

Presentation to the Senate Education Committee on Senate Bill No. 44

Opposed

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I am opposed to Senate Bill No. 44, a bill that attempts to establish law regarding how to serve students with dyslexia. Most of the practices referred to in the bill are already being followed by the schools in our cooperative and throughout the state of Kansas as well. It makes no sense to create legislation when there does not appear to be a need to do so.

Students who have dyslexia have difficulty with reading. Their difficulty with reading may stem from a variety of reasons (e.g., an inability to properly hear and speak sounds – phonological awareness, an inability to associate written letters with the sounds they represent and blending these sounds together – phonics, an inability to decode words and read with automaticity so that the meaning of what is being read is lost - fluency, an inability to see how the same word can have different meanings depending on how it is used – context). When one of these areas is missing, the student cannot properly comprehend the meaning of the printed passage. This is dyslexia. It does not have to be called dyslexia for a student to receive the proper instruction that addresses the student's difficulty with reading. Students with these difficulties are already being served in the regular education classroom and/or under the umbrella of special education, regardless of what word is used to identify the area of reading difficulty.

Kansas schools already use the Response to Intervention (RtI) model. Kansas's version of RtI is MTSS (Multi-Tiered Systems of Support). It is a school-wide system to support student learning (reading will be used for the purposes of this example) and works in the following manner.

In Tier 1, ALL students go through a universal screening process three times per school year. Students whose scores are significantly different are identified and given additional reading support in the regular classroom.

In Tier 2, students who have not made appropriate reading progress with Tier 1 interventions are identified. They are given additional time in reading instruction beyond what other students are receiving, specific to their area of reading deficit (e.g., difficulty with phonemic awareness, phonics, fluency, and/or comprehension). This instruction occurs in small groups of 2 – 3 students. Student progress is monitored by data collection at a minimum of every two weeks to review the effectiveness of the intervention.

Tier 3 is for students who have not made appropriate progress in Tier 1 and Tier 2 interventions. Additional time in reading instruction is given in a 1:1 setting specific to the area of reading deficit they exhibit. Student progress is monitored by data collection at least weekly to review the effectiveness of the intervention.

Students may move forward and/or backward through the three tiers contingent on their reading progress or lack of reading progress. They may, in fact, be referred for 504 Plan or an evaluation for special education. Reading support systems in all tiers are multi-sensory and based on scientifically-based research instruction. Tier 2, Tier 3, and special education are all rich in multi-sensory approaches to teaching reading, writing, and spelling and founded on scientifically-based research instruction. Many teachers in our cooperative have been trained in Literacy First, Orton-Gillingham, Success For All, and LETRS (Language Essentials for Teachers of Reading and Spelling). I am sure that this must be true for teachers in other districts throughout the state as well.

Regarding the use of early screening and testing preschool age children (ages 3 – 5), all special education entities are required to do monthly preschool screenings. This is already the law. Students with developmental delays in Kansas are identified and served. Students in grade K – 2 are already in MTSS and receive support in one of the three tiers, with a 504 Plan, through special education, or some combination of the three. In our cooperative and in the state of Kansas reading support and interventions continue throughout a student's school career – they do not stop at 2nd grade.

Using the term dyslexia is not helpful in determining what type of intervention is needed to assist a student with a reading difficulty. Please see paragraph two. Every student is different, and one student may require a different type of reading intervention than another. Also, just because a student has difficulty with reading, a one size fits all model is not useful (i.e., prescribing 90 minutes of additional time in multisensory reading instruction for every student is not effective – one student may need 30 minutes a day, another 15 minutes, yet another one hour per day). This would also be illegal if a student were a student with an IEP (i.e., it is the responsibility of the IEP team to determine the proper services for a student with a disability and the amount of time for those services).

Finally, if individuals are concerned that students diagnosed with reading difficulties are not receiving proper services in their school district, an avenue of appeal is already available if the child is a student with a disability. Parents, individuals, or organizations who believe that the school district has violated federal and/or state laws and/or regulations may contact the KSDE, Special Education Services team, and file a formal complaint.

In conclusion, legislation to prescribe a one size fits all model for students with diagnosed reading difficulties is unneeded and unnecessary. Kansas school districts are already providing appropriate services for students with this diagnosis through the MTSS model, and through special education (when the interventions through MTSS have not resulted in sufficient student progress and more intense intervention is required).