



## DOE Guidance to State & Local Education Agencies on DYSLEXIA, DYSGRAPHIA & DYSCALCULIA

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Decoding Dyslexia Maryland Updated January 2016

### BACKGROUND

Dyslexia stakeholders, including Decoding Dyslexia Maryland, reported to USDOE that State and local education agencies (SEAs/LEAs) routinely refuse to use the word dyslexia and often refuse to screen/identify, provide interventions for and/or educate teachers about dyslexia, dysgraphia (writing) and dyscalculia (math) disabilities.

The DOE guidance document, [linked here](#), responds to stakeholder complaints, including all 50 Decoding Dyslexia State Groups, and provides guidance to the State and Local Education Agency responsible for implementing both Response to Intervention (RtI --whole class/Tier I and small group/Tier II) and special education programs under the Individuals with Disabilities Education Act of 2004 (IDEA).

### SUMMARY

- 1. It's Okay to Say Dyslexia.** The purpose of this letter is to clarify that there is nothing in the Individuals with Disabilities Education Act (IDEA) that would prohibit the use of the terms dyslexia, dyscalculia, and dysgraphia in IDEA evaluation, eligibility determinations, or IEP documents." PARA. 1
- 2. IDEA Includes Dyslexia as a Specific Learning Disability and Evaluations Can Consider Disabilities like Dyslexia, Dysgraphia and Dyscalculia.** The guidance letter references the definition of specific learning disability in the IDEA, which includes the term dyslexia and says that school districts should conduct evaluations for students with difficulty reading (dyslexia), writing (dysgraphia), spelling (dyslexia, dysgraphia) and/or math concepts (dyscalculia) in accordance with 34 CFR Para. 300.304-300.311, evaluation procedures, IDEA. PARA. 2
- 3. Students Who Struggle with Reading, Writing and Math in the General Education Setting Can be Identified Using RTI and MTSS.** The guidance letter reiterates that students who are at risk for reading failure and who struggle to read, write, spell and understand math concepts can receive interventions through Response to Intervention (RtI) and a Multi-Tiered System of Supports (MTSS). The guidance further clarifies that RtI and MTSS can be used to address the specific learning needs of students with learning differences in the areas, of reading, math, writing. (PARA. 3 & 4)
- 4. If a Student Doesn't Respond to RtI/MTSS, Refer them for an Evaluation for Special Education.** Students who receive "scientific-research based interventions" using RtI or MTSS and who don't respond to the interventions "must be" referred for

an evaluation to determine if they are eligible for special education and related services (PARA. 4, p. 2) **RtI and MTSS Cannot Be Used to Delay or Deny a Full Evaluation for a Student Suspected of Having a Disability.** (PARA.4, p. 2)

5. **Information about a Child’s Difficulties with Reading, Math and/or Writing, including Information Presented by the Parents, is Important to Determine the Child’s Disability and Educational Needs.**
  - a. The guidance says that when determining whether a child has a disability under the IDEA, including a specific learning disability, and is eligible to receive special education and related services because of that disability, the school district must conduct a comprehensive evaluation under Sec. 300.304, which requires the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child.
  - b. It further states that **information provided by parents** with regard to reading, writing, and math must be considered as a part of the requirement “to gather relevant functional, developmental and academic information about the child” including information on the child’s learning difficulties related to reading, mathematics or writing. (PARA. 5, p.2)
  - c. **NOTE:** If you are a parent and you notice your student struggles with reading, writing and/or math at home, this is information that should be included in the eligibility determination along with what’s going on in the classroom.
6. **A Child Who Achieves Below Peers and/or Is Not On Grade Level Should be Evaluated.** The guidance says that if a student is not achieving adequately for the child’s age or to meet grade level standards, this information should be considered for eligibility. (PARA. 5, p.2)
7. **If a Child’s Eligibility includes Dyslexia, Dysgraphia and/or Dyscalculia, Nothing Prohibits including these Specific Conditions in the Eligibility Determination.** (PARA 5, p. 2)
8. **Dyslexia, Dyscalculia, Dysgraphia Can Be Used in the IEP.** OSERS reiterates that there is nothing in the IDEA or the implementing regulations that would prohibit IEP Teams from referencing or using dyslexia, dyscalculia, or dysgraphia in a child’s IEP. (PARA. 5, p. 3)
9. **If Dyslexia, Dyscalculia and/or Dysgraphia is/are the Disability [under SLD], the Team Should Learn About It so It Can be Addressed in the IEP.** “OSERS believes there could be situations where an IEP team could determine that **personnel responsible for IEP implementation would need to know about the condition underlying the child’s disability (e.g. that a child has a weakness in decoding skills as a result of the child’s dyslexia.)**”
10. **Ensure that Regular Education Teachers Are Informed about the Child’s IEP, its Implementation and Specific Accommodations, Modifications and Supports that MUST be Provided.**

11. **Information on Commonly Used Accommodations in the Classroom for Students with Dyslexia, Dysgraphia and Dyscalculia.** OSERS lists a number of resources to find such accommodations and recommends that states access the [DOE Technical Assistance Centers](#) that develop materials and resources to support States, school districts, schools and teachers (see list below).
12. **OSERS encourages the Maryland State Department of Education (MSDE) to review their policies, procedures and practices** to ensure that it does not prohibit the use of the terms dyslexia, dyscalculia and dysgraphia in evaluations, eligibility and IEP documents. (PARA. 7)
13. **OSERS encourages MSDE to remind its school districts** of the importance of addressing the unique educational needs of children with specific learning disabilities resulting from dyslexia, dyscalculia, and dysgraphia during IEP Team meetings and other meetings with parents under IDEA. (PARA. 7)

## Resources

**Decoding Dyslexia Maryland:** <http://www.decodingdyslexiamd.weebly.com>

**DOE/OSERS Guidance, Original Letter:**

<http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

**Yudin Interview with National Center for Learning Disabilities:**

<https://www.youtube.com/watch?v=7ui8kY5en8Q>

**Rtl: A Tiered Instructional Approach to Support Achievement for All Students, MSDE 2008**

**Dyslexia Education Task Force, State of Maryland:**

<http://marylandpublicschools.org/dyslexiaeducation/index.html>

[US Title 34: Education](#)

**PART 300—ASSISTANCE TO STATES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES:**

[http://www.ecfr.gov/cgi-bin/text idx?rgn=div5&node=34.2.1.1.1.1#\\_top](http://www.ecfr.gov/cgi-bin/text idx?rgn=div5&node=34.2.1.1.1.1#_top)

### **Accommodations Resources**

National Center on Intensive Intervention: <http://www.intensiveintervention.org>

Center for Parent Information and Resources: <http://www.parentcenterhub.org>,

National Center on Accessible Educational Materials <http://aem.cast.org/>

**OSEP-funded technical assistance centers:** <http://ccrs.osepideasthatwork.org/>

**“It’s Fine for Districts to ‘Say Dyslexia,’ According to new Ed. Dept. Guidance”:**

[http://blogs.edweek.org/edweek/speced/2015/10/say\\_dyslexia\\_education\\_department.html](http://blogs.edweek.org/edweek/speced/2015/10/say_dyslexia_education_department.html)

**Dyslexia at School Survey: Does Your School Say Dyslexia?**

<https://www.surveymonkey.com/r/dyslexia-at-school>

**SLD, Dyslexia: Maryland State Department of Education**

[http://decodingdyslexiamd.weebly.com/uploads/1/7/7/2/17722255/sld\\_identification\\_maryland.pdf](http://decodingdyslexiamd.weebly.com/uploads/1/7/7/2/17722255/sld_identification_maryland.pdf)