](https://assets.ctfassets.net/p0qf7j048i0q/5mCyZWw2Px6V0rd7eM6pD9/2cd896d2bcc9568ed70d86d02c8581b3/IDEA_Fact_Sheet_Understood.pdf)



## Helping Parents Navigate:

ADHD

Anxiety

Autism Spectrum

Behavior Plans/FBA

Dyslexia/Dysgraphia

Educational testing

IEP/ARD

504/Accommodations

 512-775-2700

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 [www.daphnecorder.com](http://www.daphnecorder.com)

