

# Dyslexia Screening, RTI, MTSS, & SLD Eligibility: Which, When and What Criteria?



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# Presentation Outline

- Overview of SB 217 Dyslexia Bill requirements
- Implementing in the context of RTI/MTSS
- Implications for SLD Eligibility



# **SB 217**

## **The Dyslexia Bill**



# Dyslexia Law

- The requirements in SB 217 (“dyslexia law”) become effective at the beginning of the 2019-2020 school year.
- The law does not alter the requirements of the Individuals with Disabilities Education Act (“IDEA”) and Article 7.
- The Indiana State Board of Education (“SBOE”) will prepare proposed regulations.
- IDOE published Initial Dyslexia Guidance in July 2018.



# DYSLEXIA SCREENING AND INTERVENTION: AN OVERVIEW OF SB 217

Section 1: Educational Evaluation and CCC

Section 2: Screening and Intervention

1. Required Screening And Intervention
2. Notification And Services
3. Instructional Approaches
4. Reporting By School Corporations And Charter Schools
5. Reading Specialists Trained In Dyslexia
6. Dyslexia Professional Awareness And Resource Guide



## SB 217 - SECTION 1

(a) Unless provided under IDEA, if a school's multidisciplinary team determines that a student: (1) is eligible to receive special education and related services; and (2) has or has characteristics of the specific learning disability of dyslexia; the multidisciplinary team shall include information about dyslexia in the educational evaluation of the student. (b) If information about dyslexia is included in a student's educational evaluation, information about dyslexia must be: (1) discussed by the student's case conference committee; and (2) included in the student's individualized education program if the case conference committee determines that the information should be included.



# DYSLEXIA SCREENING AND INTERVENTION

Indiana's General Assembly passed SB217 which addresses "Dyslexia," and requires all schools to conduct dyslexia screening on all students enrolled in kindergarten, first, and second grade.

Schools are encouraged to begin reviewing procedures to align with the new law over the 2018-2019 school year.



# Overview of Dyslexia Screening Process

- Illustrated in IDOE's Dyslexia Screener Flowchart
- IDOE Approved Screening Instruments
- Universal Screening of all K, 1, 2 Students
  - Exceptions: Parents Opt Out, Receiving Dyslexia Interventions, CCC decision for students with IEP
  - As developmentally appropriate:
    1. Phonological and phonemic awareness; 2. Sound symbol recognition; 3. Alphabet knowledge; 4. Decoding skills; 5. Rapid naming; and 6. Encoding skills.
- Level I and Level II Screening of Students “at some risk” or “at risk” on universal screener to inform instruction/intervention.



# IDOE Dyslexia Screener Flowchart



## Dyslexia Screener Flowchart Updated 10/2018

A School corporation or charter school hires an "authorized reading specialist trained in dyslexia... who has completed training in a dyslexia program approved by the department" [Chapter 1, Sec. 2(a)].

Note: At any time a parent or teacher can request an educational evaluation of the student.

**UNIVERSAL SCREENER**  
School corporation/charter school must:  
-Select and include in reading plan IDOE-approved universal screener as a predictive assessment to measure dyslexia risk factors.  
-Conduct screenings on all students who qualify as described in Chapter 2 Section 6 of SEA 217

This screener is a predictive measure that provides a snapshot of the student. It does NOT give specific information on what to work on or where to begin an intervention.

Students that show they are not at risk or some risk continue in the general education classroom with evidence-based practices for learning.

Schools are not required to administer the universal screener if the parent objects or student is already receiving intervention services for dyslexia [Chapter 2 Sec. 8 (a)].

**DO NOT PASS UNIVERSAL SCREENER**  
Students who do not pass the screener and are at risk or at some risk for dyslexia on the universal screener [Chapter 2, Sec. 3].

Please see the guidance documents on giving the universal screener to special education and English language learners

**PARENT PERMISSION AND NOTIFICATION**  
School corporations/charter school shall obtain parent permission. [Chapter 2, Sec. 8 (b)]  
**Note:** it is the recommendation of the Indiana Department of Education that the school receives **informed written consent** from the student's parent.

Chapter 3 Section 1 of SEA 217 states that if the students' performance on the initial dyslexia screening, level I dyslexia screening, or level II dyslexia screening under IC 20-35.2 indicates a need for dyslexia intervention the school corporation or charter school shall:

- (1) Notify the student's parent of the results of the dyslexia screening.
- (2) Provide the student's parents with information and resource material that includes
  - (A) Characteristics of dyslexia
  - (B) Appropriate classroom interventions and accommodations for students with dyslexia.
  - (C) A statement that the parent may elect to have the student receive an educational evaluation by the school.

If parents **do not** consent, do **not** conduct Level I or Level II screener

Note: based on age and intensity of students' need schools may go directly to a battery of Level II screeners



# PARENT NOTIFICATION & CONSENT

- If “at some risk” or “at risk” on universal screener, parent consent is needed for Level I and Level II screeners.

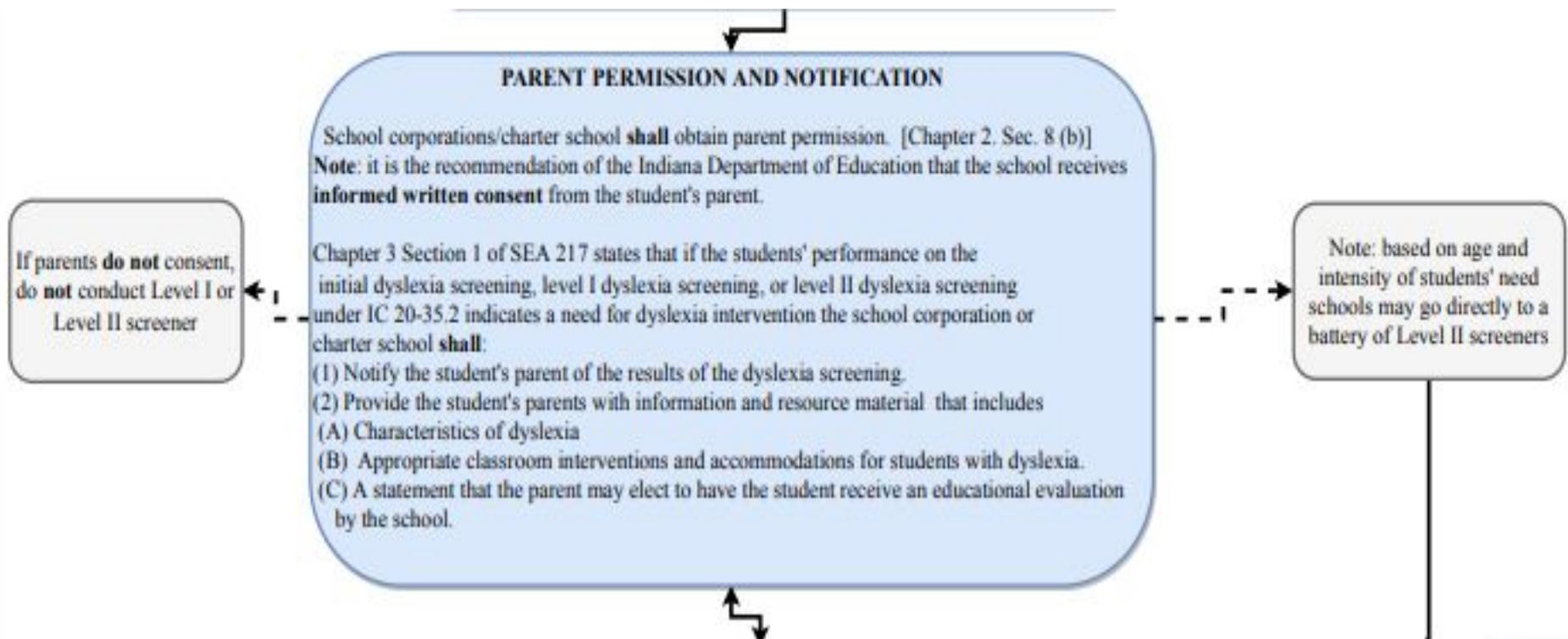


# PARENT NOTIFICATION & CONSENT, cont.

- If screening (universal, Level I, or Level II) indicates a need for dyslexia RTI services, the school must:
  - Notify the parents the results of the screening; and
  - Provide the parents with information and resource materials that include
    - the characteristics of dyslexia,
    - RTI and accommodations that are available, and
    - a statement that the parents may elect to have the student receive an educational evaluation by the school.



# Parent Permission and Notification - Dyslexia Screening Flowchart



# Early Intervening Services: Parent Permission and Notification

The parent of a student who participates in a (scientific, research based) RTI process must be provided with written notification when a student requires an intervention that is not provided to all students in the general education classroom.

511 IAC 7-42-2(f)



# Early Intervening Services: Parent Permission and Notification

The written notification must contain the following information: (1) The: (A) amount and nature of student performance data that will be collected; and (B) general education services that will be provided.

(2) The evidence-based strategies that will be utilized for increasing the student's rate of learning to grade level.

511 IAC 7-42-2(f)



# Early Intervening Services: Parent Permission and Notification

The written notification must contain the following information: (3) The parent's right to request an educational evaluation to determine eligibility for special education and related services.

511 IAC 7-42-2(f)



# Early Intervening Services: Parent Permission and Notification

The written notification must contain the following information: (4) An explanation that: (A) the public agency will initiate a request for an educational evaluation if the student fails to make ***adequate progress after an appropriate period of time, as determined by the parent and the public agency***, when provided with scientific, research based interventions.

511 IAC 7-42-2(f)



# Early Intervening Services: Parent Permission and Notification

The written notification must contain the following information: (4) An explanation that: (B) when the public agency initiates a request for a educational evaluation under clause (A), the public agency will provide written notice to the parent regarding the evaluation before requesting written parental consent for the evaluation as specified in section 4 of this rule.

After obtaining written parental consent, the public agency must evaluate the student and convene the CCC within twenty (20) instructional days. 511 IAC 7-42-2(f)



# REQUIRED SCREENING AND INTERVENTION

- All public schools must include in its reading plan indicators to screen for risk factors of dyslexia.
- The IDOE's approved universal screener includes 2 indicators for dyslexia, which must be reported in the school's K-2 reading plan.



# REQUIRED SCREENING AND INTERVENTION

Schools must administer the dyslexia screening to all students in K-2. Parents can object to the screening and opt their child out.

- If a student is determined to be “at risk” or “some risk” for dyslexia, a level I screen is then administered. Parental consent is required.
- Based on the level I screen, if the school determines a level II screening should be administered the school may administer it to the student. The level II screening is to be consistent with the IDOE’s to-be-developed Dyslexia Resource Guide. Parental consent is required.
- If a level I or level II screening indicates that a student has characteristics of dyslexia, the school uses the response to intervention (“RTI”) process to address the needs of the student.



## REPORTING BY SCHOOLS

- All public schools must include in its reading plan indicators to screen for risk factors of dyslexia using a screening tool approved by DOE.
- Schools must report to IDOE and on district website \*by July 15) the following information:
  - Number of students who were administered dyslexia screening during the previous year,
  - Dyslexia RTI instructional approaches used during the previous year;
  - Number of students who received dyslexia RTI during the previous school year; and,
  - Number of students who were identified as being “at risk” or “some risk” for dyslexia during the previous school year.



# READING SPECIALISTS TRAINED IN DYSLEXIA

- By the 2019-2020 school year, each school must employ at least one reading specialist trained in dyslexia with a minimum of 3 years' field experience in screening, identifying, and treating dyslexia. The specialist will provide technical assistance and training to the school as well as will serve as the school's primary source of information and support in addressing the needs of students with dyslexia.
- The specialist will be responsible for the accountability of the screening results and for ensuring that all teachers receive the required professional awareness information.



# DYSLEXIA PROFESSIONAL AWARENESS AND RESOURCE GUIDE

- The IDOE must develop and update an Indiana Dyslexia Resource Guide.
- The IDOE must ensure each teacher receives professional awareness information on the characteristics of dyslexia and evidenced based RTIs and accommodations for dyslexia.



# Considerations for Implementing in the Context of RTI/MTSS

- Selection of Screening Instruments
  - Number of instruments
  - Appropriateness and utility of instruments
    - [Tools Chart - National Center on Intensive Intervention](#)
- Determination of criteria and “cut-scores”
- Use of classwide interventions to inform decision making process.
- Alignment of intervention to student need(s).
- Monitoring growth and progress.



## Instructional Approaches/Interventions

If a student's level I dyslexia screening or level II dyslexia screening indicates the need for dyslexia intervention services for the student, the dyslexia intervention must include:

(A) explicit, direct instruction that is ***systematic, sequential, and cumulative*** and follows a logical plan of presenting the ***alphabetic principle that targets the specific needs of the student without presuming prior skills or knowledge*** of the student.



## Instructional Approaches/Interventions

If a student's level I dyslexia screening or level II dyslexia screening indicates the need for dyslexia intervention services for the student, the dyslexia intervention must include:

(B) individualized instruction to meet the specific needs of the student ***in a setting that uses intensive, highly concentrated instruction methods and materials that maximize student*** engagement.



## Instructional Approaches/Interventions

If a student's level I dyslexia screening or level II dyslexia screening indicates the need for dyslexia intervention services for the student, the dyslexia intervention must include:

(C) meaning based instruction ***directed at purposeful reading and writing with an emphasis on comprehension and composition.***



## Instructional Approaches/Interventions

If a student's level I dyslexia screening or level II dyslexia screening indicates the need for dyslexia intervention services for the student, the dyslexia intervention must include:

(D) instruction that ***incorporates*** the simultaneous use of ***two or more sensory pathways*** during teacher presentations and student practice.

Interventions may also include other instructional approaches as determined appropriate by the school.



# **Implications for SLD Evaluation & Eligibility Determination**



# USDOE OSEP -

## October 23, 2015 Dear Colleague Letter

The IDEA defines “specific learning disability” 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.” (emphasis added).



## USDOE OSEP -

# October 23, 2015 Dear Colleague Letter

The IDEA regulations list of conditions, which includes dyslexia, under the definition “specific learning disability.” The list is not exhaustive. Regardless of whether a child has dyslexia (or any other explicitly listed condition), the LEA must conduct an evaluation in accordance with regulations to determine whether that child meets the criteria for specific learning disability or any of the other listed disabilities.



# USDOE OSEP - October 23, 2015 Dear Colleague Letter

For those students need academic and behavioral supports to succeed, schools may choose to implement a MTSS, such as RTI or PBIS. With a multi-tiered instructional framework, schools identify students at risk for poor learning outcomes, including those who may have dyslexia; monitor their progress; provide evidence-based interventions; and adjust the intensity and nature of those interventions depending on a student's responsiveness.



# USDOE OSEP -

## October 23, 2015 Dear Colleague Letter

- Children who do not, or minimally, respond to interventions must be referred for an evaluation to determine if they are eligible for services.
- Those children who simply need intense short-term interventions may continue to receive those interventions.
- Parents may also request an evaluation at any time. The use of MTSS or RTI may not be used to delay or deny a full evaluation.



# USDOE OSEP -

## October 23, 2015 Dear Colleague Letter

- A comprehensive evaluation requires the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child.
- This information assist to determine the content of the child's IEP to enable educational progress.
- Therefore, information about the child's learning difficulties, including difficulties related to reading, math, and writing, is important to determining nature and extent of disability.



“Contemporary evidence in screening and reading failure prevention offers a converging picture that the best signal that a child may have a reading disability is the failure to learn to read in the presence of effective reading instruction. It is not possible to correctly measure the risk that signals a reading disability without measuring instruction.”

VanDerHeyden & Burns, 2017



## Specific learning disability

511 IAC 7-41-12

“Specific learning disability” means a disorder in 1 or more basic psychological processes involved in understanding or in using language, spoken or written, that adversely affect the student's educational performance, including .... perceptual handicaps, brain injury, minimal brain dysfunction, *dyslexia*, and developmental aphasia.



(1) A specific learning disability manifests itself when the student does not achieve adequately for the student's age or to meet state approved grade level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or state approved grade level standards: (A) Reading disability...that is neurological in origin and has a continuum of severity... characterized by difficulties with accurate or fluent, or both, word recognition and by poor spelling and decoding abilities. A reading disability may be due to difficulties in the following: (i) Basic reading skills. (ii) Reading fluency skills. (iii) Reading comprehension



# Evaluation procedures:

(2) Can be evidenced through either of the following:

(A) Insufficient progress to meet age or state approved grade level standards in one or more of the areas [for SLD consideration] when using a process based on the student's response to scientific, research based intervention.

(B) A pattern of strengths and weaknesses in performance or achievement, or both, relative to:

(i) age;

(ii) state approved grade level standards; or

(iii) intellectual development; that is determined by the group to be relevant to the identification of a specific learning disability.



# USDOE OSEP -

## October 23, 2015 Dear Colleague Letter

Eligibility determination requires documentation about abilities to adequately achieve age or grade-level standards related to reading, math and written expression and underachievement is not due to lack of appropriate instruction in reading or math, as well presenting difficulties. Therefore, the IEP teams may find it helpful to include information about the specific condition (e.g., dyslexia) in documenting how the condition relates to the child's eligibility determination.



# USDOE OSEP -

## October 23, 2015 Dear Colleague Letter

If dyslexia forms the basis for determination that a child is to be considered SLD, then consideration may be given to determining that the IEP Team would need to know about the underlying condition. “Therefore, OSERS reiterates that there is nothing in the IDEA or our implementing regulations that would prohibit IEP Teams from referencing or using dyslexia, dyscalculia, or dysgraphia in a child’s IEP.”



# Multidisciplinary Team Determinations

If the CCC determines that a child is eligible under Article 7 as a student with “characteristics of SLD of dyslexia,” then:

- the multidisciplinary team must include information about dyslexia in the education evaluation:
- information about dyslexia must be discussed by the CCC; and
- included in the student’s IEP - if the CCC determines that it should be included.





# QUESTIONS??

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