

Senate Bill 612

Testimony in Favor

Date: March 17, 2015

Chair Roblan and Senate Committee on Education Members,

I'm Susan Farmer, a licensed teacher specializing in dyslexia. My credentials are listed:

- B.S. in Early Childhood Education 1976, Peabody/Vanderbilt University.
- Specialized 4-year Degree focusing solely on Birth through age 8
- Former kindergarten teacher (4 years)
- Currently Licensed in Oregon
- Past 10 years have specialized in early reading intervention, learning disabilities, specifically reading/dyslexia
- Privately tutor children with reading disabilities

My teaching degree became worthless when my youngest daughter couldn't learn to read. I desperately consumed myself with learning why. I then approached the school about her dyslexia. They claimed they knew what they were doing, yet admitted they had no dyslexia training.

Although I proved in a legal hearing they denied her appropriate instruction, their unrelenting resistance to my advocacy was so severe, my only recourse was court. After years of litigation, the school district legal costs probably reached 7-figures. Staff training in dyslexia would be far cheaper and productive.

have ↑

I attended graduate school at Western Oregon 7 years ago. When I mentioned dyslexia, I was told schools don't use that term. This was a program to train our future special education teachers. The word "dyslexia" is in Oregon and federal special education law – the federal Individuals with Disabilities Education Act, or IDEA, and Oregon law which says "Specific learning disability includes conditions such as... and lists dyslexia." <sup>1</sup>

CFR 300.8 (c)(10) and OAR 581-015-0005 (4)(i)

"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, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. Specific learning disability includes conditions such as perceptual disabilities, brain injury, dyslexia, minimal brain dysfunction, and developmental aphasia.

No doubt, each of you has a relative or friend with breast cancer. It affects 1 in 8 women. <sup>2</sup> Dyslexia, affects 1 in 5 of both genders. Statistically, a classroom of 25 children has 1-2 females who will later develop breast cancer, and 5 children with dyslexia. Roughly 1 in 5 will also be a

victim of child sex abuse.<sup>3</sup> When comparing these statistics, it's easier to see how widespread dyslexia is.

Teachers have mandatory training in bullying, sexual harassment, and child abuse. We owe this bill to Oregon's children and teachers, to cease confusion and blatant disregard of dyslexia.

Lastly, I would also like to suggest amending Section 1(b) to add school Speech-Language Pathologists to the list of teachers requiring training. Any dyslexia specialist knows that one of the very first warnings signs of dyslexia is delayed language and/or speech problems. The Speech-Language Pathologist is often the very first professional a dyslexic child comes in contact with.

Many teachers deny the existence of dyslexia.

It's time for a change in Oregon!

I sincerely appreciate your time and attention.

The statistics I provided are documented in your copy of my testimony.

Thank you, and I can now answer any questions.

<sup>1</sup> Attachment 1.

Special Education law (IDEA) inclusion of "dyslexia" is from the Federal Register Rules and Regulations, Vol. 71, No. 156 Code of Federal Regulations, Monday, August 14, 2006, Part II Department of Education 34 CFR Parts 300 and 301, Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities; Final Rule, p. 46757

<sup>2</sup> Attachment 2.

Cancer rates obtained 3/17/2105 from The Cancer Institute at the at the National Institutes of Health, <http://www.cancer.gov/cancertopics/types/breast/risk-fact-sheet/print>

<sup>3</sup> Child Sexual Abuse statistics obtained 3/17/2015 from Oregon Network of Child Abuse Intervention Centers on, <http://www.childabuseintervention.org/child-abuse/statistics> which states: 1 in 4 girls will be sexually abused before they turn 18 and 1 in 6 boys will be sexually abused before they turn 18. This equates to 2 in every 10 children, or roughly 1 in 5 of both genders.

performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(9) *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—

(i) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and

(ii) Adversely affects a child's educational performance.

(10) *Specific learning disability*—(i) *General*. 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 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.

(ii) *Disorders not included*. Specific learning disability 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.

(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 child's educational performance.

(12) *Traumatic brain injury* means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are

congenital or degenerative, or to brain injuries induced by birth trauma.

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

(Authority: 20 U.S.C. 1401(3); 1401(30))

#### § 300.9 Consent.

*Consent* means that—

(a) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;

(b) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and

(c)(1) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime.

(2) If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

(Authority: 20 U.S.C. 1414(a)(1)(D))

#### § 300.10 Core academic subjects.

*Core academic subjects* means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

(Authority: 20 U.S.C. 1401(4))

#### § 300.11 Day; business day; school day.

(a) *Day* means calendar day unless otherwise indicated as business day or school day.

(b) *Business day* means Monday through Friday, except for Federal and State holidays (unless holidays are specifically included in the designation of business day, as in § 300.148(d)(1)(ii)).

(c)(1) *School day* means any day, including a partial day that children are in attendance at school for instructional purposes.

(2) *School day* has the same meaning for all children in school, including children with and without disabilities.

(Authority: 20 U.S.C. 1221e-3)

#### § 300.12 Educational service agency.

*Educational service agency* means—

(a) A regional public multiservice agency—

(1) Authorized by State law to develop, manage, and provide services or programs to LEAs;

(2) Recognized as an administrative agency for purposes of special education provided within public schools and secondary schools of the State;

(b) Includes any other public institution or agency having administrative control and direction over a public elementary school or secondary school; and

(c) Includes entities that meet the definition of intermediate educational unit in section 602(23) of the Act as in effect prior to June 4, 1997.

(Authority: 20 U.S.C. 1401(5))

#### § 300.13 Elementary school.

*Elementary school* means a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law.

(Authority: 20 U.S.C. 1401(6))

#### § 300.14 Equipment.

*Equipment* means—

(a) Machinery, utilities, and built-in equipment, and any necessary enclosures or structures to house the machinery, utilities, or equipment; and

(b) All other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture; printed, published and audio-visual instructional materials; telecommunications, sensory, and other technological aids and devices; and books, periodicals, documents, and other related materials.

(Authority: 20 U.S.C. 1401(7))

#### § 300.15 Evaluation.

*Evaluation* means procedures used in accordance with §§ 300.304 through 300.311 to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

(Authority: 20 U.S.C. 1414(a)(c))

#### § 300.16 Excess costs.

*Excess costs* means those costs that are in excess of the average annual per-student expenditure in an LEA during the preceding school year for an elementary school or secondary school student, as may be appropriate, and that must be computed after deducting—

(a) Amounts received—

(1) Under Part B of the Act;

(2) Under Part A of title I of the ESEA; and

(3) Under Parts A and B of title III of the ESEA and;

Attachment 1

<http://www.cancer.gov/cancertopics/types/breast/risk-fact-sheet/print>

## Breast Cancer Risk in American Women

### Key Points

- Based on current breast cancer incidence rates, experts estimate that about one out of every eight women born today will be diagnosed with breast cancer at some time during her life.
- The strongest risk factor for breast cancer is age. A woman's risk of developing this disease increases as she gets older.
- Other factors can also increase a woman's risk of developing breast cancer, including inherited changes in certain genes, a personal or family history of breast cancer, having dense breasts, beginning to menstruate before age 12, starting menopause after age 55, having a first full-term pregnancy after age 30, never having been pregnant, obesity after menopause, and alcohol use.

#### 1. What is the average American woman's risk of developing breast cancer during her lifetime?

Based on current incidence rates, 12.4 percent of women born in the United States today will develop breast cancer at some time during their lives (1). This estimate, from the most recent *SEER Cancer Statistics Review* (a report published annually by the National Cancer Institute's [NCI] Surveillance, Epidemiology, and End Results [SEER] Program), is based on breast cancer statistics for the years 2007 through 2009.

This estimate means that, if the current incidence rate stays the same, a woman born today has about a 1 in 8 chance of being diagnosed with breast cancer at some time during her life. On the other hand, the chance that she will never have breast cancer is 87.6 percent, or about 7 in 8.

In the 1970s, the lifetime risk of being diagnosed with breast cancer in the United States was just under 10 percent (or about 1 in 10).

The last five annual SEER reports show the following estimates of lifetime risk of breast cancer, all very close to a lifetime risk of 1 in 8:

- 12.7 percent for 2001 through 2003
- 12.3 percent for 2002 through 2004
- 12.0 percent for 2003 through 2005
- 12.1 percent for 2004 through 2006
- 12.4 percent for 2005 through 2007

SEER statisticians expect some variability from year to year. Slight changes, such as the ones observed over the last 5 years, may be explained by a variety of factors, including minor changes in risk factor levels in the population, slight changes in breast cancer screening rates, or just