Dyslexia and Specific Learning Disability

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Special Education IDEA 2004 Regulations

Special education assessments are used to determine eligibility under IDEA 2004 and are not specific to identification of dyslexia.

IDEA 2004 regulations related to assessment indicate that a student should be assessed in all areas related to the suspected disability.

Although dyslexia is a condition that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, it is not considered one of the eligible disability categories listed in the IDEA 2004 regulations.
Texas Eligible Disability Categories (IDEA 2004)

Orthopedic Impairment
Auditory Impairment
Deaf-Blind
Emotional Disturbance
Speech Impairment
Traumatic Brain Injury (TBI)

Other Health Impairment
Visual Impairment
Intellectual Disability
Specific Learning Disability
Autism
Non-categorical Early Childhood
IDEA 2004 regulations related to specific learning disability (SLD) (34 C.F.R. §300.8(c)(10)(i)) define SLD 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 do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and development aphasia.

IDEA 2004 regulations (34 §CFR 300.309(a)(1)) specifically designate the following areas for a SLD: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skill, reading comprehension, mathematics calculation, and/or mathematics problem solving.
What is Dyslexia?

Dyslexia is a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

Secondary consequences may include problems in reading comprehension and reduced experience that can impede growth of vocabulary and background knowledge. (TEA Dyslexia Handbook Revised 2014).
Facts about Learning Disabilities

A learning disability is a neurological disorder.

A learning disability results from a difference in the way a person's brain is "wired."

A learning disability can't be cured or fixed; it is a lifelong issue.

With the right support and intervention, however, children with learning disabilities can succeed in school and go on to successful, often distinguished careers later in life.
Facts about Learning Disabilities

Fifteen percent of the U.S. population, or one in seven Americans, has some type of learning disability, according to the National Institutes of Health. Learning disabilities often run in families. Learning disabilities should not be confused with other disabilities such as autism, intellectual disability, deafness, blindness, and behavioral disorders. Attention disorders, such as Attention Deficit/Hyperactivity Disorder (ADHD) and learning disabilities often occur at the same time, but the two disorders are not the same.
Facts about Learning Disabilities

SLDs should not be confused with lack of educational opportunities like frequent changes of schools or attendance problems.

Children who are learning English do not necessarily have a learning disability.

Some behaviors that are considered signs of a learning disability also resemble linguistic behaviors of students learning a second language.
Facts about Specific Learning Disabilities

Must **not** require the use of a *severe discrepancy* between intellectual ability and achievement for determining whether a child has a specific learning disability, as defined in 34 CFR 300.8(c)(10);

Intellectual ability above the intellectually disabled range
Facts about Specific Learning Disabilities

• A specific learning disability is just that- *specific*

• A student who meets criteria for SLD has *some* cognitive capabilities that are at least average relative to most people.

• A student with SLD, generally speaking, should be able to perform academically at a level that approximates that of his or her typically achieving peers when provided with individualized instruction as well as appropriate accommodations.
Language Difference vs SLD

- Because reading is language-based, students who are ELLs are at a much greater risk for reading failure (Lerner & Johns, 2009).
- Some behaviors that are considered signs of a learning disability also resemble linguistic behaviors of students learning a second language (L2).
- Is the student acquiring English at a normal rate?
- A disabling condition can seriously impact the acquisition of English.
- Students appear to be proficient in English long before they have fully developed cognitive academic language proficiency (Cummins, 1984)
- A related challenge is that educators often misinterpret ELLs lack of full proficiency in English as low intelligence (Ollier, 1991)
Language Difference vs SLD

- Is language the *primary* reason for academic performance difficulties?
- If a student, particularly an English Learner, is not demonstrating academic progress or is not performing as expected on a class or district-wide assessment when compared to his/her peers who possess a similar level of English proficiency and acculturative knowledge, it is *unlikely* that cultural and linguistic differences are the sole or primary factors for the student’s low performance.
Making wise decisions...

• Have academic difficulties persisted after reasonable duration with documented implementation of linguistic accommodations and targeted intervention in areas of weakness?

• Are exclusionary factors interfering with learning? (behavior)

• Are patterns of strengths and weaknesses present?
Assessment Recommendation

- Procedures stated in TEA Dyslexia Handbook, indicate if a student is not progressing in the general, remedial, and/or compensatory reading programs in school and other causes have been eliminated, the student should be recommended for assessment.

- A student who demonstrates poor performance in reading and spelling that is unexpected for the student’s age/grade and exhibits the characteristics of dyslexia shall be tested for dyslexia or a related disorder as defined in TEC §38.003.

Assessment Recommendation

• A student with severe dyslexia or related disorders who is unable to make adequate academic progress may be referred to special education for evaluation and possible identification as a child with a disability within the meaning of IDEA 2004.

• If a student exhibits evidence of severe difficulties with academic skills and a disability is suspected, further assessment should be considered.

• If, while in dyslexia intervention, the student is not making sufficient progress, further assessment should be considered.
Sources


Hamayan, E., Marler, B., Sanchez-Lopez, C, and Damico, J. “Table 3.3: Possible Explanations for Typical Difficulties Encountered by ELLs.” Special Education Considerations for English Language Learners.


Questions

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