

Template update May 2020

Legal Framework: DYSLEXIA SERVICES

[Related Resources](#)

Broad Category: CHILD FIND

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## PROCEDURES:

### *Dyslexia (Updated due to TEA Corrective Action Plan Guidance)*

On January 11, 2018, the U.S. Department of Education Office of Special Education Programs (OSEP) released a final monitoring report in which it found that the Texas Education Agency (TEA) failed to comply with certain requirements in the Individuals with Disabilities Education Act (IDEA). OSEP specifically noted that some children in Texas who were suspected of having a disability and needing special education and related services under the IDEA were not referred for an evaluation under the IDEA. These students were instead evaluated and provided services under Section 504 of the Rehabilitation Act of 1973 (Section 504). Similarly, OSEP identified that some students receiving services under Section 504 who were suspected of needing special education services were either not referred for evaluation or not referred in a timely manner. These scenarios appeared to be particularly common when the suspected or identified disability was dyslexia or a related disorder

On June 6, 2018, the Texas Education Agency released a *To the Administrator Addressed* correspondence regarding the Provision of Services for Students with Dyslexia and Related Disorders. TEA's intent was to provide clarification regarding the provision of services for students with dyslexia and related disorders. TEA noted the importance of school districts recognizing that dyslexia and related disorders are considered specific learning disabilities under the IDEA and are included within Child Find mandate. The guidance stated that school districts have an obligation to refer any student who is suspected of having a disability and needing special education services for an evaluation under the IDEA.

The State Board of Education (SBOE) on November 16, 2018, gave final approval to updates to *The Dyslexia Handbook—2018 Update: Procedures Concerning Dyslexia and Related Disorders* (Dyslexia Handbook). The updates address recent legislative changes and clarify processes regarding identification and services for students, including students with dysgraphia. The Dyslexia Handbook (2018) as approved by the State Board of Education <https://tea.texas.gov/academics/dyslexia/>

The handbook contains guidelines for school districts to follow as they identify and provide services for

students with dyslexia. In addition, information regarding the state's dyslexia statutes and their relation to various federal laws is included.

Goose Creek CISD has developed procedures to address the provision of services for students with dyslexia and related disorders which are indicated in the Procedures for Identification section below.

**Evaluation Procedures**

In compliance with §504 and IDEA 2004, test instruments and other evaluation materials used in all GCCISD Dyslexia Evaluations will meet appropriate evaluation criteria. The GCCISD evaluation process under Special Education or 504 will follow TEA's guidelines and include specific data measuring academic skills and cognitive process typically associated with the presence of Dyslexia as referenced below:

**Academic Skills**

GCCISD will administer measures that are related to the student's educational needs. Difficulties in the areas of letter knowledge, word decoding, and fluency (rate, accuracy, and prosody) may be evident depending upon the student's age and stage of reading development. In addition, many students with dyslexia may have difficulty with reading comprehension and written composition.

**Academic Skills to be tested:**

- Letter knowledge (name and associated sound) as appropriate
- Reading words in isolation
- Decoding unfamiliar words accurately
- Reading fluency (both rate and accuracy are assessed)
- Reading comprehension
- Spelling

**Cognitive Processes**

Difficulties in phonological and phonemic awareness are typically seen in students with dyslexia and impact a student's ability to learn letters and the sounds associated with letters, learn the alphabetic principle, decode words, and spell accurately. Rapid naming skills may or may not be weak, but if deficient, they are often associated with difficulties in automatically naming letters, reading words fluently, and reading connected text at an appropriate rate. Memory for letter patterns, letter sequences, and the letters in whole words (orthographic processing) may be selectively impaired or may coexist with phonological processing weaknesses. Finally, various language processes, such as morpheme and syntax awareness, memory and retrieval of verbal labels, and the ability to formulate ideas into grammatical sentences, may also be factors affecting reading.

**Cognitive Processes to be tested:**

- Phonological / phonemic awareness
- Rapid naming of symbols or objects
- Orthography (if academic skills are indicative of potential orthographic difficulties)

**Possible Additional Areas**

Based on the student's academic difficulties and characteristics and/or language acquisition, additional areas related to vocabulary, listening comprehension, oral language proficiency, written expression, and other cognitive abilities may need to be assessed to provide a more comprehensive evaluation.

*(Dyslexia Handbook Revised 2018, pgs. 28 – 30)*

**Procedures for Identification of a Student suspected of having Dyslexia or Parent Request for Dyslexia**

Student not identified as receiving special education services and/or student receiving 504 services is referred for a Dyslexia evaluation

- School personnel will collect data, and the administrator will prepare the referral folder and notify the Records Clerk to schedule a Referral meeting.
- In the Referral Meeting, the Coordinator for Evaluation and a representative from the Intervention Office will be present to review the file. Remember, the district only has 15 school days for the Informed Consent meeting with the parent, so there needs to be increased collaboration on the referral process. After the referral process, the Campus Diagnostician and At-Risk interventionist will schedule a meeting with parent to obtain consent. The At-Risk Interventionist or Educational Diagnostician will inform the parent that this revised procedure is in response to the TEA corrective action plan.
- If consent is for IDEA, then the Campus Diagnostician will send the referral folder to the Records Clerk who updates the initial evaluation database.
- The Coordinator of Evaluation will assign out the evaluation. The assignment will be documented on the Evaluation Request screen under the Notices application in eSped.
- If parent opts for testing under 504, then At-Risk Interventionist will obtain consent and notify the Intervention Office once consent is obtained.
- In the interim until the FIE is completed, additional data including the 504 plan (if applicable) regarding the student's response to the intervention(s) should be provided to the Evaluator.

**Parent denies a Full Individual Evaluation under Special Education/IDEA**

- If the parent denies consent for an initial Full Individual Evaluation under IDEA/Special

Education, the Educational Diagnostician will document parent refusal in the parent contact log, complete the Notice of Evaluation, complete the GCCISD Ready/Willing/Able letter, and Evaluation Consent form documenting the parent's denial in allowing the school district to conduct the Initial Full Individual Evaluation under IDEA/Special Education.

- Documentation will then be given to the parent, archived in eSped for documentation, and emailed to the Coordinator of Evaluation and the Records Clerk for documentation in the district database.
- The At-Risk Interventionist will notify through email the Director of Intervention that the parent has denied a Full and Individual Evaluation.

### **Parent denies a Full Individual Evaluation under Special Education/IDEA but still wants a Dyslexia evaluation under 504**

- The Director of Intervention will verify through written documentation that the parent has been given informed consent under IDEA/Special Education by an Educational Diagnostician and is denying the school district to conduct the Initial Full Individual Evaluation under IDEA/Special Education (see Evaluation consent form, Notice of Refusal, Contact Log, GCCISD Ready/Willing/Able letter.)
- Once consent has been obtained by the At-Risk Interventionist, the Director will send the referral folder to the contracted assessment personnel.

#### Frequently Asked Questions

#### **1. What if the parent refuses to attend the informed consent meeting under IDEA/504, how is that documented?**

The Educational Diagnostician will still update the contact log and send a certified letter home.

#### **2. Can a student receive intervention from the At-Risk Interventionist during the initial FIE process until it is completed?**

Yes, utilizing classroom data, the campus staff can provide an intervention to address phonics/reading. The data collection obtained from intervention will be beneficial not only to inform ongoing intervention, but the student's response to the interventions also assist the evaluators during the FIE process.

#### **3. Can the At-Risk Interventionist assist in the FIE process?**

Yes, the At-Risk Interventionist can assist in the FIE process. The At-Risk Interventionist may be or previously have worked with the student and can provide data to inform the FIE (i.e., data points, work

samples, observations)

**4. Is a screening for Dyslexia required before a referral for an FIE?**

Although TEA requires universal screenings for all students in grades K (end of year screener) and 1 (January) as part of the early identification process, an individual screening or consultation is not required prior to parent or staff member requesting an evaluation. The *Student not identified as receiving special education services and/or student receiving 504 services* procedures should be implemented.

**5. Is it considered best practices with regard to least restrictive environment to assess for speech first, come back and consider dyslexia testing, and then, if needed, come back and assess for a learning disability?**

No, the team must consider all of the data collected and look at the student's current learning profile in order to determine the type of evaluation the student needs to assess all areas of concern.

**6. What additional evaluations must be administered for EL students?**

Oral language proficiency should be evaluated. If the student has received instruction in English and Spanish, then all testing needs to be completed in both languages.

**7. If a student is speech impaired (or other disability categories other than LD) and Dyslexic, does the student need an IEP (goals/objectives for reading)?**

No. The ARD committee should document that the student has been identified with Dyslexia. Since there are instructional implications as well as accommodations on the state assessment program for students with dyslexia, the identification should be addressed in the ARD deliberations.

**8. If a student is receiving special education services for a learning disability in reading and is also determined to have Dyslexia, does the student need an IEP (goals/objectives for reading)?**

Yes. The components of reading instruction required for students with dyslexia/LD in Reading must be addressed in the IEP (goals/objectives):

- Phonemic awareness instruction (detect, segment, blending, manipulating sounds)  
Graphophonemic knowledge (phonics) – words that carry meaning are made of sounds and the sounds are written with letters in the correct order
- Language structure instruction that encompasses morphology, semantics, syntax, and pragmatics

- Linguistic Instruction – proficient and fluency with patterns of language so words and sentences carry their meanings
- Strategy-Oriented Instruction – strategies for decoding, encoding, word recognition, fluency, and comprehension

**9. *If a student qualifies for special education with a Specific Learning Disability with a condition of Dyslexia (reading disability) but the committee determines that the Dyslexia program in the general education setting is the best program for the student, who writes the goals and objectives?***

The special education teacher will complete the goals and objectives in eSped with collaboration from the At-Risk Interventionist. The Special Education teacher will continue to consult with At-Risk Interventionist to gather information to report progress on IEPs. The Special Education teacher is responsible for updating the student's IEPs.

**10. *Can a student receive direct services from dyslexia and special education?***

Yes. The appropriate teachers including the At-Risk Interventionist for a student who is receiving reading instruction through both special education and general education dyslexia should coordinate the services offered to this student. This collaboration model should include all teachers, both general education and specialized teachers, who teach reading (including reading in the content area) to ensure generalization of the methodology identified as the reading intervention. The ARD committee will need to determine the most appropriate environment for the student to receive the instruction.

**11. *Who collects intervention data if the child is already identified as Special Education?***

If the student is already receiving special education services, the special education service provider will hold a staffing to develop a plan for interventions and an ARD should be held to discuss the student's lack of progress in the area of reading or writing and discuss a plan for interventions. *RTI data is not required prior to conducting a Re-evaluation.* The special education services provider is responsible for gathering the data on the student's response to interventions.

# OPERATING PROCEDURES

## DYSLEXIA SERVICES

Goose Creek CISD

101911

### STAFF RESPONSIBLE:

**District Level:** Director of Special Education, Director of Interventions, Coordinator of Resource/Inclusion, Coordinator of Compliance and Accountability, Coordinator for Evaluation, Diagnosticians, Bilingual Special Ed Teachers, and Intervention Specialists

**Campus Level:** Special Education Teachers, At-Risk Interventionists

### TIMELINES FOR DYSLEXIA SERVICES ACTIVITIES:

- Training for teachers who screen and instruct students with dyslexia, including interventionists as well as classroom teachers
- Education programs for parents and guardians of students with dyslexia
- Notifying parents of students eligible under Section 504 about services and options available to students with dyslexia
- Dyslexia screening
- Referral for standard protocol dyslexia instruction
- FIIE (referral for dyslexia under IDEA)

### EVIDENCE OF PRACTICE:

- Forms or checklists
- Teacher training artifacts (presentation handouts, sign-in sheets, etc.)
- Agendas from education programs for parents
- Written consent for evaluation
- Evaluation reports
- Copies of Section 504 meetings
- Copies of ARD committee meetings
- Description of reading program(s) used for students with dyslexia
- TSDS/PEIMS reports for students with disabilities identified with dyslexia

### DYSLEXIA AND SPECIAL EDUCATION SERVICES

Goose Creek CISD has adopted Project Read, a research-based (Orton Gillingham), systematic, multi-sensory approach to reading instruction as a supplement to the curriculum for students identified as receiving special education services with disabilities involving reading ability. Project Read is a comprehensive reading program in that it includes materials for phonics, reading comprehension, and writing. This program provides lessons for direct concept teaching via targeted multi-sensory strategies and higher-level thinking skill instruction.

In Goose Creek, Project Read instruction is provided within the resource classroom and/or through intervention or flex periods. The decision as to how the program is delivered is an ARD committee decision based upon the student's need.

### ***Procedures for consideration of Project Read***

- If a student qualifies for Special Education services with a Learning Disability involving reading, and the student is already receiving Neuhaus instruction from a Dyslexia teacher, the following should be considerations for the ARD Committee:
  - If the student is making progress with the Neuhaus intervention and progress is extended into other content area courses, the ARD committee should consider the student continuing with the Neuhaus intervention. However, a reading/writing IEP goal and objectives must be developed as part of the ARD.
  - If the student is not making progress with the Neuhaus intervention, and the student continues to display difficulty in other content classes related to the difficulties in reading, the student's data should be reviewed to determine if Project Read would be a more suitable intervention for the student. An IEP goal and objectives should be developed/ revised for the student.
  - If the student is making progress with the Neuhaus intervention, but continues to display difficulty in other content classes related to the generalization of fluency skills into comprehension, the student's data should be reviewed to determine if Project Read would be a more suitable intervention for the student. An IEP goal and objectives must be developed/ revised for the student.
- If a student is already receiving special education services in the general education class, and progress is not being made with regard to a specific learning disability involving reading, a staffing should be held to discuss the data and determine if Project Read would be a more suitable intervention for the student. If the determination is that Project Read is the most appropriate intervention, an ARD meeting is held to determine the frequency and duration of the program based on the needs of the child. Best practices for the intervention are direct instruction 30 minutes, 4 times per week. However, the ARD committee ultimately decides the frequency and duration of the service, as well as the location in which the services will take place.

See appendix for the following items:

- Neuhaus/Project Read Side-by-Side comparison
- Progress Monitoring forms (elementary and secondary)