



## FREQUENTLY ASKED QUESTIONS CALIFORNIA DYSLEXIA GUIDELINES

In August 2017 the California Department of Education published *CDE Dyslexia Guidelines* as directed by the legislature through AB 1369. The Guidelines document was developed by a workgroup of experts and practitioners. CASP has been active in providing information and professional development related to these guidelines. One of these efforts is the development of an FAQ (Frequently Asked Questions) document. Following are responses to those frequently asked questions and concerns.

### 1. **Where can I find CASPs Position on California AB 1369 (Dyslexia Bill)?**

CASP's Position on AB 1369 can be found by clicking on the link or pasting the link on your web browser

- [http://www.casponline.org/pdfs/position-papers/Dyslexia%20\(Frazier%20bill\)%20Position%20Paper.pdf](http://www.casponline.org/pdfs/position-papers/Dyslexia%20(Frazier%20bill)%20Position%20Paper.pdf)

Follow the steps below if you are unable to access via the link

- visit [www.casponline.org](http://www.casponline.org).
- On the CASP website scroll to the bottom of the page and click 'Publications.'
- On the Publications page scroll down to **CASP Position Papers**.
- Click on Dyslexia (Frazier bill) position paper.

### 2. **What does CA AB1369 require of school districts?**

AB 1369 has two primary components. One component added phonological processing to the list of psychological processes resulting in an SLD. The other component directed the California Department of Education to develop guidelines for educators and parents regarding the identification, assessment and instructional planning for students with dyslexia. CDE was directed to have these guidelines available on its website by the start of the 2017-2018 school year. The guidelines are exemplary in nature (CDE, 2017) and do not explicitly require anything of school districts.

References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

### 3. **What impact do the CDE Guidelines have on the responsibilities of school psychologists?**

The Guidelines state "as part of a multidisciplinary team that conducts comprehensive assessments of students suspected of reading disorders and dyslexia, school psychologists have unique training in understanding and diagnosing processing disorders, including phonological processing and neuropsychological processes related to reading, such as rapid naming. They also have knowledge of effective screening and assessment processes.... School psychologists review and consider a students' history of learning... School psychologists are knowledgeable about screening tools, assessment

methods and effective... interventions... School psychologists are essential members of the diagnostic assessment process” (CDE, 2017, p. 40).

School psychologists are considered critical members of school teams that are addressing concerns related to dyslexia, including early screening for risk of dyslexia, assessment of students suspected of having dyslexia and helping plan appropriate interventions.

#### References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

#### **4. Can school teams assess for dyslexia?**

School teams can (and should) assess for dyslexia. CDE Guidelines discuss the critical characteristics that are indicative of dyslexia (see p. 53-58) noting that dyslexia can be identified in both general education and through a comprehensive evaluation that is part of a Special Education eligibility evaluation. As noted above school psychologists are critical members of teams evaluating students for dyslexia: “they... understand patterns of strengths and weaknesses in learning... review and consider a student’s history of learning and areas of difficulty... are essential members of the diagnostic assessment process for identifying students with dyslexia and reading disorders” (p.40). They can also assist schools in selecting effective, evidence-based interventions for specific reading difficulties (VanDerHeyden and Burns, 2017).

Further the federal Office of Special Education and Rehabilitative Services (OSERS) published a guidance letter to the field noting that the terms dyslexia, dysgraphia and dyscalculia could be used by IEP teams in identifying a student’s specific learning disability and that the identification of these specific disabilities may be helpful to the team in planning interventions

#### References

[www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf](http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf)

#### **5. If you were assessing a student with characteristics of dyslexia for eligibility for an IEP what Federal Handicapping Condition would be considered for special education eligibility?**

Under the IDEA and its implementing regulations “specific learning disability” is defined, in part, as *“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.”*

Additionally, under Title 5, California Code of Regulations, Section 3030(b)(10) California regulation identifies dyslexia as a specific learning disability and provides the standards for determining whether a student has a specific learning disability.

Title 5, California Code of Regulations, Section 3030(b)(10) states:

*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 have manifested itself in the imperfect ability to listen, think, speak, read, write, spell, or do*

*mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.*

*In determining whether a pupil has a specific learning disability, the public agency may consider whether a pupil has a severe discrepancy between intellectual ability and achievement in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning education in determining the existence of a severe discrepancy”*

#### References

[www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf](http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf)

Title 5, California Code of Regulations, Section 3030(b)(10)

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

#### **6. Does a student with a clinical diagnosis of dyslexia automatically receive a special education evaluation?**

If an LEA has knowledge of or suspects that a child has dyslexia and may need special education services, federal “child find” requirements indicate that the LEA should refer the student for an evaluation. The evaluation can be met through the Individuals with Disabilities in Education Act (2004) or Section 504 of the Rehabilitation Act of 1973. LEAs must provide written notice within a reasonable time to the parent of child with a disability prior to the acceptance or rejection of a request for evaluation [34 C.F.R. § 300.503(a)(2)].

As referenced in the CDE Dyslexia Guidelines, “each state must have in effect policies and procedures to ensure that all children with disabilities residing in that state, including children with disabilities who are homeless children 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 (Title 34, *Code of Federal Regulations*, Section 300.111[a])” (p.95).

However, a student with a diagnosis of dyslexia does not automatically qualify for special education or related services. Chapter 10 of the CDE Guidelines notes, “A student who has dyslexia does not necessarily need special education and is not automatically eligible to receive it” (p. 59). The CDE Guidelines reference Education Code Section 56303 which states that “A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized.”

The CDE Dyslexia Guidelines state that for students who “exhibit the characteristics of dyslexia or another related reading dysfunction is not found to be eligible for special education and related services pursuant to subdivision (a), the pupil’s instructional program shall be provided in the regular education program (Education Code Section 56337.5).

#### References

Title 34, *Code of Federal Regulations*, Section 300.111[a]

CA Education Code Title 2, Chapter 4, Article 1, Section 56301

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf) (chapter 10)

## **7. What areas are important to assess when evaluating a student suspected of dyslexia?**

CDE Guidelines list the following as areas that should be assessed in identifying a student with dyslexia:

- Difficulties with accurate and fluent word recognition and poor spelling and decoding abilities
- Deficits in the phonological component of language
- Difficulties that are unexpected in relation to other cognitive abilities
- Difficulties that are unexpected in relation to the provision of effective classroom instruction

Information should also be collected regarding the student's primary language, oral language proficiency, developmental and medical history, family history of dyslexia, and assessment in reading comprehension and written expression. (see chapter 9 in CDE Dyslexia Guidelines).

### References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

## **8. Should parents' requests for dyslexia evaluations be handled differently from other requests for special education services.**

Parent requests for dyslexia evaluations may be handled differently by different districts. The Dyslexia Guidelines state "it is important not to delay evaluating a student who may be at risk of dyslexia to determine eligibility for special education" (p.53). They describe a student who may need a more comprehensive assessment beyond what is part of general education screening and progress monitoring as one who "has demonstrated processing deficits... and who is experiencing difficulties in reading, spelling and written expression in comparison with his age, grade level or intellectual peers." Since the guidelines strongly emphasize the importance of general education progress monitoring and screening, reviewing that information would be a first step in addressing parent concerns. The guidelines state "when a student has demonstrated limited or slower-than-expected progress, additional assessment is needed" (p.53). The Guidelines support the use of MTSS to help identify these students. CASP has supported the use of MTSS in two Position Papers: *Dyslexia and Assembly Bill 1369* and *School Psychologists and Response to Intervention*. However, it is also important to note that the use of an MTSS or RtI model "may not be used to delay or deny a full and individual evaluation of a child suspected of having a disability (OSERS, 2015)" (CDE p. 97).

### References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

<http://casponline.org/about-casp/publications/>

## **9. What should you do if a doctor signs a note on a prescription pad to assess a student for dyslexia?**

A signed note from a student's doctor provides notification of a disability and would initiate the federal child find requirement. The LEA would follow the policies and procedures to locate, identify and evaluate children with disabilities who need special education and related services. If a verbal request is made by the parent with or without a note from a medical provider, California Code of Regulations section 3021 indicates that "the school district, SELPA, or county office shall offer assistance to the

individual in making a request in writing, and shall assist the individual if the individual requests such assistance.” LEAs must provide written notice within a reasonable time to the parent of child with a disability prior to the acceptance or rejection of a request for evaluation [34 C.F.R. § 300.503(a)(2)].

#### References

Title 34, *Code of Federal Regulations*

California Code of Regulations Sec. 3021

### **10. Would processing deficits in phonological skills be sufficient for eligibility for SLD?**

A processing deficit in phonological skills is not by itself sufficient for eligibility for SLD. The areas discussed above (see question 7) must all be considered as part of an evaluation for SLD. In addition, a student must meet the criteria for SLD contained in Title 5, California Code of Regulations (CCR) 3030(b)(10)(B). The student must need specialized academic instruction in order to access the general education curriculum. Whether a student is served in special education or general education depends on the severity of need not the diagnosis of dyslexia alone.

#### References

Title 34, *Code of Federal Regulations*, Section 300.111[a]

### **11. Who can provide intervention for students with dyslexia?**

The CDE Dyslexia Guidelines identify the following as professionals who can support students with dyslexia:

- General education teachers
- Credentialed reading specialists
- Speech-language pathologists
- Special education teachers
- Assistive technology specialists with expertise in learning disabilities (p. 71)

The Guidelines suggest that with sufficient training para-professionals may provide services. However they note that there is little research regarding the use of para-professionals. Reference is also made to fact sheets published by the International Dyslexia Association which outline for parents how to evaluate professionals that provide treatment for dyslexia. The fact sheet, entitled *Evaluating Professionals*, states that instructors should be “trained and experienced in the use of Structured Literacy, Orton Gillingham, Multi-Sensory, Explicit Phonics or other programs consistent with the IDA’s Knowledge and Practice Standards” (p.1, IDA).

#### References

<https://dyslexiaida.org/evaluating-professionals-fact-sheet/>

### **12. Can students with dyslexia receive accommodations in the classroom? Qualify for a 504 Plan?**

Yes, students regarded as having dyslexia are entitled to receive accommodations and services in the general education classroom through Section 504 of Federal Law that prohibits disability discrimination. Section 504 defines an individual with a disability as a person who: has a physical or mental impairment that substantially limits a major life activity (examples of limitations in reading,

learning, and thinking are included.) The Office of Civil Rights notes that “section 504 requires recipients to provide to students with disabilities appropriate educational services designed to meet the individual needs of such students to the same extent as the needs of students without disabilities are met” (California Department of Education). All situations should be considered individually; resources, services and supports should be matched to the strengths and level of need from the individual student. For example, if a student simply requires additional time to get through the required reading, extra time would be an appropriate accommodation through a 504 plan. In addition, for many students with dyslexia, accommodations through the use of assistive technology, to overcome the complexity and amount of reading requirements as educational demands increase, can include text in audio format or text-to-speech and word prediction software “to provide access and to allow students to comprehend material independently and without undue stress or fatigue” (CDE, p. 73). Such use of technology can be provided through special education services or 504 accommodations plan depending on the collection of factors in each case.

#### References

[www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

<https://ed.gov/about/offices/list/ocr/504faq.html>

### 13. What is the commonly accepted definition of dyslexia?

Individuals with dyslexia have deficits in the phonological processing component of language. Phonological processing includes phonological memory, phonological awareness, and speed of naming (Wagner et al. 2013). Thus, individual with dyslexia have significant difficulty acquiring the sound–letter (phoneme–grapheme) and letter–sound (grapheme–phoneme) correspondences (i.e., phonics) that are the foundation for accurate and fluent spelling and decoding skills

Dyslexia involves a specific deficit in single-word decoding that is based on a weakness in the phonological aspect of language and has only a secondary impact on reading comprehension, which distinguishes it from other types of reading disabilities (Catts and Kamhi 2005). However, spelling is almost always affected.

The CDE Dyslexia Guidelines cite the following definition of dyslexia (from the International Dyslexia Association) as one that is “widely cited by researchers and educators” (CDE, p.3):

*“Dyslexia is a specific learning disability that **is neurobiological 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 growth of vocabulary and background knowledge” (CDE, p. 3).*

#### Reference:

1. [www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf](http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf)

2. Wagner, R.K., J.K. Torgesen, C.A. Rashotte, and N.A. Pearson. 2013. Comprehensive Test of Phonological Processing, 2nd ed. (CTOPP-2). Austin, TX: Pro-Ed.

3. Catts, H.W., and A.G. Kamhi, eds. 2005. *Language and Reading Disabilities*. 2nd. ed. Boston, M.A.: Allyn and Bacon.

#### **14. Can a student with dyslexia learn to read?**

Students with dyslexia can and do learn to read. The earlier an intervention is provided the more likely that a student will read at an expected level for his or her age and grade. Older students who receive interventions later often have ongoing difficulties with reading fluency and possibly with spelling.

#### **15. Can schools utilize MTSS to support students with dyslexia?**

The Dyslexia Guidelines strongly support the use of MTSS as a method of screening, intervening and progress monitoring for students at risk of dyslexia (see Chapter 9). The guidelines provide suggestions for the level of intervention and progress monitoring provided at three tiers of a tiered intervention process (p. 47). They note “the continuous monitoring of the data in reading, writing and spelling helps school teams to determine whether students are responding to the instruction and intervention provided” (p.47).

#### **16. Do more boys than girls have dyslexia?**

Quinn (2018) used a dataset of 552,729 students to provide information regarding differences in reading performance between boys and girls. Quinn found that “males are 1.83 times more likely than females to have reading difficulties.” In addition, the gender ratio was “greater when the identified reading difficulties were more severe.”

Quinn, J. M. (2018). Differential identification of females and males with reading difficulties: A meta-analysis. *Reading and Writing: An Interdisciplinary Journal*. <https://doi.org/10.1007/s11145-018-9827-8>