

Key Question: *Why might a child diagnosed as having dyslexia not be found eligible for special education within the category of Specific Learning Disability?*

Although the definition of Specific Learning Disabilities (in both federal and state law) refers to dyslexia as one of the conditions that may be included, dyslexia is not a special education disability category in and of itself.

A commonly accepted definition of dyslexia that is endorsed by both the International Dyslexia Association (IDA) and the National Institute of Child Health and Human Development is as follows:

Dyslexia is 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 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 the growth of vocabulary and background knowledge.

Specific Learning Disabilities that involve word level reading deficits (as described in the definition of dyslexia given above) have been cited by leading researchers as the most common of all learning disabilities. There is some confusion between the identified educational disability category of SLD (recognized under the Individuals with Disabilities Education Act and Colorado’s Exceptional Children’s Educational Act) and a diagnosis of dyslexia. Under federal and state law, if a student has an identified learning disability that significantly impacts the ability to learn without special supports and services, the entitlement label is Specific Learning Disability. An individual with dyslexia may or may not be eligible for special education services. Eligibility is dependent on whether the criteria and other determinations for SLD are met. However, there is certainly overlap between students who have had a clinical diagnosis of dyslexia and those who have been identified as having a specific learning disability and been found eligible for special education – particularly in the SLD area of “Basic Reading Skill.” (8 areas of SLD are specified in both federal and state regulations/rules.)

Disagreements as to special education eligibility sometimes arise when a parent or other advocate believes that because a child exhibits characteristics of dyslexia, that child should automatically be identified as having a specific learning disability (SLD) and be found eligible for special education services, even if the child is performing at or near grade level in the area or areas of concern. Often, the rationale given is that the child has also been assessed to have an above average IQ and, therefore, should have above average academic skills. Another common rationale given is that learning is difficult for the child because of the dyslexia, again, even though the child is achieving at or close to age/grade level standards.

Both the Federal IDEA Regulations (2006) and Colorado Rules for the Administration of the Exceptional Children’s Educational Act (2007) regarding criteria for the determination of a specific learning disability are clear that the determination of an academic skill deficit in one or more of the identified areas of SLD is to be made in relation to age/grade-level standards, not assessed ability (IQ) or the presence of other learning characteristics.

Colorado Rules for the Administration of the Exceptional Children's Educational Act (2007) adopted the following language regarding the criteria for the identification of a specific learning disability (consistent with Section 300.09 of the 2006 Federal Regulations):

2.08 (6)(b)(ii)(A) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or state-approved grade-level standards:

2.08 (6)(b)(ii)(A)(I) Oral expression;

2.08 (6)(b)(ii)(A)(II) Listening comprehension;

2.08 (6)(b)(ii)(A)(III) Written expression;

2.08 (6)(b)(ii)(A)(IV) Basic reading skill;

2.08 (6)(b)(ii)(A)(V) Reading fluency skills;

2.08 (6)(b)(ii)(A)(VI) Reading comprehension;

2.08 (6)(b)(ii)(A)(VII) Mathematical calculation;

2.08 (6)(b)(ii)(A)(VIII) Mathematics problem solving; and

2.08 (6)(b)(ii)(B) The child does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified in section 2.08(6)(b)(i) when using a process based on the child's response to scientific, research-based intervention as determined by a body of evidence demonstrating:

2.08 (6)(b)(ii)(B)(I) Academic skill deficit(s); and

2.08 (6)(b)(ii)(B)(II) Insufficient progress in response to scientific, research-based intervention

Although school personnel do not typically diagnose dyslexia, screening of the five components of reading (including word level reading skills) and providing research-based intervention at the first detection of difficulty should be occurring through an effective RtI process. A student with the types of deficits that might indicate the existence of "dyslexia" would be considered for SLD identification if they are exhibiting significant achievement gaps (as compared to age or grade-level norms/standards) even after targeted/intensive interventions and who are making insufficient progress after reasonable attempts at remediation through these interventions.

While specific learning disabilities, which may include dyslexia, cannot be cured, explicit instruction can promote reading success and alleviate many difficulties associated with them. Instruction for individuals with reading disabilities/deficits should address all five components of reading including phonemic awareness, phonics, fluency, vocabulary and comprehension. Additionally, interventions should be:

- Research-based;
- Explicit: directly teach skills for reading, spelling, and writing;
- Systematic and cumulative: i.e., have a definite, logical sequence of concept introduction; and
- Structured: have step-by-step procedures for introducing, reviewing, and practicing concepts.

Educational programming should be based on careful consideration of evaluative information provided by parents, educators, and others. There are many well-researched programs/interventions available for schools to use in meeting a student's reading needs.

Partnering with families to address academic concerns is essential, regardless of the eligibility decision that is made. The provision of specific instruction/intervention to address an identified need may be addressed through a general education problem-solving process (e.g., as part of a school-wide *Response to Intervention* approach). Furthermore, some students not found eligible for special education may be appropriately determined to require accommodations through a 504 Plan.

Additional resources on this subject can be found at these websites:

- The International Dyslexia Association: <http://www.interdys.org/>
- Schwab Learning: <http://schwablearning.org/>
- The Florida Center for Reading Research <http://www.fcrr.org>
- National Center for Learning Disabilities: <http://www.nclid.org/>
- National Research Center for Learning Disabilities: <http://www.nrclid.org/>