

The Special Education Report



Volume 2:3

February 25, 2014

Dyslexia

Kansas Association of Special Education Administrators (KASEA)

KASEA is a state-wide professional organization representing special education administrators. Through KASEA, special education administrators share and promote effective instructional practices, work to integrate special and general education processes, and advocate for the rights of students and families dealing with disabilities.

Dyslexia: History and General Information

Dyslexia is a condition related to reading difficulties and is specifically named in the Individuals with Disabilities Education Act (IDEA), Kansas Special Education for Exceptional Children Act, and Kansas Administrative Regulations under the definition of *specific learning disability*. As such, for students with dyslexia who need special education services, all the protections and services of the IDEA, Kansas Special Education for Exceptional Children Act, and Kansas Administrative Regulations apply.

In recent years, advocates for students with dyslexia lobbied for legislation specific to this particular condition. Proposed legislation attempts to mandate specific instructional and professional development programs and most recently would open the door for non-educational personnel to “prescribe” special education services in lieu of adherence to eligibility determination processes that are required by state and Federal law.

Kansas Association of Special Education Administrators (KASEA) Position

KASEA is opposed to legislation that attempts to address learning needs for students diagnosed as

having a particular condition. Reasons for this position are as follows:

- ✓ Students who have met the definition of one of the categories of exceptionality, such as specific learning disability, which includes dyslexia, and, as a result of that exceptionality need special education and related services, may currently receive those services through established state and Federal laws.
- ✓ It is **not** recommended to have legislation specific to one type of condition. To exemplify, it is helpful to move to a different disability category within special education-emotional disturbance. Under the umbrella of emotional disturbance, special education services may be provided for students with a diagnosis of schizophrenia, bi-polar disorder, post-traumatic stress disorder, or attachment disorder if, as a result of that exceptionality, the student needs special education and related services. To have a separate law for each condition would result in over-regulation, increased financial burden, and likely conflict with state and Federal Law.
- ✓ Current special education regulations provide extensive due process rights for parents of students with disabilities, along with processes for dispute resolution.
- ✓ State and Federal law already require identification of any student who may be in need of special education services. Kansas laws and policies must comply with Federal statutes and regulations and not conflict with what is required by the IDEA.

(continued on back)

Federal IDEA regulations specifically stress that states must strive to minimize the number of rules, regulations, and policies to which the local education agencies and schools located in the state are subject under Part B of the IDEA.

- ✓ When a student meets the definition of one of the categories of exceptionality and, as a result of that exceptionality, needs special education and related services, these services are outlined in an Individualized Education Program (IEP). Parent involvement is an important part of the process in determining eligibility and services.
- ✓ Schools are already held accountable with respect to student achievement through the state assessment process, a process that fully included students with exceptionalities.

Definitions

- Specific learning disability - a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
- Dyslexia - A specific learning disability that is neurological in origin. (International Dyslexia Association)

Kansas Association of Special Education Administrators (KASEA) Legislative Platform

Recognizing the critical importance played by both State and Federal legislators, KASEA members are politically active and work to provide comprehensive and timely support for legislators as key decisions are made. The KASEA legislative platform is as follows:

1. Kansas special education mandates should mirror those in Federal Individuals with Disabilities Education Act (IDEA) statutes and regulations.
2. Public funds should be used to fund Free and Appropriate Public Education (FAPE) as determined by the Individual Education Program (IEP) team.
3. KASEA should be an active participant in the research regarding any potential changes in the current funding formula.
4. Special education should be funded at 100 percent of excess cost.

For further information

Please contact Dr. Ann Matthews, KASEA president, (matthan@usd437.net); Terry Collins, KASEA legislative liaison (tcollins@ksdcec.org); Mark Tallman, KASB associate executive director for advocacy (mtallman@KASB.org); or Tom Krebs, KASB governmental relations specialist (tkrebs@KASB.org).

Brought to you by: Kansas Association of Special Education Administrators (KASEA) with support from the Kansas Association of School Boards (KASB), Special Education Advisory Council (SEAC), and United School Administrators of Kansas (USA/Kansas).

Printed by the Kansas Association of School Boards, 1420 SW Arrowhead Road, Topeka, KS 66604-4024