



DYSLEXIA AND RELATED DISORDERS

McKinney ISD

043907

Legal Framework: DYSLEXIA AND RELATED DISORDERS

[Related Resources](#)

Broad Category: CHILD FIND

§300.111 Child find.

(a) **General.**

(1) The State must have in effect policies and procedures to ensure that--

- (i) All children with disabilities residing in the 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; and
- (ii) A practical method is developed and implemented to determine which children are currently receiving needed special education and related services.

Dyslexia Services

Resources:

TEC §38.003. SCREENING AND TREATMENT FOR DYSLEXIA AND RELATED DISORDERS

TAC §74.28. Students with Dyslexia and Related Disorders

TEC §29.0031. DYSLEXIA AND RELATED DISORDERS.

(a) Dyslexia is an example of and meets the definition of a specific learning disability under the Individuals with Disabilities Education Act (20 U.S.C. Section 1401(30)). If a district suspects or has a reason to suspect that a student may have dyslexia, including after evaluation or use of a reading diagnosis under Section 28.006 or 38.003, and that the student may be a child with a disability under the Individuals with Disabilities Education Act (20 U.S.C. Section 1401(30)), the district must:

- (1) provide to the student's parent or a person standing in parental relation to the student a form developed by the agency explaining the rights available under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) that may be additional to the rights available under Section 504 Rehabilitation Act of 1973 (29 U.S.C. Section 794);
- (2) comply with all federal and state requirements, including the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as adopted by the State Board of Education, and its subsequent amendments, regarding any evaluation of the student; and
- (3) if the student is evaluated for dyslexia or a related disorder, also evaluate the student in any other areas in which the district suspects the student may have a disability.

(b) The multidisciplinary evaluation team and any subsequent team convened to determine a student's eligibility for special education and related services must include at least one member with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction. The member must:

- (1) hold a licensed dyslexia therapist license under Chapter 403, Occupation Code;
- (2) hold the most advanced dyslexia-related certification issued by an association recognized by the State Board of Education, and identified in, or substantially similar to an association identified in, the program and rules adopted under Sections 7.102 and 38.003; or
- (3) If a person qualified under Subdivision (1) or (2) is not available, meet the applicable training requirements adopted by the State Board of Education pursuant to Sections 7.102 and 38.003.

(c) A member of a multidisciplinary evaluation team and any subsequent team convened to determine a student's eligibility for special education and related services as described by Subsection (b) must sign a



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document describing the member's participation in the evaluation of a student described by the subsection and any, resulting individualized education program developed for the student.

(d) At least once each grading period, and more often if provided for in a student's individualized education program, a school district shall provide the parent of or person standing in parental relation to a student receiving dyslexia instruction with information regarding the student's progress as a result of the student receiving that instruction.

TEC §29.0032. PROVIDERS OF DYSLEXIA INSTRUCTION.

(a) A provider of dyslexia instruction to students with dyslexia and related disorders:

- (1) must be fully trained in the district's adopted instructional materials for students with dyslexia; and
- (2) is not required to hold a certificate or permit in special education issued under Subchapter B, Chapter 21, unless the provider is employed in a special education position that requires the certification.

(b) The completion of a literacy achievement academy under Section 21.4552 by an educator who participates in the evaluation or instruction of students with dyslexia and related disorders does not satisfy the requirement of Subsection (a)(1).

TEC §38.003. SCREENING AND TREATMENT FOR DYSLEXIA AND RELATED DISORDERS.

(a) Students enrolling in public schools in this state shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.

(b) In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall:

- (1) provide for the treatment of any student determined to have dyslexia or a related disorder; and
- (2) adopt and implement a policy requiring the district to comply with all rules and standards adopted by the State Board of Education to implement the program, including:
 - (A) The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as adopted by the State Board of Education, and its subsequent amendments; and
 - (B) guidance published by the commissioner to assist the district in implementing the program.

(b-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.

(c) The State Board of Education shall adopt any rules and standards necessary to administer this section.

(c-1) The agency by rule shall develop procedures designed to allow the agency to:

- (1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;
- (2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section;
- (3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished; and
- (4) solicit input from parents of students enrolled in a school district during the auditing and monitoring of the district under Subdivision (1) regarding the district's implementation of the program approved by the State Board of Education under this section.

(d) In this section:

- (1) "Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.



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(2) "Related disorders" includes disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

TAC §74.28. Students with Dyslexia and Related Disorders.

(a) In order to support and maintain full educational opportunity for students with dyslexia and related disorders and consistent with federal and state law, school districts and open-enrollment charter schools shall provide each student with dyslexia or a related disorder access to each program under which the student qualifies for services.

(b) The board of trustees of a school district or the governing body of an open-enrollment charter school must ensure that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate, evidence-based instructional services to the student are implemented in the district.

(c) A school district's or open-enrollment charter school's procedures must be implemented according to the State Board of Education (SBOE) approved strategies for screening, individualized evaluation, and techniques for treating dyslexia and related disorders. The strategies and techniques are described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders," provided in this subsection. The handbook is a set of guidelines for school districts and open-enrollment charter schools that may be modified by the SBOE only with broad-based dialogue that includes input from educators and professionals in the field of reading and dyslexia and related disorders from across the state.

(d) Screening as described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders," and further evaluation should only be conducted by individuals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.

(e) A school district or open enrollment charter school shall purchase a reading program or develop its own evidence-based reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." Teachers who screen and treat these students must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." The professional development activities specified by each open-enrollment charter school and district and/or campus planning and decision making committee shall include these instructional strategies.

(f) At least five school days before any evaluation or identification procedure is used selectively with an individual student, the school district or open-enrollment charter school must provide written notification to the student's parent or guardian or another person standing in parental relation to the student of the proposed identification or evaluation. The notice must be in English, or to the extent practicable, the individual's native language and must include the following:

- (1) a reasonable description of the evaluation procedure to be used with the individual student;
- (2) information related to any instructional intervention or strategy used to assist the student prior to evaluation;
- (3) an estimated time frame within which the evaluation will be completed; and
- (4) specific contact information for the campus point of contact, relevant Parent Training and Information Projects, and any other appropriate parent resources.

(g) Before a full individual and initial evaluation is conducted to determine whether a student has a disability under the Individuals with Disabilities Education Act (IDEA), the school district or open-enrollment charter school must notify the student's parent or guardian or another person standing in parental relation to the student of its proposal to conduct an evaluation consistent with 34 Code of Federal Regulations (CFR), §300.503, provide all information required under subsection (f) of this section, and provide:

- 1) a copy of the procedural safeguards notice required by 34 CFR, §300.504;



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- (2) an opportunity to give written consent for the evaluation; and
- (3) a copy of information required under Texas Education Code (TEC), §26.0081.
- (h) Parents/guardians of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by TEC, §26.0081(d), and options under federal law, including IDEA and the Rehabilitation Act, §504.
- (i) Each school or open-enrollment charter school must provide each identified student access at his or her campus to instructional programs required in subsection (e) of this section and to the services of a teacher trained in dyslexia and related disorders. The school district or open-enrollment charter school may, with the approval of each student's parents or guardians, offer additional services at a centralized location. Such centralized services shall not preclude each student from receiving services at his or her campus.
- (j) Because early intervention is critical, a process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available in each district and open-enrollment charter school as outlined in the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders." School districts and open-enrollment charter schools may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.
- (k) Each school district and open-enrollment charter school shall provide a parent education program for parents/guardians of students with dyslexia and related disorders. This program must include:
 - (1) awareness and characteristics of dyslexia and related disorders;
 - (2) information on testing and diagnosis of dyslexia and related disorders;
 - (3) information on effective strategies for teaching students with dyslexia and related disorders;
 - (4) information on qualifications of those delivering services to students with dyslexia and related disorders;
 - (5) awareness of information on accommodations and modifications, especially those allowed for standardized testing;
 - (6) information on eligibility, evaluation requests, and services available under IDEA and the Rehabilitation Act, §504, and information on the response to intervention process; and
 - (7) contact information for the relevant regional and/or school district or open-enrollment charter school specialists.
- (l) School districts and open-enrollment charter schools shall provide to parents of children suspected to have dyslexia or a related disorder a copy or a link to the electronic version of the "Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders."
- (m) School districts and open-enrollment charter schools will be subject to monitoring for compliance with federal law and regulations in connection with this section.

Current TEA Dyslexia Handbook: [Dyslexia and Related Disorders | Texas Education Agency](#)

The district Special Population Department will provide training to campus staff on procedures related to services for students with dyslexia a minimum of annually.

- The campus RtI/MTSS Committee will be responsible for reviewing referrals of students suspected of having characteristics of dyslexia.
- Students in grades K-1 may have been identified through a dyslexia screening procedure provided to all students in those grades.
- Referrals for consideration of a Specific Learning Disability may be completed for any student in the district.
- Using the designated district-wide process, the parent/guardian of all students suspected of a Specific Learning Disability will be offered an opportunity by the district for full and individual evaluation for



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special education services following the special education referral procedures.

Screenings and assessments must be conducted by individuals who have been appropriately trained to identify dyslexia and related disorders. Teachers and evaluators who screen and/or evaluate for dyslexia and related disorders must also be trained in instructional strategies that utilize researched-based interventions. Based on TEA guidance and expectations, MISD will utilize the Required Multidisciplinary Team Member, which is defined as *a person with specific knowledge in the reading process, dyslexia and related disorders, and dyslexia instruction*, to participate in the evaluation process when dyslexia is suspected and serve on MISD's multidisciplinary team and any ARD committee that is convened to determine eligibility for special education and related service. MISD is utilizing three means to satisfy the Required Multidisciplinary Team Member's requirements, which include:

- be a licensed dyslexia therapist (LDT);
- be an individual who holds the most advanced dyslexia-related certification issued by an association recognized by the SBOE, and identified in, or substantially similar to an association identified in, either the rules or Handbook adopted by the SBOE (e.g., CALT); or
- If neither of the first two is available, be an individual who meets applicable training requirements adopted by the SBOE. MISD has developed criteria for this training, and documentation for each evaluator's fulfillment of these expectations is on file with the district.

Through the FIIE and Initial ARD process, the Multiple Disciplinary Team (MDT) will determine if the student meets eligibility requirements for a specific learning disability in dyslexia or a related disorder. Eligibility criteria is met when the student is identified with the condition of dyslexia and has a corresponding need for specially designed instruction as a result of that disability based on the preponderance of evidence. The ARD committee will then determine a need for goals and the Least Restrictive Environment for services if necessary.

The district will provide information to the TEA annually regarding the number of students enrolled in the district who are identified as having dyslexia. Data will be gathered through the electronic data management system utilized by the district.

Some parents/guardians may decline a full initial and individual evaluation for a specific learning disability. Because dyslexia is only identified through a single pathway (FIIE), students may be denied specially designed instruction should the FIIE not be granted. For students previously identified with dyslexia through general education/Section 504, district procedures will be followed regarding requests for FIIEs in order to potentially establish eligibility for a specific learning disability in dyslexia. These students will eventually no longer be eligible for dyslexia services (SDI) if the FIIE is not completed, or if it is determined that they do not meet eligibility criteria for a specific learning disability in dyslexia.

Current Program

The district uses Multisensory Teaching Approach (MTA) and Esperanza. These programs are on the TEA Resource List of Evidence-Based Dyslexia Programs.

Dyslexia instruction is taught by appropriately trained instructors and is implemented with fidelity. These programs are on the TEA Resource List of Evidence-Based Dyslexia Programs. The first consideration for procuring any new evidence-based dyslexia program is ensuring it meets the required instruction and delivery components described in the handbook. Once determined, MISD will follow district procedures to procure any new curriculum for the district.

Evidence-Based Dyslexia Instruction is provided by fully trained dyslexia specialists. The district maintains certification documentation, which is made available by request. MISD follows required district procedures on



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updating and maintaining all Board policies as appropriate.

STAFF RESPONSIBLE:

District Level: Special Populations Department

Campus Level: Campus Administrators, MTSS Representative, Section 504 Representative, Special Education Teachers (including Providers of Dyslexia Instruction (PDIs))

EVIDENCE OF PRACTICE:

- Training artifacts
- 504 meetings
- IEP meetings
- MISD website
- Forms and checklists
- Consents for evaluation
- Evaluation reports
- Description of evidence-based dyslexia programs used for students with dyslexia
- TSDS/PEIMS reports for students with disabilities identified with dyslexia