



June 30, 2015

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:

On behalf of the undersigned organizations which are members of the Consortium for Citizens with Disabilities Education Taskforce, we **respectfully request that the U.S. Department of Education Office of Special Education and Rehabilitative Services (OSERS) issue guidance to state educational agencies to direct local educational agencies to examine their procedures and practices regarding the use of the terms *dyslexia*, *dyscalculia*, and *dysgraphia*; and the provision of appropriate accommodations for students with specific learning disabilities.**

Currently, there are 2.4 million students who have specific learning disabilities and receive special education services provided by the Individuals with Disabilities Education Act of 2004 (IDEA). The most common types of specific learning disabilities are those that impact the areas of reading (dyslexia), math (dyscalculia), and written expression (dysgraphia). They may co-occur with other disorders of attention, language and behavior, but are distinct in how they impact learning. Additionally, there is another estimated 15% of all students who struggle in school due to unidentified learning and attention issues.

It has come to our attention that parents nationwide are having similar experiences whereby some states and school districts are reluctant to include – or directly opposed to including, in some cases – the words “dyslexia”, “dyscalculia”, or “dysgraphia” in a students’ Individualized Educational Program (IEP). In many cases, parents have been told that their state does not “recognize” dyslexia, dyscalculia, or dysgraphia and instead only uses the term ‘specific learning disability.’ Clearly, there must be a misunderstanding of how the U.S. Department of Education intends for states and school districts to define and implement the definition of ‘specific learning disability.’

Dyslexia is explicitly mentioned in the IDEA 2004 statute (Sec. 602(30)(B)) and regulations (Sec. 300.8(c)(10)) as part of the definition of ‘specific learning disability’ (SLD). Further, the terms dyslexia and dyscalculia are mentioned as specific subtypes of learning disorders in the



Diagnostic and Statistical Manual of Mental Disorders (DSM-V) (see p. 67). Thus, it is appropriate to make specific mention of these subtypes of specific learning disorders in an IEP. It is critical that states and school districts appropriately include *dyslexia*, *dyscalculia*, and *dysgraphia* on a student's IEP to ensure that the interventions, goals and objectives outlined in the IEP match with the students' specific needs. For example, instead of including *dyslexia/dyscalculia/dysgraphia*, a student's IEP is typically given the broad, vague statement of 'specific learning disabilities – basic reading skills,' instead of 'specific learning disabilities – dyslexia.' Without indicating the specific terms *dyslexia*, *dyscalculia*, or *dysgraphia* when appropriate, this phrase on an IEP is simply too vague a description to communicate to a teacher that the child needs intensive, explicit, systematic, evidence-based instruction to make progress. Accuracy in the IEP is critical to ensuring that students, families and educators all have the information needed to guide decision-making.

Further, for students who are able to overcome the first hurdle of proper identification of the specific learning disability, they then face the challenge of receiving appropriate accommodations. The vast majority of students with specific learning disabilities spend most, if not all, of their school day in a general education classroom. However, many teachers do not receive adequate preparation or professional development to provide and integrate appropriate accommodations into classroom instruction for students with specific learning disabilities. Knowing the accommodations that are available to students with specific learning disabilities and identifying which accommodations would work best for each student is integral to their success. It is not enough to properly identify the disability without also supporting the student through providing appropriate accommodations.

Therefore, we urge the Department to issue guidance to states and local educational agencies to highlight, among other issues:

- Affirm that the term 'dyslexia', exists in both the IDEA 2004 statute (Sec. 602(30)(B)) and regulations (Sec. 300.8(c)(10)) as part of the definition of 'specific learning disability.'
- Affirm that it is entirely appropriate to make specific mention of subtypes of specific learning disorders in an IEP as they are mentioned in the DSM-V (e.g. Dyslexia and Dyscalculia).
- Affirm that there is no legal reason why the terms 'dyslexia', 'dyscalculia', and 'dysgraphia' should not be used by a state or local educational agency when referring to the identification of and services for a student who does in fact have any of these specific learning disabilities.



- Require states and local educational agencies to evaluate existing policies – both written and non-written institutional policies – to determine whether the terms ‘dyslexia’, ‘dyscalculia’, and ‘dysgraphia’ are being prohibited or suppressed during the comprehensive evaluation process, Individualized Educational Program meetings, identification of specialized instructional programs or related service providers, in conversations with parents, or by systemic omission in state/LEA policies.
- Affirm that states and local educational agencies should have policies in place that allow for the use of the terms ‘dyslexia’, ‘dyscalculia’, and ‘dysgraphia’ on a student’s Individualized Educational Program, if the findings of a student’s comprehensive evaluation document the presence of any of these types of specific learning disabilities.
- Provide states and local educational agencies with a comprehensive list of resources supported by the U.S. Department of Education to assist with the evaluation and identification of students with dyslexia, dyscalculia, and dysgraphia, and other manifestations of specific learning disabilities.
- Provide states and local educational agencies with a comprehensive guide to commonly used accommodations for students with specific learning disabilities, including ‘dyslexia’, ‘dyscalculia’, and ‘dysgraphia,’ and a list of resources for teachers to assist in incorporating these accommodations into daily instruction and classroom management techniques.

We appreciate your willingness to consider our request and we look forward to working together with you to ensure that families and schools develop partnerships based on high-quality, accurate information so that the millions of students with dyslexia, dyscalculia and dysgraphia receive the evidence-based instruction and interventions needed to succeed in school and life.

Sincerely,

ACCSES
Association of University Centers on Disabilities
Bazelon Center for Mental Health Law
Brain Injury Association of America
Council for Learning Disabilities
Council of Parent Attorneys and Advocates
Disability Rights Education & Defense Fund
Easter Seals
Institute for Educational Leadership
National Association of Councils on Developmental Disabilities



National Center for Learning Disabilities
National Center for Special Education in Charter Schools
National Down Syndrome Congress
National Parent Teacher Association

The Consortium for Citizens with Disabilities is a coalition of national consumer, advocacy, provider and professional organizations headquartered in Washington, D.C. Since 1973, the CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the 54 million children and adults with disabilities are fully integrated into the mainstream of society. For additional information, please contact:

Lindsay E. Jones, National Center for Learning Disabilities	202.628.2662	ljones@nclld.org
Laura Kaloi, Council of Parent Attorneys and Advocates	202.349.2310	lkaloi@wpllc.net
Kim Musheno, Association of University Centers on Disability	301.588.8252	kmusheno@aucd.org
Katy Neas, Easter Seals	202.347.3066	kneas@easterseals.com
Cindy Smith, National Association of Councils on Developmental Disabilities	202.506.5813	csmith@nacdd.org