

DYSLEXIA SERVICES

Authorities: 34 CFR Part 104; Texas Education Code; 19 TAC Chapter 74

[Additional Resources](#)

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
P	<i>Dyslexia</i> 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.	TEC 38.003(d)(1)
P	<i>Related disorders</i> includes disorders similar to or related to dyslexia, such as developmental auditory imperceptions, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.	TEC 38.003(d)(2)
	<u>DYSLEXIA SCREENING</u>	
P	<u>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 local education agency (LEA) as outlined in <i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i>.</u>	74.28(j)
P	<u>Students enrolling in public schools in this state will 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 (SBOE).</u>	TEC 38.003(a)
P	<u>The LEA's strategies for screening dyslexia and related disorders must be implemented in accordance with <i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i>.</u>	74.28(c)
P	<u>Screening 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.</u>	74.28(d)
P	<u>Teachers who screen students with dyslexia and related disorders must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in <i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i>.</u>	74.28(e)
	<u>DYSLEXIA EVALUATION AND IDENTIFICATION</u>	

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P	The LEA 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 student suspected of having a specific learning disability, including dyslexia or a related disorder.	74.28(j)
P	The LEA's strategies for individualized evaluation for dyslexia and related disorders must comply with the CHILD FIND DUTY, PRIOR WRITTEN NOTICE, and REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES frameworks and be implemented in accordance with the <i>Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i> .	74.28(c) 74.28(g)
P	At least five school days before any evaluation or identification procedure is used selectively with an individual student, the LEA must provide written notification to the student's parent or guardian or another person standing in parental relation to the student.	74.28(f)
D	The notice must be in English, or to the extent practicable, the individual's native language and must include the following:	74.28(f)
D	<ul style="list-style-type: none"> • A reasonable description of the evaluation procedure to be used with the individual student; 	74.28(f)(1)
D	<ul style="list-style-type: none"> • Information related to any instructional intervention or strategy used to assist the student prior to evaluation; 	74.28(f)(2)
D	<ul style="list-style-type: none"> • An estimated time frame within which the evaluation will be completed; and 	74.28(f)(3)
D	<ul style="list-style-type: none"> • Specific contact information for the campus point of contact, relevant parent training and information projects, and any other appropriate parent resources. 	74.28(f)(4)
P	The LEA must comply with the DETERMINATION OF ELIGIBILITY framework when determining whether a student is a child with dyslexia or a related disorder, who qualifies for special education and related services.	

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P	<p><u>Unless otherwise provided by law, a student determined to have dyslexia during screening or testing 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 LEA reevaluates the information obtained from previous screening or testing of the student.</u></p>	<p><u>TEC 38.003(b-1)</u> <u>TEC 38.003(a)</u></p>
P	<p><u>The board of trustees of the LEA 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.</u></p>	<p><u>74.28(b)</u></p>
D	<p><u>The LEA must report through the Public Education Information Management System (PEIMS) the results of the screening for dyslexia and related disorders required for each student in kindergarten and each student in first grade.</u></p>	<p><u>74.28(k)</u></p>
NOTIFICATION		
P	<p>Parents or 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 and options under federal law, including Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973.</p>	<p><u>34 CFR Part 104, Subpart D</u> <u>74.28(h)</u> <u>TEC 26.0081(d)</u></p>
P	<p>At least five school days before any evaluation or identification procedure is used selectively with an individual student, the local educational agency (LEA) must provide written notification to the student's parent or guardian or another person standing in parental relation to the student.</p>	<p><u>74.28(f)</u></p>
P	<p>The notice must be in English, or to the extent practicable, the individual's native language and must include the following:</p>	<p><u>74.28(f)</u></p>
D	<ul style="list-style-type: none"> • A reasonable description of the evaluation procedure to be used with the individual student; 	<p><u>74.28(f)(1)</u></p>
D	<ul style="list-style-type: none"> • Information related to any instructional intervention or strategy used to assist the student prior to evaluation; 	<p><u>74.28(f)(2)</u></p>

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D	<ul style="list-style-type: none"> • An estimated time frame within which the evaluation will be completed; and 	<u>74.28(f)(3)</u>
D	<ul style="list-style-type: none"> • Specific contact information for the campus point of contact, relevant parent training and information projects, and any other appropriate parent resources. 	<u>74.28(f)(4)</u>
P	<p>Before a full individual and initial evaluation is conducted to determine whether a student has a disability, the LEA must comply with the <u>PRIOR WRITTEN NOTICE</u> and <u>REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES</u> frameworks, provide all information required preceding this section, and provide:</p>	<u>74.28(g)</u>
D	<ul style="list-style-type: none"> • A copy of the <u>Notice of Procedural Safeguards</u>; 	<u>74.28(g)(1)</u>
D	<ul style="list-style-type: none"> • An opportunity to give written <u>CONSENT FOR INITIAL EVALUATION</u>; and 	<u>74.28(g)(2)</u>
D	<ul style="list-style-type: none"> • A copy of the required <u>RIGHT TO INFORMATION</u>. 	<u>74.28(g)(3)</u>
<u>DYSLEXIA SCREENING AND IDENTIFICATION</u>		
P	<p>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 LEA as outlined in <u>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</u>.</p>	<u>74.28(j)</u>
P	<p>The LEA's strategies for screening dyslexia and related disorders must be implemented in accordance with <u>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</u>.</p>	<u>74.28(c)</u>
P	<p>Screening 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.</p>	<u>74.28(d)</u>
P	<p>Teachers who screen students with dyslexia and related disorders must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in <u>The</u></p>	<u>74.28(e)</u>

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	<u><i>Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders.</i></u>	
P	Students enrolling in public schools in this state will 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 (SBOE).	<u>TEC 38.003(a)</u>
P	Unless otherwise provided by law, a student determined to have dyslexia during screening or testing 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 LEA reevaluates the information obtained from previous screening or testing of the student.	<u>TEC 38.003(b-1)</u> <u>TEC 38.003(a)</u>
P	The LEA 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.	<u>74.28(j)</u>
P	The board of trustees of the LEA 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.	<u>74.28(b)</u>
DYSLEXIA SERVICES		
P	The LEA must report through PEIMS to the Texas Education Agency the number of students enrolled in the district or school who are identified as having dyslexia.	<u>TEC 48.009(b)(1)</u>
P	In accordance with the program approved by the SBOE, the board of trustees of each LEA must provide for the treatment of any student determined to have dyslexia or a related disorder.	<u>TEC 38.003(b)</u>
P	In order to support and maintain full educational opportunity for students with dyslexia and related disorders and consistent with federal and state law, the LEA must provide each student with dyslexia or a related disorder access to each program under which the student qualifies for services.	<u>74.28(a)</u>
P	<u>For a student with dyslexia or a related disorder, who qualifies for special education and related services, the LEA must comply with the ADMISSION, REVIEW, AND DISMISSAL COMMITTEE</u>	

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	<u>MEETING framework when determining the dyslexia services the student will receive.</u>	
P	The LEA's techniques for treating dyslexia and related disorders must be implemented in accordance with <u><i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i></u> .	<u>74.28(c)</u>
P	The LEA must purchase or develop its own evidence-based reading program for students with dyslexia and related disorders that is aligned with the descriptors found in <u><i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i></u> .	<u>74.28(e)</u>
P	Teachers who treat students with dyslexia and related disorders must be trained in instructional strategies which utilize individualized, intensive, multisensory, phonetic methods, and a variety of writing and spelling components described in <u><i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i></u> .	<u>74.28(e)</u>
P	<ul style="list-style-type: none"> With respect to the location of the services: Each LEA must provide each identified student access at the student's campus to instructional programs and the services of a teacher trained in dyslexia and related disorders; 	<u>74.28(i)</u> <u>74.28(e)</u>
P	<ul style="list-style-type: none"> The Each LEA may, with the approval of must provide each identified student access at the student's parents or guardians, offer additional campus to instructional programs and the services at of a centralized location; and teacher trained in dyslexia and related disorders; 	<u>74.28(i)</u> <u>74.28(e)</u>
P	<ul style="list-style-type: none"> The LEA may, with the approval of each student's parents or guardians, offer additional services at a centralized location; and Such centralized services must not preclude each student from receiving services at the student's campus. 	<u>74.28(i)</u>
P	<ul style="list-style-type: none"> Such centralized services must not preclude each student from receiving services at the student's campus. 	<u>74.28(i)</u>
PARENT EDUCATION PROGRAM		

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P	Each LEA must provide a parent education program for parents and guardians of students with dyslexia and related disorders, including:	74.28(l)
P	<ul style="list-style-type: none"> Awareness and characteristics of dyslexia and related disorders; 	74.28(l)(1)
P	<ul style="list-style-type: none"> Information on testing and diagnosis of dyslexia and related disorders; 	74.28(l)(2)
P	<ul style="list-style-type: none"> Information on effective strategies for teaching students with dyslexia and related disorders; 	74.28(l)(3)
P	<ul style="list-style-type: none"> Information on qualifications of those delivering services to students with dyslexia and related disorders; 	74.28(l)(4)
P	<ul style="list-style-type: none"> Awareness of information on accommodations and modifications, especially those allowed for standardized testing; 	74.28(l)(5)
P	<ul style="list-style-type: none"> Information on eligibility, evaluation requests, and services available under IDEA and Section 504 of the Rehabilitation Act of 1973, and information on the response to intervention process; and 	74.28(l)(6)
P	<ul style="list-style-type: none"> Contact information for the relevant regional and/or LEA dyslexia and related disorders specialists. 	74.28(l)(7)
P	The LEA must provide to parents of children suspected to have dyslexia or a related disorder a copy or a link to the electronic version of <i>The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders</i> .	74.28(m)

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