



September 8, 2015

By E-mail

Mr. Michael Yudin
Assistant Secretary
Office of Special Education and Rehabilitative Services
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-7100

Dear Mr. Yudin:

We are parents from across the United States whose children have dyslexia.¹ We support the June 30, 2015 letter from the Consortium for Citizens with Disabilities (“CCD”) to your office requesting your affirmation that there is no prohibition against using the term “dyslexia” in an eligible student’s IEP. Indeed, we are pleading for the U.S. Department of Education to issue guidance to state and local educational agencies about this matter.

We are disappointed by the July 24, 2015 letter from the Council of Administrators of Special Education (“CASE”) and others that urges you to exercise caution in considering the CCD’s request. The CASE letter expresses concerns that if a student is “diagnosed” with dyslexia, this decision will somehow trigger automatic IDEA eligibility and mandate specific educational programming. We understand these concerns, but we respectfully submit that they are entirely misplaced.

Our concerns

As parents, we are often told that dyslexia is “not recognized by school districts,” “is just an umbrella term,” “does not exist,” “is a medical issue,” or “is not something schools are required to diagnose or address.” We are also told in IEP meetings that schools are “not required to put the term dyslexia in IEPs.” In many cases, we are even told after years of failed efforts at reading instruction, that we may not discuss or include “specific methodologies” in an IEP to address our children’s reading

¹ Decoding Dyslexia is a 50-state network of independent, parent-led grassroots movements across the country concerned with the limited access to educational interventions for dyslexia within the public education system. We aim to raise dyslexia awareness, empower families to support their children and inform policy-makers on best practices to identify, remediate and support students with dyslexia.

struggles.

Rather, more often than not, our children receive only the broad classification of "Specific Learning Disability" or, at best, "Specific Learning Disability in Reading" and are placed in general resource rooms with students who have different issues and needs. Some of these students with different needs may even fall under the same Specific Learning Disability "umbrella," while others may have disabilities that fall within entirely different IDEA disability categories. Our children with dyslexia then receive interventions that are neither peer-reviewed nor targeted to their specific, individual challenges.

For example, a student with good word decoding skills who struggles to comprehend the meaning of print material may have markedly different learning needs from a student who struggles to comprehend print material because of a weakness in decoding. Both may have the same "Specific Learning Disability" or even "Specific Learning Disability - Reading" label, but their needs are entirely different. The result is an unnecessary and often indefinite delay in the identification and use of effective "specially designed instruction" and interventions students need and to which they are entitled as part of an appropriate education.

Use of the term "dyslexia" is consistent with the language and intent of the IDEA

The term "dyslexia" is explicitly included in the IDEA as an example of a "specific learning disability." Accordingly, the use of the term need not, should not, and will not affect faithful application of the individualized determinations the IDEA requires. The statutory and regulatory provisions of the IDEA would remain unchanged.

Dyslexia is not a "medical" condition. Indeed, there are currently no medical procedures available to diagnose or treat dyslexia. Rather, it is a statutorily-provided example of a "Specific Learning Disability," one which can be identified by appropriately trained school personnel charged with conducting psycho-educational evaluations to determine eligibility for special education services.

Conclusion

The use of the term "dyslexia" in an IEP is necessary, because it would permit parents, students, educators, and experts to "speak the same language." These key players could then move quickly toward discussing peer-reviewed research and methodologies that address difficulties with phonological processing, word identification, fluency, decoding, and spelling skills. *Use of the term "dyslexia" would provide a compass - not a directive - toward specialized instruction and services to remediate and accommodate identified, individual difficulties.*

In light of the concerns we have articulated, those expressed in the CCD letter, and the alarming statistics related to the rate of reading failure throughout the country, the Department's leadership on this issue is critical. We respectfully request that you issue guidance stating that the term "dyslexia" may be included in an IEP to help ensure that schools provide an appropriate education to students with dyslexia in a timely manner.

Thank you very much for your attention to this important issue.

Sincerely,

Decoding Dyslexia² Alabama
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Decoding Dyslexia Nevada
Decoding Dyslexia New Hampshire
Decoding Dyslexia New Jersey
Decoding Dyslexia New Mexico
Decoding Dyslexia New York
Decoding Dyslexia North Carolina
Decoding Dyslexia North Dakota
Decoding Dyslexia Ohio
Decoding Dyslexia Oklahoma
Decoding Dyslexia Oregon

² Each Decoding Dyslexia state group listed here has endorsed this letter according to its own, internal decision-making rules or procedures.

Decoding Dyslexia Pennsylvania
Decoding Dyslexia Rhode Island
Decoding Dyslexia South Carolina
Decoding Dyslexia South Dakota
Decoding Dyslexia Tennessee
Decoding Dyslexia Texas
Decoding Dyslexia Utah
Decoding Dyslexia Vermont
Decoding Dyslexia Virginia
Decoding Dyslexia Washington
Decoding Dyslexia West Virginia
Decoding Dyslexia Wisconsin
Decoding Dyslexia Wyoming

cc: Sec. Arne Duncan
Asst. Sec. Melody Musgrove