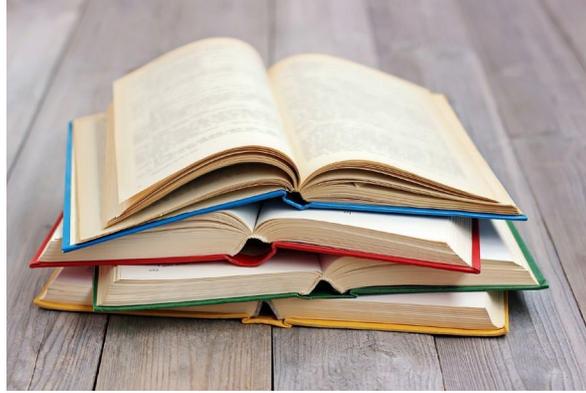




District Dyslexia and  
Dysgraphia Plan

2022-23

- Reading is the fundamental skill upon which all formal education depends.



- Research now shows that a child who doesn't learn the reading basics early is unlikely to learn them at all.



- Any child who doesn't learn to read early and well will not easily master other skills and knowledge, and is likely to ever flourish in school.

Moats, L. C. (June, 1999). Teaching reading is rocket science. What expert teachers should be able to do. Washington, DC: American Federation

# Bullard Independent School District

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# BULLARD INDEPENDENT SCHOOL DISTRICT

## BISD DYSLEXIA MISSION STATEMENT

The mission of Bullard Independent School District Dyslexia program is to:

- Match specialized instruction to the individual needs of students with dyslexia and related disorders.
- Provide opportunities for these students to develop their full potential as independent readers and to prepare them to lead successful and productive lives.

## BISD DYSLEXIA PROGRAM GOALS

Bullard ISD Program Goals and Objectives:

- Implement researched based instruction to improve students reading, spelling, oral and written expression, to improve students' overall academic performance as measured by grades, state assessments, progress measures, work samples, and other academic assessments.
- Heighten student awareness of their strengths, to gain stronger confidence and self-esteem.
- Maintain support of students identified with dyslexia and related disorders in all academic areas.

## BISD DYSLEXIA PROGRAM CONTACTS

Location	Name	Phone Number
Bullard ISD Administration	Cheryl Hendrix Assistant Superintendent	903-894-6639 <a href="mailto:cheryl.hendrix@bullardisd.net">cheryl.hendrix@bullardisd.net</a>
Bullard ISD Teaching and Learning	Shelley Pinkerton Director of Special Education and 504 Program	903-894-2876 <a href="mailto:shelley.pinkerton@bullardisd.net">shelley.pinkerton@bullardisd.net</a>

# BULLARD INDEPENDENT SCHOOL DISTRICT

## SOURCES OF LAWS AND RULES FOR DYSLEXIA IDENTIFICATION AND INSTRUCTION

### Texas Education Code §38.003 (State Law)

#### **Screening and Treatment for Dyslexia and Related Disorders**

- (a) Students enrolling in public schools in this state shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.
- (b) In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.
  - (b-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.
- (c) The State Board of Education shall adopt any rules and standards necessary to administer this section. (c-1) The agency by rule shall develop procedures designed to allow the agency to:
  - (1) Effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section:
  - (2) Identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section; and
  - (3) Develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.
- (d) In this section:
  - (1) "Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.
  - (2) "Related disorders" includes disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

### Texas Education Code §38.0031 (State Law)

#### **§38.0031 Classroom Technology Plan for Students with Dyslexia**

- (a) The agency shall establish a committee to develop a plan for integrating technology into the classroom to help accommodate students with dyslexia. The plan must:
  - (1) determine the classroom technologies that are useful and practical in assisting

public schools in accommodating students with dyslexia, considering budget constraints of school districts; and

(2) develop a strategy for providing those effective technologies to students.

(b) The agency shall provide the plan and information about the availability and benefits of the technologies identified under Subsection (a) (1) to school districts.

(c) A member of the committee established under Subsection (a) is not entitled to reimbursement for travel expenses incurred by the member under this section unless agency funds are available for that purpose.

## Texas Education Code §28.006 (State Law)

### Reading Diagnosis

- (a) The commissioner shall develop recommendations for school districts for:
  - (1) administering reading instruments to diagnose student reading development and comprehension;
  - (2) training educators in administering the reading instruments; and
  - (3) applying the results of the reading instruments to the instructional program.
- (b) The commissioner shall adopt a list of reading instruments that a school district may use to diagnose student reading development and comprehension. For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt a multidimensional assessment tool that includes a reading instrument and tests at least three developmental skills, including literacy. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A district-level committee established under Subchapter F, Chapter 11, may adopt a list of reading instruments for use in the district in a grade level other than kindergarten in addition to the reading instruments on the commissioner's list. Each reading instrument adopted by the commissioner or a district-level committee must be based on scientific research concerning reading skills development and reading comprehension. A list of reading instruments adopted under this subsection must provide for diagnosing the reading development and comprehension of students participating in a program under Subchapter B, Chapter 29.
- (b-1) The commissioner may approve an alternative reading instrument for use in diagnosing the reading development and comprehension of kindergarten students that complies with the requirements under Subsection (b).
- (c) Each school district shall administer, at the kindergarten and first- and second-grade levels, a reading instrument on the list adopted by the commissioner or by the district-level committee. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1).
- (c-1) Each school district shall administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the assessment instrument in reading administered under Section 39.023(a) to the student in grade six did not demonstrate reading proficiency, as determined by the commissioner. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1).
- (c-2) Each school district shall administer at the kindergarten level a reading instrument adopted by the commissioner under Subsection (b) or approved by the commissioner under Subsection (b-1). The district shall administer the reading instrument in accordance with the commissioner's

recommendations under Subsection (a)(1).

- (c-3) The commissioner by rule shall determine the performance on the reading instruments adopted under Subsection (b) that indicates kindergarten readiness.
- (d) The superintendent of each school district shall:
  - (1) report to the commissioner and the board of trustees of the district the results of the reading instruments; and not later than the 60<sup>th</sup> calendar day after the date on which a reading instrument was administered report, in writing, to a student's parent or guardian the student's results on the instrument; and
  - (2) using the school readiness certification system provided to the school district in accordance with Section 29.161(e), report electronically each student's raw score on the reading instrument to the agency for use in the school readiness certification system.
- (f) The agency shall ensure at least one reading instrument for each grade level for which a reading instrument is required to be administered under this section is available to school districts at no cost.
- (g) A school district shall notify the parent or guardian of each student in kindergarten or first or second- grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties. The district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to those students and shall determine the form, content, and timing of that program. The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter B, Chapter 29, and who does not perform satisfactorily on a reading instrument under this section shall determine the manner in which the student will participate in an accelerated reading instruction program under this subsection.
- (g-1) A school district shall provide additional reading instruction and intervention to each student in seventh grade assessed under Subsection (c-1), as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument. Training and support for activities required by this subsection shall be provided by regional education service centers and teacher reading academies established under Section 21.4551, and may be provided by other public and private providers.
- (g-2) In accordance with a notification program developed by the commissioner by rule, a school district shall notify the parent or guardian of each student determined, on the basis of a screening under Section §38.003 or other basis, to have dyslexia or a related disorder, or determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties, of the program maintained by the Texas State Library and Archives Commission providing students with reading disabilities the ability to borrow audiobooks free of charge.
- (h) The school district shall make a good faith effort to ensure that the notice required under this section is provided either in person or by regular mail and that the notice is clear and easy to understand and is written in English and in the parent or guardian's native language.
- (i) The commissioner shall certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section. A determination by the commissioner is final and may not be appealed. For purposes of certification, the commissioner may not consider Foundation School Program funds.
- (j) No more than 15 percent of the funds certified by the commissioner under Subsection (i) may be

spent on indirect costs. The commissioner shall evaluate the programs that fail to meet the standard of performance under Section 39.051(c)(5) and may implement sanctions under Chapter 39A. The commissioner may audit the expenditures of funds appropriated for purposes of this section. The use of the funds appropriated for purposes of this section shall be verified as part of the district audit under Section 44.008.

- (k) The provisions of this section relating to parental notification of a student's results on the reading instrument and to implementation of an accelerated reading instruction program may be implemented only if the commissioner certifies that funds have been appropriated during a school year for administering the accelerated reading instruction program specified under this section.
- (l) The agency by rule shall develop procedures designed to allow the agency to:
  - (1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section;
  - (2) identify any problems school districts experience in complying with this section; and
  - (3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

#### [Texas Education Code §7.028\(b\) \(State Law\)](#)

##### **Limitation on Compliance Monitoring**

- (b) The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.

#### [Texas Administrative Code §74.28 \(State Board of Education Rule\)](#)

##### **Students with Dyslexia and Related Disorders**

- (a) In order to support and maintain full educational opportunity for students with dyslexia and related disorders and consistent with federal and state law, 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.
- (b) The board of trustees of a school district or the governing body of an open-enrollment charter school must ensure that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate, evidence-based instructional services to the student are implemented in the district.
- (c) A school district's or open-enrollment charter school's procedures must be implemented according to the State Board of Education (SBOE) approved strategies for screening, individualized evaluation, and techniques for treating dyslexia and related disorders. The strategies and techniques are described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders" provided in this subsection. The handbook is a set of guidelines for school districts and open-enrollment charter schools that may be modified by the SBOE only with broad-based dialogue that includes input from educators and professionals in the field of reading and dyslexia and related disorders from across the state.
- (d) 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.

- (e) A school district or open-enrollment charter school shall purchase a reading program or develop its own evidence-based reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." Teachers who screen and treat these students must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders. " The professional development activities specified by each open-enrollment charter school and district and/or campus planning and decision-making committee shall include these instructional strategies.
- (f) At least five school days before any evaluation or identification 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. The notice must be in English, or to the extent practicable, the individual's native language and must include the following:
  - (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;
  - (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.
- (g) Before a full individual and initial evaluation is conducted to determine whether a student has a disability under the Individuals with Disabilities Education Act (IDEA), the school district or open enrollment charter school must notify the student's parent or guardian or another person standing in parental relation to the student of its proposal to conduct an evaluation consistent with 34 Code of Federal Regulations (CFR), §300.503, provide all information required under subsection (f) of this section, and provide:
  - (1) a copy of the procedural safeguards notice required by 34 CFR, §300.504;
  - (2) an opportunity to give written consent for the evaluation; and
  - (3) a copy of information required under Texas Education Code (TEC), §26.0081.
- (h) Parents/guardians of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by TEC, §26.0081(d), and options under federal law, including IDEA and the Rehabilitation Act, §504.
- (i) Each school or open-enrollment charter school must provide each identified student access at his or her campus to instructional programs required in subsection (e) of this section and to the services of a teacher trained in dyslexia and related disorders. The school district or open-enrollment charter school may, with the approval of each student's parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.
- (j) Because early intervention is critical, a process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available in each district and open enrollment charter school as outlined in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." School districts and open-enrollment charter schools may not use early

intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

- (k) Each school district and open-enrollment charter school shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) the results of the screening for dyslexia and related disorders required for each student in Kindergarten and each student in Grade 1 in accordance with TEC §38.003(a).
- (l) Each school district and open-enrollment charter school shall provide a parent education program for parents/guardians of students with dyslexia and related disorders. This program must include:
  - (1) awareness and characteristics of dyslexia and related disorders;
  - (2) information on testing and diagnosis of dyslexia and related disorders;
  - (3) information on effective strategies for teaching students with dyslexia and related disorders;
  - (4) information on qualifications of those delivering services to students with dyslexia and related disorders;
  - (5) awareness of information on accommodations and modifications, especially those allowed for standardized testing;
  - (6) information on eligibility, evaluation requests, and services available under IDEA and the Rehabilitation Act, §504, and information on the response to intervention process; and
  - (7) contact information for the relevant regional and/or school district or open-enrollment charter school specialists.
- (m) School districts and open-enrollment charter schools shall provide to parents of children suspected to have dyslexia or a related disorder a copy or a link to the electronic version of the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders."
- (n) School districts and open-enrollment charter schools will be subject to monitoring for compliance with federal law and regulations in connection with this section. School districts and open-enrollment charter schools will be subject to auditing and monitoring for compliance with state dyslexia laws in accordance with administrative rules adopted by the commissioner of education as required by TEC §38.003(c-1).

## [Texas Education Code §42.006\(a-1\) \(State Law\)](#)

### **§42.006 Public Education Information Management System (PEIMS)**

- (a-1) The commissioner by rule shall require each school district and open-enrollment charter school to report through the Public Education Information Management System information regarding the number of students enrolled in the district or school who are identified as having dyslexia. The agency shall maintain the information provided in accordance with this subsection.

## [Texas Education Code §21.044 \(State Law\)](#)

### **Educator Preparation**

- (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall

specify the minimum academic qualifications required for a certificate.

- (b) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia.
- (c) The instruction under Subsection (b) must:
  - (1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:
    - (A) employed by institutions of higher education; and
    - (B) approved by the board; and
  - (2) include information on:
    - (A) characteristics of dyslexia;
    - (B) identification of dyslexia; and
    - (C) effective, multisensory strategies for teaching students with dyslexia.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by: Acts 2015, 84th Leg., R.S., Ch. [931](#), Sec. 3, eff. September 1, 2015.

## Texas Education Code §21.054 (State Law)

### Continuing Education

The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.

- (a) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (b) The training required under Subsection (b) may be offered in an online course.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by: Acts 2005, 79th Leg., Ch. [675](#), Sec. 2, eff. June 17, 2005, Acts 2009, 81st Leg., R.S., Ch. [596](#), Sec. 1, eff. September 1, 2009, Acts

2009, 81st Leg., R.S., Ch. [895](#), Sec. 67(a), eff. June 19, 2009, Acts 2011, 82nd Leg., R.S., Ch. [635](#), Sec. 2, eff. June 17, 2011.

## Texas Education Code §51.9701 (State Law)

### §51.9701 Assessment for Dyslexia

Unless otherwise provided by law, an institution of higher education, as defined by Section 61.003, may not reassess a student determined to have dyslexia for the purpose of assessing the student's need for accommodations until the institution of higher education reevaluates the information obtained from previous assessments of the student.

Added by Acts 2011, 82<sup>nd</sup> Leg., R.S., Ch. [635](#), Sec. 5, eff. June 17, 2011.

# The Dyslexia Handbook-2018 Update: Procedures Concerning Dyslexia and Related Disorders

## School boards MUST ensure the following:

- Procedures for identifying a student with dyslexia or a related disorder are implemented in the district (TAC §74.28(b)).
- Procedures for providing appropriate instructional services to the student are implemented in the district (TAC §74.28(b)).
- The district or school complies with all applicable requirements of state educational programs (TEC §7.028).

## School districts MUST do the following:

- Administer kindergarten and grade 1 dyslexia screening (TEC §38.003(a))
- Administer K–2 early reading instruments and grade 7 reading instrument (TEC §28.006(c)-(c-1))
- Provide early identification, intervention, and support (TEC §28.006(g)-(g-1))
- Apply results of early reading instruments to instruction and report to the commissioner of education (TEC §28.006(d))
- Implement SBOE-approved procedures for screening, individualized evaluation, and techniques for treating students with dyslexia and related disorders (*Dyslexia Handbook* and TAC §74.28(c))
- Provide training about dyslexia to educators and ensure that campus planning and decision-making committee addresses dyslexia instructional strategies in professional development activities (TAC §74.28(e) and TAC §232.11)
- Ensure that the procedures for identification and instruction are in place (TAC §74.28)
- Notify parents in writing at least five school days before an evaluation or identification procedure is used with an individual student (TAC §74.28(f))
- Screen or test for dyslexia at appropriate times (TEC §38.00)

Ensure that rescreening or re-evaluating for the purposes of accommodations does not occur until after current testing has been reviewed (TEC 38.003(b-1))

- Meet the requirements of IDEA or Section 504, as applicable, when evaluation for dyslexia or related disorders is recommended (*Dyslexia Handbook*)
- Provide treatment (instruction) for students with dyslexia or related disorders (TEC §38.003 and TAC 74.28(i))
- Purchase or develop programs that include descriptors listed in the *Dyslexia Handbook* (TAC §74.28(e))
- Inform parents of all services and options available to students eligible under IDEA or Section 504 (TAC §74.28(h))
- Provide students with services of a teacher trained in dyslexia and related disorders (TAC §74.28(i))
- Provide parents of children suspected to have dyslexia or a related disorder a copy or link to the *Dyslexia Handbook* (TAC §74.28(j))
- Provide a parent education program (TAC §74.28(k))
- Report through PEIMS information regarding the number of students enrolled in the district or school who are identified as having dyslexia (TEC §42.006(a-1))

The following is a checklist of procedures for ensuring compliance with state and federal laws\* and rules:

- Notify parents/guardians of proposal to evaluate student for dyslexia (IDEA and Section 504).
- Inform parents/guardians of their rights under IDEA and/or Section 504
- Obtain parent or guardian permission to evaluate student for dyslexia or related disorder (IDEA and Section 504)
- Administer measures using only individuals/professionals who are trained in assessment to evaluate students for dyslexia and related disorders (TAC §74.28(d)).
- Ensure that identification of dyslexia is made by the ARD or Section 504 committee of persons knowledgeable about the reading process, dyslexia and dyslexia instruction, the assessments used, and the meaning of the collected data (*Dyslexia Handbook*)
- Provide dyslexia instruction in accordance with TEC §38.003.
- Provide ongoing training opportunities for teachers (TEC §21.0054(b)).

The following is a checklist of written documentation that is recommended to ensure compliance with IDEA:

- Documentation that the notice of evaluation has been provided in writing to parent/guardian
- Documentation that parents/guardians were provided notice of their rights (procedural safeguards)
- Documentation of parent/guardian consent for evaluation
- Documentation of the evaluation data
- Documentation of decisions made by the committee of knowledgeable persons
- Documentation of eligibility, services, and placement options and decisions

## Section 504 of the Rehabilitation Act of 1973

(Federal Law-selected portions) 34 C.F.R. Part 104

### **Sec. 104.4 Discrimination prohibited.**

- (a) *General.* No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance.
- (b) *Discriminatory actions prohibited.* (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:
- (i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;
  - (ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;
  - (iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;
  - (iv) Provide different or separate aid, benefits, or services to handicapped persons or to any class of handicapped persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;
  - (v) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the recipient program or activity;
  - (vi) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or
  - (vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.
- (2) For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.
- (3) Despite the existence of separate or different aid, benefits, or services provided in accordance with this part, a recipient may not deny a qualified handicapped person the opportunity to participate in such aid, benefits, or services that are not separate or different.
- (4) A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration (i) that have the effect of subjecting qualified handicapped persons to discrimination on the basis of handicap, (ii) that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient's program or activity with respect to handicapped persons, or (iii) that perpetuate the discrimination of another recipient if both recipients are subject to common administrative control or are agencies of the same State.

(5) In determining the site or location of a facility, an applicant for assistance or a recipient may not make selections (i) that have the effect of excluding handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives Federal financial assistance or (ii) that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to handicapped persons.

(6) As used in this section, the aid, benefit, or service provided under a program or activity receiving Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

(c) *Aid, benefits or services limited by Federal law.* The exclusion of nonhandicapped persons from aid, benefits, or services limited by Federal statute or executive order to handicapped persons or the exclusion of a specific class of handicapped persons from aid, benefits, or services limited by Federal statute or executive order to a different class of handicapped persons is not prohibited by this part.

## Subpart D-Preschool, Elementary, and Secondary Education

### **Sec. 104.31 Application of this subpart.**

Subpart D applies to preschool, elementary, secondary, and adult education programs or activities that receive Federal financial assistance and to recipients that operate, or that receive Federal financial assistance for the operation of, such programs or activities.

### **Sec. 104.32 Location and notification.**

A recipient that operates a public elementary or secondary education program or activity shall annually:

(a) Undertake to identify and locate every qualified handicapped person residing in the recipient's jurisdiction who is not receiving a public education; and

(b) Take appropriate steps to notify handicapped persons and their parents or guardians of the recipient's duty under this subpart.

### **Sec. 104.33 Free appropriate public education.**

(a) *General.* A recipient that operates a public elementary or secondary education program or activity shall provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap.

(b) *Appropriate education.* (1) For the purpose of this subpart, the provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of 104.34, 104.35, and 104.36.

(2) Implementation of an Individualized Education Program developed in accordance with the Education of the Handicapped Act is one means of meeting the standard established in paragraph (b)(1)(i) of this section.

(3) A recipient may place a handicapped person or refer such a person for aid, benefits, or services other

than those that it operates or provides as its means of carrying out the requirements of this subpart. If so, the recipient remains responsible for ensuring that the requirements of this subpart are met with respect to any handicapped person so placed or referred.

(c) *Free education -- (1) General.* For the purpose of this section, the provision of a free education is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on non-handicapped persons or their parents or guardian. It may consist either of the provision of free services or, if a recipient places a handicapped person or refers such person for aid, benefits, or services not operated or provided by the recipient as its means of carrying out the requirements of this subpart, of payment for the costs of the aid, benefits, or services. Funds available from any public or private agency may be used to meet the requirements of this subpart. Nothing in this section shall be construed to relieve an insurer or similar third party from an otherwise valid obligation to provide or pay for services provided to a handicapped person.

(2) *Transportation.* If a recipient places a handicapped person or refers such person for aid, benefits, or services not operated or provided by the recipient as its means of carrying out the requirements of this subpart, the recipient shall ensure that adequate transportation to and from the aid, benefits, or services is provided at no greater cost than would be incurred by the person or his or her parents or guardian if the person were placed in the aid, benefits, or services operated by the recipient.

(3) *Residential placement.* If a public or private residential placement is necessary to provide a free appropriate public education to a handicapped person because of his or her handicap, the placement, including non-medical care and room and board, shall be provided at no cost to the person or his or her parents or guardian.

(4) *Placement of handicapped persons by parents.* If a recipient has made available, in conformance with the requirements of this section and 104.34, a free appropriate public education to a handicapped person and the person's parents or guardian choose to place the person in a private school, the recipient is not required to pay for the person's education in the private school. Disagreements between a parent or guardian and a recipient regarding whether the recipient has made a free appropriate public education available or otherwise regarding the question of financial responsibility are subject to the due process procedures of 104.36.

(d) *Compliance.* A recipient may not exclude any qualified handicapped person from a public elementary or secondary education after the effective date of this part. A recipient that is not, on the effective date of this regulation, in full compliance with the other requirements of the preceding paragraphs of this section shall meet such requirements at the earliest practicable time and in no event later than September 1, 1978.

#### Sec. 104.34 Educational setting.

(a) *Academic setting.* A recipient to which this subpart applies shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever a recipient places a person in a setting other than the regular educational environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the person's home.

(b) *Nonacademic settings.* In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in 104.37(a)(2), a recipient shall ensure that handicapped persons participate with nonhandicapped

persons in such activities and services to the maximum extent appropriate to the needs of the handicapped person in question.

(c) *Comparable facilities.* If a recipient, in compliance with paragraph (a) of this section, operates a facility that is identifiable as being for handicapped persons, the recipient shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the recipient.

### **Sec. 104.35 Evaluation and placement.**

- (a) *Preplacement evaluation.* A recipient that operates a public elementary or secondary education program or activity shall conduct an evaluation in accordance with the requirements of paragraph (b) of this section of any person who, because of handicap, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in regular or special education and any subsequent significant change in placement.
- (b) *Evaluation procedures.* A recipient to which this subpart applies shall establish standards and procedures for the evaluation and placement of persons who, because of handicap, need or are believed to need special education or related services which ensure that:
- (1) Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
  - (2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
  - (3) Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
- (c) *Placement procedures.* In interpreting evaluation data and in making placement decisions, a recipient shall (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and (4) ensure that the placement decision is made in conformity with 104.34.
- (d) *Reevaluation.* A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act is one means of meeting this requirement.

### **Sec. 104.36 Procedural safeguards.**

A recipient that operates a public elementary or secondary education program or activity shall establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of handicap, need or are believed to need special instruction or related services, a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section 615 of the Education of the Handicapped Act is one means of meeting this requirement.

### **Sec. 104.37 Nonacademic services.**

- (a) *General.* (1) A recipient to which this subpart applies shall provide non-academic and extracurricular

services and activities in such a manner as is necessary to afford handicapped students an equal opportunity for participation in such services and activities.

(2) Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the recipients, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the recipient and assistance in making available outside employment.

(b) *Counseling services.* A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities.

(c) *Physical education and athletics.* (1) In providing physical education courses and athletics and similar aid, benefits, or services to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors interscholastic, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different from those offered to nonhandicapped students only if separation or differentiation is consistent with the requirements of 104.34 and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

## Americans with Disabilities Act Amendments Act of 2008

Text of Amendments passed September 25, 2008 (selected portions) Public Law 110-325, September 25, 2008  
Effective January 1, 2009

An act to restore the intent and protections of the Americans with Disabilities Act of 1990.

(b) PURPOSES. – The purposes of this Act are—

(1) to carry out the ADA's objectives of providing "a clear and comprehensive national mandate for the elimination of discrimination" and "clear, strong, consistent, enforceable standards addressing discrimination" by reinstating a broad scope of protection to be available under the ADA;

(5) to convey congressional intent that the standard created by the Supreme Court in the case of *Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*, 534 U.S. 184 (2002) for "substantially limits", and applied by lower courts in numerous decisions, has created an inappropriately high level of limitation necessary to obtain coverage under the ADA, to convey that it is the intent of Congress that the primary object of attention in cases brought under the ADA should be whether entities covered under the ADA have complied with their obligations, and to convey that the question of whether an individual's impairment is a disability under the ADA should not demand extensive analysis; and....

### Sec. 4. Disability Defined and Rules of Construction.

(a) DEFINITION OF DISABILITY—Section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C.

12102) is amended to read as follows:

As used in this Act:

(1) DISABILITY—The term 'disability' means, with respect to an individual—

(A) a physical or mental impairment that substantially limits one or more major life activities of such individual;

(B) a record of such an impairment; or

(C) being regarded as having such an impairment (as described in paragraph (3)).

(2) MAJOR LIFE ACTIVITIES—

(A) IN GENERAL—For purposes of paragraph (1), major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

(B) MAJOR BODILY FUNCTIONS—For purposes of paragraph (1), a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

(3) REGARDED AS HAVING SUCH AN IMPAIRMENT—For purposes of paragraph (1)(C):

(A) An individual meets the requirement of 'being regarded as having such an impairment' if the individual establishes that he or she has been subjected to an action prohibited under this Act because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

(B) Paragraph (1)(C) shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

(4) RULES OF CONSTRUCTION REGARDING THE DEFINITION OF DISABILITY—The definition of 'disability' in paragraph (1) shall be construed in accordance with the following:

(A) The definition of disability in this Act shall be construed in favor of broad coverage of individuals under this Act, to the maximum extent permitted by the terms of this Act.

(B) The term 'substantially limits' shall be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008.

(C) An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.

(D) An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

(E)(i) The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as—

(I) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;

(II) use of assistive technology;

(III) reasonable accommodations or auxiliary aids or services; or

(IV) learned behavioral or adaptive neurological modifications.

(ii) The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

(iii) As used in this subparagraph—

- (I) the term 'ordinary eyeglasses or contact lenses' means lenses that are intended to fully correct visual acuity or eliminate refractive error; and
- (II) the term 'low-vision devices' means devices that magnify, enhance, or otherwise augment a visual image.

(b) CONFORMING AMENDMENT—The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) is further amended by adding after section 3 the following:

#### SEC. 4. ADDITIONAL DEFINITIONS.

As used in this Act:

(1) AUXILIARY AIDS AND SERVICES—The term 'auxiliary aids and services' includes—

- (A) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- (B) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- (C) acquisition or modification of equipment or devices; and
- (D) other similar services and actions.

The Americans with Disabilities Act Amendments Act of 2008 specifically states that all of its changes also apply under Section 504 of the Rehabilitation Act. Section 504 must conform to all new standards. At this time, the Department of Education is not required to rewrite the implementing federal regulations for Section 504.

### Individuals with Disabilities Education Act (Federal Law)

34 C.F.R. Part 300 (selected portions)

Reauthorized 2004, Regulations issued August

2006 Subpart A-General.

§ 300.8 Child with a Disability.

a) General.

- 1) Child with a disability means a child evaluated in accordance with §§300.304 through 300.311 as having mental retardation, 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, specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.
- 2) Subject to paragraph (a)(2)(ii) of this section, if it is determined, through an appropriate evaluation under §§300.304 through 300.311, that a child has one of the disabilities identified in paragraph (a)(1) of this section, but only needs a related service and not special education, the child is not a child with a disability under this part....

b) Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

- 10) Specific learning disability-

(i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest

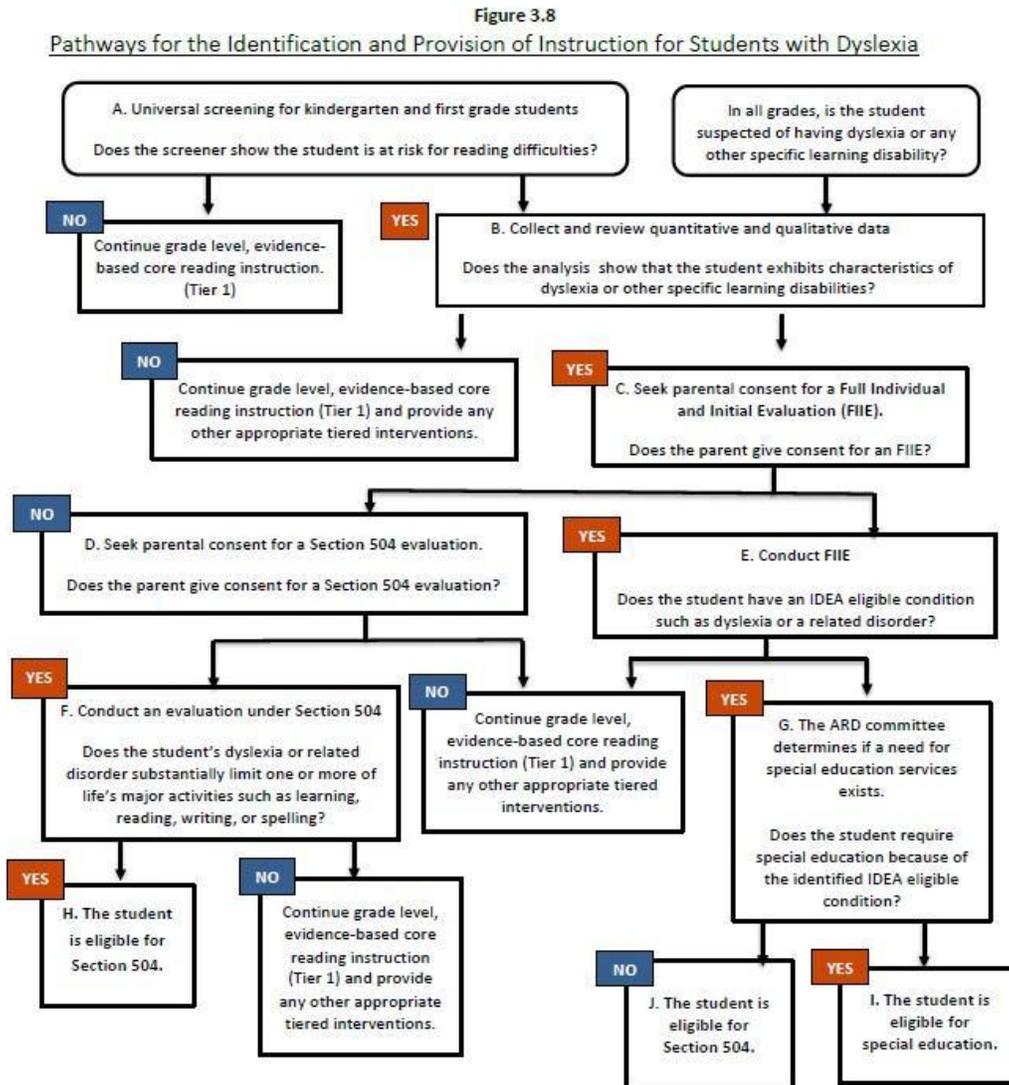
itself in the imperfect ability to listen, think, speak, read, write, spell; or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(ii) Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

# BULLARD INDEPENDENT SCHOOL DISTRICT

## PATHWAY TO THE IDENTIFICATION AND PROVISION OF INSTRUCTION FOR STUDENTS WITH DYSLEXIA

This flowchart illustrates a process for determining the instructional support needed by students with dyslexia. Special education evaluation should be conducted whenever it appears to be appropriate. Some students will NOT proceed through all the steps before being referred for a Full Individual and Initial Evaluation (FIE). A dyslexia evaluation may be incorporated into the FIE through special education.



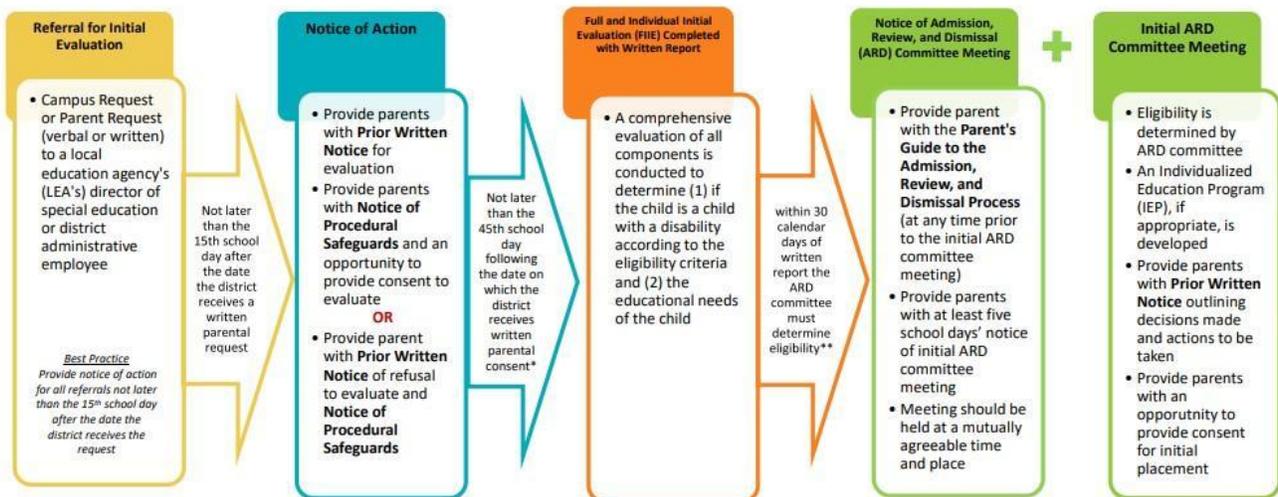
Pathway to the Identification and Provision of Instruction for Students with Dyslexia

<p>A. Universal Screening for reading and dyslexia is administered to all students in kindergarten and first grade as required by TEC §28.006 and §38.003(a).</p>	
<p>B. If a student is at risk for reading difficulties or the student is suspected of having dyslexia or any other specific learning disability, collect and review quantitative and qualitative data on the student. See Figures 2.3 and 2.4 in Dyslexia Handbook for more information.</p>	
<p>C. If the analysis shows that the student exhibits characteristics of dyslexia or other specific learning disabilities, seek parental consent for a Full Individual and Initial Evaluation (FIIIE), while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	
<p>D. For students suspected of having dyslexia, if the parent does not give consent for an FIIIE, seek parental consent for a Section 504 evaluation, while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	<p>E. If the parent gives consent for an FIIIE, conduct the FIIIE within 45 school days (subject to limited exceptions) of the date of receipt of parent consent, while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions. The ARD committee (including the parent) must meet to review the results of the FIIIE.</p>
<p>F. If the parent gives consent for a Section 504 evaluation, conduct an evaluation under Section 504 while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	<p>G. If a student has an IDEA eligible condition such as dyslexia or a related disorder, the ARD committee determines if a need for special education services exists.</p>
<p>H. If the student’s dyslexia or related disorder substantially limits one or more of life’s major activities such as learning, reading, writing, or spelling, the student is eligible for Section 504, the 504 committee (parent participation is recommended) develops a Section 504 plan for the student to provide services including standard protocol dyslexia instruction, accommodations, and/or related aids specific to the student’s disability.</p>	<p>I. If the student requires special education because of the identified IDEA eligible condition, the student is eligible for special education. The ARD committee develops the IEP for the student to receive specially designed instruction which can include any appropriate special education and related services, and general education programs and services, including standard protocol dyslexia instruction. While an IEP is individualized to the student, the IEP should address critical, evidence-based components of dyslexia instruction such as phonological awareness, sound-symbol association, syllabication, orthography, morphology, syntax, reading comprehension, and reading fluency. The determination of eligibility and the development of an IEP, if the student is eligible, must be done within 30 days (subject to limited exceptions) from the date that the written FIIIE evaluation report is completed. Obtain parental consent for special education services.</p>
	<p>J. If the parent declines, the LEA must still provide all general education services including any protections available under Section 504.</p>

# BULLARD INDEPENDENT SCHOOL DISTRICT

## DYSLEXIA FLOWCHART: COORDINATION TIMELINE WITH IDEA PROCEDURES

### Special Education Initial Referral Timeline



\*If the student is absent three or more days during the evaluation period, then the evaluation timeline is extended by the number of days absent.

\*\*If consent is obtained at least 35 but less than 45 school days before the last instructional school day, then the evaluation must be completed and the written report must be provided to parent not later than June 30 of that year.

\*\*If the 30<sup>th</sup> calendar day falls within the summer when school is not in session, then the initial ARD committee meeting must determine eligibility by the first school day of the following school year. If consent is received at least 35 but less than 45 school days prior to the last instructional day of the school year, then the initial ARD committee must determine eligibility by the 15<sup>th</sup> school day of the following school year.

\*\*Unless the initial evaluation indicates that the student will need extended school year services that summer, then the ARD committee must determine eligibility as promptly as possible.

# BULLARD INDEPENDENT SCHOOL DISTRICT

## **ASSESSMENT, IDENTIFICATION, AND PLACEMENT INTO A DYSLEXIA INSTRUCTIONAL PROGRAM**

For the identification of dyslexia in Texas public schools, all procedures and guidelines outlined in The Dyslexia Handbook, 2021 Update should be followed, including data gathering, parent notification, examiner qualifications, test selection and administration, and procedures for English Language Learners.

### Procedures Required by State and Federal Law Prior to Formal Assessment

In accordance with TEC §28.006 and TEC §38.003, Bullard ISD administers reading screenings in kindergarten, first, second and seventh grades to determine students' reading development and comprehension. If, on the basis of the reading instrument results, students are determined to be at risk for dyslexia and other reading difficulties, the students' parents/guardians are notified. In addition, an accelerated (intensive) scientifically, research-based reading program that appropriately addresses students' reading difficulties and enables them to "catch up" with their typically performing peers is implemented. Interventions are provided through the district's response to the intervention process. Should students continue to struggle with reading, writing, and/or spelling during the intensive reading instruction, then Bullard ISD will initiate procedures to recommend these students for assessment of dyslexia. The information from the reading screenings will be one source of information in deciding whether or not to recommend a student for assessment for dyslexia. Other data to be considered may include, but is not limited to: performance on state mandated test(s), a student's grades/performance in reading and/or written spelling, and teachers' observations of the characteristics of dyslexia, attendance, frequent moves, and/or other available information.

### Referral Process

The determination to refer a student for an evaluation must always be made on a case-by-case basis and must be driven by data-based decisions. The referral process itself can be distilled into a basic framework as outlined below.

### **Data-Driven Meeting of Knowledgeable Persons**

A team of persons with knowledge of the student, instructional practices, and instructional options meets to discuss data collected, including data obtained during reading screening(s), and the implications of that data. These individuals include, but are not limited to, the classroom teacher, administrator, dyslexia specialist, and/or interventionist. This team may also include the parents and/or a diagnostician familiar with testing and interpreting evaluation results. This team may have different names in different districts and/or campuses. For example, the team may be called a student success team, student support team, student intervention team, or even something else. Unless the student is already served under IDEA or Section 504, this team of knowledgeable persons is not an Admission, Review, and Dismissal (ARD) committee or a Section 504 committee, although many of these individuals may be on a future committee if the student is referred for an evaluation.

### *When the Data Does Not Lead to a Suspicion of a Disability, Including Dyslexia or a Related Disorder*

If the team determines that the data does not give the members reason to suspect that a student has dyslexia, a related disorder, or other disability, the team may decide to provide the student with additional support in the

classroom or through the RTI/MTSS process. The student should continue to receive grade level, evidence-based core reading instruction, (Tier 1) and any other appropriate tiered interventions. However, the student is not referred for an evaluation at this time.

*When the Data Lead to a Suspicion of a Disability, Including Dyslexia or a Related Disorder*

If the team suspects that the student has dyslexia, a related disorder, or another disability included within the IDEA, the team must refer the student for a full individual and initial evaluation (FIIE). In most cases, an FIIE under the IDEA must be completed within 45-school days from the time a district or charter school receives parental consent. The student should continue to receive grade level, evidence-based core reading instruction (Tier 1) and any other appropriate tiered interventions while the school conducts the FIIE.

**Parents/guardians always have the right to request a referral for a dyslexia evaluation at any time.**

Once a parent request for dyslexia evaluation has been made, the school district is obligated to review the student’s data history (both formal and informal data) to determine whether there is a reason to suspect the student has a disability. If a disability is suspected, the student needs to be evaluated following the guidelines outlined under IDEA. Under the IDEA, if the school refuses the request to evaluate, it must give parents prior written notice of refusal to evaluate, including an explanation of why the school refuses to conduct an FIIE, the information that was used as the basis for the decision, and a copy of the *Notice of Procedural Safeguards*. Should the parent disagree with the school’s refusal to conduct an evaluation, the parent has the right to initiate dispute resolution options including; mediation, state complaints, and due process hearings. Additionally, the parent may request an Independent Educational Evaluation (IEE) at public expense. Should the parent believe that their child is eligible for Section 504 aids, accommodations, and services the parent may request an evaluation under Section 504.

Data Gathering

Some of the information that Bullard ISD will collect is located in the student’s cumulative folder; other information is available from teachers and parent/guardians. This information should include data that demonstrates the student was provided appropriate instruction and data-based documentation of repeated assessment of achievement at reasonable intervals (progress monitoring), reflecting formal assessment of student progress during instruction.

Additional information to be considered includes the results from some or all of the following:

<ul style="list-style-type: none"> <li>• Vision and Hearing screenings</li> <li>• Parent conference notes</li> </ul>	<ul style="list-style-type: none"> <li>• Observations of instruction provided to the student</li> </ul>
<ul style="list-style-type: none"> <li>• School attendance</li> </ul>	<ul style="list-style-type: none"> <li>• Screening data</li> </ul>
<ul style="list-style-type: none"> <li>• Teacher reports of classroom concerns</li> <li>• Classroom reading assessments</li> <li>• Accommodations or interventions previously provided</li> </ul>	<ul style="list-style-type: none"> <li>• Curriculum-based assessment measures</li> <li>• Instructional strategies provided and student’s response to the instruction</li> </ul>
<ul style="list-style-type: none"> <li>• Academic progress reports (report cards)</li> <li>• Gifted/talented assessments</li> </ul>	<ul style="list-style-type: none"> <li>• State student assessment program results as described in TEC §39.022</li> </ul>
<ul style="list-style-type: none"> <li>• Samples of schoolwork</li> </ul>	<ul style="list-style-type: none"> <li>• Parent survey</li> </ul>

<ul style="list-style-type: none"> <li>• Results of kindergarten-grade 1 universal screening as required in TEC §38.003</li> <li>• K-2 reading instruments results as required in TEC §28.006 (English and native language, if possible)</li> </ul>	<ul style="list-style-type: none"> <li>• Previous evaluations</li> <li>• Outside evaluations</li> <li>• Speech and Language Assessment</li> </ul>
<ul style="list-style-type: none"> <li>• 7th-grade reading instrument results as required in TEC §28.006</li> </ul>	<ul style="list-style-type: none"> <li>• Parent conference notes</li> </ul>

Data must also be included that supports the student has received conventional (appropriate) instruction and that the difficulties are not primarily the result of sociocultural factors which include language differences, language proficiency, irregular attendance, or lack of experiential background.

If the student is an English language learner (ELL), the district must also gather the following additional information:

<ul style="list-style-type: none"> <li>• Home language survey</li> <li>• Assessment related to identification for limited English proficiency (oral language proficiency test and norm- referenced tests-all years available)</li> <li>• Texas English Language Proficiency Assessment System (TELPAS) information for four language domains (listening, speaking, reading and writing)</li> <li>• Instructional interventions provided to address language needs</li> <li>• Information regarding previous schooling inside and/or outside the United States</li> <li>• Type of language program model provided and language of instruction</li> </ul>
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Among the actions that Bullard ISD has available for the student is a recommendation that the student be assessed for dyslexia. Bullard ISD recommends assessment for dyslexia if the student demonstrates the following:

- Poor performance in one or more areas of reading and/or the related areas of spelling that is unexpected for the student’s age/grade, and
- Characteristics of dyslexia

**Primary Reading/Spelling Characteristics of Dyslexia:**

- Difficulty reading words in isolation
- Difficulty accurately decoding unfamiliar words
- Difficulty with oral reading (slow, inaccurate, or labored)
- Difficulty spelling

**The reading/spelling characteristics are most often associated with the following:**

- Segmenting, blending, and manipulating sounds in words (phonemic awareness)
- Learning the names of letters and their associated sounds

- Holding information about sounds and words in memory (phonological memory)
- Rapidly recalling the names of familiar objects, colors, or letters of the alphabet (rapid naming)

**Consequences of dyslexia may include the following:**

- Variable difficulty with aspects of reading comprehension
- Variable difficulty with aspects of written language
- Limited vocabulary growth due to reduced reading experiences

**Procedures for Assessment of Dyslexia**

The identification of reading disabilities, including dyslexia, will follow one procedure. Child Find is a provision in the federal Individuals with Disabilities Education Act (IDEA), a federal law that requires the state to have policies and procedures in place to ensure that every student in the state who needs special education and related services is located, identified, and evaluated. The purpose of the IDEA is to ensure that students with disabilities are offered a free and appropriate public education. Because a student suspected of having dyslexia may be a student with a disability under the IDEA, the Child Find mandate includes these students. Therefore, when referring and evaluating students suspected of having dyslexia, LEAs must follow procedures for conducting a full individual and initial evaluation (FIIE) under the IDEA.

Students enrolling in Bullard ISD shall be assessed for dyslexia and related disorders at appropriate times [TEC §38.003(a)]. The appropriate time depends upon multiple factors including the student's reading performance, reading difficulties, poor responses to supplemental, scientifically based reading instruction, teachers' input, and parent/guardian's input. Additionally, the appropriate time for assessing is early in a student's school career (19 TAC §74.28). While earlier is better, students will be recommended for assessment for dyslexia even if the reading difficulties appear later in a student's school career.

When formal evaluation is recommended, Bullard ISD completes the evaluation process as outlined in the Individual with Disabilities Act (IDEA). Procedural safeguards under IDEA must be followed.

Testing instruments and other evaluation materials must meet the following criteria:

- Be validated for the specific purpose for which the tests, assessments, and other evaluation materials are used
- Include material tailored to assess specific areas of educational need and not merely materials that are designed to provide a single general intelligence quotient
- Be selected and administered so as to ensure that, when a test is given to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills.
- Be selected and administered in a manner that is not racially or culturally discriminatory
- Include multiple measures of a student's reading abilities such as informal assessment information (e.g., anecdotal records, district universal screenings, progress monitoring data, criterion referenced assessments, results of informal reading inventories, classroom observations)
- Be administered by trained personnel and in conformance with the instructions provided by the producer of the evaluation materials
- Be used for the purpose for which the assessment or measure are valid or reliable
- Be provided and administered in the student's native language or other mode of communication and in

the form most likely to yield accurate information regarding what the child can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer.

Domains to Assess

Bullard ISD administers measures that are related to the student’s educational needs. Difficulties in the areas of letter knowledge, word decoding, and fluency (rate and accuracy) may be evident depending upon the student’s age and stage of reading development. Students with dyslexia may also have difficulty with reading comprehension and written composition.

The following areas related to reading that shall be assessed:

Academic Skills	Cognitive Processes	Possible Additional Areas
<ul style="list-style-type: none"> <li>• Letter knowledge (name and associated sound)</li> <li>• Reading words in isolation</li> <li>• Decoding unfamiliar words accurately</li> <li>• Reading fluency (both rate, accuracy and prosody are assessed)</li> <li>• Reading comprehension</li> <li>• Spelling</li> </ul>	<ul style="list-style-type: none"> <li>• Phonological/phonemic awareness</li> <li>• Rapid naming of symbols or objects</li> </ul>	<ul style="list-style-type: none"> <li>• Vocabulary</li> <li>• Listening comprehension</li> <li>• Verbal expression</li> <li>• Written expression</li> <li>• Handwriting</li> <li>• Memory for letter or symbol sequences (orthographic processing)</li> <li>• Mathematical calculation/reasoning</li> <li>• Phonological memory</li> <li>• Verbal working memory</li> <li>• Processing speed</li> </ul>

Additional assessments when assessing English Language Learners: (in addition to the information listed under “Domains to Assess”):

- Comprehensive oral language proficiency testing should be completed in English and the student’s native language whenever possible.
- If the student has received instruction in his/her native language, as well as English, then the “Domains to Assess” need to be completed in both languages to the appropriate extent.

**Review and Interpretation of Data and Evaluations:**

To appropriately understand evaluation data, the ARD committee must interpret test results in light of the student’s educational history, linguistic background, environmental or socioeconomic factors, and any other pertinent factors that affect learning. When considering the condition of dyslexia, in addition to required ARD committee members, the committee should also include members who have specific knowledge regarding-

- the reading process,
- dyslexia and related disorders, and
- dyslexia instruction.

A determination must first be made regarding whether a student’s difficulties in the areas of reading and

spelling reflect a pattern of evidence for the primary characteristics of dyslexia with unexpectedly low performance for the student’s age and educational level in some or all of the following areas:

- reading words in isolation
- decoding unfamiliar words accurately and automatically
- reading fluency for connected text (rate and/or accuracy and/or prosody)
- spelling (an isolated difficulty in spelling would not be sufficient to identify dyslexia)

Procedures for Identifying Dyslexia

If the student’s difficulties are unexpected in relation to other abilities, the ARD/IEP committee must then determine if the student has dyslexia. For ELs, an LPAC representative must be included on the ARD/IEP committee. The list of questions below must be considered when making a determination regarding dyslexia.

Questions to Determine the Identification of Dyslexia
<ul style="list-style-type: none"> <li>❖ Does the data show the following characteristics of dyslexia?               <ul style="list-style-type: none"> <li>❖ Difficulty with accurate and/or fluent word reading                   <ul style="list-style-type: none"> <li>▪ Poor spelling skills</li> <li>▪ Poor decoding ability</li> </ul> </li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>❖ Do these difficulties (typically) result from a deficit in the phonological component of language? (Please be mindful that average phonological scores alone do not rule out dyslexia.)</li> </ul>
<ul style="list-style-type: none"> <li>❖ Are these difficulties unexpected for the student’s age in relation to the student’s other abilities and provision of effective classroom instruction?</li> </ul>

Once the condition of dyslexia has been identified, a determination must be made regarding the most appropriate way to serve the student. If a student with dyslexia is found eligible for special education (i.e., student requires specially designed instruction), the student’s IEP must include appropriate reading instruction. If a student has previously met special education eligibility and is later identified with dyslexia, the ARD/IEP committee should include in the IEP goals that reflect the need for dyslexia instruction and determine the least restrictive environment for delivering the student’s dyslexia instruction.

If based on the data the student is identified with dyslexia, but is not eligible for special education, the student may receive dyslexia instruction and accommodations under Section 504.

A student who is found not eligible under the IDEA, but who is identified with the condition of dyslexia through the FIIE process should not be referred for a second evaluation under Section 504. Instead, the Section 504 committee will use the FIIE and develop an appropriate plan for the student without delay.

For students eligible for Section 504, a Section 504 committee will develop the student’s Section 504 Plan, which must include appropriate reading instruction to meet the individual needs of the student. Revision of the Section 504 Plan will occur as the student’s response to instruction and the use of accommodations, if any, is observed.

Changes in instruction and/or accommodations must be supported by current data (e.g., classroom performance and dyslexia program monitoring).

# BULLARD INDEPENDENT SCHOOL DISTRICT

## ASSESSMENT and IDENTIFICATION of Dysgraphia

For the identification of dyslexia in Texas public schools, all procedures and guidelines outlined in The Dyslexia Handbook, 2021 Update should be followed, including data gathering, parent notification, examiner qualifications, test selection and administration, and procedures for English Language Learners.

Texas state law requires districts and charter schools to identify students who have dyslexia and related disorders. Texas Education Code §38.003 identifies the following examples of related disorders: developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

### Definition and Characteristics of Dysgraphia

Difficulty with handwriting frequently occurs in children with dyslexia. When Texas passed dyslexia legislation, the co-existence of poor handwriting with dyslexia was one reason why dysgraphia was called a related disorder. Subsequently, dyslexia and dysgraphia have been found to have diverse co-morbidities, including phonological awareness (Döhla and Heim, 2016). However, dyslexia and dysgraphia are now recognized to be a distinct disorder that can exist concurrently or separately. They have different brain mechanisms and identifiable characteristics.

Dysgraphia is related to dyslexia as both are language-based disorders. In dyslexia, the impairment is with word-level skills (decoding, word identification, spelling). Dysgraphia is a written language disorder in serial production of strokes to form a handwritten letter. This involves not only motor skills but also language skills-finding, retrieving and producing letters, which is a subword-level language skill. The impaired handwriting may interfere with spelling and/or composing, but individuals with only dysgraphia do not have difficulty with reading (Berninger, Richards, & Abbott, 2015).

A review of recent evidence indicates that 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. This difficulty is not solely due to lack of instruction and is not associated with other developmental or neurological conditions that involve motor impairment.

The characteristics of dysgraphia include the following:

- Variably shaped and poorly formed letters
- Excessive erasures and cross-outs
- Poor spacing between letters and words
- Letter and number reversals beyond early stages of writing
- Awkward, inconsistent pencil grip

- Heavy pressure and hand fatigue
- Slow writing and copying with legible or illegible handwriting (Andrews & Lombardino, 2014)

Additional consequences of dysgraphia may also include:

- Difficulty with unedited written spelling
- Low volume of written output as well as problems with other aspects of written expression

Dysgraphia is NOT:

- Evidence of a damaged motor nervous system
- Part of a developmental disability that has fine motor deficits (e.g., intellectual disability, autism, cerebral palsy)
- Secondary to a medical condition (e.g., meningitis, significant head trauma, brain trauma)
- Association with generalized developmental motor or coordination difficulties (Developmental Coordination Disorder)
- Impaired spelling or written expression with typical handwriting (legibility and rate) (Berninger, 2004)

Dysgraphia can be due to:

- Impaired feedback the brain is receiving from the fingers
- Weaknesses using visual processing to coordinate hand movement and organize the use of space
- Problems with motor planning and sequencing
- Difficulty with storage and retrieval of letter forms (Levine, 1999)

Despite the widespread beliefs that handwriting is purely a motor skill or that only multisensory methods are needed to teach handwriting, multiple language processes are also involved in handwriting. Handwriting draws on language by hand (letter production), language by ear (listening to letter names when writing dictated letters), language by mouth (saying letter names), and language by eyes (viewing the letters to be copied or reviewing for accuracy the letters that are produced from memory) (Berninger & Wolf, 2016).

**Procedures for Identification**

The process of identifying dysgraphia will follow Child Find procedures for conducting a full individual and initial evaluation (FIIE) under the IDEA. These procedural processes require coordination among the teacher, campus administrators, diagnosticians, and other professionals as appropriate when factor such as a student’s English language acquisition, previously identified disability, or other special needs are present.

The first step in the evaluation process, data gathering, should be an integral part of the district’s or charter school’s process for any student exhibiting learning difficulties.

Data Gathering

Some of the information that Bullard ISD will collect in the student’s cumulative folder; other information is available from teachers and parent/guardians. This information should include data that demonstrates the student was provided appropriate instruction and data-based documentation of repeated assessment of achievement at reasonable intervals (progress monitoring), reflecting formal assessment of student progress during instruction.

Documentation of the following characteristics of dysgraphia could be collected during the data gather phase:

<ul style="list-style-type: none"> <li>• Slow or labored written work</li> <li>• Improper letter slant</li> <li>• Inadequate pressure during handwriting (too hard or too soft)</li> </ul>	<ul style="list-style-type: none"> <li>• Poor formation of letters</li> <li>• Poor pencil grip</li> <li>• Excessive erasures</li> </ul>
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<ul style="list-style-type: none"> <li>• Poor spacing between words</li> <li>• Inability to recall accurate orthographic patterns for words</li> <li>• Inability to copy words accurately</li> <li>• Overuse of short familiar words such as “big”</li> <li>• Difficulty with visual-motor integrated sports or activities</li> </ul>	<ul style="list-style-type: none"> <li>• Poor spacing inside words</li> <li>• “b” and “d” reversals beyond developmentally appropriate time</li> <li>• Inability of student to read what was previously written</li> <li>• Avoidance of written tasks</li> </ul>
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Additional information to be considered includes the results from some or all of the following:

<ul style="list-style-type: none"> <li>• Vision and Hearing screenings</li> <li>• School attendance</li> <li>• Teacher reports of classroom concerns</li> <li>• Classroom handwriting assessments</li> <li>• Accommodations or interventions provided</li> <li>• Academic progress reports (report cards)</li> <li>• Gifted/talented assessments</li> <li>• Samples of written schoolwork (both timed and untimed)</li> <li>• Classroom spelling assessments</li> <li>• Samples of written work</li> </ul>	<ul style="list-style-type: none"> <li>• Observations of instruction provided to the student</li> <li>• Information from parents/guardians</li> <li>• Curriculum-based assessment measures</li> <li>• Instructional strategies provided and student’s response to the instruction</li> <li>• State student assessment program results as described in TEC §39.022</li> <li>• Universal screening results</li> <li>• Full Individual Evaluation (FIE) or outside evaluations (if available)</li> </ul>
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Data must also be included that supports the student has received conventional (appropriate) instruction and that the difficulties are not primarily the result of sociocultural factors which include language differences, language proficiency, irregular attendance, or lack of experiential background.

If the student is an English language learner (ELL), the district must also gather the following additional information:

<ul style="list-style-type: none"> <li>• Home language survey</li> <li>• Assessment related to identification for limited English proficiency (oral language proficiency test and norm- referenced tests-all years available)</li> <li>• Texas English Language Proficiency Assessment System (TELPAS) information for four language domains (listening, speaking, reading and writing)</li> <li>• Instructional interventions provided to address language needs</li> <li>• Information regarding previous schooling inside and/or outside the United States</li> <li>• Type of language program model provided and language of instruction</li> </ul>
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Among the actions that Bullard ISD has available for the student is a recommendation that the student be assessed for dysgraphia. Bullard ISD recommends assessment for dysgraphia if the student demonstrates the following:

- Impaired or illegible handwriting that is unexpected for the student’s age/grade
- Impaired handwriting that interferes with spellings, written expression, or both that is unexpected for the student’s age/grade

## Initial Evaluation Pathways

Bullard ISD must make data-informed decisions that reflect the input of staff and parents for every student on an individual basis, every time. We must consider all resources and services based on student need. We should carefully consider all of the relevant student data to gauge the level of impact that a student's specific presentation of dysgraphia will have on his or her ability to access and make progress in the general curriculum. If it is suspected that the student may have dysgraphia and may need special education services because of dysgraphia, the student should be evaluated under IDEA.

## Formal Evaluation

After data gathering, the next step in the process is formal evaluation. This is not a screening; rather, it is an individualized evaluation used to gather evaluation data. Formal evaluation includes both formal and informal data. All data will be used to determine whether the student demonstrates a pattern of evidence for dysgraphia. Information collected from the parents/guardian also provides valuable insight into the student's early years of written language development. This history may help to explain why students come to the evaluation with many different strengths and weaknesses; therefore, findings from the formal evaluation will be different for each child. Professionals conducting evaluations for the identification of dysgraphia will need to look beyond scores of standardized assessments alone and examine the student's classroom writing performance, educational history, and early language experiences to assist with determining handwriting, spelling, and written expression abilities and difficulties.

## Notification and Permission

When formal evaluation is recommended, Bullard ISD completes the evaluation process as outlined in IDEA. Procedural safeguards under IDEA must be followed. The individual needs of the student will determine the appropriate evaluation/identification process to use. The notices and requests for consent must be provided in the native language of guardians or other mode of communication used by the guardian unless it is clearly not feasible to do so.

The procedures followed for assessment include:

- 1) Notify parents or guardian of proposal to assess student for dysgraphia
- 2) Inform parents or guardians of their rights under IDEA
- 3) Obtain parent or guardian permission to assess the student for dysgraphia
- 4) Assess student, being sure that individuals/professionals who administer assessments have training in the evaluation of students for dyslexia and related disorders

## Tests and Other Evaluation Materials

Test instruments and other evaluation materials must meet the following criteria:

- Be validated for the specific purpose for which the tests, assessments, and other evaluation materials are used
- Include material tailored to assess specific areas of educational need and not merely materials that are designed to provide a single general intelligence quotient
- Be selected and administered so as to ensure that, when a test is given to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills.
- Be selected and administered in a manner that is not racially or culturally discriminatory

- Include multiple measures of a student’s reading abilities such as informal assessment information (e.g., anecdotal records, district universal screenings, progress monitoring data, criterion referenced assessments, results of informal reading inventories, classroom observations)
- Be administered by trained personnel and in conformance with the instructions provided by the producer of the evaluation materials
- Be used for the purpose for which the assessment or measure are valid or reliable
- Be provided and administered in the student’s native language or other mode of communication and in the form most likely to yield accurate information regarding what the child can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer.

*Domains to Assess*

Bullard ISD administers measures that are related to the student’s educational needs. Difficulties in the areas of letter formation, orthographic awareness, and general handwriting may be evident dependent on the student’s age and writing development. Additionally, many students with dysgraphia may have difficulty with spelling and written expression.

*Cognitive Processes*

The process of handwriting requires the student to rely on memory for letters and symbol sequences, also known as orthographic processing. Memory for letter patterns, letter sequences, and the letters in whole words may be selectively impaired or may coexist with phonological processing weaknesses. When spelling, a student must not only process both phonological and orthographic information, but also apply their knowledge of morphology and syntax (Berninger & Wolf, 2009).

The following areas related to reading that shall be assessed:

Academic Skills	Cognitive Processes	Possible Additional Areas
<ul style="list-style-type: none"> <li>• Letter Formation</li> <li>• Handwriting</li> <li>• Word/Sentence dictation (timed and untimed)</li> <li>• Copying of text</li> <li>• Written Expression</li> <li>• Writing fluency (both accuracy and fluency)</li> </ul>	<ul style="list-style-type: none"> <li>• Memory for letter or symbol sequences (orthographic processing)</li> </ul>	<ul style="list-style-type: none"> <li>• Phonological awareness</li> <li>• Phonological memory</li> <li>• Working memory</li> <li>• Letter Retrieval</li> <li>• Letter Matching</li> </ul>

Additional assessments when assessing English Language Learners: (in addition to the information listed under “Domains to Assess”):

- Comprehensive oral language proficiency testing should be completed in English and the student’s native language whenever possible.
- If the student has received instruction in his/her native language, as well as English, then the “Domains to Assess” need to be completed in both languages to the appropriate extent.

*Procedures for Identification*

To make an informed determination the ARD committee must include members who are knowledgeable about

the following:

- Student being assessed
- Evaluation instruments being used
- Interpretation of the data being collected

Additionally, the committee members should have knowledge regarding:

- the handwriting process;
- dysgraphia and related disorders;
- dysgraphia instruction, and;
- district, state, and federal guidelines for evaluation

### Review and Interpretation of Data and Evaluation

To appropriately understand evaluation data, the ARD committee must interpret test results in light of the student's educational history, linguistic background, environmental or socioeconomic factors, and any other pertinent factors that affect learning.

A determination must first be made regarding a student's difficulties in the areas of writing and spelling reflect a pattern of evidence for the primary characteristics of dysgraphia with unexpectedly low performance for the student's age and educational level in some or all of the following areas:

- Handwriting
- Writing fluency (accuracy and rate)
- Written Expression
- Spelling

Based on the above information and guidelines, should the ARD committee determine that the student exhibits weakness in writing and spelling, the committee will then examine the student's data to determine whether these difficulties are unexpected in relation to the student's other abilities, sociocultural factors, language differences, irregular attendance, or lack of appropriate and effective instruction. For example, the student may exhibit strengths in areas such as reading comprehension, listening comprehension, oral verbal ability, or math reasoning yet still have difficulty with writing and spelling. **Therefore, it is not one single indicator, but a preponderance of informal and formal data that provide the committee with evidence for whether these difficulties are unexpected.**

### Dysgraphia Identification

If the student's difficulties are unexpected in relation to other abilities, the ARD committee must then determine if the student has dysgraphia. The list of questions below must be considered when making a determination regarding dysgraphia.

Questions to Determine the Identification of Dysgraphia
<ul style="list-style-type: none"><li>❖ Do the data show the following characteristics and consequences of dysgraphia?<ul style="list-style-type: none"><li>• Illegible and/or inefficient handwriting with variably shaped and poorly formed letters</li><li>• Difficulty with unedited written spelling</li></ul></li></ul>

<ul style="list-style-type: none"> <li>• Low volume of written output as well as problems with other aspects of written expression</li> </ul>
<ul style="list-style-type: none"> <li>❖ Do these difficulties (typically) result from a deficit in a graphomotor function (hand movements used for writing) and/or storing and retrieving orthographic codes (letter forms)?</li> </ul>
<ul style="list-style-type: none"> <li>❖ Are these difficulties unexpected for the student's age in relation to the student's other abilities and the provision of effective classroom instruction?</li> </ul>

Once dysgraphia has been identified, a determination must be made regarding the most appropriate way to serve the student.

The ARD committee will determine whether the student who has dysgraphia is eligible under IDEA as a student with a specific learning disability. The student is eligible for services under IDEA if he/she has dysgraphia and, because of the dysgraphia needs special education services. The October 23, 2015 letter from the Office of Special Education and Rehabilitative Services (OSERS) (Dear Colleague: Dyslexia Guidance) states that dyslexia, dyscalculia, and dysgraphia are conditions that could qualify a child with a specific learning disability under IDEA. The letter further states that there is nothing in the IDEA that would prohibit the use of terms dyslexia, dyscalculia, and dysgraphia in IDEA evaluation, eligibility determinations, or IEP documents.

If the student with dysgraphia is found eligible for special education, the student's IEP must include appropriate writing instruction, which might include instruction from a related services provider.

If the student is identified with dysgraphia but is not considered a student with a disability under the IDEA (because the student does not need specially designed instruction), then the student may receive appropriate accommodations and services under Section 504. Students are protected under Section 504 if the physical or mental impairment (dysgraphia) substantially limits one or more major life activities, such as the specific activity of writing. Additionally, the Section 504 committee, in determining whether a student has a disability that substantially limits the student in a major life activity (writing), must not consider the ameliorating effects of any mitigating measures that student is using.

Revision of the Section 504 Plan will occur as the student's response to instruction and to the use of accommodations, if any, is observed. Changes in instruction and/or accommodations must be supported by current data (e.g., classroom performance and dyslexia program monitoring).

### Instruction for Students with Dysgraphia

Research demonstrates that, in general, a reader's evaluation of a composition's quality is influenced by how neatly it is written (Graham, Harris, & Hebert, 2011). Research has also demonstrated that handwriting difficulties interfere with other writing processes such as expression of ideas and organization. In fact, a 2016 meta-analysis showed that handwriting instruction showing moderate effects on writing fluency and very large effects on the number of words students wrote and the quality of their compositions (Santangelo & Graham, 2016).

*Handwriting interferes with other writing processes or consumes an inordinate amount of cognitive resources, at least until handwriting becomes automatic and fluent...Handwriting-instructed students made greater gains than peers who did not receive handwriting instruction in the quality of their writing, how much they wrote, and writing fluency. (p. 226)*

-Santangelo & Graham, A Comprehensive Meta-Analysis of Handwriting Instruction, 2016

## Supporting Students Struggling with Handwriting

Between 10% and 30% of students struggle with handwriting. Early difficulties in this area are significantly correlated with poorer performance on composition tasks. The following are research-based elements of effective handwriting instruction. These elements, which apply to both manuscript and cursive handwriting, may not necessarily apply to an entire class but instead may be used to support instructional methods delivered in small groups with students whose penmanship is illegible or dysfluent.

1. Show students how to hold a pencil.
2. Model efficient and legible letter formation.
3. Provide multiple opportunities for students to practice effective letter formation.
4. Use scaffolds, such as letters with numbered arrows showing the order and direction of strokes.
5. Have students practice writing letters from memory.
6. Provide handwriting fluency practice to build student's automaticity.
7. Practice handwriting in short sessions.

-Adapted from Berninger et al., 1997; Berninger et al., 2006; Denton, Cope & Moser, 2006; Graham et al., 2012; Graham, Harris, & Fink, 2000; Graham & Weintrub, 1996.

Some students who struggle with handwriting may actually have dysgraphia. Dysgraphia may occur alone, or with dyslexia. An assessment for dysgraphia, as it relates to dyslexia, is important in order to determine whether children need additional explicit, systematic instruction in handwriting only; handwriting and spelling; or handwriting, spelling, and written expression along with word reading and decoding (IDA, 2012).

Texas Education Code §38.003(b) states, "In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder."

While it is important for student with dysgraphia to receive the research-based elements of handwriting, spelling, and written language instruction as part of the core curriculum, for those students who require additional supports and services for dysgraphia, instructional decision must be made by a committee (either Section 504 or ARD) that is knowledgeable about the instructional elements and delivery of instruction that is consistent with research-based practice.

## Handwriting

The research-based elements for effective instruction of handwriting as stated above for all students are the same for students with dysgraphia. However, the intensity, frequency, and delivery of instruction may need to be adjusted to meet specific student needs as determined by the Section 504 or ARD committee. The table below provides a hierarchy of instruction for handwriting as a reference to best practice:

### Handwriting Hierarchy of Instruction

Posture	Also known as "Watch Our Writing" (W.O.W) <ul style="list-style-type: none"><li>• Feet are flat on the floor</li><li>• Back is straight</li><li>• Paper slanted so that the edge of the paper is parallel to the writing arm</li><li>• Paper anchored with non-writing hand</li><li>• Pencil grip and position correct</li></ul>
Grip	Normal tripod grip with pencil resting on first joint of middle finger with the thumb and index fingers holding the pencil in place at a 45° angle.

Letter Formation	<p>Emphasis placed in the following order:</p> <ul style="list-style-type: none"> <li>• Shape</li> <li>• Proportion</li> <li>• Size</li> <li>• Rhythm/fluency</li> <li>• Slant</li> </ul>
Sequence	<ul style="list-style-type: none"> <li>• Lower case letters first; Capitals as needed beginning with first letters of student name</li> <li>• Manuscript-group by stroke formation</li> <li>• Cursive-group by beginning approach stroke</li> <li>• Letters</li> <li>• Syllables</li> <li>• Words</li> <li>• Phrases</li> <li>• Sentences</li> <li>• Paragraphs</li> </ul>

## Spelling

Handwriting supports spelling, a complex process of translating a phoneme (spoken sound) to the corresponding grapheme (orthographic representation) in order to generate written text to express an idea. Orthography is the written spelling patterns and rules in a given language. Students must be taught the regularity and irregularity of the orthographic patterns of a language in an explicit and systematic manner. The instruction should be integrated with phonology and sound-symbol knowledge. Because spelling is meaning driven and draws upon the phonological, orthographic, and morphological aspects of words, students will benefit from systematic, explicit instruction based on the following guiding principles:

- Phoneme-grapheme correspondence
- Letter order and sequence patterns, or orthographic conventions:
  - Syllable types
  - Orthographic rules
  - Irregular words
- Position of a phoneme or grapheme in a word
- Meaning (morphology) and part of speech
- Language of origin (Moats, 2005)

## Writing

A potential secondary consequence of dysgraphia is difficulty with students expressing themselves in written text. This difficulty may be attributed to deficits in handwriting, spelling, language processing, or the integration of each of those skills. In Chapter IV of the Texas Dyslexia Handbook, 2018 Update, Moats and Dakin (2008) are quoted as stating:

*The ability to compose and transcribe conventional English with accuracy, fluency, and clarity of expression is known as basic writing skills. Writing is dependent on many language skills and processes and is often even more problematic for children than reading. Writing is a language discipline with many component skills that must be directly taught. Because writing demands using different skills at the same time, such as generating language, spelling, handwriting, and using capitalization and punctuation, it puts a significant demand on working memory and attention. Thus, a student may demonstrate mastery of these individual skills, but when asked to integrate them all at once, mastery of an individual skill, such as*

*handwriting, often deteriorates. To write a demand, a student has to have mastered, to the point of being automatic, each skill involved (p. 55).*

Students with written expression difficulties because of dysgraphia would benefit from being taught explicit strategies for composing including planning, generating, reviewing/evaluation, and revising different genre including narrative, informational, compare and contrast and persuasive compositions (IDA, 2012).

## Delivery of Instruction

The way the content is delivered should be consistent with the principles of effective intervention for student with dysgraphia including the following:

- **Simultaneous, multisensory (VAKT)**- “Teaching is done using all learning pathways in the brain (visual, auditory, kinesthetic-tactile) simultaneously in order to enhance memory and learning” (Birsh, 2018, p. 19). “Children are actively engaged in learning language concepts and other information, often by using their hands, arms, mouths, eyes, and whole bodies while learning” (Moats & Dakin, 2008, p. 58).
- **Systematic and cumulative**-“Multisensory language instruction requires that the organization of material follow order of the language. The sequence must begin with the easiest concepts and most basic elements and progress methodically to more difficult material. Each step must also be based on [elements] already learned. Concepts taught must be systematically reviewed to strengthen memory” (Birsh, 2018, p. 19).
- **Explicit instruction**-“Explicit instruction is explained and demonstrated by the teacher one language and print concept at a time, rather than left to discovery through incidental encounters with information. Poor readers do not learn that print represents speech simply from exposure to books or print” (Moats & Dakin, 2008, p. 58). Explicit Instruction is “an approach that involves direct instruction: The teacher demonstrates the task and provides guided practice with immediate corrective feedback before the student attempts the task independently (Mather & Wendling, 2012, p. 326)
- **Diagnostic teaching to automaticity**-“The teacher must be adept at prescriptive or individualized teaching. The teaching plan is based on careful and [continual] assessment of the individual’s needs. The content presented must be mastered to the degree of automaticity” (Birsh, 2018, p. 27). “This teacher knowledge is essential for guiding the content and emphasis of instruction for the individual student” (Moats & Dakin, 2008, p. 58). “When a reading skill becomes automatic (direct access without conscious awareness), it is performed quickly in an efficient manner” (Berninger & Wolf, 2009, p. 70).

## Instructional Accommodations for the Student with Dysgraphia

By receiving instruction based on the elements described, a student with dysgraphia is better equipped to meet the demands of grade-level or course instruction. In addition to targeted instruction, accommodations provide the student with dysgraphia effective and equitable access to grade-level or course instruction in the general education classroom. **Accommodations are not a one size fits all; rather, the impact of dysgraphia on each individual student determines the accommodation.** When considering accommodations for the student with dysgraphia, consider the following:

- The rate of producing written work
- The volume of the work to be produced
- The complexity of the writing task

- The tools used to produce the written product
- The format of the product

Listed below are **examples** of reasonable classroom accommodations for a student with dysgraphia based on the above consideration:

- Allow more time for written tasks including note taking, copying, and tests
- Reduce the length requirements of written assignments
- Provide copies of notes or assign a note taking buddy to assist with filling in missing information
- Allow the student to audio record important assignments and/or take oral tests
- Assist student with developing logical steps to complete a writing assignment instead of all at once
- All the use of technology (e.g., speech to text software, etc.)
- Allow the student to use cursive or manuscript, whichever is most legible and efficient
- Allow the student to use graph paper for math, or to turn lined paper sideways, to help with lining up columns of numbers
- Offer an alternative to a written project such as an oral report, dramatic presentation, or visual media project

Accommodations are changes to material, actions, or techniques, including the use of technology, that enable students with disabilities to participate meaningfully in grade-level or course instruction. The use of accommodations occurs primarily during classroom instruction as educators use various instructional strategies to meet the needs of each student. A student may need an accommodation only temporarily while learning a new skill, or a student might require the accommodation throughout the school year or over several years including beyond graduation.

Decisions about which accommodations to use are very individualized and should be made for each student by that student's ARD or Section 504 committee, as appropriate. Students can, and should play a significant role in choosing and using accommodations. Students need to know what accommodations are possible, and then, based on knowledge of their personal strengths and limitations, they select and try accommodations that might be useful for them. The more input students have in their own accommodation choices, the more likely it is that they will use and benefit from the accommodations.

When making decisions about accommodations, instruction is always the foremost priority. Not all accommodations used in the classroom are allowed during a state assessment. However, an educator's ability to meet the individual needs of a student with dysgraphia or provide support for the use of an accommodation should not be limited by whether an accommodation is allowable on a state assessment.

### Technology Tools

There are many technology resources to assist a student with dysgraphia. The Technology Integration from Students with Dyslexia online tool (TEC §38.0031) is a resource developed to support school districts and charter schools in making instructional decisions regarding technology that benefit students with dyslexia and related disorders. For more information and view this source, visit

<https://www.region10.org/programs/dyslexia/techplan/>.

# BULLARD INDEPENDENT SCHOOL DISTRICT

## GUIDELINES FOR TRANSITIONING ENGLISH LANGUAGE LEARNERS IN THE DYSLEXIA PROGRAM

Dyslexia is a language-based learning difference which stems from the inability to fluently unlock the sounds of the written symbols of a language. All languages can be categorized in reference to its orthographic component. Some languages, which are considered to have “transparent orthographies,” have almost a perfect one-to-one sound to symbol correlation. Other languages, which are considered to have “opaque orthographies,” can have multiple sounds to symbol correlations. The Spanish language is considered to be very transparent. This means that once the student can associate the sound to each symbol (letter of the alphabet), the process of decoding words is mastered quickly. The English language is considered to be opaque because the 26 letters of the English alphabet can produce 44 different sounds. The consonant sounds are usually consistent, but the vowel sounds change depending on the vowel’s position in the word and/or what letter(s) precedes and/or follows. Just as languages can differ in the complexity of its orthographic component, so does the identification of Dyslexia in English Language Learners (ELLs).

Due to the transparent orthography of the Spanish language, Spanish readers will usually be successful with grade-level language/reading tasks. While decoding, word recognition, accuracy, and spelling are important dyslexia indicators in the English orthography, in more transparent orthographies, such as Spanish, it has less influence. The inability to perform language tasks with automaticity appears to be more decisive characteristic in the identification process of dyslexia in a language as phonetic as Spanish.

Dyslexia, as defined by both the Texas Education Code and the International Dyslexia Association, is neurological in nature. This means that the individual is born with it. Therefore, it stands to reason that once an individual is identified with Dyslexia, he/she will require continued support, regardless of the language of instruction. The Bilingual Time and Treatment Guidelines in the regular education setting is crucial for all ELLs, but especially so for students who are exhibiting characteristics of Dyslexia in their native language. A hasty transition into the English reading curriculum may compound the reading difficulties. The campus LPAC should be cautious when considering changes to the bilingual category of a student who has been identified with Dyslexia. Since the student must exhibit average to high average English listening comprehension skills, this measure ensures that students will benefit from the English Dyslexia Instructional Program. The majority of our ELL students enters our schools when they are in Pre-K 3 and become fluent in English in a short time. Their reading language is usually English. Student needs will be identified and students will be provided services according to their specific needs.

For ELLs who were not considered for Dyslexia evaluation when they are receiving Spanish reading instruction, it is critical that when they transition into English reading that we do not confuse English language learners with student who are dyslexic. They may have some of the same characteristics of dyslexia and require some of the same types of instruction. However, the root of the characteristics is quite different.

### Dyslexia in Transparent and Opaque Orthographies

Opaque	Transparent
Early and marked difficulty with word-level reading	Less difficulty with word-level reading
Fluency and comprehension often improve once decoding is mastered	More difficulty with fluency and comprehension

### Characteristics of Dyslexia in English and Spanish

English	Spanish
Phonological awareness	Phonological awareness-may be less pronounced
Rapid naming	Rapid naming
Regular/irregular decoding	Decoding-fewer "irregular words" in Spanish
Fluency	Fluency-often a key indicator
Spelling	Spelling-may show fewer errors than in English, but still more than students that do not have dyslexia
Reading comprehension may be a weakness in both English and Spanish.	

# BULLARD INDEPENDENT SCHOOL DISTRICT

## DISTRICT PROCEDURES FOR STUDENTS IDENTIFIED OUTSIDE THE DISTRICT

Students identified as having dyslexia or related disorders from an outside source will be reviewed for eligibility in the district's program. Bullard ISD may choose to accept the outside assessment, or may re-assess the student. In either situation, a committee of knowledgeable persons will determine the identification status of a student enrolled in Bullard ISD and the placement of the student in the dyslexia program.

# BULLARD INDEPENDENT SCHOOL DISTRICT

## PROGRAM EXIT CRITERIA AND MONITORING STUDENTS AFTER EXITING PROGRAM

### Program Exit Criteria

Upon successful completion of the district dyslexia program(s), as measured by program mastery checks (assessments) completed at regular intervals, students will be exited from the district dyslexia program(s). Additional criteria for exit may include but is not limited to: grades from progress reports or report cards, state assessment data, benchmarks, teacher and/or parent observations/checklist, and individual dyslexia program requirements.

### Monitoring of Students

Students that have exited from the Bullard ISD dyslexia program will receive regular monitoring. These checks will occur as follows:

Time After Dismissal	Monitoring Interval
First Year	Once a grading period
Second Year	Once a semester
Third Year and Beyond	Annually each year from last date

Monitoring may include, but is not limited to the collection/evaluation of:

- Progress reports
- Report cards
- State assessment data
- Teacher reports/checklist
- Parent report/checklist
- Counselor reports
- Other program reports

## Roles of Dyslexia and/or Itinerant Reading Teachers

- Deliver instructional reading programs for identified dyslexic students only
- Maintain a teacher/student ratio not to exceed the recommended 1:6 per group
- Administer and gather pre/post instructional data to monitor program effectiveness and student growth in the area of reading
- Communicate with teachers, administrators and parents as needed
- Stay abreast of current research and development in dyslexia and research-based reading programs
- Maintain all necessary student records required by the dyslexia program
- Comply with all state and federal laws as well as district policies

# BULLARD INDEPENDENT SCHOOL DISTRICT

## DYSLEXIA DISTRICT WIDE PROFESSIONAL DEVELOPMENT AND REQUIRED TRAINING

### School Districts MUST do the following:

“Provide training about dyslexia to educators and ensure that campus planning and decision-making committee addresses dyslexia instructional strategies in professional development activities (TAC §74.28(e) and TAC §232.11)

### Texas Administrative Code 19 TAC§74.28(c)

“A school district’s or open-enrollment charter schools’ procedures must be implemented according to the State Board of Education (SBOE) approved strategies for screening, individualized evaluation, and techniques for treating dyslexia and related disorders. The strategies and techniques are described in the “Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders,” a set of guidelines for school districts and open- enrollment charter schools that may be modified by the SBOE only with broad-based dialogue that includes input from educators and professionals in the field of reading and dyslexia and related disorders from across the state.”

### Texas Administrative Code 19 TAC §74.28(i)

“Each school or open-enrollment charter school must provide each identified student access at his or her campus to instructional programs required in subsection (e) of this section and to the services of a teacher trained in dyslexia and related disorders. The school district or open-enrollment charter school may, with the approval of each student’s parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.

### Texas Education Code §21.044

... "(b) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the curriculum for that degree, instruction in detection and education of students with dyslexia."

"(c) The instruction under Subsection (b) must: ... (2) include information on: (A) characteristics of dyslexia; (B) identification of dyslexia; and (C) effective, multisensory strategies for teaching students with dyslexia."

### Texas Education Code §21.054(b)(c)

"(b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia."

"(c) The training required under Subsection (b) may be offered in an online course."

# BULLARD INDEPENDENT SCHOOL DISTRICT

## DYSLEXIA PARENT AWARENESS: LEGAL REQUIREMENTS

### School districts MUST:

“Provide a parent education program (TAC §74.28(k))

### Texas Administrative Code 19 TAC §74.28 (k)

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

- 1) Awareness and characteristics of dyslexia and related disorders;
- 2) Information on testing and diagnosis of dyslexia and related disorders;
- 3) Information on effective strategies for teaching students with dyslexia and related disorders;
- 4) Information on qualifications of those delivering services to students with dyslexia and related disorders;
- 5) Awareness of information on accommodations and modifications, especially those allowed for standardized testing
- 6) Information on eligibility, evaluation requests, and services available under IDEA and the Rehabilitation Act, §504, and information on the response to intervention process; and
- 7) Contact information for the relevant regional and/or school district or open-enrollment charter school specialists

## DYSLEXIA PARENT AWARENESS: RECOGNIZING DYSLEXIA

### Dyslexia is:

- One of several distinct learning disabilities.
- Of constitutional origin and is NOT the result of a generalized developmental delay or sensory impairment.
- Is language-based. There is a weak sensitivity to the sounds of language (insufficient phonological processing ability).
- Characterized by having difficulty reading or decoding single words. This difficulty is unexpected for the age and in comparison, to other cognitive and academic abilities. Other language skills are often variably and conspicuously impaired, particularly writing and spelling.
- A specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties usually result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. (Adopted by the International Dyslexia Association Board of Directors, November 12, 2002).
- Manifested by difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and socio-cultural opportunity.

### Characteristics of Dyslexia:

- Difficulty saying the alphabet correctly in sequence
- Difficulty forming the shapes of the letters
- Difficulty writing the alphabet correctly in sequence
- Errors in naming letters
- Difficulty in learning and remembering printed words
- Repeated spelling errors
- Difficulty in handwriting
- Slow rate of writing
- Difficulty with reading comprehension

### Characteristics, which may be associated with dyslexia:

- Delay in spoken language
- Difficulty pronouncing words with sounds in the right order
- Difficulty finding the "right" word
- Late establishing preferred writing handedness
- Late learning right, left, and other directionality components
- Problems learning concept of time and temporal sequencing
- Family history of similar problems

## OTHER FACTORS TO CONSIDER

### Trends and Tendencies:

- Grades slip downward year-to-year
- Inconsistent grades from day-to-day
- Inconsistent performance on standardized tests
- Confusion with math symbols, but not computation
- Math computation is better than word problems
- Memorized spelling is better than spontaneous spelling
- Homework is better quality than classwork
- Inordinate time spent on homework
- Deteriorated organization and study habits
- Deteriorating motivation and self-esteem
- Good grades but too much struggle is evident
- Chooses oral performance over written when given chance
- Compensation by use of pictures, prompt from teacher, etc.
- Stress reflected by irregular writing and uneven pencil pressure

### Frequent, Common or Typical Behaviors:

- Short attention span
- Posture indicative of poor self-esteem
- Anxiety results in inappropriate behaviors
- Withdrawal
- Inordinate stress during performance time

- Cheating
- Overcompensation through pseudo-confidence
- Poor motivation resulting from lack of success
- Situational behaviors manifested in specific situation (child/teacher conflict) though not characteristic of student's general behavior

These students may exhibit intellectual ability, mechanical ability, and talent in non-academic areas, social skills, and other strengths.

## WHAT CAN A PARENT DO TO HELP A CHILD WITH DYSLEXIA?

Help your child understand the nature of his/her difficulty:

- Read books or view videos about dyslexia
- Emphasize the child's abilities instead of "disabilities"

Help other members of the family:

Help others recognize and understand your child's learning disability. Family members often ask "who, what, where, and when" questions to get the necessary information.

Help your child locate and develop other talents:

- Sports, art, music, mechanics, hobbies, etc.
- Help improve your child's self-image by giving your child tasks he/she can master:
- Give the child chores to do (e.g., setting the table for supper, clearing the dishes, and making the beds).
- Make short lists of tasks to help the child remember. A list is impersonal and reduces irritations. The child will gain satisfaction as he checks off tasks completed.
- Often children do not process multiple requests quickly or accurately. State your ideas in simple, clear, one-concept commands and ask the child to repeat what was said. Speaking at a slower rate of speed to the child is often helpful.

Structure the child's life at home:

- Stick to a regular routine for meals, play, TV, chores, homework, etc.
- Keep belongings in the same place. Help the child remember where to put them.
- Keep instructions simple - one at a time.
- Break tasks into small parts or steps.
- Relieve stress in weak areas.
- Guard against negative remarks, especially those referring to laziness or lack of effort.
- Avoid threats of punishment for such things as low grades, their need for repetition of directions, ineptness at simple tasks, etc.
- Set standards, goals, and expectations of achievement within reach of your child's abilities.

How Can Parents Build Self-Esteem?

- Praise your child often and sincerely
- Don't constantly nag or criticize
- Catch your child doing well
- Give your child opportunities to succeed
- Tell your child you believe in them

- Give your child lots of hugs and kisses
- Praise efforts that are working towards a goal
- Don't compare your child with anyone else
- Look for ways to make your child feel capable
- Encourage your child to make age appropriate decisions
- Give your child a chance to solve problems before jumping in
- Listen to your child's thoughts, feelings, and ideas without judging or criticizing

### What Strengths Are We Likely to See in Individuals with Dyslexia?

- |   |   |
|---|---|
| • Highly creative                             | • Mechanically inclined                 |
| • Links previously unrelated ideas, processes | • Wants to know how things work         |
| • Finds new ways to do old things             | • Likes to repair or make things better |
| • Problem solver                              | • Enjoys working with hands             |
| • Inventor                                    | • Likes building things                 |
| • Builder                                     | • Scientific thinker                    |
| • Diplomat                                    | • Very curious and observant            |
| • Good sense of humor                         | • A good motivator                      |
| • Likes and enjoys helping people             | • Has high energy                       |
| • May anticipate people's emotions            | • Enthusiastic                          |
| • Excels at individual sports                 | • Is open-minded                        |
| • Works better alone than with team           |   |
| • Understands animals, plants, living things  |   |

### Parent Suggestions for Student Success:

- Parent(s) establish good study habits for the child. Consider a regular study schedule and a quiet study environment to address possible attention interference. Monitor nightly study to verify work is progressing or is completed.
- Work closely with your child's teacher. Regular communication between parent and teacher is necessary.
- Parent(s) consider reading to a child 15 minutes a day or acquiring audiotapes of books for read along.
- Help children develop a positive attitude and understanding of self-worth.
- Read Chapters 15, 16, and 17 in *Overcoming Dyslexia* by Sally Shaywitz for additional reading support.

## RESOURCES

1. Parenting a Struggling Reader by Hall, S. & Moats, L. (2002) Broadway Books
2. Learning Outside the Lines by Mooney, J. & Cole, D.: Simon & Schuster
3. Overcoming Dyslexia by Shaywitz, Sally
4. The International Dyslexia Association -[www.interdys.org](http://www.interdys.org)
5. LD-Online -[www.ldonline.org](http://www.ldonline.org)
6. Texas Scottish Rite Hospital -[www.tsrhc.org/p child development.cfm](http://www.tsrhc.org/p_child_development.cfm)
7. Recording for the Blind and Dyslexic -[www.rfbd.org](http://www.rfbd.org)
8. Talking Book Program, State of Texas -[www.tsl.state.tx.us/tbp/](http://www.tsl.state.tx.us/tbp/)

## SPANISH RESOURCES

1. [www.interdys.org](http://www.interdys.org) -Refer to the following fact sheets:
  - Definition of Dyslexia
  - Dyslexia Basics
  - Dyslexia and Related Disorders
  - Multi-sensory Teaching
2. [www.colorincolorado.org](http://www.colorincolorado.org) -Refer to the following:
  - Families
    - What you can do at home
    - Helping your child succeed at school
    - Let's read
3. [www.elbalero.com.mx](http://www.elbalero.com.mx)
4. [www.kokone.com.mx](http://www.kokone.com.mx)

# BULLARD INDEPENDENT SCHOOL DISTRICT

## INSTRUCTION FOR STUDENTS WITH DYSLEXIA

Once it has been determined that a student has dyslexia, Bullard ISD will provide an appropriate instructional program for the student as required in TEC §38.003.

In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.

### The following procedures must be followed:

- Instructional decisions for a student with dyslexia are made by either the campus §504 committee or ARD/IEP committee. Both committees must be composed of individuals that are knowledgeable about the student, the meaning of the evaluation information, and instructional components and approaches for students with dyslexia.
- Bullard ISD will utilize dyslexia curriculum for students with dyslexia and related disorders. This program is aligned with the descriptors found in The Dyslexia Handbook, 2021 Update. The descriptors include the components of phonemic awareness, sound-symbol association, syllabication, orthography, morphology, syntax, reading comprehension and reading fluency. Instructional approaches to be used with students identified as having dyslexia include simultaneous, multisensory instruction, systematic and cumulative instruction, explicit instruction, diagnostic teaching to automaticity, and synthetic and analytic instruction as required by TAC §74.28. The components of instruction and instructional approaches are described in The Dyslexia Handbook, 2021 Update.
- Each campus in the Bullard ISD must provide each identified student access at their home campus to an instructional program that meets the requirement in TAC §74.28(c) as well as the services of a teacher trained in dyslexia and related disorders. Teachers must meet the standards established by TEA and TEC §21.054. Bullard ISD, with the written consent of a student's parents or guardians, may offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus as per TAC 74.28.
- Parents/guardians of students eligible under §504 or IDEA will be informed of all services and options available to the student under that federal statute.
- Teachers who provide the appropriate instruction for students with dyslexia must be trained in instructional strategies that utilize simultaneous, multisensory instruction, systematic and cumulative instruction, explicit instruction, diagnostic teaching to automaticity, and synthetic and analytic instruction as required by TAC §74.28 and The Dyslexia Handbook, 2021 Update.
- Teachers who provide the appropriate instruction for students with dyslexia must be trained in the professional development activities specified by Bullard ISD including training required by the dyslexia program developer and local district policy for implementation of their programs. Training must include the instructional strategies indicated in The Dyslexia Handbook, 2021 Update.

## Components of Instruction

The instructional program offered by Bullard ISD shall be offered in small group arrangements and includes reading, writing, and spelling as appropriate. The major instructional strategies utilize individualized, intensive and multisensory methods as appropriate.

- **Phonological awareness**-“Phonological awareness is the understanding of the internal sound structure of words. A phoneme is the smallest unit of sound in a given language that can be recognized as being distinct from other sounds. An important aspect of phonological awareness is the ability to segment spoken words into their component phonemes [phonemic awareness].” (Birsh, 2018, p. 26).
- **Sound-symbol association**- Sound-symbol association is the knowledge of the various speech sounds in any language to the corresponding letter or letter combinations that represent those speech sounds. The mastery of sound-symbol association (alphabetic principle) is the foundation for the ability to read (decode) and spell (encode) (Birsh, 2018, p. 26). “Explicit phonics refers to an organized program in which these sound symbol correspondences are taught systematically” (Berninger & Wolf, 2009, p. 53).
- **Syllabication**- “A syllable is a unit of oral or written language with one vowel sound. Instruction must include the six basic types of syllables in the English language; closed, open, vowel-consonant-e, r- controlled, vowel pair (or vowel team), and final stable syllable. Syllable division rules must be taught directly in relation to the word structure: (Birsh, 2018, p. 26).
- **Orthography**-Orthography is the written spelling patterns and rules in a given language. Students must be taught the regularity and irregularity of the orthographic patterns of a language in an explicit and systematic manner. The instruction should be integrated with phonology and sound-symbol knowledge.
- **Morphology**- “Morphology is the study of how morphemes are combined to form words. A morpheme is the smallest unit of meaning in the language” (Birsh, 2018, p. 26).
- **Syntax**- “Syntax is the set of principles that dictate sequence and function of words in a sentence in order to convey meaning. This includes grammar, sentence variation, and the mechanics of language” (Birsh, 2018, p. 26).
- **Reading comprehension**-Reading comprehension is the process of extracting and constructing meaning through the interaction of the reader with the text to be comprehended and the specific purpose for reading. The reader’s skill in reading comprehension depends upon the development of accurate and fluent word recognition, oral language development (especially vocabulary and listening comprehension), background knowledge, use of appropriate strategies to enhance comprehension and repair it if it breaks down, and the reader’s interest in what he or she is reading and motivation to comprehend its meaning (Birsh, 2018, p. 14; Snow, 2002).
- **Reading fluency**- “Reading fluency is the ability to read text with sufficient speed and accuracy

to support comprehension” (Moats & Dakin, 2008, p. 52). Fluency also includes prosody. Teachers can help promote fluency with several interventions that have proven successful in helping students with fluency (e.g., repeated readings, word lists, and choral reading of passages) (Henry, 2010, p. 104).

In addition, other areas of language processing skills, such as written expression, which require integration of skills, are often a struggle for students with dyslexia. Moats and Dakin (2008) posit the following:

*The ability to compose and transcribe conventional English with accuracy, fluency, and clarity of expression is known as basic writing skills. Writing is dependent on many language skills and processes and is often even more problematic for children than reading. Writing is a language discipline with many component skills that must be directly taught. Because writing demands using different skills at the same time, such as generating language, spelling, handwriting, and using capitalization and punctuation, it puts a significant demand on working memory and attention. Thus, a student may demonstrate mastery of these individual skills, but when asked to integrate them all at once, mastery of an individual skill, such as handwriting, often deteriorates. To write on demand, a student has to have mastered, to the point of being automatic, each skill involved (p. 55).*

## Instructional Approaches

While it is necessary that students are provided intervention in the above content, it is also critical that the way in which the content is delivered be consistent with research-based practices. Principles of effective intervention for students with dyslexia include **all** of the following:

- **Simultaneous, multisensory (VAKT)**- “Teaching is done using all learning pathways in the brain (visual, auditory, kinesthetic, tactile) simultaneously in order to enhance memory and learning” (Birsh, 2018, p. 26). “Children are actively engaged in learning language concepts and other information, often by using their hands, arms, mouth, eyes, and whole bodies while learning” (Moats & Dakin, 2008, p. 58).
- **Systematic and cumulative**- “Multisensory language instruction requires that the organization of material follow order of the language. The sequence must begin with the easiest concepts and most basic elements and progress methodically to more difficult material. Each step must also be based on [elements] already learned. Concepts taught must be systematically reviewed to strength memory” (Birsh, 2018, p. 26).
- **Explicit instruction**- “Explicit instruction is explained and demonstrated by teacher one language and print concept at a time, rather than left to discovery through incidental encounters with information. Poor readers do not learn that print represents speech simply from exposure to books or print” (Moats & Dakin, 2008, p. 58). Explicit instruction is “an approach that involves direct instruction: The teacher demonstrates the task and provides guided practice with immediate corrective feedback before the student attempts the task independently” (Mather & Wendling, 2012, p. 326).
- **Diagnostic teaching to automaticity**- “The teacher must be adept at prescriptive or individualized teaching. The teaching plan is based on careful and [continual] assessment of the individual’s needs. The content presented must be mastered to the degree of automaticity” (Birsh, 2018, p. 27). “This teacher knowledge is essential for guiding the content and emphasis

of instruction for the individual student” (Moats & Dakin, 2008, p. 58). “When a reading skill becomes automatic (direct access without conscious awareness, it is performed quickly in an efficient manner” (Berninger & Wolf, 2009, p. 70).

- **Synthetic instruction-** “Synthetic instruction presents the parts of the language and then teaches how the parts work together to form a whole” (Birsh, 2018, 9. 27).
- **Analytic instruction-** “Analytic instruction presents the whole and teaches how this can be broken into its component parts” (Birsh, 2018, p. 27).

As appropriate intervention is provided, students with dyslexia make significant gains in reading. Effective instruction is highly-structured, systematic, and explicit, and it lasts for sufficient duration. With regard to explicit instruction, Torgesen (2004) states, “Explicit instruction is instruction that does not leave anything to chance and does not make assumptions about skills and knowledge that children will acquire on their own” (p. 353). In addition, because effective intervention requires highly structured and systematic delivery, it is critical that those who provide intervention for students with dyslexia be trained in the program used and that the program is implemented with fidelity.

Teachers of students with dyslexia shall be prepared to utilize these techniques and strategies. All individual accommodation plans must be implemented as written meeting fidelity standards for the teacher. The delivery of a dyslexia program must be in accordance with the way the program was designed to be delivered. The amount of time for instruction/intervention reflected in the author's /publisher's program mandates the amount of time required to deliver the instruction. (The Dyslexia Handbook, Revised 2014, Question # 51, pg. 89). Any and all dyslexia services specified in the student's written plan shall be made up with the exception of absences due to student illness or school cancellation. Teacher absences due to illness, meetings and/or trainings shall require said services for students to be scheduled for makeup.

## DYSLEXIA PROGRAM DESCRIPTION

### ELEMENTARY CURRICULUM

Bullard ISD utilizes the following programs:

- [Reading by Design](#)
- [Wilson Language Program](#)

### MIDDLE AND HIGH SCHOOL CURRICULUM

Bullard ISD utilizes the following programs:

- [Reading by Design](#)
- [Wilson Language Program](#)

# BULLARD INDEPENDENT SCHOOL DISTRICT

## SUGGESTIONS FOR STUDENT SUCCESS: ACCOMMODATIONS AND/OR INTERVENTIONS

**DIRECTIONS:** The following accommodations and/or interventions are to be used with the Suggestions for Student Success. These accommodations and/or interventions may also be used with a student who has characteristics of dyslexia.

PAGE	PURPOSE	
9-2	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH VISUAL PROCESSING</u></a>
9-4	PROBLEM:	<a href="#"><u>DOES NOT KNOW ALL THE LETTERS OF THE ALPHABET</u></a>
9-6	PROBLEM:	<a href="#"><u>REVERSES LETTERS WHEN READING</u></a>
9-8	PROBLEM:	<a href="#"><u>OMITS, ADDS, SUBSTITUTES, OR REVERSES LETTERS, WORDS, OR SOUNDS WHEN READING ALOUD</u></a>
9-10	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH PHONIC SKILLS WHEN READING</u></a>
9-12	PROBLEM:	<a href="#"><u>FAILS TO DEMONSTRATE WORD ATTACK SKILLS</u></a>
9-16	PROBLEM:	<a href="#"><u>DOES NOT COMPREHEND WHAT HE/SHE READS</u></a>
9-18	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH READING FLUENCY</u></a>
9-20	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH SPELLING</u></a>
9-23	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH HANDWRITING</u></a>
9-23	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH WRITTEN EXPRESSION</u></a>
9-28	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH ORTHOGRAPHIC PROCESSING</u></a>
9-31	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH AUDITORY PROCESSING</u></a>
9-32	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH AUDITORY MEMORY</u></a>
9-34	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH AUDITORY DISCRIMINATION</u></a>
9-36	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH AUDITORY PERCEPTION</u></a>
9-38	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH LISTENING COMPREHENSION</u></a>
9-40	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH AUDITORY SYNTHESIS</u></a>
9-42	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH LONG-TERM RETRIEVAL</u></a>
9-44	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH SHORT-TERM MEMORY</u></a>
9-45	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH PROCESSING SPEED</u></a>
9-46	PROBLEM:	<a href="#"><u>DEMONSTRATES DIFFICULTY WITH FLUID REASONING</u></a>
9-48	PROBLEM:	<a href="#"><u>DYSGRAPHIA</u></a>
9-53	PROBLEM:	<a href="#"><u>DYSCALCULIA</u></a>

**PROBLEM: DEMONSTRATES DIFFICULTY WITH VISUAL PROCESSING**

(e.g., Visual processing is the ability to make sense of information taken in through the eyes. The problem is not with a person's eyesight but with the way the brain processes visual information. Reading and mathematics are two subjects that are greatly affected by visual processing disorders. Both subjects require the accurate perception of symbols (letters, numbers, punctuation, math signs.)

**STRATEGIES AND ACCOMMODATIONS:**

1. The student is likely to experience extreme difficulty in copying material from chalkboards or textbooks and completing tasks that involve aligning information, such as writing basic math problems. Provide the student with a copy of notes from the board, as well as textbooks that she/he can write in.
2. Limit near-or far-point copying activities. When copying is necessary, do not require speed or accuracy.
3. Do not require the student to copy problems from their math or other textbooks. Instead, provide the student with clear worksheets that contain only a few problems and plenty of white space.
4. When the student is working on a worksheet with different sections, and activities, enhance the spatial organization of the page by using colors and frames. Use the following suggestions separately to avoid adding to the visual confusion:
  5. Draw a frame or border around each major section with a marker or highlighter.
  6. Place boxes on the paper in the places where the student will write important information.
  7. Number the items, in a different color, on the worksheet in the order in which the student is to do them.
  8. When the student is copying math problems onto their paper, have them write the problem itself with a colored, fine-point marker but work the problem in pencil. The color contrast will help distinguish between the digits in the problem and their own computation.
  9. Provide verbal information to support information the student receives visually.
  10. Allow the student to use a place marker or follow with their finger.
  11. Provide repeated exposures to printed visuals.

**NOTE:** Of all of the cognitive abilities, visual processing is least related to academic performance. Thus, students with weaknesses in visual processing may not require any accommodations.

**PROBLEM: DOES NOT KNOW ALL THE LETTERS OF THE ALPHABET**

The following activities and recommended materials are drawn from the work and writings of Gillingham and Sillman; Cox and the teaching staff of the Language Laboratory of the Scottish Rite Hospital in Dallas, Texas; Hogan and Smith of Edmar Educational Associates in Forney, Texas; and the staff of Neuhaus Education Center in Bellaire, Texas.

**MATERIALS FOR INSTRUCTION:**

1. Classroom uppercase alphabet strip

2. A set of 3-D plastic uppercase block letters for each student
3. Individual uppercase alphabet strip for each

student SCHEDULE:

1. Allot 5-7 minutes within a 50- to 60- minute lesson for letter identification
2. Activities should be taught through a multi-sensory letter introduction procedure

ACTIVITIES:

1. ALPHABET BATTLE

\*Individual alphabet strip and 3-D letter set for each pair of students

Students are divided into pairs. Simultaneously, both players draw a letter from the set of 3-D letters without looking at the letters. Each player places their letter on the desk and says the name of the letter. The player whose letter is closer in the alphabetical order to "Z" wins both letters. The student must say, for example "U is after G, I win the letters." The winner is the player with the most letters at the end of the game.

Variation: The player whose letter is closer to "A" wins the letters (e.g. "J is before T, I win the letters").

2. ALPHABET BINGO

\*Individual alphabet strip (for reference) and 3-D letter set for each student 3-D letter set for the teacher Each student selects any seven letters from their container of letters and places them on the desk in a vertical column on the left-hand side. The other letters are put away. The teacher selects one letter from another container, shows it to the students, and names it. Students repeat the name. If they have the letter on their desk, they move it to the right-hand side of the desk to form a second vertical column. The first person to move all seven letters to the right side of the desk is the winner. The teacher checks for accuracy by having the winner name the seven letters. For a faster game, start with fewer than seven letters.

3. GUESS WHAT?

\*3-D letter set for each pair of students

A student, with eyes closed, draws a letter from a container. The student tried to identify the letter by its shape. If successful, the student keeps the letter and his or her opponent takes a turn. If unsuccessful, the student returns the letter to the container and his or her opponent takes a turn. Play continues until all 26 letters have been named or time runs out. The student with the most letters at the end of play is the winner.

4. DON'T SAY Z

\*Individual alphabet strip for reach pair of students

Two players alternate saying letters of the alphabet in sequence. Each player may choose to say two or three letters in one turn. For example, if Player 1 say "AB" and Player 2 says, "COE", then player 1 can say, "FG" or "FGH", and so forth. The object is to avoid saying "Z".

Variation: The game can be changed to Catch the Zin which the object is to be the player who says, "Z".

## 5. SUPER SLEUTH

\*One individual alphabet strip (for reference) and 3-D letter set for each pair of students

\*Pencil and paper

The students work together in pairs to arrange the 3-D letters in an arc. The first student closes their eyes while the second student removes one letter and closes the gap left in the arc. The first student then must discover the missing letter. After the missing letter has been identified, it is replaced in the arc and the other student gets the chance to identify a missing letter. Students may keep track of correct guesses to determine the winner. The game continues until time runs out.

### PROBLEM: REVERSES LETTERS WHEN READING

Letter reversals and letter transpositions are commonly associated with beginning readers, and students with dyslexia often continue to reverse and transpose letters within words. When students misidentify “b” as “d” or “p”, visual perception or visual memory are not the sources of the difficulty. The students may not have made a stable or fixed association between the letter name or sound and the spatial orientation of the letter. For many students, it is only through extensive practice that secure associations are formed between the visual form and its verbal label.

### STRATEGIES AND ACCOMMODATIONS:

MULTISENSORY PROCEDURE FOR INTRODUCING A LETTER OR LETTER CLUSTER: Letter-sound relationships are introduced through discovery teaching and multisensory structured procedure.

1. The teacher reads five or six discovery words that contain the new letter sound.
2. Students repeat each word while looking in a mirror and listening for the sound that is the same in all of the words.
3. While looking in the mirror, students repeat the sound and discover the position of the mouth. Is it opened or is it blocked or partially blocked by the tongue, teeth or lips?
4. While placing their fingers on their vocal cords, students repeat the sound to discover whether the sound is voiced (cord will vibrate) or unvoiced.
5. Students determine whether the new sound is a vowel or a consonant sound. Vowel sounds are open and voiced. Consonant sounds are blocked and partially blocked by the tongue, teeth, or lips. They may be voiced or unvoiced.
6. Students guess the key word for the new sound by listening to a riddle or by feeling an object obscured in a container. The key word holds the new sound in memory.
7. The teacher writes the discovery words on the board.
8. Students determine the letter that is the same in all of the words and that represents the new sound.
9. The teacher shows a card with the new letter on it.
10. Students name the letter, say the key word, and give the sound.
11. The teacher names the new letter just before writing a large model of the letter on the board.
12. The teacher names the letter and then demonstrates sky writing. The teacher describes the letter strokes while sky writing the letter.
13. Students stand and sky write, naming the letter before writing.
14. The teacher distributes papers with a large model of the new letter.

15. Students trace the model three times with the pointer finger of the writing hand and three times with a pencil. Students name the letter each time before writing.
16. Students turn the model over, and the teacher dictates the name of the letter.
17. Students repeat the letter name and write the letter.
18. The teacher shows the letter card again as students name the letter, say the key word, and produce the sound.

During the various steps in this procedure, the four properties of the letter-name, sound, shape, and feel are being connected through the use of the auditory, visual, and kinesthetic modalities. This multisensory teaching reinforces the discovery information and builds associations in memory.

### PROBLEM: OMMITS, ADDS, SUBSTITUTES, OR REVERSES LETTERS, WORDS, OR SOUNDS WHEN READING ALOUD

Accurate reading of words is key to associating pronunciations with correct orthographic patterns as well as to facilitating comprehension. The teacher can use the following strategies to guide a student to the accurate decoding of a word or to correct a mistake when they are reading.

#### STRATEGIES AND ACCOMMODATIONS:

##### 1. MISREADING OR SKIPPING LETTERS:

If a student misreads a letter in a word (e.g., lid for lip) or skips a letter in a word (e.g., pat for past), then the teacher directs the student to name the letters in the word. The naming of the letters focused the student's attention on the letters and also strengthens the orthographic identity of the word.

##### 2. MISREADING A WORD:

If a student misreads a word (e.g., pane for plant) the teacher directs the student to use a backing-up procedure. The student identifies the syllable type, determines the vowel sound (short or long), and codes the vowel accordingly (i.e., marks it with a breve or a macron). The student produces the appropriate vowel sound and blends it with the consonant sound immediately after the vowel. The student blends this unit with any remaining consonant sounds after the vowel, adding sounds one at a time. The reader then blends the vowel and all of the consonant sounds after the vowel with the consonant sound immediately before the vowel. Any remaining consonants that precede the vowel are blended on one at a time. The backing-up procedure with the word plant looks like this:

Step 1: The student codes a with a breve and says /a/	plănt
Step 2: The student blends /a/ with /n/	plănt
Step 3: The student blends /an/ with /t/	plănt
Step 4: The student blends // with /ant/	plănt
Step 5: The student blends whole word	Plant

AUDITORY SYNTHESIS: The student may be quite familiar with the individual sound elements, but cannot blend them to make a smooth pronunciation of the word. The student may sound only the first symbol or two in a word and guess at the rest. The student may sequence the sounds or syllable oddly. Recognition of the same sounds in different words will present a problem.

3. Have the student count the number of syllables in a word while the teacher says it slowly. The student can also tap the syllables and accent the word as it is being said by the teacher. Vocabulary familiar to the student should be used.
4. Use a sight word vocabulary approach in order to teach the student key words and phrases when reading directions and instructions (e.g., key words such as “circle”, underline, match, etc.).
5. Tape record pronunciations of words on which the student commonly makes errors in order that they can hear all the sounds.
6. Have the student point to syllables as they read them in order to help them recognize omissions, additions, substitutions, or reversals.
7. Have the student place their finger under each letter as it is sounded out and then sweep their finger under the whole word as the sounds are blended together to say the complete word.
8. Consider using the GLASS ANALYSIS METHOD (Easier to Learn, Box 329, Garden City, NY 11530)
  - a. Identify the whole word and the letters and sound of the target cluster (on a word card)
  - b. Give the sound(s) and ask for the letter or letters
  - c. Give the letter or letters and ask for the sound(s)
  - d. Take away letters and ask for the remaining sound
  - e. Say the whole word

#### STEPS IN GLASS ANALYSIS

- a. The word is carpenter
- b. What letters make the /er/ sound? The /ar/sound? The /car/sound?
- c. What sound does the letters “ar” make? “ter”? “en”?
- d. Say carpenter without the /c/ sound. Say carpenter without the /ter/ sound.
- e. The word is carpenter.

This intervention is usually done in a small group for 10 minutes.

#### PROBLEM: DEMONSTRATES DIFFICULTY WITH PHONIC SKILLS WHEN READING

Once the students have identified the letter-sound relationships of a word, they must meld the sounds to produce a word. The blending of the sounds in a word is a critical component of learning sound- symbol correspondences. Fluid blending of letter sounds aids students in producing recognizable words.

#### STRATEGIES AND ACCOMMODATIONS:

1. Before students begin reading words, they have opportunities to blend sounds together orally with the use of manipulatives (e.g., blocks, buttons, pennies).
2. SAY IT SLOWLY:  
Using one set of letter cards or lettered tiles, the teachers sets out m, e, and t. The teacher

demonstrates how to say the word met slowly by blending the sounds together in units-by saying /m/, then /me/, then /met/, not by say /m/-/e/-/t/.

3. SAY IT FASTER, MOVE IT CLOSER:

Using one set of letter cards or lettered tiles, the teacher sets out and separated by a wide space, a. The teacher points to the first letter. Students say /s/ and hold it until the teacher points to the second letter and students produce /o/. The letters are moved closer together and the procedure is repeated, with students blending the sounds together faster. The letters are moved closer together and sounds are produced together faster until students can produce the two sounds as a single unit, /sa/. A final consonant is added and blended with the unit to produce a word. (e.g., sot, sod, sop).

4. ONSETS AND RIMES:

Using letter cards or lettered tiles, the teacher sets out o and t. Students blend the letter sounds to produce

/at/. This /at/ unit is the rime, the combination of the vowel and the consonant(s) that comes after it in a syllable. The teacher places the letter m before the rime. This is the onset, the consonant(s) of a syllable before the vowel. Students blend /m/ and /o/ to produce /mot/. The teacher changes the onset to create new words that students blend and read (e.g., sot, rat, fat, bat). Other rimes for practice include the following: in, it, at, am, op, ang, ing, and link.

5. PLAYING WITH SOUNDS:

Using one set of letter cards or lettered tiles, the teacher set out o and t. The student blends the letters sounds to produce /at/. The teacher asks the student to change /at/ to /sat/. The student adds the card or tile with s and reads /sat/. The teacher asks the student to read new words by changing or adding new letter sounds (e.g., change sat to mat, mat to map, map to mop, mop to top, top to stop).

6. TAPPING OUT:

The teacher lays out or displays letter cards or letter tile to form a word such as mat. Using one hand, students quickly tap the pointer finger to the thumb and say the sound of the first letter, /m/. In quick succession, they tap the middle finger to the thumb and say the sound of the second letter, /a/. Finally, they tap the ring finger to the thumb and say the sound of the final letter, /t/. When all of the letter sounds have been tapped out, students say the word as they drag the thumb across their fingers, beginning with the index finger.

7. TAPPING AND SWEEPING:

The teacher lays out letter cards or lettered tiles to form a word such as mat. Each student takes a turn. The student makes a fist and taps under them as they say the sound /m/. Next, the student taps under the a and says /a/. Finally, the student taps under the t and says /t/. After the student has said each sound, the student sweeps a fist under the letters and says the word.

8. Three programs that are based on research and research-based principles and that stress the transitions from phonemes to graphemes, as well as mastery of sound blending and sound-symbol connections are Road to the Code, Phonic Reading Lessons, and Phoneme-Grapheme Mapping.

9. Examples of Systematic Phonics Approaches

- Corrective Reading ([www.sralonline.com](http://www.sralonline.com))
- Explode the Code ([www.epsbooks.com](http://www.epsbooks.com))
- Foundations ([www.wilsonlanguage.com](http://www.wilsonlanguage.com))
- Phonics Reading Lessons ([www.academictherapy.com](http://www.academictherapy.com))

- Touch Phonics ([www.epsbooks.com](http://www.epsbooks.com))

## PROBLEM: FAILS TO DEMONSTRATE WORD ATTACK SKILLS

Children with dyslexia have extraordinary difficulty in using word attack skills to read new words as well as trouble committing decoded words to memory.

### STRATEGIES AND ACCOMMODATIONS:

1. AUDITORY AWARENESS OF SYLLABLES: The following activities promote awareness of syllables in words.
  - a. Syllable awareness begins early, with students identifying or generating short words (farm, feet, fat, fork, food) and long words (February, firefighter, fisherman). The chosen words might begin with a certain sound or pertain to a particular unit of study (plants, animals, ocean, United States)
  - b. Students repeat words dictated by the teacher. They clap or tap out the number of syllables. The teacher starts with compound words (playground, flashlight, cowboy), then moves on to two-syllable words (velvet, plastic, mascot) and then on to words with three or more syllables (fantastic, investment, invitation).
  - c. Students repeat words dictated by the teacher and move a counter (e.g., block, button, penny) for each syllable they hear. The use of the counters provides a visual and kinesthetic anchor for the sounds.
  - d. Students repeat a word with two or more syllables dictated by the teacher. Students are asked to repeat the word again, omitting a designated syllable as illustrated in the following dialogue:
    - Teacher: Say “transportation”
    - Students: Transportation
    - Teacher: Say “transportation” without “trans”
    - Students: Portation
    - Teacher: Say “transportation” without “tion” (sh) (u) (n)
    - Students: Transporta

This activity is effective in helping students with the correct pronunciations of words and becomes important reinforcement for reading and spelling words of more than one syllable.

### 1. SIX TYPES OF SYLLABLES:

A complicating factor in learning the sound-symbol correspondence of written English is the instability of the vowels - they have more than one sound. Knowledge of syllable types is an important organizing tool for decoding unknown words. Students can group letters into known syllable types that give clues about the sounds of the vowels. There are six orthographic types of syllables. a. Closed Syllable (it, bed, and, lost)

- b. Open Syllable (no, me, she, we, he)
- c. Vowel-Consonant-e Syllable (name, five, slope, these)
- d. Vowel-Pair(Vowel Team) Syllable (each, boil, sweet, tray)
- e. Vowel-r (R-Controlled) Syllable (fern, burn, thirst, star, bird, dollar, doctor)

- f. Consonant-le (Final Stable) Syllable (-die, -fie, -gle-, -pie, -age, -sion, -tion, -ture) A high percentage of the more than 600,000 words of English can be categorized as one of these syllable types or as a composite of different syllable types.

## 2. MORPHOLOGY

The study of morphemes not only provides a springboard for vocabulary development and spelling and bridges the gap between alphabetic reading and comprehension.

### a. MULTISENSORY INTRODUCTION OF AFFIXES

Quite often the means to reading multisyllabic words is identifying affixes that are part of the word. Students may be able to recognize an unfamiliar word simply by identifying the affixes and then the remaining base word or root. Affixes can be introduced using a multisensory guided discovery approach:

1. The teacher reads a list of five or six derivatives that have a common trait as students repeat each word (e.g., joyful, careful, helpful, graceful, cheerful).
2. Students discover what sounds the same in each word.
3. The teacher writes the derivatives on the board.
4. Students discover which letters are the same in each word and where the letters are found.
5. Students discover whether the same letters (the affix) are a suffix or a prefix, and they discover the meaning of the affix.
6. Students verbalize what they have discovered (e.g., -ful is a consonant suffix that means full of).
7. The teacher writes the new affix on an index card and adds it to an affix deck that is systematically reviewed. During review, students identify and spell the affix, give a key word, give the pronunciation, and give the meaning of the affix (e.g., when looking at the affix cared for suffix -ful, students say, "Consonant suffix f-u-l, hopeful, /ful/, full of").

The four most frequent

prefixes: Dis-	opposite
In-, im-, il-, ir-	not
Re-	again
Un-	not

*58% of prefixed words in English*

The four most common suffixes

-ed	past tense verb
-ing	verb form
-ly	characteristic of
-s, -es	more than one

*72% of suffixed words in English*

## b. SYLLABLE DIVISION

Skilled readers are able to sense where to divide longer words because they have an awareness of syllables and internalize the orthographic patterns of the language. The following activities heighten students' visual awareness of syllables and syllable division patterns.

### i. SEPARATED SYLLABLES

Students identify syllable types of separated syllables, join them into words, and read the words aloud:

Cac/tus	Mas/cot	Ban/dit	Nut/meg
Mag/net	Gob/let	Prob/lem	Nap/kin

## MANIPULATION OF MULTISYLLABIC WORDS

Students identify syllables written on individual cards, arrange them into words, and read the words aloud.

### ii. SCOOPING THE SYLLABLES

As students read multisyllabic words on a worksheet, they call attention to the syllables in the words by scooping the syllables. Using a pencil, students "scoop" (i.e., draw an arc underneath) the syllables from left to right, identify the syllable type, place a syllable code under each syllable (e.g., o for open, r for r-controlled) and code the vowel.

### iii. COMMON PATTERNS FOR DIVIDING WORDS INTO SYLLABLES

There are four major patterns in English that indicate that a word will be divided into syllables according to how it is pronounced:

- VCCV-Two Consonants between two vowels
- VC'/CV, VC/CV', V'/CC\ V
- VCV-One Consonant between two vowels
- V'/CV, V /CV', VC'/C
- VCCCV-Three Consonants Between Two Vowels
- VC'/CCV, VC/CCV', VC'/CV
- VV-Two Adjacent Vowels
- V'V, VV

## 4. PROCEDURE FOR DIVIDING WORDS

A structured procedure provides readers with a systematic approach for reading long, unfamiliar words and builds an orthographic memory for syllable-division patterns. Dyslexic students may need additional visual and kinesthetic information to build the memory of these patterns.

- Touch the vowels:* Using the index fingers of both hands, students touch the sounded vowels or vowel pairs and identify them.
- Count the consonants:* Students count the number of consonants between the two vowels or vowel pairs and identify the division pattern.
- Code:* Students identify each syllable type and code the vowels accordingly.
- Read:* Students reach each syllable without accenting either syllable.
- Read again:* Students read the syllables together with the appropriate accent.

f. *Adjust*: Students adjust the accent or division of the word is not recognizable. Adjusting the accent or the division to produce a recognizable word teaches students to be flexible with language.

5. PROGRAMS FOR MULTISYLLABIC WORD READING

- Decoding Multisyllabic Words ([www.scholastic.com](http://www.scholastic.com))
- Glass Analysis ([www.glassanalysis.com](http://www.glassanalysis.com))
- Mega-words ([www.epsbooks.com](http://www.epsbooks.com))
- Patterns for Success in Reading and Spelling ([www.proedinc.com](http://www.proedinc.com))
- WORDS ([www.proedinc.com](http://www.proedinc.com))
- REWARDS ([www.rewardsreading.com](http://www.rewardsreading.com))

6. WEBSITES WITH INFORMATION ON BASIC READING SKILLS

- Cambridge Online Dictionary (<http://dictionary.cambridge.org>)
- Dolch Sight Words([www.createdbyteachers.com](http://www.createdbyteachers.com))
- Read Well ([www.readwell.net](http://www.readwell.net))
- Starfall ([www.Starfall.com](http://www.Starfall.com))
- Vaughn Gross Center for Reading and Language Arts ([www.texasreading.org](http://www.texasreading.org))

## PROBLEM: STUDENT DOES NOT COMPREHEND WHAT THEY READ

### CHOOSING RESEARCH-VALIDATED STRATEGIES FOR COMPREHENSION INSTRUCTION

The NRP identified 16 categories of comprehension instruction, 7 of which appear to have a strong scientific basis for concluding that they improve comprehension in typical readers:

1. Comprehension monitoring, in which readers learn how to be aware of their level of understanding as they read.
2. Cooperative learning, in which students work together in pairs or small groups as they learn reading strategies.
3. Graphic and semantic organizers (including story maps) that help students make graphic representations of the material they are reading in order to bolster comprehension.
4. Question answering, in which teachers ask questions and students receive immediate feedback about their responses.
5. Question generation, in which students ask themselves questions to clarify understanding.
6. Story structure, in which students learn how to use the structure of the text to help them recall content to answer questions about what they have read.
7. Summarization, to encapsulate and remember important ideas from the text.

The reading comprehension instructional approaches that follow take advantage of the above-mentioned methods. Keep in mind that the National Reading Panel subgroup on comprehension did not include studies of students with disabilities in its meta-analysis. While the strategy instruction methods presented below are appropriate for students with dyslexia (i.e., with decoding problems but with average or above oral language and verbal intelligence), they may not

be appropriate for students with more global oral language disorders.

8. Reciprocal Teaching is an instructional model designed to teach metacognitive strategies (a) generating questions about the text prior to reading; (b) summarizing portions of the text; (c) predicting what will happen next; and (d) clarifying and evaluating after reading the text.
9. Transactional Strategies Instruction is designed to provide students with direct instruction in a number of comprehension strategies and are encouraged to talk about and choose a strategy for understanding as they read. Teachers model their own thinking aloud and encourage students to do this for each other.
10. Book Clubs are student-led discussions in a heterogeneous, small group setting within the classroom in which students share their ideas about what they have read.
11. Questioning the Author is a comprehension approach that is based on ideas about constructing one's own learning when presented with new material.
12. Comprehension through Imagery, for example Visualizing and Verbalizing for Language Comprehension and Thinking developed by Lindamood-Bell or The Visual Imagery Strategy developed at the University of Kansas Center for Research on Learning.

## **MOST EFFECTIVE TEACHING METHODS AND INSTRUCTION COMPONENTS FOR READING COMPREHENSION**

1. Directed response/questioning-The teacher asks questions, encourages students to ask questions, teacher-student dialogue.
2. Control difficulty of processing demands of task-The teacher provides assistance as needed, gives simplified demonstration, sequences steps from easy to difficult and presents in that order, allows students to control level of difficulty, keeps activities short.
3. Elaboration-Activities provide students with additional information and explanation about skills/steps, use redundant text or repetition within text.
4. Modeling of steps by teacher-The teacher demonstrates the steps students are to follow.
5. Group Instruction-Instruction or interaction between teacher and students occurs in small groups with 6 or fewer students.
6. Strategy Cues-The teacher reminds students to use strategies or steps, explains steps or procedures, uses a think-aloud model, identifies benefits of strategy use.

## **COMMERCIALLY AVAILABLE PROGRAMS**

(WITH POTENTIALLY POSITIVE EFFECTS; SEE WHAT WORKS CLEARINGHOUSE WEB SITE)

- Early Intervention in Reading ([www.earlyinterventionreading.com](http://www.earlyinterventionreading.com))
- Failure Free Reading ([www.failurefreereading.com](http://www.failurefreereading.com))
- Start Making a Reader Today ([www.getsmartoregion.org](http://www.getsmartoregion.org))

## **PROBLEM: DEMONSTRATES DIFFICULTY WITH READING FLUENCY**

Fluency is the rapid, prosodic flow with which a skilled reader reads. Lack of fluency is marked by a slow, halting, spasmodic pace; mistakes; poor phrasing, and inadequate intonation. A slow, labored rate of reading seriously impairs comprehension because it diverts attention away from the meaning of the text and overloads working memory at the word level so that this memory is not available for understanding the meaning of the text.

### **STRATEGIES AND ACCOMMODATIONS:**

#### **1. RECOGNITION OF IRREGULAR WORDS**

- A multisensory structured procedure helps students to achieve permanent memorization of irregular words.
- The teacher writes an irregular word on the board, such as said.
- Students identify the syllable type and code the word according to the regular patterns of reading. Students read the word and discover it does not follow the reliable patterns of the language: /sad/
- The teacher erases the coded word and rewrites the word on the board: said. Beside the word, the teacher writes the pronunciation in parentheses: /sed/
- Students compare the word and the pronunciation. They decide which part is irregular.
- The teacher circles the irregular part.
- The teacher writes the word on the front of a 4" X 6" index card. On the back of the card, the teacher writes the pronunciation. The teacher cuts off the upper left-hand corner of the front of the card. The irregular shape of the card cues students that the word printed on it is an irregular word.
- The teacher holds up the card so that students see the front of the card. Students read the word aloud.
- The teacher turns the card around, and students read the pronunciation aloud.
- The teacher slowly turns the card from front to back four or five times as students read the word and then read the pronunciation aloud.
- The new card is added to a deck of irregular words that is reviewed daily.

#### **2. REVIEW OF IRREGULAR WORDS**

Use of a rapid word-recognition chart can build instant recognition of high frequency irregular words.

#### **3. EFFECTIVE INSTRUCTION**

Chard et al. reviewed the results of 24 studies that investigated the application of reading fluency interventions for students with reading disabilities. Their findings indicate that effective fluency interventions included:

- Provision of an explicit model of fluent reading
- Multiple readings of text with corrective feedback on missed words
- Established performance criteria for increasing the difficulty level of the text
- Instruction and practice recognizing larger orthographic units quickly enhanced fluency

#### **4. CHOOSING TEXT FOR REPEATED READINGS**

- Choose a selection of 50-100 words at the student's instructional reading level.
- If the student takes more than 2 minutes or makes more than 5-10 errors, the passage is too difficult.
- Determine the number of WCPM.

- When the student is able to read 80-85 WCPM, increase the difficulty level of the passages.
  - Consider QuickReads ([www.quickreads.org](http://www.quickreads.org))
5. RATE-BUILDING
    - Every two weeks, have the student read a passage at their independent level of similar difficulty to passages in rate-building exercise.
    - If the rate has improved, the teacher sets a new target rate on the new rate plus 40%.
    - Conducted in a small group setting in two 15 to 20-minute sessions daily.
  6. READING FLUENCY PROGRAMS AND RELATED WEB SITES
    - Concept Phonics (<http://wwwwoxtonhouse.com>)
    - Great Leaps ([www.greatleaps.com](http://www.greatleaps.com))
    - One Minute Reader ([www.oneminutereader.com](http://www.oneminutereader.com))
    - Read Well ([www.readwell.net](http://www.readwell.net))

### PROBLEM: DEMONSTRATES DIFFICULTY WITH SPELLING

Many researchers have provided evidence that early spelling is the link between phonemic awareness and reading. Regularities in these spellings are an indication of the developing awareness of the phonemic structure of spoken language, an important prerequisite to early reading.

Frith's stage theory is supported by research indicating that spelling precedes reading at what she calls the alphabetic phase of reading acquisition. To spell, one needs to use a left-to-right, letter-by-letter strategy, the very strategy that is so important to the acquisition of the alphabetic or cipher decoding strategy. According to Frith, it is the transition to the alphabetic stage through the strategies practiced in spelling by ear that is such a struggle for children with dyslexia.

Systematic spelling instruction is critical for students with dyslexia.

### STRATEGIES AND ACCOMMODATIONS

#### 1. PRINCIPLES OF SPELLING INSTRUCTION

Louisa Moats, author of *Spelling Development, Disability, and Instruction*, provides a comprehensive overview of teaching spelling and of using misspellings to shed light on student's linguistic development.

#### 2. MULTISENSORY REMEDIAL SPELLING INSTRUCTION

The two best known approaches being the Orton-Gillingham and the Fernald Methods.

#### 3. SPELLING LESSONS FOR DYSLEXIC STUDENTS

Pages 287-292 discuss and outline the process by Suzanne Carreker in the book, *Multisensory Teaching of Basic Language Skills*; second edition.

#### 4. ELEMENTS OF EFFECTIVE SPELLING INSTRUCTION

- |   |                                     |
|---|-------------------------------------|
| • Segmenting spoken words into their sounds         | • Adding affixes to words           |
| • Matching the sounds to the letter correspondences | • Spelling different syllable types |
| • Spelling common orthographic patterns             | • Spelling word derivatives         |

- Learning and practicing common spelling rules
- Spelling irregular words with emphasis on the irregular parts
- Learning about word origins

## 5. FIVE MAJOR ENGLISH SPELLING RULES

- The rule for doubling the final consonant (the Floss Rule)
- The rule for doubling the medial consonant (the Rabbit rule)
- The double rule
- The dropping rule
- The changing rule

## 6. FERNALD MULTISENSORY SPELLING METHOD

- Write the word on a chalkboard or piece of paper
- Say the word clearly and ask the student to look at the word and pronounce it clearly
- Ask the student to study the word and try to develop a visual image of the word. The student may try to picture the word; may say the word, and/or may trace the word with the index finger. The student studies the word until he or she can make a mental picture
- When the student indicates that he/she knows how to spell the word, erase the word and then have the student attempt to write the word from memory
- Erase the word or turn the paper over and ask the student to write the word two more times correctly from memory

## 7. CARREKER MULTISENSORY SPELLING METHOD

- Write the word in large letters and have the student circle the irregular part of the word
- Have the student trace the word three times, saying the word and naming the letters while tracing
- Have the student write the word three times with the word in view, naming each letter while writing
- With eyes closed, have the student spell the word, then check the model; repeat this step three times
- Remove the model, have the student say the word, then write the word three times, naming the letters while writing

## 8. COMMERCIAL PROGRAMS FOR EXPLICIT SPELLING INSTRUCTION

- Phoneme-Grapheme Mapping (Sopris West)
- Scholastic Spelling (Scholastic)
- Sitton Spelling (Educators Publishing Service)
- Spellbound and the Spell of Words (Educators Publishing Service)
- Spellography (Sopris West)
- Spellwell (Educators Publishing Service)

## 9. SPELLING-RELATED WEB SITES

- [www.wordcentral.com](http://www.wordcentral.com) (on-line dictionary, thesaurus, games)
- [www.spellingcity.com](http://www.spellingcity.com) (educational site to help children improve spelling)
- [www.gamequarium.com/spelling](http://www.gamequarium.com/spelling) [www.funbrain.com/spellroo](http://www.funbrain.com/spellroo) [www.kidspell.co](http://www.kidspell.co),
- [www.resourceroom.net](http://www.resourceroom.net)
- [www.everydaysspelling.com](http://www.everydaysspelling.com) [www.eduplace.com](http://www.eduplace.com)

## PROBLEM: DEMONSTRATES DIFFICULTY WITH HANDWRITING

The development of handwriting involves the acquisition of both legibility and fluency, which are analogs of reading accuracy and reading fluency. Handwriting is more complex than reading, though, because it involves recognizing letter shapes, names, and sounds, as well as integrating spelling and motor planning in order to produce formations that can be read by others.

Regina Cicci, in addressing the writing problems of students with dyslexia, listed seven possible underlying difficulties that could lead to poor handwriting: (a) incorrect pencil grasp, (b) excessive tension in pencil grasp, (c) incorrect position of paper, (d) inappropriate size and spacing of letters and words, (e) poor visual memory for letter formations, (f) slow rate, and (g) poor fine-motor coordination or dysgraphia. Not all children with dyslexia have handwriting difficulties and not all children with handwriting difficulties are dyslexic.

## GENERAL PRINCIPLES IN THE MULTISENSORY TEACHING OF HANDWRITING

- Alphabet wall cards provide easy reference for children.
- Good Posture
- Proper Pencil Grasp: An awkward pencil grip can indicate finger agnosia. The use of an auxiliary plastic pencil grip can aid in changing the fatiguing grip to a normal, less tiring one. Children may need to experiment with pencil grips to determine which one works for them. Many become frustrated with these implements once the novelty has worn off. The pencil should point toward the shoulder of the writing arm for both left- and right-handed students.
- Writing Implement: While the child is writing, they are receiving feedback in the form of pressure and the pull of the pencil against the paper. A No. 2 or softer pencil should be used. Pencils with soft lead require less pressure from the child, thereby reducing fatigue.
- Paper: Handwriting instruction begins with activities that involve gross motor movements so that children may feel the movement in the shoulder and arm and improve their kinesthetic memory. Tracing at the chalkboard is the first step. Paper patterns also should be large and gradually become smaller as children become proficient with letter forms. Initially, letter forms should be taught using a chalkboard or dry erase board, then using unlined paper, then wide-lined paper (1" between rows), next primary-grade lined paper, and finally regular lined notebook paper.
- It is neither necessary nor desirable to keep the alphabet in sequence while teaching handwriting.
- There are many forms of print writing, but the one most often recommended for dyslexic children is one that utilizes a continuous stroke whenever possible.
- Group printed letters by similar strokes such as the h group. The print letter form introduces the idea of continuous stroke. Its basic arm movement is also used in such letters as b, m, n, r, and p. Be prepared to spend considerable time on the letter b because of the confusions between b and d. The a group consists of letters that start with the same movement as the letter a. It includes a, c, d, g, o, q, and s. These letters begin at the 2 o'clock position just below the mid-line. Other groups such as the letters, i, j, k, l, and t begin with straight down strokes, whereas the letters, v, w, and x start with slight slants. The letters e, u, y, and z do not belong to a particular group. Lowercase letters are taught first in cursive handwriting.

## CAN HANDWRITING BE IMPROVED?

Handwriting is not one of the areas investigated by the National Reading Panel (2000), but both clinicians and researchers who carry out training studies suggest that instruction in this area is worthwhile. Handwriting

instruction can improve both legibility and automaticity.

Cox (1992) claims that handwriting retraining for dyslexic students who are not identified early is more difficult and time-consuming than reading remediation. However, King (1985) states that true dysgraphia is extremely rare, despite the fact that the diagnosis is frequently made. King and Cox both urge that students with dyslexia learn to type, in addition to, but not in lieu of, developing handwriting skills.

### **SUGGESTIONS FOR HANDWRITING INSTRUCTION**

The following suggestions are taken from a variety of sources and programs and tend to represent best practice.

- Begin early. It is difficult to change a child's awkward pencil grip once it has become a habit. Begin encouraging the three-finger grip in kindergarten.
- Look for fat pencils or soft pencil grips to accommodate individual needs. Some children do well with thin-tip colored markers for handwriting practice because they flow much more easily than pencils.
- Make handwriting instruction multisensory. Trace, copy, and use words to describe strokes. Write letters from memory and say the sound as the letter is formed.
- Teach letters by similarities in formation.
- Build sequences of mastered letters into words. With cursive writing, learning the connecting strokes is just as important as the formations.
- Combine practice in spelling with practice in handwriting. Dictate words in which both formations and letter sounds have been taught.
- Just as reading practice involves accuracy first and then fluency, practice letters until they are consistently legible and then practice them for speed.
- Words can be a scaffold for remembering patterns. Be consistent in your terminology. Adapting a school-wide program ensures consistent terms from year to year.
- Handwriting usually takes several years to become automatic. For example, if cursive is begun in Grade 3, it will need to be reviewed and made automatic in Grade 4.
- Some children may become legible writers but may continue to be slow.
- Cicci suggest compensatory modifications such as using parents as scribes and proofreaders, accepting taped or oral reports, and reducing length of written assignments.
- Use of the computer has become a significant help to children who struggle with handwriting.

## PROBLEM: DEMONSTRATES DIFFICULTY WITH WRITTEN EXPRESSION

Writing is a complex task that requires the integration of multiple cognitive, linguistic, and motor abilities. In fact, writing may be the most complex task students are asked to perform in school because it requires the integration of so many different skills. For example, good oral language and background knowledge underlie good writing; but this is not enough. Many students with writing difficulties can formulate clear, coherent ideas, but they then have trouble translating these thoughts into written form. The process of integrating the various language demands with the memory and motor demands can easily overload a student's ability to attend and concentrate, and, thus the written output suffers. A problem in any one aspect of writing, including spelling or handwriting, can have a detrimental effect on the quality of written expression.

The achievement domain of written language has not received the same intensity of focus from researchers, educators, or legislators as has reading, or even mathematics for the matter. In fact, writing has been called the "Neglected R" (National Commission on Writing in America's Schools and Colleges, 2003).

### EXAMPLES OF HOW VARIOUS DIFFICULTIES IMPACT WRITING PERFORMANCE

<b>WEAKNESS</b>	<b>IMPACT ON WRITING PERFORMANCE</b>
GRAPHOMOTOR	Slow writing, difficulty forming letters, awkward pencil grip, limited output on writing tasks
ATTENTION	Difficulty in initiation writing tasks, careless errors, inconsistent legibility, poor planning
SPATIAL	Poor use of lines on paper, uneven spacing, organizational problems, misspellings
MEMORY	Poor vocabulary, misspellings, frequent errors in transcription skills
LANGUAGE	Difficulty with sentence structure and word order, or vocabulary, poor spelling

The National Writing Project, designed for teachers of writing at all grades, is a professional development network that strives to improve student achievement by improving the teaching of writing. For more information see [www.nwp.org](http://www.nwp.org).

### EXAMPLE ACCOMMODATIONS OF INSTRUCTIONAL MATERIALS

<ul style="list-style-type: none"><li>• Highlight key words for phrases</li></ul>	<ul style="list-style-type: none"><li>• Develop individual spelling lists and have students keep personal dictionaries of troublesome words</li></ul>
<ul style="list-style-type: none"><li>• Simplify language used in writing prompts</li></ul>	<ul style="list-style-type: none"><li>• Provide (as needed) pencil grips, raised-or color- line paper, personal alphabet strips, and paper positioning marks on a student's desk</li></ul>
<ul style="list-style-type: none"><li>• Use graphic organizers and procedural checklists</li></ul>	
<ul style="list-style-type: none"><li>• Display mnemonic strategies in the classroom so students can access these cues</li></ul>	

## EXAMPLE MODIFICATIONS OF TASK DEMANDS

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Increase time to complete writing tasks</li><li>• Decrease length or complexity of writing assignment</li><li>• Use text frames (i.e. partially completed text)</li><li>• Reduce or eliminate copying tasks</li><li>• Permit use of dictation or a scribe</li></ul> | <ul style="list-style-type: none"><li>• Permit use of word processors (requires keyboarding skills)</li><li>• Use technology to support writing (e.g., spell checker, voice recognition, semantic mapping, outlining software)</li><li>• Allow other means of demonstrating assignment (e.g., oral versus written)</li></ul> |
|---|--|

## 6 TRAITS OF WRITING

- [www.edina.k12.mn.us](http://www.edina.k12.mn.us)
- [www.greatsource.com](http://www.greatsource.com)

### PROBLEM: DEMONSTRATES DIFFICULTY WITH ORTHOGRAPHIC PROCESSING

A number of cognitive correlates for basic reading skills have been identified by researchers, including phonemic awareness, associative memory, rapid naming, orthographic processing, perceptual speed, and working memory. Students struggling with acquiring sound-symbol relationships often do so because of limited phonemic awareness. In addition, students often have difficulty storing and retrieving accurate representations of phoneme-grapheme relationships and words, implicating weaknesses in associative memory, working memory, and/or orthographic processing. Some students will demonstrate pronounced problems with the phonological aspects of reading, whereas others will have more difficulty with the visual, or orthographic, aspects of reading.

Children acquire orthographic knowledge and processing skills through repeated exposure to printed words, which enables them to develop stable visual representations of letter sequences, word parts, and whole words in long-term memory. Recently, there has been increasing interest in orthographic processing as a possible second contributor to reading ability in view of the consistent finding that phonological skills do not account for all of the variance in word recognition.

Developing readers must know phoneme-grapheme relationships before they can gather a substantial sight vocabulary. Thus, most promising approaches to increasing word recognition skills seem to focus first on developing accuracy in word reading, and then they work on improving fluency and rate.

### SIGHT WORD INSTRUCTION

One systematic way to practice high-frequency words is to use a carefully developed list of words, such as Edward Fry's list of 300 Instant Words. This list of words makes up about 65% of the words used in written material and it may be used for both reading and spelling instruction. The first 100 words make up about 50% of words used in written materials. As an informal assessment, a student may attempt to read or spell the words starting at the beginning of the list and continue until an error is made. Instruction can then begin at the point where the student does not immediately recognize or does not know how to spell a

word. The student can continue working on the list until all 300 words have been mastered.

### **RAPID WORD RECOGNITION CHART**

Another simple way to improve speed of recognition for words with an irregular element is the use of a rapid word recognition chart. The chart is a matrix that contains five rows of six irregular words, with each row containing the same six words in a different order. After a brief review of the words and a warm up in which the teacher points randomly to eight to ten words on the chart, students are timed for 1 minute (or until they complete the chart) as they read each word in the squares aloud. Students can then count and record the number of words they read correctly.

### **SPEED DRILLS**

To conduct a speed drill, the student reads a list of words for 1 minute as someone records the number of errors. The list may be a high-frequency word list or the sample speed drills provided in a program like Concept Phonics, where lists are provided for 1-minute timings. The purpose of these drills is to help students develop automatic sight recognition of words. The general guidelines for reading lists of words at the desired rate are as follows:

- 30 correct wpm for first- and second-grade children
- 40 correct wpm for third-grade children
- 60 correct wpm for mid-third-grade children
- 80 wpm for students in fourth grade and higher

### **SPELLING DEVELOPMENT**

Similar linguistic processes are involved in pronouncing and spelling words, but spelling much more difficult. Reading a word requires only recognition, whereas spelling requires the complete recall of every letter in the correct sequence. A weakness in phonemic awareness is often found in poor spellers in the early grades. However, in the later grades, the primary characteristics of a poor speller include difficulty understanding spelling rules, word structure, and letter patterns. Poor spellers are thought to have a visual memory problem specific to letters and words. This specific problem is referred to as orthographic memory because the student's visual memory for other material may be intact. Poor spelling is a common characteristic of dyslexia. Knowledge of the spelling patterns (orthography) is required for quick production of common letter strings and letter patterns. Thus, memory of orthographic letter patterns and representations is a key component of accurate spelling. In fact, problems in phonology or orthography are two different impairments that can affect a student's ability to learn to spell.

### **QUESTIONS TO ASK WHEN ANALYZING SPELLING ERRORS**

Does the student:

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Put the sounds of words in the correct sequence?</li><li>• Add or omit certain sounds from words?</li><li>• Spell the irregular elements of words correctly?</li><li>• Have vowels in every syllable?</li></ul> | <ul style="list-style-type: none"><li>• Spell homophones correctly?</li><li>• Spell common affixes correctly?</li><li>• Understand how to form plurals and change verb tenses?</li></ul> |
|---|--|

Spelling instruction should engage students in active, reflective thinking about the reliable patterns and rules, and not be focused on copying and memorizing lists of individual words.

## ELEMENTS OF EFFECTIVE SPELLING INSTRUCTION

Provide instruction in:

- Segmenting spoken words into their sounds
- Matching the sounds to the letter correspondences
- Spelling common orthographic patterns
- Learning and practicing common spelling rules
- Spelling irregular words with emphasis on the irregular parts
- Adding affixes to words
- Spelling different syllable types
- Spelling word derivatives
- Learning about word origins

## WORD SORTS

One easy way to help children acquire knowledge of spelling patterns is to have them engage in word sorts. Students can be given a group of words to sort and then asked to figure out various spelling patterns. Word sorts for alternative spellings of the same phoneme are also effective. More advanced sorts can involve different syllable types, common affixes, or sorting into Greek or Latin origins.

## SPELLING FLOW LISTS

Students who struggle with spelling need a considerable amount of practice and review to master the spellings of words. Some research suggests that daily spelling tests are more effective than weekly spelling tests for these students. The procedure for keeping track of words has been referred to as a spelling flow list, or add-a-word list. This type of procedure provides students with sufficient repetition and review.

## TEACHER RESOURCES

- [www.readwritethink.org](http://www.readwritethink.org)
- [www.everydayspelling.com](http://www.everydayspelling.com)
- [www.eduplace.com](http://www.eduplace.com)

## PROBLEM: DEMONSTRATES DIFFICULTY WITH AUDITORY PROCESSING IN THE REGULAR EDUCATION CLASSROOM

Auditory processing disorder is the inability to make sense of information taken in through the ears. The problem is not with a student's hearing but with the way the brain processes auditory information. Auditory processing disorders can affect all areas of language, including reading and writing. Some specific auditory disorders include:

- Auditory discrimination-the ability to recognize differences in sounds
- Auditory memory-the ability to store and recall information given verbally
- Auditory sequencing-the ability to remember information in order
- Auditory blending-the process of putting together sounds to form words (The student can sound the letters out, but cannot blend the sound together to form a word e.g., /i/ plus /t/ makes it).

### **A student with auditory perception difficulties often struggles with the following:**

- Analyzing information taken in through the ears

- Making sense of auditory information
- Processing and interpreting auditory information (The teacher may say one thing, but the students interprets his or her words as something totally different).

## **STRATEGIES AND ACCOMMODATIONS:**

### **ADAPT SETTING:**

- Allow time for sorting activities, which help build auditory processing skills
- Schedule brief meetings with the student to help fill in gaps in understanding
- Plan frequent breaks to help the student make sense of the information

### **ADAPT INSTRUCTION**

- Keep oral questions brief. If possible, supplement oral instructions with written instructions.
- Slow the rate of speech.
- Make sure the student is attending before giving directions or important ideas.
- Rephrase information (say it differently) if the student does not understand. (Do not just restate.)
- Pre-teach when starting a new activity (discuss vocabulary, main ideas, or highlights of activity prior to starting).
- Provide visual aids such as writing key words on the board, provide written/picture outlines of lectures, provide hardcopies of other oral information such as audiotapes, class discussion, etc.
- Read aloud material that is written on chalkboards or on overheads.
- Provide oral and written directions.

## **PROBLEM: DEMONSTRATES DIFFICULTY WITH AUDITORY MEMORY**

(e.g., cannot remember information received auditorily)

## **STRATEGIES AND ACCOMMODATIONS:**

1. Make certain the student's hearing has been recently checked.
2. Reinforce the student for remembering information received auditorily:
  - a. Give the student a tangible reward (e.g., special privileges, line leading, passing out materials, five minutes free time, etc.) when the student remembers information received auditorily, or
  - b. Give the student an intangible reward (e.g., praise, handshake, smile, etc.) for remembering information received auditorily.
3. Evaluate the appropriateness of the task to determine if:
  - a. the task is too difficult (e.g., too much information to remember); or
  - b. the length of time required for the student to remember is inappropriate (e.g., presentation of information was too brief or time lapse between presentation of material and request for recall was too long).
4. Draw the student's attention to key aspects of auditory communications as they occur (e.g., repeat important points, call the student by name, tell the student which information is particularly important, etc.).
5. Provide the student with more than one source of directions, explanations, instructions, etc., before requiring them to remember.
6. When the student is required to recall information, provide them with auditory cues to help them

remember the information previously presented (e.g., say, "Remember yesterday when I said ...," etc.).

7. Provide visual information to support information the student receives auditorily.
8. Teach the student to learn sequences and lists of information in segments (e.g., telephone numbers are learned as 314, then 442, then 7094).
9. Have the student follow verbal one-, two-, and three-step directions.
10. Provide the student with verbal directions, rules, lists, etc. Reinforce the student for being able to recall the information in verbal form.
11. Write stories, directions, etc., so the student may listen as he/she reads along.
12. Tell the student what to listen for before delivering auditory information.
13. Send the student on errands to deliver verbal messages to other teachers in the building.
14. Be certain that auditory information is presented slowly enough for the student to know what is being communicated.
15. While reading a story to the student, stop on occasion to ask questions about the plot, main characters, events in the story, etc.
16. Have the student pretend they are a waiter/waitress. Have the student recall what they can from an order given to them.
17. Have the student paraphrase directions, explanations, and instructions soon after hearing them.
18. Use as much visual information as possible when teaching (e.g., chalkboard, projections, pictures, etc.).
19. Have the student tape record directions, explanations, and instructions in order that they may replay needed information.
20. Use simple concise sentences to convey information to the student.
21. Have the student recall names of friends, days of the week, months of the year, addresses, telephone numbers, etc.
22. After listening to a tape, story, record, etc., have the student recall characters, main events, sequence of events, etc.
23. Provide the student with study guides for listening activities.
24. Provide assistance with note taking

#### **PROBLEM: DEMONSTRATES DIFFICULTY WITH AUDITORY DISCRIMINATION**

Auditory discrimination is necessary for learning the phonemic structure of oral language. Auditory discrimination for word sounds can be weak and faulty in children whose hearing, as measured by acuity tests, is within the normal range

#### **STRATEGIES AND ACCOMMODATIONS:**

1. Place the following objects in four identical glass jars: wooden beads, glass beads, pebbles, and a spoon. The child is to watch as the teacher demonstrates the sound of each. The child turns their back and listens, and then tries to duplicate the sound they heard.
2. Tell the child they are to clap whenever they hear a sound, for example "f". Utilizing both visual and auditory cues, have them perform sample exercises. Explain now that you're going to try to fool them by mixing the sound with others, such as "b, m, f, s, th". When trying to fool the student, the teacher should place a white card before her mouth to limit visual clues.
3. The teacher reads orally a silly sentence, for example, "Sally smiles sweetly at Sue." Which word does not begin with the "s" sound? Initially, tell the children what to look for.
4. Teach discrimination of phonetic elements. Begin with consonants, then long vowels, blends, and short vowels. Have the children recognize the sounds, not the letters' names. For example, say a

series of short vowel sounds:

- i-a-f-a-o-i-a-a"  
Have the children raise their hands when they hear the "a" sound.
  - "ai"; "o-all" ; "a-all" Later: hat-hit"; "hat-hat"  
Have the children raise their hands if the pairs are alike in sound.
  - "ab-ib-ob-ab" (nonsense)  
Have the children raise their hands when they hear the "ab" sound.
  - "ib-ab"; "ab-ab"  
Have the children tell if the pairs are alike. Later use short "e" and "u" sounds.
5. Show the child some pictures and ask them to mark the one that does not start with a particular letter.
  6. Have the child sort pictures according to the sounds they hear at the beginning, middle, or end of the words.
  7. Have index cards prepared with letters, diphthongs, blends, diagraphs, etc. When the child hears the sound, the student holds up the index card with the appropriate sound.
  8. When teaching words that have sounds that are alike, color code those sounds that are alike with the same color.
  9. On a list of rhyming words, ask the child to circle the parts of the words that are alike. This draws attention to the point that rhyming words have parts that are said and spelling in a similar way.
  10. Have the child make up a riddle whose answer begins with the last letter of the answer to the previous riddle. For example, "I say meow ..... cat. I am the opposite of bottom top. I am a green round vegetable that comes in a pod pea."
  11. Tell the child to listen for a specific sound in a word. Say a word and ask, "Is the sound at the beginning or end of this word?"
  12. Read a sentence to the child with a missing word and ask the child to fill in the missing word with a word that rhymes with it. For example, "The bird was sitting on its ... The word I'm looking for rhymes with vest."
  13. Pass blank papers to the children. A typical lesson might be: "I will say a word twice. After I say it twice, I want you to write (1) the first sound (2) the long vowel (3) the beginning blend (4) the last sound (5) a rhyming word."
  14. The children are to listen to a series of sentences and act out the one that is different. For example, "Touch your arm. Touch your arm. Wave your hand. Touch your arm."
  15. Use cards with symbols and pictures to help teach sounds. Have the child listen for a sound and then select a picture which represents the sound.

#### **PROBLEM: DEMONSTRATES DIFFICULTY WITH AUDITORY PERCEPTION**

Auditory perception is defined as the ability to receive and understand sounds and words. Auditory perception has a key role in the development of efficient reading skills, processing incoming verbal information, basic communication, social relationships, and in the ability to respond in an appropriate and safe manner to the environment.

#### **STRATEGIES AND ACCOMMODATIONS:**

1. Teachers should use one-concept phrases and sentences. Ask only short questions; use

experience charts in reading, and give visual cues whenever possible.

2. Use listening games, such as "Simon Says," and recordings such as "Let's Listen."
3. Ask the child to answer "yes", "no", or "maybe" to questions: "Can you pick up a house? Is a brick heavy? Do girls grow beards?" This will increase receptive vocabulary.
4. Book exercises. For example, "Find page 29. Show me the fourth paragraph on page 24. Point to the last word in the second paragraph."
5. Use a series of pictures. As the teacher describes an object (for example, a picture), or tells a story about the picture, the child holds up the appropriate picture(s).
6. The teacher reads aloud poems or parts of a funny story, such as the Dr. Seuss series. Who? Where? When? Why? And How? Questions are asked of the child.
7. Have the child clap or raise their hand when they hear a word that belongs to a particular category. For example, "Clap your hands when you hear the name of a vegetable."
8. Read a description of a scene to the student. Encourage the student to draw a picture from what they heard.
9. After hearing a song, ask the student to describe orally the story behind the song's words.
10. To continue building a receptive vocabulary, this exercise may be used. The child is asked to recognize subtle differences in words when the teacher gives a sentence verbally that contains an inappropriate word. The student picks out the inappropriate word or words, and substitutes the correct word for the incorrect. For example, "Mr. Jones dove his par into the garage."
11. Use a series of pictures. As the teacher describes the picture or tells a story about the picture, the child holds up the appropriate picture.

#### **PROBLEM: DEMONSTRATES DIFFICULTY WITH LISTENING COMPREHENSION**

Dyslexia is "characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities" (NICHD/IDA 2002). According to this definition, listening comprehension should not be an area of deficit. As definitions of dyslexia have become more and more specific, and more driven by the NICHD's insistence on careful descriptions of research participants, listening comprehension presents as a skill that should be average to strong in individuals with dyslexia. However, there are a number of individual differences across the dyslexic population and evidence of listening problems for some of these individuals.

Children with specific listening comprehension problems have normal hearing and average or above average nonverbal intelligence, but have problems comprehending vocabulary, sentences, or connected language. Some have difficulty perceiving words correctly and others have problems remembering what they hear.

Any of these problems may have an impact on expressive language and higher levels of learning including reading comprehension, written expression, and verbal aspects of mathematics. Problems may also interfere with social interactions.

#### **STRATEGIES AND ACCOMMODATIONS:**

- Make certain the child is attending before giving instructions.
- Speak slowly so the child has time to process each word.

- Repeat instructions and ask the child to restate them. Provide visual supports and written instructions as needed.
- Reword questions and material that is too difficult for the child to understand.
- Teach the vocabulary that is needed for all courses and help students use various strategies to acquire word meanings.
- Help the child understand idioms and figures of speech.
- Provide breaks or rest periods after extensive listening tasks.
- Teach the child to be an active listener. Encourage paraphrasing, not simple repetition.
- Teach abstract concepts with visual supports.
- Help students listen for tone of voice and inflectional patterns that convey meaning.
- Encourage students to think about the speaker's intent of a message, not just the words.
- Teach conversational skills including turn taking, topic initiation, and appropriate responses.
- Emphasize meaning. Do not ask children to read or spell words they do not understand.
- Encourage students to activate background knowledge.
- Teach strategies to aid recall, such as rehearsal, chunking and categorization.
- Include work on linguistic awareness as needed.
- Help students' abstract significant ideas from lectures and to take good notes.

#### **PROBLEM: DEMONSTRATES DIFFICULTY WITH AUDITORY SYNTHESIS**

(e.g., has difficulty with the ability to combine smoothly all the sounds or syllables of words to make them a whole, or the ability to analyze a word into its separate sounds)

#### **STRATEGIES AND ACCOMMODATIONS:**

1. Have the child count the number of syllables in a word while the teacher says the word slowly. The child can also tap the syllables and accent as they hear them. Tokens or chips can be used to show how many sounds are heard. Vocabulary familiar to the child should be used.
2. Have the child listen to the word while being pronounced in parts such as, "pa-per, cray-on, bas-ketball, "etc. Then have the child point to the objects in the room and say the name as it is usually pronounced. The student may also point to pictures.
3. Use kinesthetic letters (sandpaper, velour, pipe cleaner), and have the child trace the letters as they sound them. Cursive script which is connected would be more appropriate than manuscript for the blending principle.
4. The teacher begins by repeating a riddle such as one of these indicated below. The student listens to each riddle, gives the answer word, and spell the word. If the student is capable, they may compose similar riddles on their own. For example, "I am thinking of an animal. It is a short-i word. It begins with "p". It ends with "g". What is the word? (pig)
5. Plastic letters or cutout letters can be pushed together as the child is blending the sounds orally.
6. A strong sight word vocabulary should be developed.
7. Language Master cards may be used in the remedial exercises.
8. A word wheel can also be used showing blends and phonograms. The child would rotate the inner

circle and read the words as they appear.

9. New Zoo is a game-like approach to auditory synthesis which young children enjoy. The names of two familiar animals are blended to make a new word. For example, turtle and turkey could become a turkle, a lion and a goose could become a gion. The child can then draw a picture of the new animal. The exercise offers an opportunity for the student to use sounds in different ways.
10. Have the student draw a word card from a group of cards all representing words containing blends. Ask the student to say the word selected and give another word which begins with the same blend.

#### **PROBLEM: DEMONSTRATES DIFFICULTY WITH LONG-TERM RETRIEVAL**

Long-term storage and retrieval is the ability to store information in and fluently retrieve new or previously acquired information (e.g., concepts, ideas, items, names) from long-term memory.

#### **STRATEGIES AND ACCOMMODATIONS:**

1. Sequence materials from simple to more complex.
2. Provide intensive review, repetition, and over-learning at each step.
3. Introduce only as many facts, words, etc., as the student is able to learn in a session.
4. Provide frequent opportunities for practice and review. Provide systematic review within a few hours of learning and review previous information in each lesson.
5. Provide the student with mnemonic aids or strategies for retention, such as the use of verbal mediation or rehearsal.
6. Provide the student with a list of steps that will help organize behavior and, subsequently, facilitate recall.
7. Provide immediate feedback of results. This may be accomplished with small group instruction, programmed learning materials, or a microcomputer.
8. Provide advance organizers.
9. Post outcomes or key results areas.
10. Use bracketing.
11. Eliminate distractors.
12. Ask for expectations.
13. Generate previous experiences related to the topic.
14. While a wide variety of different activities may serve as memory facilitators, key features cluster into four categories. The "Big 4" memory facilitators are: active learning, structured activities, systematic presentation, and sensory modalities.
  - Consider structuring an activity using the concept of a pattern
  - Use colored pencils or pens to enhance critical features
  - Consider music

For more information refer to source titled, "The Source for Learning & Memory Strategies" by Regina G. Richards (800-776-4332)

### **PROBLEM: DEMONSTRATES DIFFICULTY WITH SHORT-TERM MEMORY**

*Short-term memory* is the ability to apprehend and hold information in immediate awareness and then use it within a few seconds. Gsm is a limited-capacity system, as most students can retain only seven chunks of information (plus or minus two chunks) in this system at one time.

### **STRATEGIES AND ACCOMMODATIONS:**

1. Use short, simple sentences when speaking to the student. Be sure to keep verbal instructions at the student's vocabulary level.
2. Present one instruction at a time.
3. Ask the student to paraphrase instructions or to repeat the directions to the teacher before beginning an assignment.
4. Repeat directions as many times as necessary.
5. Provide the student with assignments written on index cards.
6. Have responsible peer record assignments for the student.
7. Have assignments on a tape recorder so that the student can hit the pause button or replay the assignment as many times as needed.
8. Check frequently to ensure that the student understands the task.
9. Use visual aids combined with verbal instruction whenever possible.
10. Teach specific memory strategies and techniques that will improve immediate recall, such as the use of verbal rehearsal, grouping or chunking of information, making visual images and mnemonics. The memory strategies should be taught within a context for which they may be used.
11. Teach specific learning or study strategies for each area of difficulty.
12. Ensure that the student continually reviews vocabulary words, math facts, or any information that requires extended practice for retention. Materials should be reviewed within hours of learning and then daily until mastery is insured.

### **PROBLEM: DEMONSTRATES DIFFICULTY WITH PROCESSING SPEED**

Strategies that will help reduce distractions and enable students to work more rapidly and efficiently include:

### **STRATEGIES AND ACCOMMODATIONS:**

1. Provide clearly duplicated worksheets that contain only a few problems and plenty of white space. Double- space all printed directions. If needed, type words in large letters with extra spaces in between.
2. Seat the student in the front row near the chalkboard for all copying activities.

3. Eliminate copying or limit the amount of material that a student is required to copy from the chalkboard or from a textbook. Do not require speed or accuracy in copying.
4. Cut a window or box in a piece of cardboard so the student can frame and separate each problem as needed or have the student cover the part of the page that is not being worked on.
5. Point to all words and phrases while reading from the board.
6. Allow the student to use an index card or finger for keeping his or her place in reading.
7. Encourage the use of graph paper in mathematics.
8. Extend the time for completing assignments.
9. Provide ample time for responding on written tasks.
10. Shorten assignments so that they may be accomplished in a reasonable time period.
11. Use visual clues to organize worksheets, such as instructing the student to place each answer in a box.

### **PROBLEM: DEMONSTRATES DIFFICULTY WITH FLUID REASONING**

Fluid reasoning is required for both reading comprehension and math problem solving. Students with a deficit in this area are likely to have difficulty developing concepts, organizing and classifying ideas, sequence steps in a problem logically, or succeeding with tasks that require multiple associations.

Strategies for students who have difficulties formulating concepts must relate tasks to information that the student already knows. In order to comprehend concepts and rules, the student must organize new information into his or her existing system of knowledge about the world. The classroom tasks must be matched to the student's reasoning level.

### **STRATEGIES AND ACCOMMODATIONS:**

1. Encourage the use of manipulatives to develop concepts.
2. Attempt to teach concepts in a concrete manner. Use concrete cues in all directions, telling the student exactly what to do at each step.
3. Limit the amount of material presented at one time.
4. Select structured materials that are carefully sequenced.
5. Engage the student in demonstrations of the concept.
6. Have the student verbalize what he or she has learned.
7. Provide ample opportunities for repetition and review.
8. Provide the student with a list of procedures to follow when working with tasks that involve problem solving.
9. Teach problem-solving techniques in the contexts in which they are most likely to be applied.
10. Provide cue sheets or prompts, such as a written copy of the steps in a process, to prevent the student from getting "bogged down" in the sequencing. This enables the student to process at higher levels.
11. Provide concrete examples of concepts before teaching the abstract.
12. Provide daily review of facts, rules, and formulas that are or will be applied to complex activities.

### **ADAPT SETTING:**

1. Use study carrels or other means of providing privacy for reading and thinking aloud.
2. Seat the student in an area as free of distractions as possible.
3. Allow the student to select his or her seating.
4. Provide time daily for the student to write in learning logs to reinforce concepts learned.

#### **ADAPT ASSESSMENT:**

1. Reduce the amount of print on page.
2. Break tests into parts and have the student complete parts at different times.
3. Allow extra time for testing.
4. Allow testing in private for thinking aloud or reading aloud.
5. Simplify wording and keep directions as simple as possible.

#### **PROBLEM: DYSGRAPHIA**

#### **STRATEGIES AND ACCOMMODATIONS:**

1. Students should write with hard lead pencils that do not become dull quickly. Using a 4-F pencil instead of a #2 pencil prevents smudged, messy writing.
2. Students should double space all writing. It also may be necessary to teach the student who is dysgraphic to lay a finger between words to make sure that the student does not inadvertently write the words too close together.
3. Students must be reminded where to start on the page. A starting mark, such as a brightly colored dot or a star, should be placed where writing should begin on each page. The student should be taught to touch the starting place before they start to write.
4. Students must be coached repeatedly in left-to-right, top-to-bottom orientation. As the student writes, they must be reminded to move the pencil systematically from left to right, and they must be reminded to check their work for anything they may have written backwards or upside down.
5. Students must show clearly marked paper margins. A felt-tip pen should be used to draw margin lines down the left and right sides of the paper. Students must be coached in "bumping the margin" as they write.
6. Students must have a study buddy who patiently guides the writer in reviewing each written activity. Together they should find any reversed or upside-down letters or numerals, and they should talk about pencil strokes that can cut through the line or float above the line. As a team they can practice bumping the left margin and keeping the pencil inside the correct spaces. Over time, these coaching strategies teach learners who are dysgraphic how to monitor their own work and correct most of their errors in directionality.
7. Encourage students to outline their thoughts. It is important to get the main ideas down on paper without having to struggle with the details of spelling, punctuation, etc.
8. Have students draw a picture of a thought for each paragraph.
9. Have students dictate their ideas into a tape recorder and then listen and write them down later.
10. Have the student practice keyboarding skills. It may be difficult at first, but after they have learned the pattern of the keys, typing will be faster and clearer than handwriting.
11. Have a computer available for students to organize information and check spelling. Even if their keyboarding skills aren't great, a computer can help with the details.
12. Have the student continue practicing handwriting. There will be times throughout a student's life that they will need to be able to write things down and maybe even share their handwriting with others. It

will continue to improve as long as the student keeps working at it.

13. Encourage students to talk aloud as they write. This may provide valuable auditory feedback.
14. Allow more time for written tasks including note-taking, copying and tests.
15. Outline the particular demands of the course assignments/continuous assessment, exams, computer literacy, etc., so that likely problems can be foreseen.
16. Give and allow students to begin projects or assignments early.
17. Include time in the student's schedule for being a "library assistant" or "office assistant" that could also be used for catching up or getting ahead on written work, or doing alternative activities related to the material being learned.
18. Instead of having the student write a complete set of notes, provide a partially completed outline so the student can fill in the details under major headings (or provide the details and have the student provide the headings).
19. Allow the student to dictate some assignments or tests (or parts thereof) to a "scribe". Have the scribe write what the student says verbatim and then allow the student to make changes, without assistance from the scribe.
20. Remove neatness or spelling (or both) as grading criteria for some assignments, or design assignments to be evaluated on specific parts of the writing process.
21. With the students, allow abbreviations in some writing (such as b/c for because). Have the student develop a repertoire of abbreviations in a notebook. These will come in hand in future note-taking situations.
22. Reduce copying aspects of work. For example, in Math, provide a worksheet with the problems already on it instead of having the student copy the problems.
23. Separate the writing into stages and then teach students to do the same. Teach the stages of the writing process (brainstorming, drafting, editing, and proofreading, etc.). Consider grading these stages even on some "one-sitting" written exercises, so that points are awarded on a short essay for brainstorming and a rough draft, as well as the final product.
24. On a computer, the student can produce a rough draft, copy it, and then revise the copy, so that both the rough draft and final product can be evaluated without extra typing.
25. Encourage the student to use a spellchecker and, if possible, have someone else proofread his work. Speaking spell checkers are recommended, especially if the student may not be able to recognize the correct word.
26. Allow the student to use cursive or manuscript, whichever is most legible.
27. Encourage primary students to use paper with the raised lines to keep writing on the line.
28. Allow older students to use the line width of their choice. Keep in mind that some students use small writing to disguise its messiness or spelling.
29. Allow students to use paper or writing instruments of different colors.
30. Allow students to use graph paper for math, or to turn lined paper sideways, to help with lining up columns of numbers.
31. Allow the student to use the writing instrument that is most comfortable for them.
32. If copying is laborious, allow the student to make some editing marks rather than recopying the whole paper.
33. Consider whether use of speech recognition software will be helpful. If the student and teacher are willing to invest time and effort in training the software to the student's voice and learning to use it, the student can be freed from the motor processes of writing or keyboarding.
34. Develop cooperative writing projects where different students can take on roles such as the

"brainstormer", "organizer of information", "writer", "proofreader", and "illustrator".

35. Provide extra structure and use intermittent deadlines for long-term assignments. Discuss with the student and parents the possibility of enforcing the due dates by working after school with the teacher in the event a deadline arrives and the work is not up-to-date.
36. Build handwriting instruction into the student's schedule. The details and degree of independence will depend on the student's age and attitude, but many students would like to have better handwriting.
37. Keep in mind that handwriting habits are entrenched early. Before engaging in a battle over a student's grip or whether they should be writing in cursive or print, consider whether enforcing a change in habits will eventually make the writing task a lot easier for the student, or whether this is a chance for the student to make their own choices. Beware of overload and remember that the student has other tasks and courses.
38. Teach alternative handwriting methods such as "Handwriting Without Tears." [www.hwtears.com/inro.htm](http://www.hwtears.com/inro.htm)
39. Writing just one key word or phrase for each paragraph, and then going back later to fill in the details may be effective.
40. Multi-sensory techniques should be utilized for teaching both manuscript and cursive writing. The techniques need to be practiced substantially so that the letters are fairly automatic before the student is asked to use these skills to communicate ideas.
41. Have the students use visual graphic organizers. For example, you can create a mind map so that the main idea is placed in a circle in the center of the page and supporting facts are written on lines coming out of the main circle, similar to the arms of a spider or spokes on a wheel.
42. Do papers and assignments in a logical step-wise sequence. An easy way to remember these steps is to think of the word POWER:
  - P -plan your paper
  - O -organize your thoughts and ideas
  - W -write your draft
  - E -edit your work
  - R -revise your work, producing a final draft
43. If a student becomes fatigued, have them try the following:
  - a. Shake hands fast, but not violently.
  - b. Rub hands together and focus on the feeling of warmth.
  - c. Rub hands on the carpet in circles (or, if wearing clothing with some mild texture, rub hands on thighs, close to knees).
  - d. Use the thumb of the dominant hand to click the top of a ballpoint pen while holding it in that hand. Repeat using the index finger.
  - e. Perform sitting push ups by placing each palm on the chair with fingers facing forward. Students push down on their hands, lifting their body slightly off the chair.
44. Allow students to tape record important assignments and/or take oral tests.
45. Prioritize certain task components during a complex activity. For example, students can focus on using descriptive words in one assignment, and in another, focus on using compound sentences.
46. Reinforce the positive aspects of students' efforts.
47. Be patient and encourage students to be patient with themselves.

## PROBLEM: MATHEMATICS (DYSCALCULIA)

According to van Aster (2000), the triple code model of numeric representation provides a theoretical foundation for three possible subtypes of developmental dyscalculia. One subtype of dyscalculia can be referred to as the verbal subtype, and consists of students who have difficulties with counting and rapid number identification skills, and deficits retrieving or recalling stored mathematical facts of over-learned information. In essence, the verbal subtype of dyscalculia represents a disorder of the verbal representations of numbers, and the inability to use language-based procedures to assist in arithmetic fact retrieval skills. In fact, these students may also have difficulties in reading and spelling. (Sound familiar) Verbal dyscalculia does not hinder a student's ability to appreciate numeric qualities, understand mathematical concepts, or detract from making comparisons between numbers, but does hinder a student's ability to encode and retrieve math facts stored in a verbal format automatically most notable multiplication and addition.

The second subtype of dyscalculia can be labeled the procedural subtype, and represents a disorder in the ability to transcode numeric systems into a meaningful language system. Just as students must ultimately link phonemes with graphemes in order to learn the phonological code to reading, children must also learn the language of mathematics by linking the verbal name of a numeral with its numeric representation. According to von Aster (2000), children who fall into this subtype often have difficulty reading numbers aloud, and may struggle to write numbers from dictation as well.

Children with a procedural error subtype tend to have learning difficulties solely related to math.

The third subtype of dyscalculia is referred to as the semantic subtype, and reflects an inability to decipher magnitude representations among numbers. There is a fourth type of dyscalculia called the visual-spatial subtype.

## EFFECTIVE MANAGEMENT STRATEGIES FOR MATHEMATICS

Instruction in mathematics, just as in language, must be multisensory, explicit, cumulative, sequential, and presented in small increments. Bley and Thornton (1989) focus on ten general techniques that are valuable in planning and implementing an appropriate program of instruction and have found success in many programs. These are:

- Use visuals and manipulative to illustrate new and important ideas and concepts;
- Use visual cueing (boxes, circles, and lines);
- Assign fewer problems and minimize or eliminate copying from textbook or board;
- Use visual cueing, code by color
- Alter, adjust, or reinforce the standard text presentation when this meets a special need;
- Allow children to finger trace or use other tactile cues;
- Capitalize on patterns and other associations to promote understanding or retention;
- Use auditory cueing
- Make samples for students who need them;
- Carefully sequence instruction in small steps, with adequate provision for practice and review
- In addition to the above strategies, the use of technology may also assist the student. This includes the use of calculators, software programs, and computers. It is important to use technology to assist the student in understanding concepts and not just as a tool to reach an answer.

For the individual with dyslexia it is important that these stages are linked through language. There are three kinds of language that allow the student to fully integrate mathematical learning.

- First, is the student's own language. No matter how imperfect this language is, it is important that the individual discusses, questions, and states what he or she has learned.
- Second, is the language of the instructor which corrects or clarifies the student's own language, and links to the third language, the language of mathematics.
- This language includes not only the vocabulary of mathematics, but the efficient uses of symbols to express mathematical ideas and concepts. It can be as simple as being able to use not only the symbols  $1 + 1 = 2$  or  $(x)(x + 3) = 28$  to express an idea, but also the vocabulary to discuss what one has written.

## **5 WAYS TO FACILITATE WORKING MEMORY IN THE CLASSROOM**

- **TEACH MULTIPLE WAYS TO PROBLEM SOLVING.** Research indicates that students who utilize both visual spatial and/or verbal strategies to solve problems tend to outperform those who over-rely on just a single strategy.
- **AVOID SKILL DRILLS.** Speed and competition are a sure-fire way to create anxiety in students. Fluency and automatic retrieval of over-learned math facts can be ascertained without classroom competition.
- **LINK PROBLEM SOLVING WITH PASSION.** Whether its calculating batting averages in baseball, determining life points in Yu-Gi-Oh, or simply making change from a shopping spree, students to be more active learners when personal meaning is attached to the cold harshness of problem solving.
- **SET ALGORITHMIC PROCEDURES TO A SONG.** Math calculation exercises, from subtraction with regrouping to dividing fractions often involve a series of problem-solving steps that seem devoid of logic and meaning. Students frequently lose track of the necessary sequences of steps to arrive at the answer, and tend to panic in mid-drift. Verbalizing strategies by way of song can be a key memory enhancer that can often bail out students while simultaneously reducing their fear of failure.
- **ENCOURAGE VISUAL CUES.** Most students prefer to problem solve in their head, rather than make an effort to jot down the equations on scratch paper. "Mental math" requires strong working memory skills. When anxiety is a factor, the cognitive counter space required to calculate equations in our minds diminishes, thus heightening anxiety levels. As Hopko et al. (1998) noted, the central executive system in the prefrontal cortex is the main filter that allows us to sustain attention in the face of negative distractors. This mechanism lies particularly vulnerable in the anxious brain of a math student. Being preoccupied by worrisome or anxious thoughts ultimately leads to the detriment of working memory systems being able to contribute to more higher-level cortical functioning.

## **MATH WEBSITES**

- [www.aaamath.com](http://www.aaamath.com)
- [www.aplusmath.com](http://www.aplusmath.com)
- [www.funbrain.com](http://www.funbrain.com)
- [www.math.com](http://www.math.com)
- [www.multiplication.com](http://www.multiplication.com)

## **INSTRUCTIONAL PROCESSES WITH STRONG EVIDENCE OF EFFECTIVENESS**

- **Classwide Peer Tutoring (CPT)** : Paired learning approach Students take turns as teacher and learner ([greenwood@ku.edu](mailto:greenwood@ku.edu))
- **Peer-Assisted Learning Strategies (PALS)**: Structured pair learning strategy ([www.kc.vanfrtbilt](http://www.kc.vanfrtbilt)).

Edu/pals)

- Student Teams-Achievement Divisions (STAD): Structured cooperative learning program  
Students work in teams of four (nmadden@ihu.edu)
- Team Accelerated Instruction Math (TAI Math): Structured cooperative learning program Explicit instruction by teacher Students work in four-member teams ([www.charlesbridge.com](http://www.charlesbridge.com))

**REFERENCES:**

*Essentials of Evidence-Based Academic Interventions*, Barbara J. Wendling and Nancy Mather

*Auditory Processes*, Pamela Gillet

*The Neuropsychology of Mathematics: Diagnosis and Intervention*, Steven G. Feifer and Philip A. De Fina

*Mathematics and Dyslexia*, The Orton Emeritus Series

*Multisensory Teaching of Basic Language Skills*, Judith R. Birsh

*Dyslexia Theory and Practice of Instruction*, 3rd Edition, Jo Anna Kellogg Uhry and Diana Brewster Clark

*WJ-III Reports, Recommendations and Strategies*, Nancy Mather and Lynne Jaffe

*Early Reading Assessment*, Natalie Rathvon

## Appendix A: DYSLEXIA-ASSOCIATED TERMS

**Accelerated reading instruction:** intensified, research-based reading instruction that addresses the student's reading needs that were determined by the results of the K–2 reading instruments (TEC §28.006)

This intensive, research-based instruction is provided for students determined to be at risk for dyslexia or other reading difficulties. The school district or open-enrollment charter school determines the form, content, and timing of the intensive instruction that is designed to meet students' needs (e.g., instruction in phonemic awareness, alphabetic principle, word-analysis strategies, fluency, and/or reading comprehension).

**Accommodation:** changing or altering the learning environment, materials, delivery method, or number of answers. Modifications/changes should not be made to the state curriculum standards known as the Texas Essential Knowledge and Skills (TEKS).

**Adaptive behavior:** the effectiveness with which the student meets the standards of personal independence and social responsibility expected of their age and cultural group.

**Alphabetic principle:** the understanding that the sequence of letters in written words represents the sequence of sounds (or phonemes) in spoken words.

**Assistive technology:** any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability (IDEA). Assistive technology does not include a medical device that is surgically implanted or the replacement of such device (34 C.F.R. §300.5).

**At risk for dyslexia:** a term used to describe students who are found to be at risk based on the results of the universal screening instrument or who are not making adequate progress in the areas of reading and/or reading development but who have not yet been identified as students with dyslexia. The students considered at risk are at the pre-identification level. These students must be provided accelerated reading instruction (intensive, research-based instruction that addresses the reading needs of the student).

**Child Find:** a school district's system for identifying, locating, and evaluating individuals with disabilities (birth through 21 years of age) who reside in its jurisdiction and who may need special education and related services.

**Cognate:** a word in one language that looks and means the same as a word in another language (family (English)/familia (Spanish)/família (Portuguese)/famiglia (Italian)/famille (French)/família (Catalan)/familie (Romanian).

**Cross-linguistic:** relating to the comparison of different languages and the influence that knowledge of one language has on an individual's learning or use of another language.

**Data-based decision making:** an ongoing process of collecting and analyzing formal and informal data (e.g., demographic, progress-monitoring, assessment, etc.) in order to guide educational

decisions for a student.

**Developmental auditory imperception:** the inability to receive and understand sounds and words.

**Developmental dysgraphia:** an inability to write legibly. This may occur in addition to other difficulties in written language. Visual-motor coordination skills are frequently within the average range and are not the primary cause of dysgraphia.

**Developmental spelling disorder:** significant difficulty learning to spell. This occurs in the absence of reading or other written-language difficulties.

**Differentiated instruction:** a process used to recognize students' varying background knowledge, readiness, language, preferences in learning, and interests. Differentiated instruction is a process used to approach teaching and learning for students of differing abilities in the same class. The intent of differentiating instruction is to maximize each student's growth and individual success by meeting each student where he or she is and assisting in the learning process.

**Dominant language:** the language of an individual that is strongest and most developed.

**Dyslexia:** specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge (International Dyslexia Association, 2002).

**Dysphasia:** a delay in the development of comprehension and/or expression of oral language; terms commonly used to describe this condition include "developmental language disorder" and "specific language impairment".

**Evaluation:** the use of multiple methods in evaluating a variety of data to guide establishment of appropriate interventions. For the identification of a student with dyslexia, the data for evaluation should include the teacher's observations, the developmental and academic history of the student, the results of a variety of reading assessments, and all other information relevant to the identification of dyslexia.

**Evidence-based instruction:** "an activity, strategy, or intervention that—  
(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—(I) strong evidence from at least 1 well-designed and well-implemented experimental study; (II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or (III) promising evidence from at least 1 well designed and well-implemented correlational study with statistical controls for selection bias; or (ii)(I) demonstrates a rationale based on high quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and (II) 14 includes ongoing efforts to examine the effects of such activity, strategy, or intervention" (ESSA, 2015, pp.

388-389). For reading, this will include reliable, trustworthy, and valid evidence suggesting that when the program is used with a given group of students, the students can be expected to make adequate gains in reading achievement.

**Explicit, direct instruction:** instruction that is systematic (structured), sequential, and cumulative. Instruction is organized and presented in a way that follows a logical sequential plan, fits the nature of language (alphabetic principle) with no assumption of prior skills or language knowledge, and maximizes student engagement.

**Fidelity of implementation:** the commitment to implement a program, practice, or service as the designers or developers of the program intended.

**Free Appropriate Public Education (FAPE):** an educational right of a child with disabilities in the United States to be provided with an education, including specialized instruction and related services, that prepares the child for further education, employment, and independent living. In 1975, Congress passed Public Law 94-142, also known as the Education for All Handicapped Children Act, which defined and outlined that all public schools should provide all students with a free appropriate public education at public expense without additional charges to parents or students and must be under public supervision and be appropriate for the child's needs.

**Fluency:** the ability to read with speed, accuracy, and proper expression. Fluency is one of several critical factors necessary for reading comprehension.

**Graphophonemic knowledge (phonics) instruction:** instruction that takes advantage of the letter-sound plan in which words that carry meaning are made of sounds, and sounds are written with letters in the right order. Students with this understanding can blend sounds associated with letters into words and can separate words into component sounds for spelling and writing.

**Individualized instruction:** instruction that meets the specific learning needs of an individual student. Materials and methods are matched to each student's ability level.

**Intervention:** a change in instruction in the area of learning difficulty to improve performance and achieve adequate progress.

**Language proficiency:** the level of skill in a language. Language proficiency is composed of oral (listening and speaking) and written (reading and writing) components as well as academic and nonacademic language.

**Language structure instruction:** instruction that encompasses morphology, semantics, syntax, and pragmatics.

**Linguistic instruction:** instruction that is directed toward proficiency and fluency with patterns of language so that words and sentences are the carriers of meaning.

**Meaning-based instruction:** instruction that is directed toward purposeful reading and writing, with an emphasis on comprehension and composition.

**Morpheme:** a meaningful linguistic unit that cannot be divided into smaller meaningful elements, such as the word “book”. A morpheme is also a component of a word, as the letter “S” in “books.”

**Morphology:** the study of the structure and form of words in a language, including inflection, derivation, and the formation of compounds. Knowledge of morphemes facilitates decoding, spelling, and vocabulary development.

**Morphosyllabic writing systems:** writing systems composed of several thousand characters that are visually complex and each represents a morpheme not a phoneme. An example of a morphosyllabic writing system is Japanese Kanji or Chinese Hanzi.

**Multisensory instruction:** instruction that incorporates the simultaneous use of two or more sensory pathways (auditory, visual, kinesthetic, tactile) during teacher presentation and student practice.

**Orthographic awareness:** the ability to perceive and manipulate aspects of a writing system and the visual aspects of reading and spelling, such as letters, letter patterns, and words.

**Orthographic memory:** the memory for letter patterns and word spellings.

**Orthography:** the writing system of a language, including the spelling, punctuation, and capitalization rules.

**Phonemic awareness:** the insight that spoken words can be conceived as a sequence of sounds; the ability to manipulate the sounds within words (e.g., segmenting or blending).

**Phonics:** a method of teaching reading that helps students build understanding of sound-symbol relationships and spelling patterns.

**Phonology:** the sound structure of speech and in particular, the perception, representation, and production of speech sounds.

**Phonological memory:** passive short-term memory that briefly stores speech-based information in phonological form.

**Progress monitoring:** a scientifically based practice used to assess students’ academic progress and/or performance and evaluate the effectiveness of instruction. Progress monitoring can be implemented with individual students or an entire class. Progress monitoring is a quick (less than 5 minutes) assessment that is done frequently (weekly or biweekly) in order to make instructional changes in a timely fashion.

**Recommendation for assessment for dyslexia:** recommendation by the teacher, school district, or open- enrollment charter school staff, and/or the parent or guardian that a student be assessed for dyslexia Following the recommendation, the school district or open-enrollment charter school must adhere to its written procedures and the procedures within the handbook.

**Response to intervention (RTI):** a multistep, or tiered, approach to providing services and interventions at increasing levels of intensity to students who struggle with learning. The progress students make at each stage of intervention is closely monitored. Results of this monitoring are used to make decisions about the need for further research-based instruction and/or intervention in general education, in specialized instructional settings, or both.

**Scientifically based research:** the required standard in professional development and the foundation of academic instruction called for in the guidelines of the Elementary and Secondary Education Act (ESEA). Under the ESEA definition, scientifically based research must meet the following criteria:

- Employ systematic, empirical methods that draw on observation or experiment
- Involve rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions
- Rely on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations
- Be accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparatively rigorous, objective, and scientific review

**Semitic writing system:** a writing system where each symbol usually stands for a consonant sound and the reader must supply the appropriate vowel sound. Examples of Semitic languages are Hebrew and Arabic.

**Specially designed instruction:** defined under IDEA as “adapting . . . the content, methodology, or delivery of instruction” to a child eligible under IDEA. This instruction must address the unique needs of the child that result from the child’s disability and must ensure access to the general curriculum so that the child can meet the state’s educational standards (34 C.F.R §300.39(b)(3)).

**Specific developmental dyslexia:** another term for dyslexia.

**Standard protocol dyslexia instruction:** dyslexia instruction typically provided in a small group setting and that follows an established format or delivery system. Standard protocol dyslexia instructional programs provide evidence-based, multisensory structured literacy instruction and must include the following components: phonological awareness, sound-symbol association, syllabication, orthography, morphology, syntax, reading comprehension, and reading fluency.

**Strategy-oriented instruction:** thoughtfully ordered step-by-step instruction in the strategies that students need to become independent readers, including strategies for decoding, encoding, word recognition, fluency, and comprehension

**Syllabic writing system:** writing systems in which each symbol represents a syllable. Examples of syllabic writing systems are Japanese kana, Korean, Hangeul, and many of the Asian-Indian languages.

**Syntax:** the study of rules and patterns for the formation of grammatical sentences and phrases in a language.

**Universal screening:** a step taken by school personnel to determine which students are at risk for not meeting grade-level standards. Universal screening can be accomplished by administering an academic screening to all students in a given grade level. Students whose scores fall below a certain cutoff point are identified as needing closer monitoring or intervention.

## Appendix B: Questions and Answers

The following questions and answers relate to various topics important to dyslexia and related disorders.

### Federal Law and Students with Dyslexia and Related Disorders

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#### 1. What referral process is followed for the evaluation/identification of dyslexia?

Dyslexia is a specific learning disability. Therefore, the evaluation/identification of dyslexia is treated the same way as other IDEA eligible disability categories in terms of the referral process. Anytime the LEA suspects or has reason to suspect that a student has dyslexia or a related disorder, and needs services, the LEA must seek parental consent for a full individual and initial evaluation (FIIE) under the IDEA.

#### 2. Why must LEAs follow procedures for evaluation under IDEA?

Along with state and local requirements to screen and identify students who may be at risk for dyslexia, there are also overarching federal laws and regulations to identify students with disabilities, commonly referred to as Child Find. Child Find is a provision in the Individuals with Disabilities Education Act (IDEA), a federal law that requires the state to have policies and procedures in place to ensure that every student in the state who needs special education and related services is located, identified, and evaluated. The purpose of the IDEA is to ensure that students with disabilities are offered a free and appropriate public education (20 U.S.C. §1400(d); 34 C.F.R. §300.1). Because a student suspected of having dyslexia may be a student with a disability under the IDEA, the Child Find mandate includes these students. Therefore, when referring and evaluating students suspected of having dyslexia, LEAs must follow procedures for conducting a full individual and initial evaluation (FIIE) under the IDEA.

#### 3. What dispute resolution mechanisms are available to parents/guardians who may not agree with the decisions made by a school district or open-enrollment charter school under IDEA and /or Section 504?

TEA offers multiple processes for resolving disputes related to special education: individualized education program facilitation (FIEP), mediation, special education complaints, and due process hearings. To learn about these options visit TEA's [Special Education Dispute Resolution Processes webpage](#).

Hearings are also available when the parent and school district have a dispute involving Section 504 services (34

C.F.R. 104.36). In addition, the U.S. Department of Education Office of Civil Rights (OCR) oversees Section 504 and has jurisdiction to investigate complaints involving Section 504 protections, as explained in OCR's Case Processing Manual. Information on filing a complaint with OCR and other resources can be found on the [Office of Civil Rights Website](#).

#### **4. Can parents/guardians refuse IDEA or Section 504 eligibility but accept dyslexia services?**

IDEA contains a clear mechanism for parents/guardians to reject eligibility (by way of refusing consent for initial special education placement or revoking consent for continued special education and related services). See 34 C.F.R. 300.300(b)(4). Section 504 has no similar regulation.

For the student who has been evaluated and determined to be Section 504 eligible, OCR has indicated that parents/guardians can refuse the initial provision of Section 504 services and revoke consent for continued Section 504 services See Letter to Durham, 27 IDELR 380, OCR Dec. 1997; OCR Senior Staff Memorandum, 19 IDELR 892, OCR 1992.

However, there is no authority in the Section 504 regulations or in published OCR guidance for the proposition that a parent/guardian can unilaterally remove Section 504 eligibility. All the parent/guardian can remove is the services; the nondiscrimination protections of Section 504 will remain.

Without an eligibility identification of dyslexia, the LEA may still provide appropriate tiered interventions relevant to the student's needs. Parental notification is required when a student receives assistance from the school district for learning difficulties, including intervention strategies that the school district provides the child.

#### **Relationship of Texas State Laws, Rules, and Procedures to Dyslexia**

##### **What are the responsibilities of a school district or open-enrollment charter school in implementing the state dyslexia laws?**

School districts and open-enrollment charter schools are required to provide every student who has dyslexia or a related disorder with access to each program under which the student qualifies for services. Every school district and charter school must collect pertinent data for any student suspected of having dyslexia or a related disorder. (See Chapter III: Procedures for the Evaluation and Identification of Students with Dyslexia.) The evaluation and identification process for students suspected of having dyslexia is guided by the Individuals with Disabilities Education Act (IDEA). Each school must provide each identified student access at his/her campus to instructional programs as required by subsection (e) of 19 TAC §74.28 and to the services of an interventionist trained in dyslexia and related disorders. The school district or charter school may, with the approval of each student's parents/guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his/her campus. Additional detail regarding requirements for implementation of state dyslexia law is included in 19 TAC §74.28.

If parents/guardians receive evaluation information related to their child's reading difficulties from a private individual or entity, the school district or open-enrollment charter school must consider the information provided by the parent/guardian. However, the school district or charter school must follow federal and state law, rules, and procedures to make the final determination of student eligibility for dyslexia and related disorders.

##### **Who is responsible for overseeing the implementation of the dyslexia laws within a school**

### **district or open enrollment charter school?**

The local school board or board of trustees for each school district and open-enrollment charter school is responsible for implementation of federal law including IDEA and Section 504, state law, SBOE rule, and procedures for dyslexia services in their districts (TEC §38.003, TEC §7.028(b)), and 19 TAC §74.28). The Texas Education Agency is ultimately responsible for ensuring compliance with IDEA.

### **What can parents/guardians do if the school district or open-enrollment charter school is not following state requirements related to dyslexia?**

Concerns about local school matters, such as the programs selected for use by a school or district, staffing decisions, or services offered to an individual student, should be raised with local district or school administration. Each district and charter school must have a local complaint process that may be used to address the concern.

In some circumstances, an individual may wish to file a complaint with TEA. To file a general complaint with TEA about school district or charter school actions, an individual must allege that a district or charter school has violated a law or rule in the administration of a program required or administered by TEA or with respect to funds awarded or allocated by the agency. An individual wishing to file a complaint with TEA must submit the complaint in writing to the agency.

TEA offers processes for resolving disputes related to special education: individualized education program facilitation, mediation, special education complaints, and due process hearings. Complaints regarding Section 504 should be filed with the U.S. Department of Education Office of Civil Rights (OCR). Please also see question #3 for additional information on dispute resolution.

### **What monies may be used to support the dyslexia program?**

State foundation funds, state compensatory funds, federal title funds, dyslexia allotment funds or local funds may be used. State compensatory and federal title funds are used to supplement the regular classroom instruction. For students who receive special education services, special education funds may be used to provide direct and indirect services to students who are eligible for special education and related services. However, IDEA has identified that a school district or charter school may use up to 15% of its IDEA 2004 B entitlement, as provided by 34 CFR §300.226 for early intervening services for any student in kindergarten through grade 12 (with an emphasis on students in kindergarten through third grade) who is not currently identified as needing special education or related services but who needs additional academic and behavioral supports to succeed in a general education environment. These funds are to be used as supplemental funds and may not be used to supplant local, state, or other federal program dollars.

### **What data submissions through Texas Student Data System (TSDS) Public Education Information Management System (PEIMS) related to dyslexia are required?**

There are three distinct required data submissions: Dyslexia Indicator Code, Dyslexia Risk Code, and Dyslexia Services Code. For more information, please visit the [Dyslexia and Related Disorders](#) webpage.

## Evaluation and Identification

**If a student is currently identified with dyslexia and is receiving standard protocol dyslexia instruction under a Section 504 plan, must the Local Education Agency (LEA) now evaluate the student under IDEA?**

Not automatically. All students receiving interventions are subject to ongoing progress monitoring and data-based decision making. LEAs must review the progress and individual data for students with dyslexia receiving services under Section 504 to make individual determinations. Communication with the students' parents or guardians regarding provision of services, current progress, and their right to request an evaluation under IDEA should they choose to do so, is extremely important. If a student is making adequate progress (i.e., data from progress monitoring demonstrating consistent movement towards closing achievement gaps) and the parent or guardian agrees with the current supports and services, it is permissible to continue to provide dyslexia intervention, including standard protocol dyslexia instruction, under Section 504 without conducting a full individual and initial evaluation (FIIE). However, LEAs must be mindful of their ongoing Child Find obligation. LEAs have an affirmative duty to promptly refer any student who is suspected of having a disability and needing special education services for an FIIE under the IDEA (34 CFR §300.301- 300.311). Students identified with dyslexia who are not progressing well with current supports, services, and/or accommodations under Section 504 and/or are otherwise suspected of needing special education services must be referred for an evaluation under IDEA. Interventions and Section 504 plans may not be used to delay or deny an evaluation when there is suspicion of a disability and need for special education services.

**What criteria is used to identify dyslexia when conducting a full individual and initial evaluation (FIIE) under the Individuals with Disabilities Education Act (IDEA)?**

Dyslexia is a disability condition included within the IDEA definition of specific learning disability (SLD). The Dyslexia Handbook outlines the characteristics of dyslexia and identifies specific areas to assess (e.g., letter knowledge, reading rate and accuracy, phonemic awareness). Given the definition and characteristics of dyslexia, the area of inadequate academic achievement would be basic reading and/or reading fluency (i.e., SLD in basic reading and/or reading fluency with the condition of dyslexia). Evaluation teams must use the information contained in the Dyslexia Handbook along with state (TEC §29-003 and §29.004; 19 TAC §§89.1011, 89.1040, and 89.1050) and federal (34 CFR §300.301- 300.311) evaluation requirements, including those specific to SLD, to conduct a comprehensive evaluation. A multidisciplinary evaluation team that includes individuals with specific knowledge and training regarding the reading process, dyslexia, dyslexia instruction, the Dyslexia Handbook, and state and federal evaluation requirements is necessary. When a student is identified with dyslexia using the process outlined in chapter three of the Dyslexia Handbook, the student meets the first prong of eligibility under the IDEA (identification of condition). However, the presence of a disability condition alone, is not sufficient to determine if the student is a student with a disability under the IDEA. Eligibility under the IDEA consists of both identification of the condition and a corresponding need for specially designed instruction as a result of the disability.

**If a student is identified with dyslexia, how does the ARD committee determine if the student requires special education as a result of that disability?**

As with all disabilities, the ARD committee (which includes the child's parents) determines whether the child is a child with a disability under the IDEA and the educational needs of the child. For students with a specific learning disability, including dyslexia, the ARD committee must determine if the student requires specially designed instruction as a result of the disability on a case-by-case basis using information gathered as part of the full individual and initial evaluation (FIIE). Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child's disability and to ensure access of the child to the general curriculum. There are a variety of ways to meet the needs of students with dyslexia. Refer to [Services for Students with Dyslexia and Coding Instructional Arrangement](#) for examples. ARD committees will need to consider the individual student's current performance, the impact of the disability on the student's access and progress in the general curriculum, and educational needs. This information is contained in the FIIE. The ARD committee must consider if the student needs adaptations to the content, methodology, or delivery of instruction because of having a specific learning disability (i.e. dyslexia) in order to access and progress in the general curriculum. Keep the following in mind:

- Standard protocol dyslexia instruction, without any adaptations, can be considered specially designed instruction for an individual student. In this situation the ARD committee (including the parents) determines that the student needs standard protocol dyslexia instruction along with customized, measurable annual goals, progress monitoring, direct, indirect, or support services from an appropriately certified special education staff member and other required IEP components.
- If the student only needs accommodations, the student with dyslexia may be eligible for protections under Section 504.
- If the parent declines special education services, or the ARD committee otherwise agrees that special education services/ an IEP is not needed for the student, the student identified with dyslexia may still receive any appropriate tiered interventions, including standard protocol dyslexia instruction (with or without a Section 504 plan).

**What should ARD committees consider when designing the IEP for students with dyslexia who have been determined eligible for special education?**

In general, when developing the IEP for eligible students with dyslexia, the ARD committee needs to consider the student's present level of academic achievement and functional performance (PLAAFP) and the goals that will allow the student to access and progress in the general curriculum. Services should be designed to support the student in making progress on his or her individualized goals. In developing the student's individualized program, the ARD committee should consider the provision of standard protocol dyslexia instruction. The Dyslexia Handbook directs ARD committees to consider standard protocol dyslexia instruction for all students with dyslexia. The ARD committee should consider whether the standard protocol dyslexia instruction provided on the campus is appropriate to meet some or all of the student's needs (i.e., enable progress on annual goals).

- For some students, standard protocol dyslexia instruction through the general education program along with indirect, **or** support services from a special education service provider (e.g. consultative support for IEP development and progress monitoring) may fully meet the student's needs and be the only service provided in the IEP. In other words, providing and supporting the general education standard protocol dyslexia instruction through measurable annual goals,

progress monitoring, direct, indirect, or support services from an appropriately certified special education staff member could be the specially designed instruction the student requires in order to receive a free and appropriate public education (FAPE).

- For other students, standard protocol dyslexia instruction may meet some, but not all the student's needs. In these situations, additional specially designed aids, supports, or services might be combined with standard protocol dyslexia instruction. For example, the student may need pre-teaching or extra practice with key pieces of the standard protocol dyslexia instruction program, or there may be a need for other supports and services provided by certified special educators. Additionally, the student may have additional needs along with reading that require other types of specially designed instruction.
- The ARD committee could determine that the standard protocol dyslexia instructional program that has been purchased or adopted is not appropriate for the individual student's needs. In this situation, the student's ARD committee determines and establishes through development of the IEP the specific, customized reading/dyslexia instruction necessary to meet the student's needs. The student does not receive the standard protocol dyslexia instruction; however, the student's IEP will still provide for the critical evidence-based components of dyslexia instruction.

**Can students have a specific learning disability (including dyslexia) and another IDEA disability condition?**

Yes. For example, it is not uncommon for a student to be identified with an SLD and a speech impairment. Within the State and Federal definition for SLD, there is a caveat that the academic difficulties are not "primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage." This caveat does not mean that SLD can never coexist with other disability conditions, but rather that evaluation teams and ARD committees must rule out other factors as being the primary cause of the academic difficulties before determining that a child also has an SLD. It is possible that another eligibility condition may be contributing in some way to the academic difficulties but does not fully explain or present as the primary cause of the academic deficits. It is a misconception that the presence of a sensory, motor, or emotional disability can never co-occur with an SLD. Similarly, a student can have environmental, cultural, or an economic disadvantage and an SLD. The key is whether those other factors are the primary cause of the academic difficulties.

**Should standard protocol dyslexia instructional services be identified on the schedule of services for students with an IEP?**

Yes. Students with an IEP who are receiving standard protocol dyslexia instruction (even when in the general education setting) should have this service clearly indicated on the schedule of services. This communicates to families and others what types of supports and services the student receives to meet his or her needs.

**If parents refuse an evaluation under IDEA, does the LEA offer an evaluation under Section 504?**

All dyslexia evaluations flow through a single referral entry point that begins with seeking parental consent to evaluate under IDEA. LEAs must seek informed parental consent and provide proper notice and a copy of

the procedural safeguards when the LEA refers a student for a full individual and initial evaluation (FIIE) because dyslexia and a need for dyslexia instruction is suspected. However, the State Board of Education chose to maintain an option for identification of dyslexia through Section 504 only in cases where, despite being fully informed of their rights and the process for evaluation under IDEA, the parent refuses to consent. This provides another potential avenue for the identification of dyslexia but should occur only in rare cases. LEAs may not encourage or persuade a parent to decline an evaluation under IDEA in order to seek evaluation under Section 504.

### **Does the Student have to be in a certain grade level before dyslexia evaluation can occur?**

Data related to the reading achievement and progress of all students should be continuously monitored and reviewed. A student who demonstrates poor performance in reading and spelling that is unexpected for the student's age, grade or other abilities and who exhibits the characteristics of dyslexia and a suspected need for services shall be referred for an evaluation under the IDEA.

TEC §28.006 requires school districts or open-enrollment charter schools to administer a reading instrument at the kindergarten first-grade, and second-grade levels and to notify the parent/guardian of each student in kindergarten, first grade, or second grade who is determined, on the basis of the reading instrument results, to be at risk for dyslexia or other reading difficulties. School districts and charter schools must also administer a reading instrument to grade 7 students who did not demonstrate proficiency on the grade 6 state reading assessment. Also, Texas Education Code (TEC) §38.003, Screening and Treatment for Dyslexia, requires that all kindergarten and first-grade public school students be screened for dyslexia and related disorders.

### **Can students in kindergarten and first grade be evaluated for dyslexia?**

Yes. The identification of dyslexia in young students in kindergarten and first grade will often occur through the observation of parents/guardians and educators that, despite active participation in comprehensive reading instruction, a child with sound reasoning and/or language ability shows limited reading progress. Early reading instruments (TEC §28.006) in kindergarten–grade 2 assess the emerging reading skills that are key components to the identification of dyslexia. These skills include phonological awareness, letter knowledge (graphophonemic knowledge), decoding, and word reading. Early reading instruments serve as an important early screening for many reading difficulties, including dyslexia. When a child does not meet the basic standards of these early reading instruments, the pattern of difficulty may indicate risk factors for dyslexia. A child whose skills have not reached the normative standards of these instruments requires intensified reading instruction and possible consideration for a full individual and initial evaluation (FIIE) under IDEA. With the decision to conduct an evaluation of a young student (k-grade 1) suspected of having dyslexia, it is important to note that current standardized test instruments available to school districts are not particularly sensitive to the skill variations for these students. The identification will require data gathering that is not limited to standardized instruments and that includes information from these early reading instruments, intervention data, and classroom performance patterns.

### **May a parent/guardian request that a student be evaluated for dyslexia?**

Yes. The parent/guardian may request a full individual and initial evaluation (FIIE) for dyslexia or a related disorder under IDEA. Under the IDEA, if the school refuses the request to evaluate, it must give parents

prior written notice of its refusal to evaluate, including an explanation of why the school refuses to conduct an FIIE, the information that was used as the basis for the decision, and a copy of the Notice of Procedural Safeguards. Should the parent disagree with the school's refusal to conduct an evaluation, the parent has the right to initiate dispute resolution options including mediation, state complaints, and due process hearings. Additionally, the parent may request an Independent Educational Evaluation (IEE) at the public expense. Should the parent believe that the child is eligible for Section 504 aids, accommodations, and services that parent may request an evaluation under Section 504.

**Can the parent/guardian provide an assessment from a private evaluator or source?**

Yes. A parent/guardian may choose to have his/her child assessed by a private evaluator or other source. To be valid, this assessment must comply with the requirements set forth in the guidelines in Chapter III: Procedures for the Evaluation and Identification of Students with Dyslexia of this handbook.

While an outside assessment may be provided to the ARD or Section 504 committee and must be considered by the committee, it does not automatically create eligibility. Instead, the committee determines eligibility based on a review “of data from a variety of sources.”

**Must a student fail a class or subject before being recommended for evaluation for dyslexia?**

No. A student need not fail a class or subject or fail the state-required assessment in order to be referred for an evaluation.

According to TEC §38.003, students should be evaluated for dyslexia at appropriate times. The appropriate time depends upon multiple factors, including the student’s reading performance; reading difficulties; poor response to supplemental, scientifically-based reading instruction; teacher’s input; and input from the parents/guardians. When those factors lead to a suspicion of a disability, including dyslexia or a related disorder, and a need for services, the student must be referred for a full individual and initial evaluation (FIIE) under IDEA.

**Can a student be referred for a full individual and initial evaluation (FIIE) under IDEA for dyslexia and related disorders even if he/she has passed a test required by the statewide assessment program?**

Yes. Results from a state test required by the statewide assessment program are only one source of data to be gathered and considered for possible recommendation for an evaluation. Other information must also be considered, such as teacher information, report card grades, parent information, history of reading difficulties, informal observations of the student’s abilities, response to scientifically based reading instruction, etc.

**When a student does not attend the local school district, what procedures are followed for identification of dyslexia?**

State law related to dyslexia, TEC §38.003, indicates that the law pertains to students enrolled in public schools. However, federal laws still apply to students with disabilities enrolled in private schools.

Under IDEA, if a student attends private school or is home-schooled and is suspected to have a disability and the need for special education services, the student must be referred for a full individual and initial evaluation (FIIE) as required by the Child Find provisions of IDEA. The school district where the private school is located is responsible for conducting Child Find for parentally-placed private school children.

In addition, while no parentally-placed private or home school student who has been determined to be a student with a disability has an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school, IDEA requires school districts to provide these students with an opportunity for equitable participation, through the development of a services plan, in the IDEA-funded services offered by the school district to private school students. For more information on this topic, please see [TEA's Guidance on Parentally Placed Private School Children with Disabilities webpage](#).

A private school's duty to comply with Section 504, on the other hand, depends on whether it receives federal funds. If a private school receives federal funds and provides special education services, it must operate its programs in a manner that complies with the Section 504 regulations governing evaluations, placements, and procedural safeguards (34 C.F.R. §104.39 (c)).

### **Is there one test that can be used to determine that a student has dyslexia or a related disorder?**

No. School districts and open-enrollment charter schools should use multiple data sources, including formal and informal measures (e.g., day-to-day anecdotal information) that are appropriate for determining whether a student has dyslexia and/or a related disorder. For more information see Chapter 3: Procedures for the Evaluation and Identification of Dyslexia.

### **Why is it important to assess rate, accuracy, and prosody for reading fluency when conducting a dyslexia evaluation?**

The multidisciplinary evaluation team considers rate, accuracy, and prosody along with other factors, when assessing for a pattern of evidence for dyslexia. A test of oral-reading fluency must include the various components of reading fluency. A student may read words in a passage accurately, but very slowly, or a student may read the passage quickly with many errors. Therefore, measures of rate, accuracy, and prosody allow the examiner to observe and analyze a student's errors and miscues for diagnosis as well as inform instructional planning.

### **Must a full-scale intelligence test be administered in the identification process for dyslexia?**

No. The most current definition of dyslexia from the International Dyslexia Association (IDA) indicates that the difficulties the student exhibits in reading should be unexpected in relation to the student's other cognitive abilities and the provision of effective classroom instruction. Examples of other cognitive abilities that could be age- appropriate in relation to unexpected reading difficulties might include the student's oral language skills, problem- solving and reasoning skills, ability to learn in the absence of print, or strong math skills in comparison to reading skills.

IDEA requires school districts and charter schools to use a variety of assessment tools and strategies to gather relevant, functional, developmental and academic information including information provided by

the parent. Evaluation must assess all areas related to the student's suspected disability.

Section 504 requires the evaluation to draw upon information from a variety of sources including aptitude and achievement tests, teacher recommendations, physical conditions, social or cultural background and adaptive behaviors.

**If a student is already receiving special education services for one particular area of need (e.g., speech) and the student is suspected to have dyslexia or a related disorder, does the ARD committee need to convene to recommend that the student be evaluated for dyslexia and related disorders?**

Yes. For any student receiving special education services, including a student receiving speech services, the ARD committee and other qualified professionals, as appropriate, must review existing evaluation data on the student and, on the basis of that review and input from the student's parents/guardians, identify what additional data, if any, are needed to make an informed decision regarding the identification of dyslexia. If further evaluation is recommended, the school district or charter school must give the parent or guardian prior written notice of the proposed evaluation and a notice of procedural safeguards (when required) and seek parental consent for the evaluation according to the requirements by IDEA. A timeline for completion of any new evaluation should be determined by the ARD committee.

**What requirements need to be kept in mind when considering reevaluations or retesting for students with dyslexia?**

Under IDEA, reevaluation of a student with a disability may not occur more than once a year, unless the parent and the school district or charter school agree otherwise; and must occur at least once every three years, unless the parent and the school district or charter school agree that reevaluation is unnecessary. The first step for any reevaluation is conducting a review of existing evaluation data (REED), which identifies what, if any, additional data is necessary for the reevaluation. Under state law, a student determined to have dyslexia during screening or testing or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the school district or charter school reevaluates the information obtained from previous testing of the student (TEC §38.003(b-1)).

**Is the district or open-enrollment charter school responsible for conducting evaluations or reevaluations required by colleges and universities for students with dyslexia to receive accommodations?**

No. The school district's or charter school's duty to evaluate only applies for purposes of determining eligibility and services in the school's programs and activities during the period in which the student is eligible. According to the U.S. Department of Education Office of Civil Rights (OCR), neither the high school nor the postsecondary school is required to conduct or pay for a new evaluation to document a student's disability and need for accommodations. Consequently, the responsibility will fall to the student. All IDEA rights conclude and a student exits special education upon graduation and issuance of a regular high school diploma, as that term is defined by IDEA at 34 CFR §300.102(a)(3)(iv). However, if a student has an up-to-date evaluation prior to leaving high school, the evaluation may help identify services that have been effective for the student when a

postsecondary institution is determining the need for academic adjustments.

TEC §51.9701 states that “unless otherwise provided by law, an institution of higher education, as defined by §61.003, may not reassess a student determined to have dyslexia for the purpose of assessing the student’s need for accommodations until the institution of higher education reevaluates the information obtained from previous assessments of the student.”

## Instruction

### **Must each campus have a dyslexia program?**

In accordance with 19 TAC §74.28(i), each school must provide each student identified with dyslexia access at his/her campus to the services of an interventionist trained in dyslexia and related disorders. The school district may, with the approval of each student’s parents/guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his/her campus.

### **What must be in a curriculum used by the specialist for teaching students with dyslexia, as required by Texas state law?**

A school district or open-enrollment charter school must purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the following sections of Chapter IV of this handbook: Critical, Evidence-Based Components of Dyslexia Instruction and Delivery of Dyslexia Instruction (19 TAC §74.28(e)). In addition, as with a purchased reading program, a locally-developed dyslexia program must be evidence based.

### **What does Texas require in terms of scheduling standard protocol dyslexia instruction?**

Scheduling of standard protocol dyslexia instruction is a local district decision. School districts and charter schools should consider the impact of standard protocol dyslexia instruction occurring when required core curriculum is being provided. While scheduling can be difficult, school districts and charter schools should maintain recommended program intensity. The ARD or Section 504 committee, as appropriate, must participate in scheduling decisions.

### **Is standard protocol dyslexia instruction provided as part of the regular education program or must students be eligible for special education and have an individualized education program (IEP) to receive it?**

As described in Chapter Four of the Dyslexia Handbook, LEAs are required to purchase or develop an evidence-based reading program for students with dyslexia and related disorders that incorporates specific critical evidence-based components of instruction and instructional approaches. The program, also referred to as standard protocol dyslexia instruction, provides for evidence-based, multisensory structured literacy instruction for students with dyslexia. The standard protocol dyslexia instruction program is based on the common characteristics and needs of students with dyslexia and the instructional strategies that are generally effective. Standard protocol dyslexia instruction is a routinized program that is part of the

continuum of tiered intervention and instruction available to any student who needs it, including students served by special education. Campuses provide this instruction to individual students based on individual determinations of need. Every LEA must be able to clearly describe and define the specific standard protocol dyslexia instruction (purchased or developed) that is used on each campus.

**Can standard protocol dyslexia instruction be considered specially designed instruction for an individual student?**

Yes. For any individual student, the ARD committee may determine that participation in standard protocol dyslexia instruction is part of the specially designed instruction and services that a student needs to access and progress in the general curriculum. The fact that standard protocol dyslexia instruction is available to students who need it as part of the continuum of general education interventions does not preclude an ARD committee from determining that it is a required component of the IEP for an individual student. Please see [guidance from OSEP](#) to TEA on this topic. To meet documentation requirements for both regulatory compliance and eligibility for special education contact hours and weighted funding, the IEP must include, among other things, a statement of the special education and related services and supplementary aids and services the student will receive, as well as the program modifications or supports for school personnel that will be provided, to enable the child to advance appropriately toward attaining their annual goals and to be involved in and make progress in the general education curriculum.

**Can the standard protocol dyslexia instruction program be delivered in a manner that is different from the way it was designed?**

Standard protocol dyslexia instruction must be delivered in accordance with the way the program was designed to be delivered (i.e. with fidelity). Therefore, when a district or charter school has purchased a program, the amount of time for instruction/intervention reflected in the author's/publisher's program mandates the amount of time required to deliver the instruction (e.g., 45 minutes, 5 times per week). An ARD committee, however, may customize or individualize the specific dyslexia instruction necessary for a student based on the individual student's needs.

When the standard protocol dyslexia instruction is altered to meet an individual student's needs it is no longer "standard protocol".

**May a computer program be used as the primary method of delivery for a dyslexia instructional program?**

No. Computer instruction to teach reading is not supported by scientifically-based reading research. The National Reading Panel (2000), in its review of the research related to computer technology and reading instruction, indicated that it is extremely difficult to make specific instructional conclusions based on the small sample of research available and that there are many questions about computerized reading instruction that still need to be addressed. Additionally, in a position statement released in 2009, the International Dyslexia Association (IDA) stated, "Technology-based instruction should not be used as a substitute for a relationship with a knowledgeable, trained teacher or educational therapist. Technological innovations, however, may be extremely helpful in providing practice and reinforcement, access to information, and alternative routes of communication."

**Should a student's dyslexia diagnosis be a consideration when making decisions about**

## **accelerated instruction, promotion, and/or retention?**

Yes. In measuring the academic achievement or proficiency of a student who has dyslexia, the student's potential for achievement or proficiency in the area must be considered. When making determinations about promotion, the ARD or Section 504 committee, as appropriate, shall consider the recommendation of the student's teacher, the student's grade in each subject or course, the student's score on a state assessment instrument, and any other necessary academic information, as determined by the district (TEC §28.021(b)-(c)).

## **Teachers of Students with Dyslexia**

### **What credentials and trainings are required for a dyslexia interventionist who serves students identified with dyslexia and related disorders?**

Texas does not have a specific certification for teachers providing intervention to students identified with dyslexia. However, 19 TAC §74.28(e) requires teachers who screen and treat students with dyslexia to be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in this Dyslexia Handbook. School districts and open-enrollment charter schools must consider the needs of students and the qualification of teachers. Teachers must have appropriate training in dyslexia and related disorders outlined in Chapter IV and V.

IDEA requires that the districts and charter schools ensure that all personnel who provide services to students with disabilities are appropriately and adequately prepared. For a student determined to have a disability under IDEA, qualified special education personnel must be involved in the implementation of the student's individual education program (IEP) through the provision of direct, indirect, and/or support services to the student and/or the student's regular classroom teacher(s) for any educational service or program implemented for that student in accordance with his or her IEP. A provider of dyslexia instruction does not have to be certified as a special educator when serving a student who receives special education and related services if that provider is the most appropriate person to offer dyslexia instruction.

Refer also to Figure 4.1 Minimum Training Requirements for Educators Providing Dyslexia Services for additional information.

### **Can a dyslexia interventionist provide support to students in prekindergarten-grade 12?**

Yes. As long as the person holds the proper credentials or (e.g., CALT, LDT) or has completed appropriate dyslexia training (e.g., MTA), he or she may provide dyslexia intervention to any students in prekindergarten-grade 12.

### **To what degree are classroom teachers trained to recognize characteristics of dyslexia, its remediation, and accommodation in regular content classes?**

Continuing education for "an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia" (TEC §21.054(b)). Such training may be offered in an online course (TEC §21.054(c)). Local policy will determine the number of professional

development hours classroom teachers receive regarding the characteristics of dyslexia, its remediation, and accommodations in regular content classes.

**Are there requirements for preservice teachers to have dyslexia training?**

Yes. As part of teacher certification for preservice teachers who began enrollment in an institution of higher education during the 2011–2012 academic year or later, each candidate must receive, as part of her/his bachelor's degree, curriculum instruction in detection and education of students with dyslexia (TEC §21.044(b)).

**Supporting Emergent Bilingual Students with Dyslexia**

**How many years does a student need to receive bilingual/ESL instruction before a comprehensive evaluation with the condition of dyslexia and/or a related disorder can be considered?**

There is no fixed amount of time that an emergent bilingual (EB) student must receive bilingual/ESL instruction before a comprehensive evaluation with the condition of dyslexia and/or a related disorder is considered. This will ensure that the LEA does not inadvertently violate their federal Child Find obligations.

**What determines the language of instruction for dyslexia services related to an emergent bilingual student?**

To determine the language of instruction of dyslexia services for an emergent bilingual student, the committee of knowledgeable persons (ARD or Section 504 committee) must include a member of the LPAC and should consider the following two issues:

What language allows the student to adequately access the dyslexia services? What is the student's current language of classroom instruction?

**Accommodations and Technology Integration for Students with Dyslexia**

**Are there accommodations exclusively for students with dyslexia specific to classroom instruction and testing?**

Accommodations for students with disabilities are intended to provide students effective and equitable access to grade-level or course curriculum and assessments. It is important to remember that accommodations that are effective in classroom instruction may not be appropriate or allowed for use on a state assessment.

For more information, see the Instructional Accommodations for Students with Disabilities section in Chapter IV, Accommodations for Students with Disabilities available at <https://dyslexiaida.org/accommodations-for-students-with-dyslexia/> and Accommodation Resources at

<https://tea.texas.gov/accommodations/>.

### **What data will support the need for instructional and test-related accommodations for students with dyslexia?**

Educators should collect and analyze data pertaining to the need for instructional and test-related accommodations for students with dyslexia that will support educational decisions made by the ARD or Section 504 committee. Data should include multiple sources, formal and informal, provided by parents/guardians, teachers, and/or others knowledgeable of the student. By analyzing data, the committee of knowledgeable persons (ARD or Section 504) can determine if the accommodation is appropriate or unnecessary. Over time, data can confirm the continuation or justify the removal of any accommodation(s).

### **Can technology benefit students with dyslexia?**

Yes. The research is definitive regarding technology and instruction for students with dyslexia. When students have access to technology, their overall performance improves. Technology tools allow students with dyslexia to be equal participants in school-based learning experiences (TEC §38.0031). Technology is not to take the place of direct and explicit instruction, but to provide access to grade level and course curriculum. The online tool [Technology Integration for Students with Dyslexia](#) may provide assistance in identifying appropriate technologies.

### **Is the district required to provide technology devices or services for students identified with dyslexia?**

Yes, if the ARD committee determines assistive technology (AT) devices or services are necessary to provide a student with FAPE. School districts and charter schools must ensure that assistive technology devices or assistive technology services, or both, are made available to a student with a disability if required as a part of the student's special education, related services, or supplementary aids and services. IDEA permits IDEA funds to be used to improve the use of technology in the classroom by students with disabilities to enhance learning and to support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.

There are no Section 504 regulations concerning technology, students may need access to existing technology; therefore, the Free Appropriate Public Education (FAPE) requirement determines what technology (if any) is required. Nondiscrimination rules apply to instructional technology.

### **Are there specific accommodations for students with dyslexia during state assessments?**

Certain accommodations used in the classroom would invalidate the content being assessed or compromise the security and integrity of the state assessment. For this reason, not all accommodations suitable for instruction are allowed during the state assessments. The decision to use an accommodation should be made on an individual student basis and take into consideration the needs of the student and whether the student routinely receives the accommodation during classroom instruction and testing. For more information, view the Accommodation Resources page on TEA's website, <http://tea.texas.gov/accommodations> and look for specific dyslexia eligibility criteria under each

accommodation (e.g., oral administration, extra time (same day)).

## Appendix C: Sources of Law and Rules for Dyslexia Identification and Instruction

- Texas Education Code (TEC) §7.028(b)
- Texas Education Code (TEC) §21.044
- Texas Education Code (TEC) §21.054
- Texas Education Code (TEC) §28.006
- Texas Education Code (TEC) §28.021
- Texas Education Code (TEC) §38.003
- Texas Education Code (TEC) §38.0031
- Texas Education Code (TEC) §38.0032
- Texas Education Code (TEC) §42.006(a-1)
- Texas Education Code (TEC) §51.9701
- Texas Occupations Code, Chapter 54
- Texas Occupations Code, Chapter 403
- Texas Administrative Code (TAC) §74.28 (State Board of Education Rule)
- Texas Administrative Code (TAC) §228.30 (State Board for Educator Certification Rule)
- Texas Administrative Code (TAC) §230.23 (State Board for Educator Certification Rule)
- Texas Administrative Code (TAC) §232.11 (State Board for Educator Certification Rule)
- The *Dyslexia Handbook—2018 Update: Procedures Concerning Dyslexia and Related Disorders*
- Individuals with Disabilities Education Act (IDEA)
- Rehabilitation Act of 1973, Section 504 (Section 504), as amended in 2008

### Summary

#### School boards **MUST** ensure the following:

- Procedures for identifying a student with dyslexia or a related disorder are implemented in the district (TAC §74.28(b)).
- Procedures for providing appropriate instructional services to the student are implemented in the district (TAC §74.28(b)).
- The district or school complies with all applicable requirements of state educational programs (TEC §7.028).

#### School districts **MUST** do the following:

- Administer kindergarten and grade 1 dyslexia screening (TEC §38.003(a))
- Administer K–2 early reading instruments and grade 7 reading instrument (TEC §28.006(c)-(c-1))
- Provide early identification, intervention, and support (TEC §28.006(g)-(g-1))
- Apply results of early reading instruments to instruction and report to the commissioner of education (TEC §28.006(d))
- Implement SBOE-approved procedures for screening, individualized evaluation, and techniques for treating students with dyslexia and related disorders (*Dyslexia Handbook* and TAC §74.28(c))
- Provide training about dyslexia to educators and ensure that campus planning and

decision-making committee addresses dyslexia instructional strategies in professional development activities (TAC §74.28(e) and TAC §232.11)

- Ensure that the procedures for identification and instruction are in place (TAC §74.28)
- Notify parents in writing at least five school days before an evaluation or identification procedure is used with an individual student (TAC §74.28(f))
- Screen or test for dyslexia at appropriate times (TEC §38.003)
- Ensure that rescreening or re-evaluating for the purposes of accommodations does not occur until after current testing has been reviewed (TEC 38.003(b-1))
- Meet the requirements of IDEA or Section 504, as applicable, when evaluation for dyslexia or related disorders is recommended (*Dyslexia Handbook*)
- Provide treatment (instruction) for students with dyslexia or related disorders (TEC §38.003 and TAC 74.28(i))
- Purchase or develop programs that include descriptors listed in the *Dyslexia Handbook* (TAC §74.28(e))
- Inform parents of all services and options available to students eligible under IDEA or Section 504 (TAC §74.28(h))
- Provide students with services of a teacher trained in dyslexia and related disorders (TAC §74.28(i))
- Provide parents of children suspected to have dyslexia or a related disorder a copy or link to the *Dyslexia Handbook* (TAC §74.28(j))
- Provide a parent education program (TAC §74.28(k))
- Report through PEIMS information regarding the number of students enrolled in the district or school who are identified as having dyslexia (TEC §42.006(a-1))

**The following is a checklist of procedures for ensuring compliance with state and federal laws\* and rules:**

- Notify parents/guardians of proposal to evaluate student for dyslexia (IDEA and Section 504).
- Inform parents/guardians of their rights under IDEA and/or Section 504
- Obtain parent or guardian permission to evaluate student for dyslexia or related disorder (IDEA and Section 504)
- Administer measures using only individuals/professionals who are trained in assessment to evaluate students for dyslexia and related disorders (TAC §74.28(d)).
- Ensure that identification of dyslexia is made by the ARD or Section 504 committee of persons knowledgeable about the reading process, dyslexia and dyslexia instruction, the assessments used, and the meaning of the collected data (*Dyslexia Handbook*)
- Provide dyslexia instruction in accordance with TEC §38.003.
- Provide ongoing training opportunities for teachers (TEC §21.0054(b)).

**The following is a checklist of written documentation that is recommended to ensure compliance with IDEA and Section 504\*:**

- Documentation that the notice of evaluation has been provided in writing to parent/guardian
- Documentation that parents/guardians were provided notice of their rights (procedural safeguards)
- Documentation of parent/guardian consent for evaluation
- Documentation of the evaluation data
- Documentation of decisions made by the committee of knowledgeable persons

- Documentation of eligibility, services, and placement options and decisions

\*For more information on these federal laws, refer to Appendix E: IDEA/Section 504 Side-by-Side Comparison

## Appendix D: State Laws and Rules Related to Dyslexia

### Texas Education Code §7.028(b) (State Law)

#### Limitation on Compliance Monitoring

- (b) The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.

Added by Acts 2003, 78th Leg., ch. 201, § 4, eff. Sept. 1, 2003. Renumbered from V.T.C.A., Education Code § 7.027 by Acts 2005, 79th Leg., ch. 728, § 23.001(9), eff. Sept. 1, 2005.

### Texas Education Code §21.044 (State Law)

#### Educator Preparation

- (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.
- (b) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia.
- (c) The instruction under Subsection (b) must:
  - (1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:
    - (A) employed by institutions of higher education; and
    - (B) approved by the board; and
  - (2) include information on:
    - (A) characteristics of dyslexia;
    - (B) identification of dyslexia; and
    - (C) effective, multisensory strategies for teaching students with dyslexia.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.  
Amended by: Acts 2015, 84th Leg., R.S., Ch. 931, Sec. 3, eff. September 1, 2015.

### Texas Education Code §21.054 (State Law)

#### Continuing Education

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.
- (b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (c) The training required under Subsection (b) may be offered in an online course.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.  
Amended by: Acts 2005, 79th Leg., Ch. 675, Sec. 2, eff. June 17, 2005, Acts 2009, 81st Leg., R.S., Ch. 596, Sec. 1, eff.

September 1,  
2009, Acts 2009, 81st Leg., R.S., Ch. 895, Sec. 67(a), eff. June 19, 2009, Acts 2011, 82nd Leg., R.S., Ch. 635, Sec. 2, eff.  
June 17, 2011.

## **Texas Education Code §28.006 (State Law)**

### **Reading Diagnosis**

- (a) The commissioner shall develop recommendations for school districts for:
  - (1) administering reading instruments to diagnose student reading development and comprehension;
  - (2) training educators in administering the reading instruments; and
  - (3) applying the results of the reading instruments to the instructional program.
- (b) The commissioner shall adopt a list of reading instruments that a school district may use to diagnose student reading development and comprehension. For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall include on the commissioner's list at least two multidimensional assessment tools. A multidimensional assessment tool on the commissioner's list must either include a reading instrument and test at least three developmental skills, including literacy, or test at least two developmental skills, other than literacy, and be administered in conjunction with a separate reading instrument that is on a list adopted under this subsection. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A district-level committee established under Subchapter F, Chapter 11, may adopt a list of reading instruments for use in the district in addition to the reading instruments on the commissioner's list. Each reading instrument adopted by the commissioner or a district-level committee must be based on scientific research concerning reading skills development and reading comprehension. A list of reading instruments adopted under this subsection must provide for diagnosing the reading development and comprehension of students participating in a program under Subchapter B, Chapter 29.
- (c) Each school district shall administer, at the kindergarten and first- and second-grade levels, a reading instrument on the list adopted by the commissioner or by the district-level committee. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1).
- (c-1) Each school district shall administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the assessment instrument in reading administered under Section 39.023(a) to the student in grade six did not demonstrate reading proficiency, as determined by the commissioner. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1).
- (d) The superintendent of each school district shall:
  - (1) report to the commissioner and the board of trustees of the district the results of the reading instruments; and
  - (2) report, in writing, to a student's parent or guardian the student's results on the reading instrument;
  - (3) using the school readiness certification system provided to the school district in accordance with Section 29.161(e), report electronically each student's raw score on the reading instrument to the agency for use in the school readiness

certification system.

- (d-1) The agency shall contract with the State Center for Early Childhood Development to receive and use scores under Subsection (d)(3) on behalf of the agency.
- (e) The results of reading instruments administered under this section may not be used for purposes of appraisals and incentives under Chapter 21 or accountability under Chapters 39 and 39A.
- (f) This section may be implemented only if funds are appropriated for administering the reading instruments. Funds, other than local funds, may be used to pay the cost of administering a reading instrument only if the instrument is on the list adopted by the commissioner.
- (g) A school district shall notify the parent or guardian of each student in kindergarten or first or second grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties. The district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to those students and shall determine the form, content, and timing of that program. The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter B, Chapter 29, and who does not perform satisfactorily on a reading instrument under this section shall determine the manner in which the student will participate in an accelerated reading instruction program under this subsection.
- (g-1) A school district shall provide additional reading instruction and intervention to each student in seventh grade assessed under Subsection (c-1), as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument. Training and support for activities required by this subsection shall be provided by regional education service centers and teacher reading academies established under Section 21.4551, and may be provided by other public and private providers.
- (h) The school district shall make a good faith effort to ensure that the notice required under this section is provided either in person or by regular mail and that the notice is clear and easy to understand and is written in English and in the parent or guardian's native language.
- (i) The commissioner shall certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section. A determination by the commissioner is final and may not be appealed. For purposes of certification, the commissioner may not consider Foundation School Program funds.
- (j) No more than 15 percent of the funds certified by the commissioner under Subsection (i) may be spent on indirect costs. The commissioner shall evaluate the programs that fail to meet the standard of performance under Section 39.051(b)(7) and may implement sanctions under Subchapter G, Chapter 39. The commissioner may audit the expenditures of funds appropriated for purposes of this section. The use of the funds appropriated for purposes of this section shall be verified as part of the district audit under Section 44.008.
- (k) The provisions of this section relating to parental notification of a student's results on the reading instrument and to implementation of an accelerated reading instruction program may be implemented only if the commissioner certifies that funds have been appropriated during a school year for administering the accelerated reading instruction program specified under this section.

Added by Acts 1997, 75th Leg., ch. 397, Sec. 2, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 396, Sec. 2.11, eff. Sept. 1, 1999.

Amended by: Acts 2006, 79th Leg., 3rd C.S., Ch. 5, Sec. 3.05, eff. May 31, 2006.

Acts 2007, 80th Leg., R.S., Ch. 1058, Sec. 6, eff. June 15, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1340, Sec. 1, eff. June 15, 2007.

Acts 2009, 81st Leg., R.S., Ch. 895, Sec. 26, eff. June 19, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 1314, Sec. 1, eff. June 14, 2013.

Acts 2017, 85th Leg., R.S., Ch. 324, Sec. 21.003(16), eff. September 1, 2017.

## **Texas Education Code §28.021 (State Law)**

### **Student Advancement**

- (a) A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.
- (b) In measuring the academic achievement or proficiency of a student who is dyslexic, the student's potential for achievement or proficiency in the area must be considered.
- (c) In determining promotion under Subsection (a), a school district shall consider:
  - (1) the recommendation of the student's teacher;
  - (2) the student's grade in each subject or course;
  - (3) the student's score on an assessment instrument administered under Section 39.023(a), (b), or (l), to the extent applicable; and
  - (4) any other necessary academic information, as determined by the district.
- (d) By the start of the school year, a district shall make public the requirements for student advancement under this section.
- (e) The commissioner shall provide guidelines to districts based on best practices that a district may use when considering factors for promotion.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. 3), Sec. 28, eff. June 19, 2009. Acts 2011, 82nd Leg., R.S., Ch. 307 (H.B. 2135),

Sec. 1, eff. June 17, 2011.

## **Texas Education Code §38.003 (State Law)**

### **Screening and Treatment for Dyslexia and Related Disorders**

- (a) Students enrolling in public schools in this state shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.
- (b) In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.
- (b-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.
- (c) The State Board of Education shall adopt any rules and standards necessary to

administer this section.

(d) In this section:

- (1) "Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.
- (2) "Related disorders" includes disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by: Acts 2011, 82nd Leg., R.S., Ch. 635, Sec.3, eff. June 17, 2011. Acts 2017, 85th Leg., R.S., Ch. 1044, Sec. 5, eff. June 15, 2017. *The original version of this statute was passed in 1985 through HB 157, Texas Legislature, and 69th Regular Session. Subsection (b-1) was added by the 82nd Texas Legislature in 2011.*

### **Texas Education Code §38.0031 (State Law)**

#### **§38.0031 Classroom Technology Plan for Students with Dyslexia**

- (a) The agency shall establish a committee to develop a plan for integrating technology into the classroom to help accommodate students with dyslexia. The plan must:
  - (1) determine the classroom technologies that are useful and practical in assisting public schools in accommodating students with dyslexia, considering budget constraints of school districts; and
  - (2) develop a strategy for providing those effective technologies to students.
- (b) The agency shall provide the plan and information about the availability and benefits of the technologies identified under Subsection (a) (1) to school districts.
- (c) A member of the committee established under Subsection (a) is not entitled to reimbursement for travel expenses incurred by the member under this section unless agency funds are available for that purpose.

Added by Acts 2011, 82nd Leg., R.S., Ch. 635, Sec. 4, eff. June 17, 2011

### **Texas Education Code §38.0032 (State Law)**

#### **Dyslexia Training Opportunities.**

- (a) The agency shall annually develop a list of training opportunities regarding dyslexia that satisfy the requirements of Section 21.054(b). The list of training opportunities must include at least one opportunity that is available online.
- (b) A training opportunity included in the list developed under Subsection (a) must:
  - (1) comply with the knowledge and practice standards of an international organization on dyslexia; and
  - (2) enable an educator to:
    - (A) understand and recognize dyslexia; and
    - (B) implement instruction that is systematic, explicit, and evidence-based to meet the educational needs of a student with dyslexia.

Added by Acts 2017, 85th Leg., R.S., Ch. 1044 (H.B. 1886), Sec. 6, eff. June 15, 2017.

### **Texas Education Code §42.006(a-1) (State Law)**

#### **§42.006 Public Education Information Management System (PEIMS)**

- (a-1) The commissioner by rule shall require each school district and open-enrollment charter

school to report through the Public Education Information Management System information regarding the number of students enrolled in the district or school who are identified as having dyslexia. The agency shall maintain the information provided in accordance with this subsection.

Amended by Acts 2013, 83rd Leg., R.S., Ch. 295 (H.B.1264, sec. 1, eff. June 14, 2013).

## **Texas Education Code §51.9701 (State Law)**

### **§51.9701 Assessment for Dyslexia**

Unless otherwise provided by law, an institution of higher education, as defined by Section 61.003, may not reassess a student determined to have dyslexia for the purpose of assessing the student's need for accommodations until the institution of higher education reevaluates the information obtained from previous assessments of the student.

Added by Acts 2011, 82nd Leg., R.S., Ch. 635, Sec. 5, eff. June 17, 2011.

## **Texas Occupations Code Chapter 54 (State Law)**

### **Examination On Religious Holy Day; Examination Accommodation For Person With Dyslexia**

Section 2. Amends Chapter 54 Occupations Code, by adding Section 54.003, as follows:

#### **Sec. 54.003. Examination Accommodations For Person With Dyslexia**

- (a) Defines, in this section, "dyslexia,"
- (b) Requires a state agency, for each licensing examination administered by the agency, to provide reasonable examination accommodations to an examinee diagnosed as having dyslexia.
- (c) Requires each state agency to adopt rules as necessary to implement this section, including rules to establish the eligibility criteria and examinee must meet for accommodation under this section.

Added by Acts 2011, 82nd Leg., R.S., Ch. 418, Sec. 2, eff. September 1, 2011.

## **Texas Occupations Code Chapter 403 (State Law)**

### **Licensed Dyslexia Practitioners and Licensed Dyslexia Therapists**

#### **SUBCHAPTER A. GENERAL PROVISIONS**

**Sec. 403.001. DEFINITIONS.** In this chapter:

- (1) "Commission" means the Texas Commission of Licensing and Regulation.
- (2) "Department" means the Texas Department of Licensing and Regulation.
- (3) "Executive director" means the executive director of the department.
- (4) "License holder" means a person who holds a license issued under this chapter.
- (5) "Multisensory structured language education" means a program described by the International Multisensory Structured Language Education Council for the treatment of individuals with dyslexia and related disorders that provides instruction in the skills of reading, writing, and spelling:
  - (A) through program content that includes:
    - (i) phonology and phonological awareness;
    - (ii) sound and symbol association;
    - (iii) syllables;

- (iv) morphology;
  - (v) syntax; and
  - (vi) semantics; and
- (B) following principles of instruction that include:
- (i) simultaneous multisensory instruction, including visual-auditory-kinesthetic- tactile instruction;
  - (ii) systematic and cumulative instruction;
  - (iii) explicit instruction;
  - (iv) diagnostic teaching to automaticity; and
  - (v) synthetic and analytic instruction.

(6) "Qualified instructor" means a person described by Section 403.110.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

Amended by: Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 5.318(5), eff. April 2, 2015.

Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.129, eff. September 1, 2015.

**Sec. 403.003. APPLICABILITY.** This chapter does not:

- (1) require a school district to employ a person licensed under this chapter;
- (2) require an individual who is licensed under Chapter 501 to obtain a license under this chapter;  
or
- (3) authorize a person who is not licensed under Chapter 401 to practice audiology or speech-language pathology.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

#### **SUBCHAPTER B. POWERS AND DUTIES**

**Sec. 403.051. ADVISORY COMMITTEE.** The department shall appoint an advisory committee to provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.130, eff. September 1, 2015.

**Sec. 403.0511. GENERAL POWERS AND DUTIES.** The executive director shall administer and enforce this chapter.

Added by Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.131, eff. September 1, 2015.

**Sec. 403.052. STANDARDS OF ETHICAL PRACTICE.** The commission shall adopt rules that establish standards of ethical practice.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

Amended by Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.132, eff. September 1, 2015.

#### **SUBCHAPTER C. LICENSE REQUIREMENTS**

**Sec. 403.101. LICENSE REQUIRED.** A person may not use the title "licensed dyslexia practitioner" or "licensed dyslexia therapist" in this state unless the person holds the appropriate license under this chapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2010.

**Sec. 403.102. ISSUANCE OF LICENSE.** The department shall issue a licensed dyslexia practitioner or licensed dyslexia therapist license to an applicant who meets the requirements of this chapter.

**Sec. 403.1025. TERM OF LICENSE.** A license issued under this chapter is valid for two years.

Added by Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 5.066, eff. April 2, 2015.

**Sec. 403.103. LICENSE APPLICATION.**

- (a) A license applicant must apply to the department on a form and in the manner prescribed by the executive director.
- (b) The application must be accompanied by a nonrefundable application fee.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.133, eff. September 1, 2015.

**Sec. 403.104. ELIGIBILITY FOR LICENSED DYSLEXIA PRACTITIONER LICENSE.**

- (a) To be eligible for a licensed dyslexia practitioner license, an applicant must have:
  - (1) earned a bachelor's degree from an accredited public or private institution of higher education;

- (2) successfully completed at least 45 hours of course work in multisensory structured language education from a training program that meets the requirements of Section 403.106;
  - (3) completed at least 60 hours of supervised clinical experience in multisensory structured language education;
  - (4) completed at least five demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.106 and followed by a conference with and a written report by the instructor; and
  - (5) successfully completed a national multisensory structured language education competency examination approved by the department and administered by a national certifying professional organization.
- (b) Clinical experience required under Subsection (a)(3) must be obtained under:
- (1) the supervision of a qualified instructor or an instructor from an accredited training program that meets the requirements of Section 403.106; and
  - (2) guidelines approved by the department.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

**Sec. 403.105. ELIGIBILITY FOR LICENSED DYSLEXIA THERAPIST LICENSE.**

- (a) To be eligible for a licensed dyslexia therapist license, an applicant must have:
- (1) earned at least a master's degree from an accredited public or private institution of higher education;
  - (2) successfully completed at least 200 hours of course work in multisensory structured language education from a training program that meets the requirements of Section 403.106;
  - (3) completed at least 700 hours of supervised clinical experience in multisensory structured language education;
  - (4) completed at least 10 demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.106 and followed by a conference with and a written report by the instructor; and
  - (5) successfully completed a national multisensory structured language education competency examination approved by the department and administered by a national certifying professional organization.
- (b) Clinical experience required under Subsection (a)(3) must be obtained under:
- (1) the supervision of a qualified instructor or an instructor from an accredited training program that meets the requirements of Section 403.106; and
  - (2) guidelines approved by the department.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

**Sec. 403.106. REQUIREMENTS FOR TRAINING PROGRAMS.**

- (a) For purposes of determining whether an applicant satisfies the training requirements for a license under this chapter, a multisensory structured language education training program completed by the applicant must:
- (1) be accredited by a nationally recognized accrediting organization;

- (2) have in writing defined goals and objectives, areas of authority, and policies and procedures;
  - (3) have the appropriate financial and management resources to operate the training program, including a knowledgeable administrator and standard accounting and reporting procedures;
  - (4) have a physical site, equipment, materials, supplies, and environment suitable for the training program;
  - (5) have a sufficient number of instructional personnel who have completed the requirements for certification in multisensory structured language education;
  - (6) have been reviewed by multisensory structured language education professionals who are not affiliated with the training program;
  - (7) have developed and followed procedures to maintain and improve the quality of training provided by the program;
  - (8) have provided direct instruction in the principles and in each element of multisensory structured language education for a minimum of:
    - (A) 200 contact hours of course work for training program participants who seek a licensed dyslexia therapist license; and
    - (B) 45 contact hours of course work for training program participants who seek a licensed dyslexia practitioner license;
  - (9) have required training program participants to complete a program of supervised clinical experience in which the participants provided multisensory structured language education to students or adults, either individually or in small groups for a minimum of:
    - (A) 700 hours for training program participants who seek a licensed dyslexia therapist license; and
    - (B) 60 hours for training program participants who seek a licensed dyslexia practitioner license;
  - (10) have required training program participants to demonstrate the application of multisensory structured language education principles of instruction by completing demonstration lessons observed by an instructor and followed by a conference with and a written report by the instructor; and
  - (11) have provided instruction based on the Texas Education Agency publication "The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (2007)," or a revised version of that publication approved by the department.
- (b) A training program must require a training program participant who seeks a licensed dyslexia practitioner license to have completed at least five demonstration lessons described by Subsection (a)(10) and a participant who seeks a licensed dyslexia therapist license to have completed at least 10 demonstration lessons.
- (c) The department shall determine whether a training program meets the requirements of this section.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by Acts 2017, 85th Leg., R.S., Ch. 1105, Sec. 4.001, eff. September 1, 2017.

**Sec. 403.107. EXAMINATION.**

- (a) To obtain a license, an applicant must:
  - (1) pass a written examination approved by the department under Subsection (b); and
  - (2) pay the required fees.
- (b) The department shall:
  - (1) identify and designate a competency examination that is related to multisensory structured language education and that will be administered at least twice each year by a professional organization that issues national certifications; and
  - (2) maintain a record of all examinations for at least two years after the date of

examination. Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by: Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 5.067, eff. April 2, 2015. Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.134, eff. September 1, 2015. Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.135, eff. September 1, 2015. Acts 2017, 85th Leg., R.S., Ch. 1105, Sec. 4.002, eff. September 1, 2017.

**Sec. 403.108. WAIVER OF EXAMINATION REQUIREMENT.** The department may waive the examination requirement and issue a license to an applicant who holds an appropriate certificate or other accreditation from a nationally accredited multisensory structured language education organization recognized by the department.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by Acts 2017, 85th Leg., R.S., Ch. 1105, Sec. 4.003, eff. September 1, 2017.

**Sec. 403.110. QUALIFIED INSTRUCTOR.** To be considered a qualified instructor under this chapter, a person must:

- (1) be a licensed dyslexia therapist;
- (2) have at least 1,400 hours of clinical teaching experience in addition to the hours required to obtain a licensed dyslexia therapist license; and
- (3) have completed a two-year course of study dedicated to the administration and supervision of multisensory structured language education programs taught by a nationally accredited training program that meets the requirements of Section 403.106.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

#### **SUBCHAPTER D. PRACTICE BY LICENSE**

**HOLDER Sec. 403.151. PRACTICE SETTING.**

- (a) A licensed dyslexia practitioner may practice only in an educational setting, including a school, learning center, or clinic.
- (b) A licensed dyslexia therapist may practice in a school, learning center, clinic, or private practice setting.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009.

**Sec. 403.152. CONTINUING EDUCATION.**

- (a) A license holder's license may not be renewed unless the license holder meets the continuing education requirements established by the commission by rule.
- (b) The commission shall establish the continuing education requirements in consultation with the advisory committee.
- (c) The department shall:
  - (1) provide to a license applicant, with the application form on which the person is to apply for a license, information describing the continuing education requirements;

and

- (2) notify each license holder of any change in the continuing education requirements at least one year before the date the change takes effect.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2009. Amended by: Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.136, eff. September 1, 2015. Acts 2017, 85th Leg., R.S., Ch. 1105, Sec. 4.004, eff. September 1, 2017.

## **SUBCHAPTER E. LICENSE DENIAL; COMPLAINT AND DISCIPLINARY PROCEDURES**

**Sec. 403.202. PROHIBITED ACTIONS.** A license holder may not:

- (1) obtain a license by means of fraud, misrepresentation, or concealment of a material fact;
- (2) sell, barter, or offer to sell or barter a license; or
- (3) engage in unprofessional conduct that endangers or is likely to endanger the health, welfare, or safety of the public as defined by commission rule.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2010. Amended by: Acts 2015, 84th Leg., R.S., Ch. 1, Sec. 5.068, eff. April 2, 2015. Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.138, eff. September 1, 2015.

**Sec. 403.203. GROUNDS FOR DISCIPLINARY ACTION.** If a license holder violates this chapter or a rule or code of ethics adopted by the commission, the commission or executive director shall:

- (1) revoke or suspend the license;
- (2) place on probation the person if the person's license has been suspended;
- (3) reprimand the license holder; or
- (4) refuse to renew the license.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2010. Amended by: Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.139, eff. September 1, 2015.

**Sec. 403.209. MONITORING OF LICENSE HOLDER.**

- (a) The commission by rule shall develop a system for monitoring a license holder's compliance with the requirements of this chapter.
- (b) Rules adopted under this section must include procedures to:
  - (1) monitor for compliance a license holder who is ordered by the commission or executive director to perform certain acts; and
  - (2) identify and monitor license holders who represent a risk to the public.

Added by Acts 2009, 81st Leg., R.S., Ch. 1255, Sec. 1, eff. September 1, 2010. Amended by: Acts 2015, 84th Leg., R.S., Ch. 838, Sec. 1.142, eff. September 1, 2015.

## **Texas Administrative Code §74.28 (State Board of Education Rule)**

### **Students with Dyslexia and Related Disorders**

- (a) In order to support and maintain full educational opportunity for students with dyslexia and related disorders and consistent with federal and state law, 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.
- (b) The board of trustees of a school district or the governing body of an open-enrollment charter school must ensure that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate, evidence-based instructional services to the student are

- implemented in the district.
- (c) A school district's or open-enrollment charter school's procedures must be implemented according to the State Board of Education (SBOE) approved strategies for screening, individualized evaluation, and techniques for treating dyslexia and related disorders. The strategies and techniques are described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders," a set of guidelines for school districts and open-enrollment charter schools that may be modified by the SBOE only with broad-based dialogue that includes input from educators and professionals in the field of reading and dyslexia and related disorders from across the state.
  - (d) 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.
  - (e) A school district or open-enrollment charter school shall purchase a reading program or develop its own evidence-based reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." Teachers who screen and treat these students must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders. " The professional development activities specified by each open-enrollment charter school and district and/or campus planning and decision-making committee shall include these instructional strategies.
  - (f) At least five school days before any evaluation or identification 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. The notice must be in English, or to the extent practicable, the individual's native language and must include the following:
    - (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;
    - (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.
  - (g) Before a full individual and initial evaluation is conducted to determine whether a student has a disability under the Individuals with Disabilities Education Act (IDEA), the school district or open- enrollment charter school must notify the student's parent or guardian or another person standing in parental relation to the student of its proposal to conduct an evaluation consistent with 34 Code of Federal Regulations (CFR), §300.503, provide all information required under subsection (f) of this section, and provide:
    - (1) a copy of the procedural safeguards notice required by 34 CFR, §300.504;
    - (2) an opportunity to give written consent for the evaluation; and
    - (3) a copy of information required under Texas Education Code (TEC), §26.0081.

- (h) Parents/guardians of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by TEC, §26.0081(d), and options under federal law, including IDEA and the Rehabilitation Act, §504.
- (i) Each school or open-enrollment charter school must provide each identified student access at his or her campus to instructional programs required in subsection (e) of this section and to the services of a teacher trained in dyslexia and related disorders. The school district or open-enrollment charter school may, with the approval of each student's parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.
- (j) Because early intervention is critical, a process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available in each district and open-enrollment charter school as outlined in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." School districts and open-enrollment charter schools may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.
- (k) Each school district and open-enrollment charter school shall provide a parent education program for parents/guardians of students with dyslexia and related disorders. This program must include:
  - (1) awareness and characteristics of dyslexia and related disorders;
  - (2) information on testing and diagnosis of dyslexia and related disorders;
  - (3) information on effective strategies for teaching students with dyslexia and related disorders;
  - (4) information on qualifications of those delivering services to students with dyslexia and related disorders;
  - (5) awareness of information on accommodations and modifications, especially those allowed for standardized testing;
  - (6) information on eligibility, evaluation requests, and services available under IDEA and the Rehabilitation Act, §504, and information on the response to intervention process; and
  - (7) contact information for the relevant regional and/or school district or open-enrollment charter school specialists.
- (l) School districts and open-enrollment charter schools shall provide to parents of children suspected to have dyslexia or a related disorder a copy or a link to the electronic version of the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders."
- (m) School districts and open-enrollment charter schools will be subject to monitoring for compliance with federal law and regulations in connection with this section.

Source: The provisions of this §74.28 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective August 8, 2006, 31 TexReg 6212; amended to be effective August 24, 2010, 35 TexReg 7211; amended to be effective August 27, 2018, 43 TexReg 5519.

**Texas Administrative Code §228.30 (State Board for Educator Certification Rule)**

## **Educator Preparation Curriculum**

- (c) The following subject matter shall be included in the curriculum for candidates seeking initial certification in any certification class:
- (1) the code of ethics and standard practices for Texas educators, pursuant to Chapter 247 of this title (relating to Educators' Code of Ethics), which include:
    - (A) professional ethical conduct, practices, and performance;
    - (B) ethical conduct toward professional colleagues; and
    - (C) ethical conduct toward students;
  - (2) instruction in detection and education of students with dyslexia, as indicated in the Texas Education Code (TEC), §21.044(b);
  - (3) instruction regarding mental health, substance abuse, and youth suicide, as indicated in the TEC, §21.044(c-1);
  - (4) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for students in this state;
  - (5) the importance of building strong classroom management skills; and
  - (6) the framework in this state for teacher and principal evaluation.

Source: The provisions of this §228.30 adopted to be effective July 11, 1999, 24 TexReg 5011; amended to be effective October 12, 2003, 28 TexReg 8608; amended to be effective December 14, 2008, 33 TexReg 10016; amended to be effective October 27, 2014, 39 TexReg 8388; amended to be effective December 27, 2016, 41 TexReg 10280.

## **Texas Administrative Code §230.23 (State Board for Educator Certification Rule)**

### **Testing Accommodations for Persons with Dyslexia**

The Texas Education Agency (TEA) shall provide examination accommodations for persons with dyslexia.

- (1) For each licensing examination administered, the TEA and its testing vendor shall provide reasonable examination accommodations to an examinee diagnosed as having dyslexia as that term is defined in the Texas Education Code, §51.970.
- (2) The TEA and its testing vendor shall provide examination accommodations to an examinee diagnosed with dyslexia, provided acceptable medical or diagnostic documentation has been received and reviewed by the vendor prior to the administration of the examination.

Source: The provisions of this §230.23 adopted to be effective August 12, 2012, 37 TexReg 5753.

## **Texas Administrative Code §232.11 (State Board for Educator Certification Rule)**

### **Number and Content of Required Continuing Professional Education Hours**

- (e) The required CPE for educators who teach students with dyslexia must include training regarding new research and practices in educating students with dyslexia. The required training may be satisfied through an online course approved by Texas Education Agency staff.

Source: The provisions of this §232.11 adopted to be effective August 12, 2012, 37 TexReg 5764.

## Appendix E: IDEA/Section 504 Side-by-Side Comparison (PreK-12)

There are two federal laws that are important to students with disabilities, including those with dyslexia and related disorders. Section 504 of the Rehabilitation Act is a civil rights law that prohibits discrimination on the basis of disability. In school districts and charter schools, this means that educators cannot serve students with dyslexia and related disorders differently than other students due to having dyslexia or a related disorder. It also means that educators must provide reasonable accommodations to students with dyslexia and related disorders to access instruction and school activities, which includes a free and appropriate public education. The Individuals with Disabilities Education Act (IDEA) is a program that provides funding to school districts and charter schools to ensure that students with disabilities receive special education and related services in the least restrictive environment. IDEA outlines a prescribed process for evaluation, writing plans (known as individualized education programs or IEPs), and ensuring parental participation. In general, all students with physical, mental, developmental, and emotional disabilities are covered by Section 504, while only those students with disabilities identified as needing special education (i.e., specially designed instruction) qualify under IDEA.

The chart below is a summary side-by-side of IDEA and Section 504. This chart is not an exhaustive summary of all areas addressed by either IDEA or Section 504; rather, it highlights areas relevant to students who may have dyslexia and related disorders. Every situation is unique and should be viewed on a case-by-case situation. This chart is for informational purposes only and not intended for detailed legal analysis.

	IDEA – Part B	Section 504 of the Rehabilitation Act
LEGAL CITATION	20 USC 1400 34 CFR Part 300	29 USC 794 34 CFR Part 104
TYPE OF STATUTE	Federal funding statute whose purpose is to ensure free and appropriate public education services for children with disabilities who fall within one of the specific disability categories as defined by the law.	Federal civil rights, non-discrimination statute protecting individuals with disabilities from discrimination in programs and activities receiving federal financial assistance.
MAJOR PROVISIONS/PURPOSE	Ensures that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. Ensures that the rights of children with disabilities and their parents are protected.  P.L. 108-446 §601(d) Regulation: 34 CFR §300.1  Provides individual supplemental educational services and supports in addition to what is provided to students in the general curriculum to ensure that the child has access to and benefits from the general curriculum. This is provided free of charge to the parent.	No other qualified individual with a disability shall solely by reason of his/her disability be: <ul style="list-style-type: none"> <li>• Excluded from participation in;</li> <li>• Denied the benefits of; or</li> <li>• Be subjected to discrimination under any program or activity receiving federal financial assistance.</li> </ul> <p style="text-align: right;">29 USC §794(a) Regulation: 34 CFR §104.4</p> Provides "equal opportunity" for eligible students with disabilities when compared to their non-disabled peers.
ELIGIBLE INDIVIDUALS: CHILD WITH A DISABILITY/ QUALIFIED DISABLED PERSON	(a) General. (1) Child with a Disability means a child evaluated in accordance with §§300.304-300.311 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment	A qualified disabled person means with respect to public preschool, elementary, secondary, or adult educational services, a disabled person is <ul style="list-style-type: none"> <li>(i) of an age during which non-disabled persons are provided such services,</li> </ul>

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>(including blindness), a serious emotional disturbance (referred to in this part as "emotional disturbance"), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.</p> <p>(2) (i) Subject to paragraph (a)(2)(ii) of this section, if it is determined, through an appropriate evaluation under §§300.304 – 300.311, that a child has one of the disabilities identified in (a)(1) of this section, but only needs a related service and not special education, the child is not a child with a disability under this part.</p> <p style="text-align: center;">P.L. 108-446 §602(3)(A-B) Regulation: 34 CFR §300.8(a)(1)(2)(i)</p> <p>(c) Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:</p> <p>(10) Specific learning disability—(i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.</p> <p>(ii) Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.</p> <p style="text-align: center;">Regulation: 34 CFR §300.8(c)(10)</p> <p>"The purpose of this letter is to clarify that there is nothing in the IDEA that would prohibit the use of the terms dyslexia, dyscalculia, and dysgraphia in IDEA evaluation, eligibility determinations, or IEP documents."</p> <p style="text-align: center;"><i>Dear Colleague Letter</i>, 66 IDELR 188, (OSERS, 2015)</p> <ul style="list-style-type: none"> <li>• Extends, as a district obligation, to unilaterally placed students in private schools; and</li> <li>• To a much lesser extent, to those voluntarily placed in such schools.</li> </ul> <p style="text-align: center;">Regulation: 34 CFR §300.148; §300.129-300.147</p>	<p>(ii) of any age during which it is mandatory under state law to provide such services to disabled persons, or</p> <p>(iii) to whom a state is required to provide a free appropriate public education under §612 of the IDEA; AND</p> <p>Any person who:</p> <ol style="list-style-type: none"> <li>(1) has a mental or physical impairment which substantially limits one or more major life activities,</li> <li>(2) has a record of such an impairment, or</li> <li>(3) is regarded as having such an impairment.</li> </ol> <p style="text-align: center;">Regulation: 34 CFR §104.3(k)(2), (j)(1)</p> <ul style="list-style-type: none"> <li>• Extends to parochial and other private schools that receive federal hot lunch, Title I, and/or IDEA program services;</li> <li>• Does NOT apply to home schooled children.</li> </ul> <p style="text-align: right;"><i>Letter to Veir</i>, 20 IDELR 864, (OCR, 1993).</p> <p>"A student's impairment may substantially limit a major life activity regardless of whether the student performs well academically, and the student may need special education or related aids and services because of the disability. For example, a student who has dyslexia and is substantially limited in reading finds it challenging to read the required class material in a timely manner."</p> <p style="text-align: right;">USDOE, OCR, <i>Parent and Educator Resource Guide for §504 in Public Elementary and Secondary Schools</i>, Pg. 5, December 2016; 42 USC §12102; 154 Cong. Rec 58342, ADA 2008; USDOE, OCR, <i>FAQ on the ADA of 2008 for Students with Disabilities attending Public Elementary and Secondary Schools</i>, FAQ 7 &amp; 9, Jan. 19, 2012.</p> <p>Major Life Activities: Under §504, major life activities include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Learning</li> <li>• Reading</li> <li>• Writing</li> <li>• Concentrating</li> <li>• Communicating</li> <li>• Thinking</li> </ul> <p>Note: This is not an inclusive list of major life activities.</p> <p style="text-align: right;">Regulation: 34 CFR §104.3(j)(2); ADA 2008, 42 USC §12102(2)(A)(B)</p>

	IDEA - Part B	Section 504 of the Rehabilitation Act
		<p><b>Substantial Limitation:</b>  Not defined in §504 regulations; however, guidance and basic rules of construction from the ADAAA 2008 indicate that:</p> <p>(A) "Substantial limitation" shall be construed in favor of broad coverage.</p> <p>(E) (i) The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such –</p> <p>(I) Medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs or devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;</p> <p>(II) Use of assistive technology;</p> <p>(III) Reasonable accommodations or auxiliary aids or services; or</p> <p>(IV) Learned behavioral or adaptive neurological modifications.</p> <p style="text-align: right;">ADAAA 2008, 42 USC §12102(4)(A-E)</p> <p>"A student with a disability may achieve a high level of academic success but may nevertheless be substantially limited in a major life activity due to the student's impairment because of the additional time or effort the student must spend to read, write, or learn compared to others."</p> <p style="text-align: right;">USDOE, OCR, <i>Parent and Educator Resource Guide for §504 in Public Elementary and Secondary Schools</i>, Pg. 14, December 2016; 28 CFR §35.108(d)(3)(iii); 29 CFR pt. 1630, App. (<i>EEOC Interpretive Guidance on Title I of the ADA</i>), March 25, 2011</p>
CHILD FIND	<p>(a) General. (1) The State must have in effect policy and procedures to ensure that -</p> <p>(6) All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability and who are in need of special education and related services, are identified, located and evaluated; and ...</p> <p>(c) Other children in child find. Child find also must include –</p> <p>(1) Children who are suspected of being a child with a disability under §300.8 and in</p>	<p>A recipient that operates a public elementary or secondary education program shall annually:</p> <p>(a) Undertake to identify and locate every qualified person with a disability residing in the recipient's jurisdiction who is not receiving a public education; and</p> <p>(b) Take appropriate steps to notify persons with disabilities and their parents or guardians of the recipient's duty under this subpart.</p> <p style="text-align: right;">Regulation: 34 CFR §104.32</p> <p>"Because child find is an 'affirmative duty', a district's obligation to evaluate may be</p>

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>need of special education, <i>even though they are advancing from grade to grade</i>; and</p> <p>(2) Highly mobile children, including migrant children.</p> <p>Regulation: 34 CFR §300.111(a)(1)(i), (c)(1-2)</p>	<p>triggered even if the parent doesn't request an evaluation. The district's independent suspicions may trigger the duty – districts may not require a parent to request an evaluation before they will consider one."</p> <p><i>Aurora (CO) Pub Schs.</i>, 61 IDELR 83, (OCR 2013).</p>
PARENTAL CONSENT	<p>Parent must consent to the evaluation and placement of a student not previously identified with a disability. Consent is voluntary on the part of the parent and may be withdrawn at any time; however, the consent is not retroactive, nor does it negate an action that has occurred after the consent was given and before the consent was revoked. Separate consent must also be obtained for the initial provision of special education and related services.</p> <p>The parent must be fully informed of all information relevant to the activity for which the consent is sought, in his/her native language and the parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.</p> <p>"Informed parent consent must be obtained before (i) conducting an initial evaluation or reevaluation; (ii) initial provision of special education and related services to a child with a disability."</p> <p>P.L. 108-446 §614(a)(1)(D) Regulations: 34 CFR §300.9; 34 CFR §300.300</p>	<p>Although not specifically required under §504 regulations, <i>Response to Zirke</i>, OCR May 1995, and <i>Response to Durham</i>, OCR December 1997, requires "parental consent prior to the conduct of initial student evaluation procedures for the identification, diagnosis, and prescription of specific educational services."</p> <p><i>Letter to Durham</i>, 27 IDELR 380, OCR, Dec. 1997; <i>OCR Senior Staff Memorandum</i>, 19 IDELR 892, OCR 1992.</p>
PARENT PARTICIPATION	<p>Required</p> <p>Regulation: 34 CFR §300.501</p>	<p>Not required, but parent must be given an opportunity to provide input/information for consideration by the committee.</p>
PROCEDURAL SAFEGUARDS: PRIOR WRITTEN NOTICE	<p>Requires written notice in the parent's native language or other mode of communication (unless clearly not feasible) prior to the initiation, change or refusal to change the identification, evaluation or educational placement of a child or the provision of FAPE and/or upon request by a parent.</p> <p>P.L. 108-446 §615(b)(3) Regulation: 34 CFR §300.503</p> <p>The notice must include:</p> <p>(A) A description of the action proposed or refused by the agency;</p> <p>(B) An explanation of why the agency proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;</p>	<p>Although §504 regulations do not specifically require <i>written</i> notice of action to identify, evaluate, or place a child who may be disabled under §504, such notice should be provided in writing. Notification is also required before any "significant change in placement."</p> <p>Regulation: 34 CFR §104.36</p> <p>No "prior written notice" addressed in regulation.</p>

	IDEA – Part B	Section 504 of the Rehabilitation Act
	<p>(C) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;</p> <p>(D) Sources for parents to contact to obtain assistance in understanding the provisions of this part;</p> <p>(E) A description of other options considered by the IEP Team and the reason why those options were rejected; and</p> <p>(F) A description of the factors that are relevant to the agency’s proposal or refusal.</p> <p>P.L. 108-446 §615(c)(1)(A-F) Regulation: 34 CFR §300.503</p>	
PROCEDURAL SAFEGUARDS: NOTICE OF RIGHTS	<p>Procedural Safeguards Notice</p> <p>(a) General. A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one time a school year, except that a copy also must be given to the parents –</p> <ol style="list-style-type: none"> <li>(1) Upon initial referral or parent request for evaluation;</li> <li>(2) Upon receipt of the first State complaint under §§300.151 – 300.153 and upon receipt of the first due process complaint under §300.507 in a school year;</li> <li>(3) In accordance with the discipline procedures in §300.530(h); and</li> <li>(4) Upon request by a parent.</li> </ol> <p>(b) Internet Web site. A public agency may place a current copy of the procedural safeguards notice on its Internet Web site if a Web site exists.</p> <p>(c) Contents. The procedural safeguards notice must include a full explanation of all the procedural safeguards available under §300.148, §§300.151 through 300.153, §300.300, §§300.502 through 300.503, §§300.505 through 300.518, §§300.530 through 300.536 and §§300.610 through 300.625 relating to –</p> <ol style="list-style-type: none"> <li>(1) Independent educational evaluations;</li> <li>(2) Prior written notice;</li> <li>(3) Parental consent;</li> <li>(4) Access to education records;</li> <li>(5) Opportunity to present and resolve complaints through the due process complaint and State complaint procedures, including – <ol style="list-style-type: none"> <li>(i) The time period in which to file a complaint;</li> </ol> </li> </ol>	<p>Procedural safeguards.</p> <p>A recipient that operates a public elementary or secondary education program or activity shall establish and implement, with respect to actions regarding the identification, evaluation or educational placement of persons who, because of disability, need or are believed to need special instruction or related services, a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with opportunity for participation by the person’s parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section 615 of the Education of the Handicapped Act (IDEA) is one means of meeting this requirement.</p> <p>Regulation: 34 CFR §104.36</p> <p>No other “<i>notice of rights</i>” addressed in regulations.</p>

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>(ii) The opportunity for the agency to resolve the complaint; and</p> <p>(iii) The difference between the due process complaint and the State complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;</p> <p>(6) The availability of mediation;</p> <p>(7) The child's placement during the pendency of any due process complaint;</p> <p>(8) Procedures for students who are subject to placement in an interim alternative educational setting;</p> <p>(9) Requirements for unilateral placement by parents of children in private schools at public expense;</p> <p>(10) Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;</p> <p>(11) State-level appeals (if applicable in the State);</p> <p>(12) Civil actions, including the time period in which to file those actions; and</p> <p>(13) Attorneys' fees.</p> <p>(d) Notice in understandable language. The notice required under paragraph (a) of this section must meet the requirements of §300.503(c).</p> <p>Regulation: 34 CFR §300.504(a-d)</p>	
INITIAL EVALUATIONS	<p>In conducting the evaluation, the LEA must use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information including information provided by the parent. Evaluation must assess all areas related to the child's suspected disability.</p> <p>P.L. 108-446 §614(b)(2-3)</p> <p>Regulation: 34 CFR §300.304</p> <p>34 CFR §§300.301- 300.311</p> <p>In evaluating each child with a disability, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.</p> <p>Regulation: 34 CFR §300.304(b)(6)</p>	<p>The evaluation must draw upon information from a variety of sources including aptitude and achievement tests, teacher recommendations, physical conditions, social or cultural background and adaptive behaviors. Procedures must ensure that information obtained is documented and carefully considered.</p> <p>Regulation: 34 CFR §104.35(c)(1)(2)</p> <p>"Schools are required to consider information from a variety of sources in interpreting evaluation data and in making placement decisions, and the independent evaluation is another source that makes up the universe of information about the student."</p> <p>USDOE, OCR, <i>Parent and Educator Resource Guide for §504 in Public Elementary and Secondary Schools</i>, pg. 18, December 2016.</p>
TIMELINES	<p>Initial evaluations shall be completed within 60 days of receiving parental consent for the evaluation, or, if State establishes a timeframe, within which the evaluation must be conducted, within such timeframe.</p> <p>P.L. 108-446 §614(a)(1)(C)(i)</p> <p>Regulation: 34 CFR §300.301(c)(1)(i-ii)</p>	<p>Not addressed in regulations, however, ...</p> <p>"failure to conduct an evaluation within a reasonable period of time after referral violates Section 504 when it denies an eligible student an appropriate education."</p> <p><i>Dade County School District</i>, 20 IDELR 267 (OCR, 1993);</p>

	IDEA – Part B	Section 504 of the Rehabilitation Act
	<p>Texas Timelines: TAC §89.1011(b – h).            In Texas, in general initial evaluations must be completed within 45 school days following the date on which the district receives written consent for evaluation. The deadline is extended, however, under certain situations. For example, requests received at the end of spring semester do not need to be completed until the beginning of the following school year.</p>	<p><i>La Honda-Pescadero Unified School District</i>, 20 IDELR 833            “OCR generally looks to the IDEA timeline, or if applicable, to State requirements or local district policy to assess the reasonableness of the time it takes the school to evaluate the student once parental consent has been obtained.”            USDOE, OCR, <i>Parent and Educator Resource Guide for §504 in Public Elementary and Secondary Schools</i>, pg. 17, December 2016</p>
FREE APPROPRIATE PUBLIC EDUCATION (FAPE)	<p>The provision of special education and related services... provided at public expense, meeting the standards of the State Educational Agency, and in conformity with an IEP in a manner reasonably calculated to enable the child to receive <i>educational benefit</i>.</p> <p>P.L. 108-446 §602(9)            Regulation: 34 CFR §300.17</p> <p>Current FAPE standard from Supreme Court:            “In <i>Endrew F. v. Douglas County School District</i>, 137 S.Ct. 988 (2017), the U.S. Supreme Court held that to meet its FAPE obligation under the IDEA, a district must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances. In clarifying the standard, the Court rejected the ‘merely more than <i>de minimus</i>’ (i.e., more than trivial) standard applied previously. In determining the scope of FAPE, the Court reinforced the requirement that ‘every child should have the chance to meet challenging objectives.’”            USDOE, Q&amp;A on U.S. Supreme Court Case Decision <i>Endrew F. v. Douglas County School</i>, December 7, 2017.</p> <p>“<i>Appropriate Education</i>” is defined as a program reasonably calculated to provide “<i>educational benefit</i>” to the student. Related services are provided as required for the student to benefit from the educational process and are aligned with specially designed instruction (e.g. counseling, speech, transportation, OT, and PT, etc.) The IEP must be developed to meet the child’s individual needs and allowing for the child to receive educational benefit in the least restrictive environment.</p> <p>P.L. 108-446 §614(d)(1)(A)            Regulation: 34 CFR §300.320</p>	<p>The provision of regular or special education or related aids and services designed to meet the individual educational needs of disabled persons as adequately as the needs of non-disabled persons are met.</p> <p>Regulation: 34 CFR §104.33(b)(1)(i)</p> <p>“To offer an ‘appropriate education under the Rehabilitation Act, a school district must reasonably accommodate the needs of the child with a disability so as to ensure meaningful participation in educational activities and meaningful access to educational benefits.’”  <i>Ridley School District v. M.R.</i>, 58 IDELR 271, (3<sup>rd</sup> Cir., 2012).</p> <p>“In order to determine what education is appropriate, each child with a disability must be evaluated individually, the nature of an appropriate education must be determined based on the evaluation, and appropriate services must be provided accordingly. There are definite costs involved, and school districts must pay them in order not to discriminate on the basis of disability.”  <i>Letter to Zirkel</i>, 16 IDELR 1177, (OCR, 1990).</p> <p>OCR does not support a reasonable accommodation limitation, or any sort of limitation, of a school district’s obligation based on cost considerations.  <i>Modoc County (CA) Office of Educ.</i>, 24 IDELR 580, (OCR, 1996).</p> <p>“If a student with a disability is eligible for FAPE under §504 but is not receiving FAPE services under the IDEA, that student is entitled to the provision of any services the placement team decides are appropriate to meet their individual educational needs, regardless of cost or administrative burden, and especially where such services have been provided to IDEA-eligible students in the past. Those services can</p>

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>(a) General.</p> <p>(1) Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including—</p> <p>(i) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and</p> <p>(ii) Instruction in physical education.</p> <p>(2) Special education includes each of the following, if the services otherwise meet the requirements of paragraph (a)(1) of this section—</p> <p>(i) Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under State standards;</p> <p>(ii) Travel training; and</p> <p>(iii) Vocational education.</p> <p>(b) Individual special education terms defined. The terms in this definition are defined as follows:</p> <p>(1) At no cost means that all specially-designed instruction is provided without charge but does not preclude incidental fees that are normally charged to nondisabled students or their parents as a part of the regular education program.</p> <p>(2) Physical education means—</p> <p>(i) The development of—</p> <p>(A) Physical and motor fitness;</p> <p>(B) Fundamental motor skills and patterns; and</p> <p>(C) Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports); and</p> <p>(ii) Includes special physical education, adapted physical education, movement education, and motor development.</p> <p>(3) Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—</p> <p>(i) To address the unique needs of the child that result from the child's disability; and</p> <p>(ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.</p> <p>Regulation: 34 CFR §300.39</p>	<p>be as varied and as comprehensive as necessary to meet a student's need."</p> <p>USDOE, OCR, <i>Resource Guide on Students with ADHD and §504</i>, pg. 27, July 2016.</p> <p>23. Free appropriate public education. §104.33(b) concerns the provision of appropriate educational services to children with disabilities. To be appropriate, such services must be designed to meet the individual educational needs of children with disabilities to the same extent that those of children who are not disabled are met. An appropriate education could consist of education in regular classes, education in regular classes with the use of supplementary services, or special education and related services. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions and may be accompanied by such related services as developmental, corrective, and other supportive services (including psychological, counseling, and medical diagnostic services.) The placement of the child must however, be consistent with the requirements of §104.34 and be suited to his or her educational needs.</p> <p>The quality of the educational services provided to students with disabilities must equal that of the services provided to students who are not disabled; thus, disabled student's teachers must be trained in the instruction of persons with the disability in question and appropriate materials and equipment must be available. ....</p> <p>Regulations: 34 CFR Part 104, Appendix A to Part 104 Subpart D – Preschool, Elementary, and Secondary Education, Question 23, FAPE.</p>
<p><b>MULTI-DISCIPLINARY TEAM: IEP TEAM (ARD)/§504 COMMITTEE</b></p>	<p>A multi-disciplinary team evaluation is required to assess all areas related to the suspected disability. The IEP team includes: the parent(s) of a child with a disability; not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment); not less than one special education teacher of the child or where appropriate not less</p>	<p>Group of individuals knowledgeable about the student, evaluations, and placement options. (Minimum of two people).</p> <p>34 CFR §104.35(c)(3)</p> <p>"Parents can be an important source of information to the school district about what techniques, interventions, services, and supports</p>

	IDEA – Part B	Section 504 of the Rehabilitation Act
	<p>than one special education provider of the child; a representative of the public agency who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general curriculum, and is knowledgeable about the availability of resources of the public agency; an individual who can interpret the instructional implications of evaluation results; at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and, whenever appropriate, the child.</p> <p style="text-align: right;">P.L. 108-446 §614(d)(1)(B) Regulation: 34 CFR §300.306, 300.321</p> <p>The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in §300.8, must be made by the child's parents and a team of qualified professionals, which must include—</p> <p>(a)(1) The child's regular teacher; or</p> <p>(2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or</p> <p>(3) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and</p> <p>(b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.</p> <p style="text-align: right;">Regulation: 34 CFR §300.308</p> <p>In the case of a student with dyslexia, the IEP (ARD) Committee must include a member with knowledge regarding:</p> <ul style="list-style-type: none"> <li>• The reading process</li> <li>• Dyslexia and related disorders</li> <li>• Dyslexia instruction</li> <li>• District or charter school, state, and federal guidelines for assessment.</li> </ul> <p style="text-align: right;"><i>The Dyslexia Handbook, Procedures Concerning Dyslexia and Related Disorders,</i> Updated 2018, pg. 30</p> <p>In Texas, the IEP Team is referred to as the Admission, Referral, and Dismissal (ARD) Committee.</p>	<p>would be most effective in meeting that student's needs.”</p> <p style="text-align: right;">USDOE, OCR, <i>Resource Guide on Students with ADHD and §504,</i> pg. 27, July 2017</p> <p>In the case of a student with dyslexia, the Section 504 Committee must include a member with knowledge regarding:</p> <ul style="list-style-type: none"> <li>• The reading process</li> <li>• Dyslexia and related disorders</li> <li>• Dyslexia instruction</li> <li>• District or charter school, state, and federal guidelines for assessment.</li> </ul> <p style="text-align: right;"><i>The Dyslexia Handbook, Procedures Concerning Dyslexia and Related Disorders,</i> Updated 2018, pg. 30</p>
DOCUMENTATION OF ELIGIBILITY, SERVICES, AND PLACEMENT	Requires a written Individualized Education Program (IEP) documentation with specific content addressing the disability directly and specifying educational services to be delivered.	Although not required in writing by the regulations, a written Section 504 Plan is recommended.

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>Mandates transition planning for students 16 and over (in Texas transition begins at age 14).</p> <p>As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that must include:</p> <ol style="list-style-type: none"> <li>(1) A statement of the child's present levels of academic achievement and functional performance,</li> <li>(2) A statement of measurable annual goals, including academic and functional goals designed to – <ol style="list-style-type: none"> <li>(A) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and</li> <li>(B) Meet each of the child's other educational needs that result from the child's disability.</li> </ol> </li> <li>(3) A description of how the child's progress toward meeting the annual goals described in paragraph (2) of this section will be measured; and when periodic reports on the progress the child is making toward meeting the annual goals will be provided;</li> <li>(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practical, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child to advance appropriately toward attaining the annual goals; to be involved in and make progress in the general education, and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other children with disabilities and nondisabled children in the activities described in this section.</li> <li>(5) An explanation of the extent, if and to which the child will not participate with nondisabled children in the regular class and in the activities described (4) of this section.</li> <li>(6) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide assessments consistent with section 612(a)(16) of the Act; and if the IEP/ARD determines that the child must take an alternate assessment instead of a particular regular State or district-wide</li> </ol>	<p>Implementation of an IEP in accordance with the IDEA is one means of meeting the standard.  Regulation: 34 CFR §104.33(2)</p> <p>"In general, a §504 plan describes the regular or special education and related aids and services a student needs and the appropriate setting in which to receive those services. OCR encourages schools to document a student's §504 services in a written plan to help avoid misunderstanding or confusion about what §504 services the school offered the student."</p> <p>USDOE, OCR, <i>Parent and Educator Resource Guide for §504 in Public Elementary and Secondary Schools</i>, pg. 10, December 2016</p>

	IDEA – Part B	Section 504 of the Rehabilitation Act
	<p>assessment of student achievement, a statement of why the child cannot participate in the regular assessment; and the particular alternate assessment selected is appropriate for the child.</p> <p>(7) The projected date for the beginning of the services and modifications described in (4) of this section, and the anticipated frequency, location, and duration of those services and modifications. ...</p> <p>Regulation: 34 CFR §300.320(a)(1-7)</p>	
NOTICE OF THE RIGHT TO AN OUTSIDE INDEPENDENT EVALUATION	<p>A parent who disagrees with the evaluation obtained by the school district has the right to an independent evaluation at public expense unless the district initiates an impartial hearing and the district’s evaluation is found to be appropriate.</p> <p>Regulation: 34 CFR §300.502</p>	<p>Not addressed in regulations and there are no specific requirements regarding when or whether districts should grant or reject them. However, in <i>Randolph (MA) Public School</i>, 21 IDELR 816 (OCR 1994), OCR opined that, in interpreting data and making placement decisions, a district must draw upon information from a variety of sources, including results of independent evaluations, and ensure that the information obtained from all sources is documented and carefully considered.</p>
RELATED AIDS AND SERVICES	<p>(a) General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.</p> <p>(b) Exception; services that apply to children with surgically implanted devices, including cochlear implants.</p> <p>Regulation: 34 CFR §300.34(a-b)</p>	<p>Not defined in regulations; however, OCR Letter of Findings states that the term “related aid” means the same as “related services” under the IDEA.</p> <p><i>Prescott (AZ) Unified Sch. Dist. No. 1</i>, 352 IDELR 541 (OCR 1987).</p> <p>OCR has also stated that the term “related aids and services” means the same as “supplemental aids and services” as set forth in the least restrictive environment requirement at 34 CFR §104.34(a).</p>
TRANSITION SERVICES	<p>(b) Transition services. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include –</p> <p>(1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and</p>	<p>Not required in §504 regulations. Title I of the Rehabilitation Act, however, authorizes pre-employment transition services under the vocational rehabilitation program. The state’s vocational rehabilitation program (in Texas, operated by the Texas Workforce Commission) must cooperate with school districts and charter schools to make pre-employment transition services available to <i>all</i> students with disabilities. The term “students with disabilities” includes students identified under Section 504 by school districts and charter schools.</p>

	IDEA - Part B	Section 504 of the Rehabilitation Act
	<p>(2) The transition services (including courses of study) needed to assist the child in reaching those goals.  Regulation: 34 CFR §300.310(b)(1-2)  Texas Transition: TEC §29.011 - §29.0111  TAC §89.1055(j-k)</p> <p>In Texas, transition begins at age 14.</p>	<p>Regulation: 34 CFR §361.5(c)(42), (51)</p>
LEAST RESTRICTIVE ENVIRONMENT (LRE)	<p>"To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."  Regulation: 34 CFR §300.114(a)(2)</p>	<p>The student shall be placed in the regular educational environment unless the child's education cannot be achieved satisfactorily even with the use of supplementary aids and services.  Regulation: 34 CFR §104.34(a)</p> <p>"..., it should be stressed that, where a disabled student is so disruptive in a regular classroom that the education of other students is significantly impaired, the needs of the disabled child cannot be met in that environment. Therefore, regular placement would not be 'appropriate' to his or her needs and would not be required by §104.34."  34 CFR §104.34, Appendix A, #24</p>
RE-EVALUATION	<p>Reevaluation shall be conducted not more frequently than one a year, unless the parent and the local educational agency agree otherwise; and at least once every three years, unless the parent and the local educational agency agree that reevaluation is unnecessary. Informed parental consent is required for reevaluations.  P.L. 108-446 §614(a)(2)(A-B)  Regulations: 34 CFR §300.303 – 34 CFR §300.311</p>	<p>Required prior to any significant change of placement.  Regulation: 34 CFR §104.34(a)</p> <p>"A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the IDEA is one means of meeting this requirement."  Regulation: 34 CFR §104.35(d)</p>
DUE PROCESS	<p>Right to an impartial hearing with hearing officer appointed by the SEA. Must exhaust administrative remedies. Includes the right to be represented by counsel, to review any action involving the identification, evaluation, educational placement or the provision of FAPE to a child with a disability as defined under the IDEA. In addition, parents may file complaints which set forth an alleged violation that occurred not more than 2 years before the date the parent or public agency knew or should have known the alleged action that forms the basis of the complaint.  P.L. 108-446 §615(b)(6)(A-B)  Regulations: 34 CFR §300.506 – 34 CFR §300.516</p>	<p>Right to an impartial hearing and a review procedure, including the right to be represented by counsel. Administrative remedies need not be exhausted prior to filing a complaint in state or federal court or with the Office for Civil Rights (OCR).  Regulation: 34 CFR §104.36</p>
PROGRAM ACCESS	<p>Each public agency shall take steps to provide nonacademic services and activities in such a manner as is necessary to afford children with disabilities an equal opportunity for participation in those services and activities. In addition, a</p>	<p>No qualified individual with a disability shall, because a recipient's facilities are inaccessible or unusable by disabled individuals, be denied the benefits of or be excluded from participation in, or otherwise be subjected to discrimination</p>

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	<p>variety of educational programs (i.e., art, music, vocational education, etc.) and services available to non-disabled children must also be available to the child with a disability.</p> <p>Regulations: 34 CFR §300.107; 34 CFR §300.110</p>	<p>under any program or activity. Does not require recipients to make each of its existing facilities or every part of an existing facility accessible.</p> <p>Regulation: 34 CFR §104.4</p>
<b>COMPLIANCE AND ENFORCEMENT</b>	<p>Office of Special Education Programs (OSEP) and the State Education Department.</p> <p>Non-compliance may result in loss of IDEA funds and state aid. Administrative appeals and/or courts.</p> <p>Disputes: Independent Hearing Officer is SEA responsibility. Detailed requirements for hearings. Hearing results available on TEA website.</p> <p>SEA Responsibility: State complaint system</p> <p>LEA Responsibility: Special Education Director</p>	<p>Office for Civil Rights (OCR) – United States Department of Education.</p> <p>Non-compliance may result in loss of ALL federal funds. Administrative appeals and/or courts.</p> <p>Disputes: Independent Hearing Officer is LEA responsibility. Skeletal requirement for hearings. Published results rare.</p> <p>LEA Responsibility: Section 504 District Coordinator</p>

*Resources for additional information:*

U.S. Department of Education, Office for Civil Rights, *Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools* (December 2016).

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

U.S. Department of Education, Office for Civil Rights, *Questions and Answers on the ADA Amendments Act of 2008 and Students with Disabilities Attending Public Elementary and Secondary Schools* (Jan. 19, 2012). [www.ed.gov/ocr/letters/colleague-201109.html](http://www.ed.gov/ocr/letters/colleague-201109.html)

Texas Education Agency, *Parent’s Guide to the Admission, Review, and Dismissal Process* (April 2016).

<https://tea.texas.gov/index2.aspx?id=2147496922>

Disability Rights Texas, *IDEA Manual – A Guide for Parents and Students About Special Education Services in Texas*

(2016 Edition).

<https://www.disabilityrightstx.org/resources/education>

## Appendix F: ADDRESSING CONCERNS ABOUT DYSLEXIA PROGRAMS

### **District Concerns**

Concerns about local school matters, such as the programs selected for use by a school or district, staffing decisions, or services offered to an individual student, should be raised with local district or school administration. Each district and charter school must have a local complaint process that may be used to address the concern. Questions about the local complaint process should be directed to the district or charter school. TEA's Office of General Inquiry can also provide information about the local complaint process. Please see the contact information at the end of this appendix.

### **Law and Rule**

In some circumstances, an individual may wish to file a complaint with TEA. TEA has jurisdiction to enforce the requirements of Titles 1 and 2 of the Texas Education Code and Title 19 Part 2 of the Texas Administrative Code as well as State Board for Educator Certification rules in Title 19 Part 7 of the Texas Administrative Code.

To file a formal complaint with TEA about school district or charter school actions, an individual must allege that a district or charter school has violated a law or rule in the administration of a program required or administered by the TEA or with respect to funds awarded or allocated by the agency. An individual wishing to file a complaint with TEA must submit their complaint in writing to the agency. The use of the TEA Complaint Form is the preferred method as it requests information necessary for TEA to conduct an adequate initial review of concerns to determine agency authority to take actions required to remediate or intervene through TEA's investigative process. Although TEA will accept a complaint in any written format, not providing the information that the form requests and/or failing to summarize the concerns may delay TEA's review.

### **Special Education and Section 504**

Complaints regarding the implementation of IDEA or Section 504 should not be submitted using the TEA Complaint Form. TEA offers the following processes for resolving disputes related to special education: individualized education program facilitation (FIEP), mediation, special education complaints, and due process hearings.

For more information on these processes, please visit

[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Dispute\\_Resolution/Special\\_Education\\_Dispute\\_Resolution\\_Processes/](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Dispute_Resolution/Special_Education_Dispute_Resolution_Processes/).

Complaints regarding Section 504 should be filed with the U.S. Department of Education Office of Civil Rights (OCR). Complaints may be filed electronically by accessing OCR's online complaint form at <http://www.ed.gov/ocr/complaintprocess.html>.

Complaints may also be submitted to OCR via mail at the address included with the contact information at the end of this appendix.

In some cases, TEA may determine that it does not have jurisdiction to investigate the allegations in a complaint. TEA's Complaints Management Division will, to the extent possible, identify other local, state, and/or federal agencies that may have authority to review the concerns of complainants where TEA lacks authority to investigate.

## QUESTIONS AND ANSWERS

*What happens when I file a complaint with the Texas Education Agency (TEA)?*

TEA's initial process for complaint review is summarized as follows:

- Upon submission of a complaint form, assigned analysts acknowledge receipt of the complaint with an Acknowledgment Email (which complainants should receive within two business days of agency receipt of the complaint).
- The analysts make any required immediate referral to the Texas Department of Family and Protective Services (DFPS) or an internal investigation division required by the facts submitted in accordance with Complaint Management procedural guidelines.
- Based on the submitted complaint and all attached information, the analysts draft a memo that reviews TEA's authority to take action (identifying applicable state statute and rules) and proposes any recommended referrals or other actions. Each memo undergoes a thorough review and is approved by TEA's Office of Legal Services.
- When necessary based on the facts, the analyst may request that the LEA provide a response.
- (If applicable) Referral is made to an investigative division for review.
- The analysts will inform complainants of the outcome of TEA's review of agency authority through
  - o a Status Letter (if the complaint is accepted by a TEA investigation division);
  - o a Closure Letter (if TEA lacks authority to take an action or the applicable investigation division declines review); or
  - o a Closure Memo (if the complaint is filed anonymously).

*Who in TEA investigates complaints filed?*

The primary units that investigate alleged violation of law/rule through the complaints management process are:

- Special Investigations Unit
- Educator Investigation Unit
- Attendance Audits Unit
- Test Security Unit
- McKinney-Vento Liaison

Additionally, TEA's Special Populations department investigates alleged violations related to special education under the Individuals with Disabilities Education Act (IDEA). However, these complaints are not filed with TEA's Complaints Management Unit, but instead, the process is accessible at the following link: [Special Education Dispute Resolution Process]

[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Dispute\\_Resolution/Special\\_Education\\_Dispute\\_Resolution\\_Processes/](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Dispute_Resolution/Special_Education_Dispute_Resolution_Processes/)

*May I file my complaint anonymously?*

Maybe, but it depends on the type of complaint you have. TEA does not accept anonymous

complaints concerning: 1. educator misconduct or 2. special education violations under the Individuals with Disabilities Education Act. In all other circumstances, TEA will review anonymous complaints. However, to the extent TEA needs additional information from a complainant who filed an anonymous complaint, TEA may close the investigation on that basis. In all instances, TEA maintains the security of complainant information to the extent allowed under law.

## **CONTACT INFORMATION**

Texas Education Agency  
(TEA) *Office of General*

*Inquiry* Phone: (512)

463-9290

Email: [generalinquiry@tea.texas.gov](mailto:generalinquiry@tea.texas.gov)

### *Complaints Management*

Phone: (512) 463-3544

Fax: (512) 475-3665

Email: [ComplaintsManagement@tea.texas.gov](mailto:ComplaintsManagement@tea.texas.gov)

### *Special Education*

Special Education Division

Phone: (512) 463-9414

Special Education Dispute Resolution Processes:

[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Dispute\\_Resolution/Special\\_Education\\_Dispute\\_Resolution\\_Processes/](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Dispute_Resolution/Special_Education_Dispute_Resolution_Processes/)

Special Education Complaints:

[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Dispute\\_Resolution/Special\\_Education\\_Complaints\\_Process/](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Dispute_Resolution/Special_Education_Complaints_Process/)

Special Education Dispute Resolution Handbook:

<https://tea.texas.gov/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=25769820860&libID=25769820962>

U.S. Department of Education, Office of Civil Rights  
(OCR) Mailing Address: U.S. Department of  
Education

Civil Rights Division

1999 Bryan Street, Suite 1620

Dallas, TX 75201-6801

(214) 661-9600

Complaints Handled by other Agencies

[https://tea.texas.gov/About\\_TEA/Contact\\_Us/Complaints/Complaints\\_Addressed\\_by\\_Other\\_Agencies/](https://tea.texas.gov/About_TEA/Contact_Us/Complaints/Complaints_Addressed_by_Other_Agencies/)

## Appendix G: CONTACTS for FURTHER INFORMATION

### Education Service Center Dyslexia Contacts

*For more information about dyslexia services, contact your regional education service center. When you call, ask for the dyslexia contact for your region.*

Region 1	1900 W. Schunior Edinburg, TX 78541-2234 (956) 984-6000 Fax (956) 984-7655	Region 2	209 N. Water St. Corpus Christi, TX 78401-2528 (361) 561-8400 Fax (361) 883-3442
Region 3	1905 Leary Lane Victoria, TX 77901-2899 (361) 573-0731 Fax (361) 576-4804	Region 4	7145 W. Tidwell Rd. Houston, TX 77092-2096 (713) 462-7708 Fax (713) 744-6514
Region 5	Edison Plaza, 350 Pine St. Beaumont, TX 77701 (409) 951-1700 Fax (409) 951-1840	Region 6	3332 Montgomery Rd Huntsville, TX 77340-6499 (936) 435-8400 Fax (936) 435-8484
Region 7	1909 N. Longview St. Kilgore, TX 75662-6827 (903) 988-6700 Fax (903) 988-6708	Region 8	4845 U S Hwy 271 N Pittsburg, TX 75686-8551 (903) 572-8551 Fax (903) 575-2611
Region 9	301 Loop 11 Wichita Falls, TX 76306-3706 (940) 322-6928 Fax (940) 767-3836	Region 10	400 E. Spring Valley Rd Richardson, TX 75081-5101 (972) 348-1700 Fax (972) 231-3642
Region 11	3001 N. Freeway Fort Worth, TX 76106-6596 (817) 740-3600 Fax (817) 740-7600	Region 12	PO Box 23409 Waco, TX 76702-3409 (254) 297-1212 Fax (254) 666-0823
Region 13	5701 Springdale Rd Austin, TX 78723-3675 (512) 919-5313 Fax (512) 919-5374	Region 14	1850 Highway 351 Abilene, TX 79601-4750 (325) 675-8600 Fax (325) 675-8659
Region 15	PO Box 5199 San Angelo, TX 76902-5199 (325) 658-6571 Fax (325) 658-6571	Region 16	5800 Bell St. Amarillo, TX 79109-6230 (806) 677-5000 Fax (806) 677-5001
Region 17	1111 W. Loop 289 Lubbock, TX 79416-5029 (806) 792-4000 Fax (806) 792-1523	Region 18	PO Box 60580 Midland, TX 79711-0580 (432) 563-2380 Fax (432) 567-3290
Region 19	PO Box 971127 El Paso, TX 79997-1127 (915) 780-1919 Fax (915) 780-6537	Region 20	1314 Hines Ave San Antonio, TX 78208-1899 (210) 370-5200 Fax (210) 370-5750

## **State and Federal Contacts**

### **For more information about state dyslexia regulations:**

State Dyslexia Consultant  
Region 10 Education Service  
Center 400 E. Spring Valley Road  
Richardson, TX 75081-5101  
(800) 232-3030  
[www.region10.org](http://www.region10.org)

### **Texas Education**

**Agency** 1701 N.  
Congress Ave Austin, TX  
78701-1494  
[www.tea.texas.gov](http://www.tea.texas.gov)

Curriculum Standards and Student Support  
Division (512) 463-9581  
<https://tea.texas.gov/academics/dyslexia/>

Division of Special  
Education (512) 463-9414  
[https://tea.texas.gov/Academics/Special\\_Student\\_Populations/Special\\_Education/Special\\_Education](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Special_Education/)  
/

### **For more information regarding the Rehabilitation Act of 1973, §504:**

The Office for Civil Rights/Department of Education  
Dallas Regional Office/Region VI (Arkansas, Louisiana, Mississippi,  
Texas) 1999 Bryan St., Suite 1620  
Dallas, TX 75201  
(214) 661-9600  
Fax (214) 661-9587

## Resources and Training Providers

**Note:** This is **NOT** a TEA-endorsed list but is intended to provide additional sources for information about dyslexia and related disorders. The following training centers may serve districts with dyslexia-related professional development opportunities and assist districts and parents in the diagnosis and treatment of students with dyslexia. Additional centers may be available in your area.

<p><b>ALLIANCE</b>  <b>The Alliance for Accreditation and Certification</b>          14070 Proton Rd, Suite 100          Dallas, TX 75244          (972) 233-9107 ext. 226          Fax (972) 490-4219  <a href="http://www.allianceaccreditation.org">www.allianceaccreditation.org</a></p>	<p><b>ALTA</b>  <b>Academic Language Therapy Association</b>          14070 Proton Rd, Suite 100          Dallas, TX 75244          (972) 233-9107 ext. 226          Fax (972) 490-4219  <a href="http://www.altaread.org">www.altaread.org</a></p>
<p><b>Bookshare—Texas Support</b>          480 S. California Ave.          Palo Alto, CA 94306          (650) 644-3400          Fax (650) 475-1066  <a href="http://www.bookshare.org/cms/state/texas">www.bookshare.org/cms/state/texas</a></p>	<p><b>Dyslexia Center of Austin*</b>          7401 W. Slaughter Lane, #5061          Austin, TX 78739          (512)522-7408          info@dyslexiacenterofaustin.org  <a href="http://www.dyslexiacenterofaustin.org">www.dyslexiacenterofaustin.org</a></p>
<p><b>MTS Publications</b>          P.O. Box 2          Forney, TX 75126-0002          (972) 552-1090          Fax (972) 552-9889  <a href="http://www.mtspublications.com">www.mtspublications.com</a></p>	<p><b>IDA</b>  <b>International Dyslexia Association</b>          40 York Rd, 4<sup>th</sup> Floor          Baltimore, MD 21204          (410) 296-0232          Fax (410) 321-5069  <a href="http://www.dyslexiaida.org">www.dyslexiaida.org</a>          Austin Branch: <a href="http://www.aus.dyslexiaida.org">www.aus.dyslexiaida.org</a>          Dallas Branch: <a href="http://www.dal.dyslexiaida.org">www.dal.dyslexiaida.org</a>          Houston Branch: <a href="http://www.houstonida.org">www.houstonida.org</a></p>
<p><b>IMSLEC</b>  <b>International Multisensory Structured Language Education Council</b>          14070 Proton Rd., Suite 100          Dallas, TX 75244  <a href="http://www.imslec.org">www.imslec.org</a></p>	<p><b>ILA</b>  <b>International Literacy Association</b>          PO Box 8139          Newark, DE 19714-8139          (800) 336-7323          Fax (302) 731-1057  <a href="http://www.literacyworldwide.org">www.literacyworldwide.org</a>  <b>Texas Association for Literacy Education</b>  <a href="http://www.texasreaders.org">www.texasreaders.org</a></p>
<p><b>JPWMF and Learning Center*</b>          403 W. Washington Dr.          San Angelo, TX 76903          (325) 655-2331  <a href="http://www.jpwlearningcenter.com">www.jpwlearningcenter.com</a></p>	<p><b>LDA</b>  <b>Learning Disabilities Association of America</b>          4156 Library Rd          Pittsburgh, PA 15234-1349          (412) 341-1515          Fax (412) 344-0224  <a href="http://www.ldaamerica.org">www.ldaamerica.org</a></p>

<p><b>LDAT</b>  <b>Learning Disabilities Association of Texas</b>  PO Box 831392  Richardson, TX 75083-1392  <a href="http://www.ldatx.org">www.ldatx.org</a></p>	<p><b>LEAD*</b>  <b>Literacy Education &amp; Academic Development, Inc.</b>  PO Box 822494  Dallas, TX 75231-2494  (214) 536-9046  Fax (214) 536-7917  <a href="http://www.leadabcd.com">www.leadabcd.com</a></p>
<p><b>Learning Ally</b>  20 Roszel Rd.  Princeton, NJ 08540  (800) 221-4792  <a href="http://www.learningally.org">www.learningally.org</a>  <b>Learning Ally—Texas Support</b>  <a href="http://www.learningally.org/texas">www.learningally.org/texas</a></p>	<p><b>McKinney Christian Multisensory Teacher Training*</b>  3601 Bois D'Arc Rd  McKinney, TX 75071  (214) 544-2658  <a href="http://www.mckinneychristian.org">www.mckinneychristian.org</a></p>
<p><b>Midwestern State University</b>  Department of Counseling, Kinesiology, and Special Education  3410 Taft Blvd.  Wichita Falls, TX 76308  (940) 397-4000  <a href="http://www.msutexas.edu">www.msutexas.edu</a></p>	<p><b>National Center for Learning Disabilities (NCLD)</b>  32 Laight Street, Second Floor  New York, NY 10013  (888) 575-7373 (toll free)  Fax (212) 545-9665  <a href="http://www.nclcd.org">www.nclcd.org</a></p>
<p><b>Neuhaus Education Center*</b>  4433 Bissonnet  Bellaire, TX 77401  (713) 664-7676  Fax (713) 664-4744  <a href="http://www.neuhaus.org">www.neuhaus.org</a></p>	<p><b>Rawson Saunders Institute*</b>  2614A Exposition Blvd.  Austin, TX 78703  (512) 476-8382  Fax (512) 476-1132  <a href="http://www.rawsonsaunders.org">www.rawsonsaunders.org</a></p>
<p><b>Scottish Rite Learning Center of South Texas*</b>  308 Avenue E  San Antonio, TX 78205  (210) 222-0133  Fax (210) 222-0136  <a href="http://www.srlearningcenter.org">www.srlearningcenter.org</a></p> <p><b>Shelton School*</b>  <b>Shelton Outreach/Training</b>  15720 Hillcrest Rd  Dallas, TX 75248  (972)774-1772 ext 2223  Fax (877) 229-5004  <a href="http://www.shelton.org">www.shelton.org</a></p>	<p><b>Scottish Rite Learning Center of West Texas*</b>  1101 70th St.  Lubbock, TX 79412  (806) 765-9150  Fax (806) 765-9564  For info email: <a href="mailto:srcwt.lub@gmail.com">srcwt.lub@gmail.com</a></p> <p><b>Southern Methodist University Learning Therapy Program*</b>  6401 Airline Road  Dallas, TX 75205  (214) 768-7323  Fax (972) 473-3442  <a href="http://www.smu.edu/learningtherapy">www.smu.edu/learningtherapy</a></p>

<p><b>Texas Center for Learning Disabilities</b>  1912 Speedway D4900  Austin, TX 78712-1284  (512)232-2320  Fax (512)232-2322  <a href="http://www.texasldcenter.org">www.texasldcenter.org</a></p>	<p><b>Texas Scottish Rite Hospital for Children,  Luke Waites Center for Dyslexia and Learning  Disorders*</b>  2222 Welborn St.  Dallas, TX 75219-9813  (214) 559-7815  Fax (214) 559-7808  <a href="http://www.tsrhc.org">www.tsrhc.org</a></p>
<p><b>West Texas A&amp;M University  Center for Learning Disabilities</b>  Amarillo Campus – Chase Tower  600 S. Tyler, Suite 711  Amarillo, TX 79101  (806) 651-8240  <a href="http://www.wtamu.edu/learningdisabilities">www.wtamu.edu/learningdisabilities</a></p>	

\*International Multisensory Structured Language Education Council (IMSLEC)-accredited training center

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