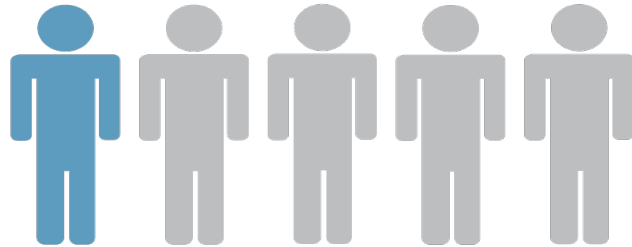
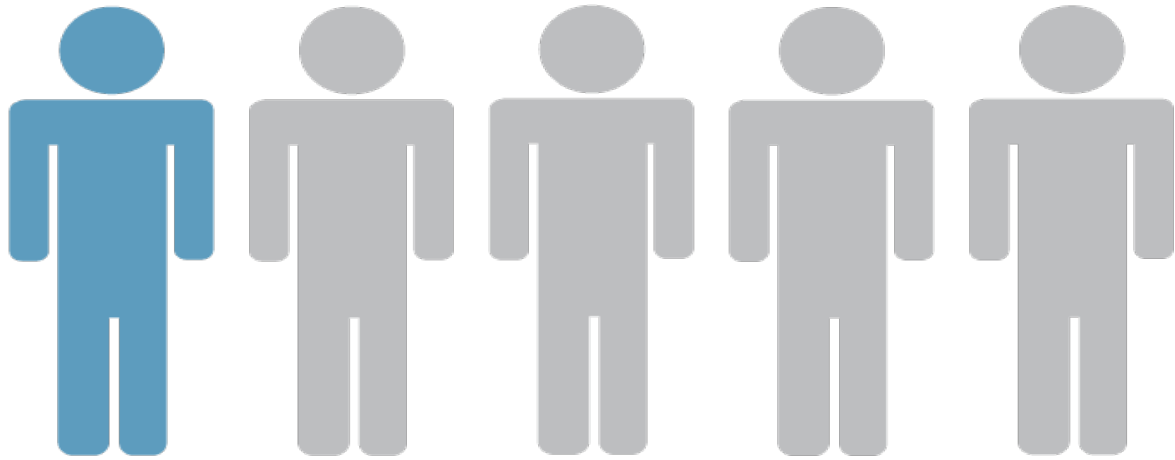


DEFINE DYSLEXIA



1. Dyslexia and the Department of Education
2. What Is Dyslexia?
3. Define Dyslexia within New York State Law
4. Define Dyslexia for Education



Today, dyslexia affects an estimated 8.5 million school children and one in five Americans in some form

Although the term dyslexia was given official government recognition in The Code of Practice, published by the U.S. Department for Education and Employment in 1994, the use of the term in public education has been discouraged or banned in favor of “specific learning difficulty” or specific learning disability”.

On October 23, 2015, the U.S. Department of Education issued a letter clarifying the provision of services to children with dyslexia, dyscalculia, and dysgraphia under the Individuals with Disabilities Education Act. This correspondence noted that “there is nothing in the IDEA that would prohibit the use of the terms dyslexia, dyscalculia, and dysgraphia in the IDEA evaluation, eligibility determinations, or IEP documents.” More recently, the READ Act was signed by President Obama on February 18, 2016, to devote at least \$2.5 million annually to research through the National Science Foundation (NSF).

The bill requires a focus on best practices in the following areas:

- Early identification of children and students with dyslexia
- Professional development for teachers and administrators
- Curricula development and evidence-based educational tools for children with dyslexia

More than half of all states have now adopted some form of legislation to address identification and instruction for children with dyslexia and additional training for teachers, and more are expected to do so in upcoming legislative sessions. Research and support for dyslexia is an important issue in education whose time has finally come.

**WHEN WILL NEW YORK JOIN THE
MOVEMENT?**

Dyslexia: 1 in 5 people

What is Dyslexia?

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 growth of vocabulary and background knowledge.

Is Dyslexia Unusual?

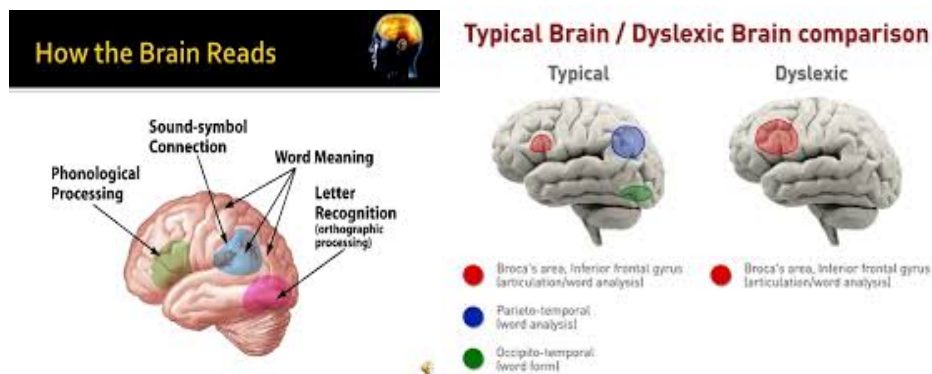
Dyslexia is actually the most common reading disability affecting **1 in 5 people or 20% of the community** (Yale et al, 2013). It crosses racial, ethnic and socioeconomic lines, with **appropriate instruction and accommodations** every dyslexic student can fully participate in their education and successfully achieve their potential.

The following statistics highlight how it effects our society:

- 3 out of 4 people on welfare cannot read (National Assessment of Adult Literacy, NAAL)
- 70% of people in prison cannot read (NAAL)
- Youth suicide- 80% of suicide notes left by youths when studied were found to have a disproportionate amount of spelling mistakes (NAAL)
- 85% of children classified with Learning Disorders (LD) actually have dyslexia (Yale, 2000)
- 85% of dyslexia is genetically inherited – some parents may be powerless to help their child who cannot read.
- More than 20% of adults read at or below a fifth-grade reading level.
- The USA is currently ranked 14th in the world regarding student reading proficiency

The At-Risk Reader:

The “at risk reader” has a lapse in neuropathway development to a lesser or greater degree (dyslexia). As you can see from brain scans, these pathways can be developed through teaching decoding (reading) and encoding (spelling). It is critical in establishing neuropathways that instruction is administered via a **direct explicit scientific sequential multisensory approach to fidelity**. All students would benefit from this approach; it is critical for students who are reading below grade level to receive specific structured literacy programs from certified interventionists.



How Does This Affect Students?

Because many teachers lack the knowledge needed to help students create strong connections that facilitate successful reading, many students have wiring that isn't connected properly. Students compensate by making any connections they can, but these are usually inefficient and intermittent.

The following statistics highlight the impact this misperception has on education:

- On the 2009 NAEP Reading Test, about 26 percent of eighth graders and 27 percent of twelfth graders scored below the "basic" level.
- **Only 32 percent of eighth graders and 38 percent of twelfth graders are at or above grade level**

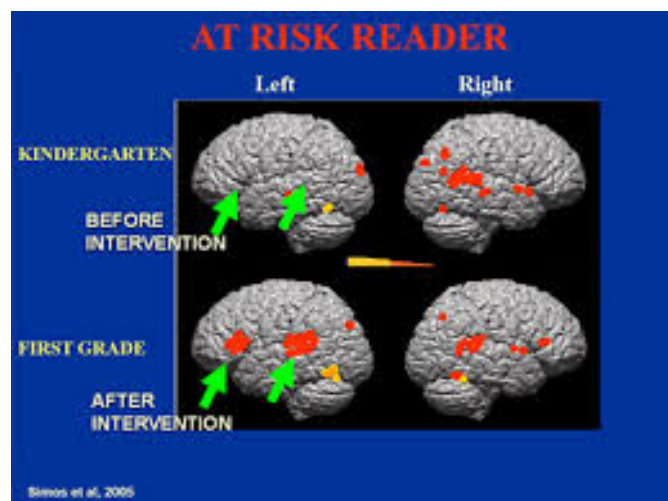
What is Going Wrong in Public Schools?

All of us are exposed to code (written text), but because many educators are trained to believe that reading is a natural process, at least 30% of all students are left in the dark when it comes to the knowledge and instruction they need to effectively read and process the code.

The common perception in education is that being a skilled reader (i.e., knowing how to read) qualifies an individual to teach reading. However, being a skilled reader does not mean one has an explicit awareness of the structures of written and spoken language that are necessary to effectively teach reading. Most teachers do not know how to explicitly teach reading and writing as demonstrated by a lack of knowledge concerning the phonology and orthography of the English language. Conversely, teachers who have a strong knowledge of phonology and orthography, as well as the ability to apply these concepts, have students who have higher levels of literacy achievement (Cunningham, et. al., 2004). In addition to these problems; school psychologists are not trained to identify dyslexia and New York state law on dyslexia is not based on what is known about dyslexia today (the definition needs updating).

What is Structured Literacy?

In order for students to accurately connect written text to spoken language, an explicit, systematic, multi-sensory, phonics-based approach has been proven most effective. Phonics instruction is often viewed with a negative connotation because when it is not delivered through an explicit and systematic process - it is not necessarily effective. **It is the way phonics is instructed that makes the difference. Instruction should start with the most basic concepts then sequentially build to larger, comprehensive concepts that help develop metacognitive awareness of the language, thus illuminating text – and building neuro-pathways.**



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DEFINE DYSPLEXIA WITHIN NEW YORK STATE LAW

The current definition of dyslexia is incorrect, outdated and not in line with science based evidence-it is misleading and counterproductive. Moreover, it is common and effects 1 in 5 people which fully justifies a separate coherent independent definition (see #14).

This is How Dyslexia (affects 1 in 5 people) is Currently Defined in New York Law:

"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 manifest itself in an 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. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage.

Please update the definition for dyslexia within New York State law as follows:

Updated October 2016 REGULATIONS OF THE COMMISSIONER OF EDUCATION Pursuant to Sections 207, 3214, 4403, 4404 and 4410 of the Education Law PART 200 – STUDENTS WITH DISABILITIES (Includes all Amendments through October 2016) Section Topic 200.1

(zz) Student with a disability means a student with a disability as defined in section 4401(1) of the Education Law, who has not attained the age of 21 prior to September 1st and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the department. The terms used in this definition are defined as follows:

(1) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a student's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disturbance as defined in paragraph (4) of this subdivision. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the criteria in this paragraph are otherwise satisfied.

(2) Deafness means a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a student's educational performance.

(3) Deaf-blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.

(4) Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a student's educational performance:

- (i) an inability to learn that cannot be explained by intellectual, sensory, or health factors.
- (ii) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- (iii) inappropriate types of behavior or feelings under normal circumstances; 15 200.1
- (iv) a generally pervasive mood of unhappiness or depression; or
- (v) a tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.

(5) Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of deafness in this section.

>>>>REMOVE DYSLLEXIA FROM THIS PARAGRAPH (HEAD INJURIES) <<<<<<<<<

(6) Learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, as determined in accordance with section 200.4(j) of this Part. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural or economic disadvantage.

(7) Intellectual disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

(8) Multiple disabilities means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which cause such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

(9) Orthopedic impairment means a severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputation, and fractures or burns which cause contractures).

(10) Other health-impairment means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems, including but not limited to a heart 200.1 16 condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder or tourette syndrome, which adversely affects a student's educational performance.

(11) Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, that adversely affects a student's educational performance.

(12) Traumatic brain injury means an acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, anoxia or brain tumors with resulting impairments that adversely affect educational performance. The term includes open or closed head injuries or brain injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgement, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not include injuries that are congenital or caused by birth trauma.

(13) Visual impairment including blindness means an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

>>>>>>UPDATE THE DEFINITION ACCORDING TO SCIENCE BASED EVIDENCE<<<<<<<<<

(14) *Dyslexia* means a specific learning disability that is neurobiological in origin. It is characterized at the level of an keen observer as frustration, withdrawal, anxiety, aversion to homework and schoolwork, underperformance, and an undoing of the personal sense of ability, psycho-somatic symptoms that are triggered by school-failure to read or perform well at spelling, written expression or other language tasks, mixing up right and left hands, Other observable characteristics include 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.

DEFINE DYSLEXIA in INDIVIDUAL EDUCATIONAL PLANS

“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.”

Example of Legislation:

The Department of Education shall add “Dyslexia / LD” under “Specific Learning Disabilities” in the “Primary Disability” section of the individualized education program form used by planning and placement teams for the provision of special education and related services to children requiring special education and related services.