

Senate Bill 221

Testimony in Opposition
Date: March 30, 2017

Chair Roblan and Senate Committee on Education Members,

I am Susan Farmer, a licensed teacher specializing in dyslexia.

My testimony opposes SB 221 regarding any removal of the language which sets a standard for teacher training. Although current TSPC rules are following those standards (due to the former bill requiring such language), there is no guarantee those rules will not change.

The attempt of removal of this standard of instruction for Oregon's children is an example of the fact that teachers simply do not want to be told what and how to teach. **THERE WILL BE PRESSURE FOR TSPC TO CHANGE THE REGULATIONS.** It is critical to keep standards of what our teachers are taught about dyslexia. Otherwise, anyone with their own ideas can come in and teach our upcoming teachers.

Attached are examples of state laws from other states. You will see the highlighted language of their laws, and the fact that other states are VERY specific regarding what children are taught and thus what teachers must be trained to teach.

I sincerely appreciate your time and attention to the points in my testimony.

Thank you, and I can now answer any questions.

Susan Farmer

My credentials are:

- B.S. in Education 1976, Peabody/Vanderbilt University.
- For 13 years have specialized in early reading intervention, learning disabilities, specifically reading/dyslexia
- Privately tutor children with reading disabilities
- 3-semester-hours course in Diagnosing and Remediating Dyslexia

VARIOUS STATES' DYSLEXIA LAWS with LINKS

THESE SPECIFIC LAWS ADDRESS CONTENT OF INTERVENTION FOR STUDENTS... something the Oregon Bills of 2015 did not address, EXCEPT except for standards of teacher training in universities and professional development. These excerpts stress the importance of defining specific parameters for intervention... It should not be left to "guidance" which allows teachers to use anything they want.

Below are excerpts only. Some of these summaries are not direct quotes, but many are. Quotation marks are used in many sections to designate clarification of exact wording. Links are provided for most laws for further information. Given time constraints, it is not as thorough as I prefer.

State	Summary
WA 2009	<p>SB 6016 (2009–2010): Has funded pilot projects to develop educator training programs and develop a handbook. State Dept of Ed, in consultation with the school districts that participated in the Lorraine Wojahn dyslexia pilot program, and with an international nonprofit organization dedicated to supporting efforts to provide appropriate identification of and instruction for individuals with dyslexia, shall:</p> <p>(a) Develop an educator training program to enhance the reading, writing, and spelling skills of students with dyslexia. The training program must provide research-based, multisensory literacy intervention professional development in the areas of dyslexia and intervention implementation. (b) Develop a dyslexia handbook to be used as a reference for teachers and parents of students with dyslexia. The handbook shall be modeled after other state dyslexia handbooks, and shall include guidelines for school districts to follow as they identify and provide services for students with dyslexia.</p> <p>http://apps.leg.wa.gov/rcw/default.aspx?cite=28A.300.530</p>
NV 2015	<p>Pupils with dyslexia: Early literacy screening assessment must include, without limitation, screening for: a) Phonological and phonemic awareness; (b) Sound-symbol recognition; (c) Alphabet knowledge; (d) Decoding skills; (e) Rapid naming skills; and f) Encoding skills. If screening confirms that a pupil has indicators for dyslexia schools shall address the needs of the pupil through the response to scientific, research-based intervention system of instruction. If RTI is not helping enough, the student is referred for testing of a specific learning disability, "including, without limitation, dyslexia." If student has SLD, he must receive "Explicit, direct instruction that is systematic, sequential and cumulative and follows a logical plan of presenting the alphabetic principle... intensive, highly-concentrated instruction methods and materials that maximize pupil engagement....multisensory instruction that incorporates the simultaneous use of two or more sensory pathways during teacher presentations and pupil practice. ...each school must have a teacher ... receive professional development regarding... (a) Methods to recognize indicators for dyslexia; and (b) The science related to teaching a pupil with dyslexia.</p> <p>https://www.leg.state.nv.us/nrs/nrs-388.html#NRS388Sec439</p>

NEW
MEXICO
2010

HB 230 (2010): Interventions for students with signs of dyslexia required. A student with characteristics of dyslexia is having difficulty learning to read, write, spell...school shall provide timely, appropriate, systematic, scientific, research-based interventions prescribed by the student assistance team, with progress monitoring (RTI) The department shall provide lists of recommended teacher professional development materials and opportunities for teachers and administrators regarding research-based reading instruction for students at risk for reading failure and displaying the characteristics of dyslexia. Districts shall train special education teachers to provide appropriate specialized reading instruction for students who are identified with dyslexia as a specific learning disability and who are eligible for special education services....technical assistance for special education diagnosticians and other special education professionals regarding the formal special education evaluation of students suspected of having a specific learning disability, such as dyslexia.

<http://law.justia.com/codes/new-mexico/2016/chapter-22/article-13/section-22-13-32/>

CO 2011

SB 245 (2011): Provides funds for in-school dyslexia training, identification, and higher education programs to train on dyslexia. C.R.S. 22-2-133 says "Any technical assistance and training provided shall include, but need not be limited to, the areas of awareness, assessment, identification, and evidence-based progress monitoring, and shall include scientifically based interventions to address the needs of students with literacy challenges, including dyslexia. Any technical assistance and training provided shall represent a tiered continuum of intensity for intervention consistent with the response to intervention model that school districts are required to implement no later than August 15, 2009, pursuant to rules adopted by the department. The department and institutions of higher education are encouraged to work collaboratively to develop or affirm minimum standards for teacher preparation programs in the areas of literacy assessment and instructional skills, including dyslexia awareness, identification, and remediation for general and special education."

<http://www.lexisnexis.com/hottopics/colorado/?source=COLO;CODE&tocpath=1S1KUZJO2YQDT8ADV,2FJWK1OAI08A5TS8Y,3NFHMKJSATP,OM5AHP;1006PAS0K34TSKF9P,2ORG0JJ9IKJ8JUS86,3Y4QM4VYMYT0478IK;1G43PAS0WYURMS923,21QCXYIP8AGVIK8I,3ZKQRWKLQMW,GA89S;1EKSUASKI9KMQVTIS,298QLHF0QUUSHET0J,3408SKFMVVRM0CHX9S;1TVSKJ1IXT8I25C5C,283SBKWM4Z7PRUVI,3U3B9UFB340412DBD&shorthead=no>

OK 2012 HB 3073/SB 1565 (2012): Dyslexia training pilot program. A. It is the intent of the Legislature that the Oklahoma State Regents for Higher Education enter into a contract with a nonprofit education center which is certified as a multisensory structured language training institute for the purpose of establishing a comprehensive dyslexia teacher training pilot program. ...The goal of the pilot program shall be to train higher education faculty to teach multisensory structured reading education for students with dyslexia to teacher candidates enrolled in the elementary, early elementary and special education programs, to demonstrate and evaluate the effectiveness of having trained teachers who can provide early reading assistance programs for children with risk factors for dyslexia and to evaluate whether the early assistance programs can reduce future special education costs. In addition the goal of the pilot program shall be to create a replicable model which can be followed by other higher education institutions.

D. The dyslexia teacher training pilot program shall provide to higher education faculty at participating institutions training on how to teach to teacher candidates the indicators of dyslexia and the type of instruction that children with dyslexia need in order to learn, read, write and spell, including multisensory structured language programs. In addition the pilot program shall provide instruction to teacher candidates enrolled in the elementary, early childhood education or special education program at the institution which is designed to train the teacher candidates on the indicators of dyslexia and the type of instruction that children with dyslexia need in order to learn, read, write and spell, including multisensory structured language programs.

<http://law.justia.com/codes/oklahoma/2016/title-70/section-70-7001>

MN 2015 & 2016 Each school district shall identify before the end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before the end of the current school year; parental notification, evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention and identification of staff development needs, including a program to meet those needs. The commissioner shall make available examples of nationally recognized and research-based instructional methods or programs to districts to provide comprehensive, scientifically based reading instruction and intervention under this section. Districts annually report a summary of the district's efforts to screen and identify students with dyslexia. A student identified under this subdivision must be provided with alternate instruction under section 125A.56, subdivision 1, direct scientific, research-based instructional services and intervention

<https://www.revisor.mn.gov/statutes/?id=120B.12>

IOWA Requires very specific progress monitoring of at-risk readers, with parameters of determining who is failing and who must have required intervention in scientific programs. Requires skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Includes a scientifically based and reliable assessment. Requires initial and ongoing analysis of each student's reading progress. Requires Strategies for identifying and providing evidence-based interventions for students, beginning in kindergarten, who are at risk of not achieving literacy proficiency

<https://www.legis.iowa.gov/docs/code/279.68.pdf>

AR 2013 *SB 33 (2013): To ensure that children with dyslexia have their needs met by the public school system. Defines dyslexia and related disorders; requires through screening and very specific intervention. "The screening of students shall be performed with fidelity and include without limitation (Ark. Code Ann. § 6-41-603): 1) Phonological and phonemic awareness; 2) Sound symbol recognition; 3) Alphabet knowledge; 4) Decoding skills; 5) Rapid naming; and 6) Encoding skills. "

<http://law.justia.com/codes/arkansas/2015/title-6/subtitle-3/chapter-41/subchapter-6/>

Handbook: http://www.arkansased.gov/public/userfiles/Learning_Services/Dyslexia/DRG_1.21.16.pdf

MS 2012 Amendment to 37-23-15, Mississippi Code of 1972 (1997): Pilot programs for testing certain students for dyslexia. *HB 1031 (2012): **Allows students enrolled in schools that do not have dyslexia programs to transfer to a different school or district.** *HB 1032 (2012): Dyslexia Scholarships for Teachers – A bill to establish the Mississippi Dyslexia Education Scholarship Program for the purpose of identifying and recruiting qualified university and college students from the state for **schooling in education with a focus on dyslexia instruction.** HB 1494 (2012): Funds for educator training, including dyslexia.

AL 2015 Admin rules Students screened for dyslexia and then given appropriate intervention, access to assistive technology, and accommodations in the general school population through the Response-to-Intervention (RTI) process, without the need for special education certification. **[Students given multisensory instruction, very specific guidelines in rules]**

<https://www.alsde.edu/sec/ari/Dyslexia/AAC%20Revisions%2010-8-15.pdf>

TN 2014 *HB 1735/SB 2002 (2014): "Dyslexia is Real" defines "dyslexia" as a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. **Requires regular teacher in-service training to formally address dyslexia and similar reading disorders and provide effective instruction for students with dyslexia using appropriate scientific research and brain-based multisensory intervention methods and strategies.**

Defines dyscalculia," "dysgraphia," "dyslexia," "phonemic awareness," and "scientifically based research"; requires use of K–3 response-to-intervention system in reading with interventions implemented with fidelity to scientifically based research and matched to individual student strengths and needs. Requires technical assistance and training in specific screening processes and programs to identify student strengths and needs; **multisensory instructional strategies and other interventions validated for effectiveness by scientifically based research;** Accelerated, intensive, direct instruction that addresses students' individual differences and enables them to catch up with typically performing peers. Defines "Specific learning disability" as including dyslexia, dyscalculia, and dysgraphia.

KY 2012

<http://www.lrc.ky.gov/Statutes/statute.aspx?id=40169>

IL 2014 *HB 3700 (2014): Requires the State Board of Education to adopt rules that incorporate an international definition of dyslexia into the special education provisions of the Illinois Administrative Code. (a) The State Board of Education shall adopt rules that incorporate an international definition of dyslexia into Part 226 of Title 23 of the Illinois Administrative Code. (b) Subject to specific State appropriation or the availability of private donations, the State Board of Education shall establish an advisory group to develop a training module or training modules to provide education and professional development to teachers, school administrators, and other education professionals regarding multi-sensory, systematic, and sequential instruction in reading. This advisory group shall complete its work before July 31, 2015 and is abolished on July 31, 2015.

*A 3606/S2441 (2013): Requires Department of Education to provide professional development opportunities related to reading disabilities; mandates K–3 and reading and special education teachers annually complete two hours of professional development related to reading disabilities. *S 2439/A 3608 (2013): Directs State Board of Education to incorporate the International Dyslexia Association’s definition of dyslexia into special education regulations. Defines dyslexia as “a specific learning disability that is neurological in origin.” *A 3605/S 2442 (2013): Requires all public school kindergarten students to be screened for dyslexia and other reading disabilities. -- Dyslexia Professional Development Modules; Reading Disabilities Task Force; Resolution urging State Board of Education to develop endorsement to the instructional certificate for teachers of students with dyslexia and to establish eligibility and training requirements for the endorsement

NJ 2013 & 2016 2016 update: Each student who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia no later than the student's completion of the first semester of the second grade, and K-6 students moving into the district are screened within 90 days if no record of screening.

<http://law.justia.com/codes/new-jersey/2016/title-18a/section-18a-40-5.3/>

If a screened student has one or more potential indicators of dyslexia or other reading disabilities, the student receives a comprehensive assessment for the learning disorder. If he is found to have a diagnosis of dyslexia the school "shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension."

<http://law.justia.com/codes/new-jersey/2016/title-18a/section-18a-40-5.4/>

The professional development opportunities shall be designed to account for the various manners in which different school district personnel interact with, or develop instructional programs for, students with reading disabilities.

<http://law.justia.com/codes/new-jersey/2016/title-18a/section-18a-6-130/>

22-13-32. Intervention for students displaying characteristics of dyslexia. Schools shall provide timely, appropriate, systematic, scientific research-based interventions prescribed by the student assistance team, with progress monitoring to determine the student's response or lack of response...parental notification of right to an evaluation.... The department shall provide lists of recommended teacher professional development materials and opportunities for teachers and administrators regarding research-based reading instruction for students at risk for reading failure and displaying the characteristics of dyslexia.

Districts shall train special education teachers to provide appropriate specialized reading instruction for students who are identified with dyslexia as a specific learning disability and who are eligible for special education services. The department shall provide technical assistance for special education diagnosticians and other special education professionals regarding the formal special education evaluation of students suspected of having a specific learning disability, such as dyslexia.

<http://law.justia.com/codes/new-mexico/2016/chapter-22/article-13/section-22-13-32/>

[For all K-3 students] provided any reading assessments developed or approved by the department include frequent screening and progress monitoring of students. Such reading assessments shall (1) measure phonics, phonemic awareness, fluency, vocabulary, and comprehension, (2) provide opportunities for periodic formative assessment during the school year, (3) produce data that is useful for informing individual and classroom instruction, including the grouping of students based on such data and the selection of instructional activities based on data of individual student response patterns during such progress monitoring, (4) be compatible with best practices in reading instruction and research, and (5) assist in identifying, in whole or in part, students at risk for dyslexia, as defined in section 10-3d, or other reading-related learning disabilities. Dyslexia specialist in department. (https://www.cga.ct.gov/2016/sup/chap_163.htm) and Sec. 10-145a(f): "...any program of teacher preparation leading to professional certification shall include, ... not fewer than twelve clock hours of instruction in the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 10-3d. (https://www.cga.ct.gov/2016/sup/chap_166.htm#sec_10-145a) AND Chapter 170, Sec. 10-220a(a) Each local or regional board of education shall provide an in-service training program for its teachers...(11) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 10-3d

CT 2015
and 2016

https://www.cga.ct.gov/2016/sup/chap_163.htm https://www.cga.ct.gov/2016/sup/chap_163c.htm#sec_10-14t

LA 2013 Requires testing for dyslexia as may be necessary with criteria and minimum standards established by the Council for Learning Disabilities. Requires remediation for children with dyslexia or related disorders in an appropriate multi-sensory, intensive phonetic, synthetic to analytic phonics, linguistic, meaning based, systematic, language based regular education program.

<http://law.justia.com/codes/louisiana/2013/code-revisedstatutes/title-17/rs-17-7>

MO

(1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420

<http://www.moga.mo.gov/mostatutes/stathtml/16700009501.html>

In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall offer and include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders.

<http://www.moga.mo.gov/mostatutes/stathtml/16700009501.html>

Task force, very specific members are listed. They (1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multitiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multitiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and in-service professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

<http://www.moga.mo.gov/mostatutes/stathtml/63300004201.html>

School districts shall screen all public school students using the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) or an equivalent cost effective screener for the identification of potential indicators or risk factors of dyslexia and related disorders upon enrollment in public school kindergarten or first grade, and at appropriate times thereafter, to monitor progress; shall provide "age-appropriate, evidence-based, intervention strategies for any student who is identified as having characteristics that are associated with potential indicators or risk factors of dyslexia", parental notification of findings.

NH

<http://www.gencourt.state.nh.us/rsa/html/XV/200/200-59.htm>

Dept of Ed specialist develops a program to ensure all New Hampshire teachers and school administrators have access to materials to support professional awareness of best practices on a) dyslexia and dysgraphia characteristics, "Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia, and "shall collaborate to ensure that all teacher education programs offered at New Hampshire's public institutions of higher education provide explicit professional awareness of best practices on (a) Recognition of characteristics of dyslexia and related disorders, and dysgraphia. (b) Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia.

<http://www.gencourt.state.nh.us/rsa/html/XV/200/200-60.htm>

Dept of Ed specialist develops a program to ensure all New Hampshire teachers and school administrators have access to materials to support professional awareness of best practices on a) dyslexia and dysgraphia characteristics, "Evidence-based interventions and accommodations for dyslexia and related disorders, and dysgraphia, and "shall collaborate to ensure that all teacher education programs offered at New Hampshire's public institutions of higher education provide explicit professional awareness of best practices on (a) Recognition of characteristics of dyslexia and related disorders, and dysgraphia. (b) Evidence-based interventions and accommodations for

<http://www.gencourt.state.nh.us/rsa/html/XV/200/200-58.htm>

<http://www.gencourt.state.nh.us/rsa/html/XV/200/200-61.htm>

TX SB 866 (2011): Education of public school students with dyslexia, the education and training of educators who teach students with dyslexia, and the assessment of students with dyslexia attending an institution of higher education. *HB 1264 (2015): New PEIMS code to identify and track students with dyslexia. PRE: Texas Education Code (TEC) § 38.003: Screening and treatment. Texas Education Code §28.006: Diagnose reading in K–2. Texas Education Code §7.028(b): Compliance with dyslexia law. Texas Administrative Code §74.28: Districts to provide procedures for identification; adherence to dyslexia handbook; purchase program for students with dyslexia. Texas Occupations Code Chapter 403: Licensed dyslexia practitioners and therapists

OR 2015 *SB 612 (2015): Focuses on teacher training, dyslexia screening, and the creation of dyslexia specialists. *HB 2412 (2015): Requires that educator preparation programs for early childhood, elementary, and special education include instruction on dyslexia.

CA Education Code Section 56333-56338: Students with dyslexia who do not qualify for SLD receive services in the classroom. Education Code Section 56240-56245: Encourages education of teachers. Family Code Section 8733: Adoption agencies to report to adoptive parents if biological parents had disabilities, including dyslexia. Education Code Section 52853: Schools to develop programs for training in dyslexia intervention. Education Code Section 44227.7: Higher education encouraged to provide teacher training for dyslexia and related disorders.

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=4.&title=2.&part=30.&chapter=4.&article=2.5

UT 2015 *SB 117 (2015): Allows up to five school districts or charter schools to receive \$30,000 per school to invest in training and materials for dyslexia.

AZ SB 1461 (2015): Provides definition of dyslexia, allows teachers to use dyslexia training toward continuing education credits, prevents grade retention of students with dyslexia based on reading scores.

WY 2012	SB 39 (2012): Dyslexia screening and intervention as early as possible in K–3. *SF 52 (2012): Screening and Response – An act relating to reading assessment and intervention; requiring assessment and early intervention for dyslexia and other reading difficulties; requiring a report; and providing for an effective date.
FL 2015	*SB 472 (2015): Defines dyslexia; Department of Education pilot. HB 1249 (2011): Waives certain requirements for high school diploma for students with disabilities, including dyslexia.
MAINE 2015	Must screen for K-2 students who teachers identify with a difficulty in AN area of phonological and phonemic awareness, Sound-symbol recognition, Alphabet knowledge, decoding skills, Rapid naming skills, Encoding skills and must screen in all of those areas. A state dyslexia coordinator develops plan for dyslexia awareness training for teachers, professional development in evidence-based screening practices, and identifies needs of school administrative units for implementing evidence-based practices and response to scientific, research-based intervention strategies for reading and language-based learning difficulties. https://mainelegislature.org/statutes/20-A/title20-Asec4710-B.html
IN 2015	*HB 1108 (2015): Dyslexia. Defines “dyslexia.” Requires teacher training programs to prepare teachers to recognize that a student who is not progressing at a normal rate related to reading may need to be referred to the school's multidisciplinary team to determine the student's special learning needs, including learning needs related to dyslexia. Provides that if an education service center offers in-service training or other teacher training programs, the education service center may offer courses for teachers on dyslexia characteristics and appropriate interventions. http://codes.findlaw.com/LCsearch.html?entry=dyslexia&restrict=codes&client=lp&state=in
OHIO 2011	HB 157 (2011): Educational service centers to provide teacher professional development on dyslexia; “dyslexia specialist” to provide training for K–4 teachers in school districts and other public schools. HB 96 (2011): Pilot Program for dyslexia screening.
PA	*HB 198 (2013): Screening Pilot Program – Defines dyslexia and establishes pilot program to provide early screening and intervention services for children with risk factors for dyslexia, such as low phonemic awareness.