

Students with Disabilities Resulting from Dyslexia, Dysgraphia, and Dyscalculia

Questions and Answers

August 2018

1. What is the definition of a learning disability in New York State?

As defined in section 200.1(zz)(6) of the Regulations of the Commissioner of Education, 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 manifests itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, as determined in accordance with section 200.4(j) of the Regulations of the Commissioner of Education. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

While the definition of learning disability explicitly includes certain conditions, this list is not exhaustive and could include other conditions such as dyscalculia or dysgraphia. Clinical diagnoses of dyslexia, dysgraphia, and dyscalculia do not automatically qualify a student for special education programs and services; however, dyslexia, dysgraphia, and dyscalculia are conditions that could qualify a student as having a learning disability as defined above. School districts have an obligation to locate, identify, and evaluate a student who is suspected of having a disability to determine eligibility for special education and related services, including students with dyslexia, dysgraphia, and dyscalculia.

2. What are dyslexia, dysgraphia, and dyscalculia?

The New York State Education Department (NYSED), in cooperation with stakeholders, has developed the following working definitions of the terms dyslexia, dysgraphia, and dyscalculia¹:

¹ Dyslexia, dysgraphia, and/or dyscalculia may also be referred to as a “Specific Learning Disorder” in the area(s) of reading, mathematics, and/or written expression consistent with the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5).

Dyslexia refers to a learning disorder affecting a student's reading skills. It is often characterized by difficulties in areas including (but not limited to) phonological processing (e.g., the ability to efficiently identify, blend, and manipulate speech sounds and syllables in words), decoding, reading fluency, and/or spelling. Reading for a student with dyslexia may be inaccurate and/or slow and effortful. Many students with dyslexia perform better on tasks involving listening comprehension than tasks involving reading comprehension. Dyslexia is associated with brain-based phonological impairments, **not** intellectual functioning or visual problems².

Dysgraphia refers to a learning disorder affecting a student's writing skills. Dysgraphia is often characterized by difficulties impacting areas including (but not limited to) legibility and automaticity. Students with dysgraphia may have difficulty writing in a clear, legible, and organized manner.

Dyscalculia refers to a learning disorder affecting a student's math skills. Dyscalculia is often characterized by difficulties in areas including (but not limited to) working memory, concepts impacting number sense (e.g., spatial, quantity, sequential, or categorical concepts), computation skills, and symbol recognition/use. Students with dyscalculia may have difficulty with remembering strings or sequences of numbers, memorizing mathematical facts, and/or activities involving mathematical reasoning.

3. Do all students with dyslexia, dysgraphia, and/or dyscalculia receive special education services?

To be eligible for special education programs and services, a student must be identified by the committee on preschool special education (CPSE) as a preschool student with a disability as defined in section 200.1(mm) of the Regulations of the Commissioner of Education or by the committee on special education (CSE) as a student with a disability under one of the disability classifications included in section 200.1(zz) of the Regulations of the Commissioner of Education. Parents may request an initial evaluation from the school district at any time to determine if their child is a student with a disability. Dyslexia, dysgraphia, and dyscalculia, alone, are not disability classifications in New York State or under the regulations implementing the Individuals with Disabilities Education Act (IDEA). However, some students with dyslexia, dysgraphia, and dyscalculia may be identified as having a disability under section 200.1(zz) of the Regulations of the Commissioner of Education, thereby qualifying such students for special education programs and services.

² Stanley, C., & Petscher, Y. (2017). Defining dyslexia. Washington, DC: U.S. Department of Education, Office of Elementary and Secondary Education, Office of Special Education Programs, National Center on Improving Literacy. Retrieved from <http://improvingliteracy.org>

Other students with dyslexia, dysgraphia, and/or dyscalculia may need additional academic and behavioral supports to succeed in a general education environment. This may be done effectively through a multi-tiered system of supports (MTSS), such as response to intervention (RtI) or positive behavioral interventions and supports (PBIS). MTSS is a schoolwide approach that addresses the needs of all students, including struggling learners and students with disabilities, and integrates early and ongoing assessment and intervention within a multi-level instructional and behavioral system to maximize student achievement and reduce problem behaviors. Some students with dyslexia, dysgraphia, and/or dyscalculia may be effectively supported if they are provided targeted assistance, which includes research-based, specific reading, writing, and/or math instruction within an MTSS framework. However, if a student does not make adequate progress after an appropriate period of time when provided with instruction within an MTSS framework, the school district must make a referral for an evaluation to determine eligibility for special education programs and services. Additional information and resources related to MTSS is available at the New York State Response to Intervention Technical Assistance Center [website](https://nysrti.org/). (<https://nysrti.org/>)

4. What are some considerations when determining eligibility for special education programs and services for students with (or suspected of having) dyslexia, dysgraphia, and/or dyscalculia?

The CSE must determine a student's eligibility as a student with a disability based on the results of an individual evaluation. The individual evaluation must be sufficiently comprehensive to identify the nature and extent of the student's disability and educational impact. Individual evaluations must be conducted by a multidisciplinary team or group of persons, including at least one teacher or other specialist with certification or knowledge in the area of the suspected disability. The determination of the specific assessments to be included as part of the individual evaluation is made on a case-by-case basis, with input from the student's parent and from appropriate professionals of various disciplines considering a student's individual needs.

Additional regulatory procedures must also be followed when identifying students with learning disabilities. Such regulatory procedures include the CSE's responsibility to ensure that the student's underachievement is not due to lack of appropriate instruction in reading or mathematics and English Language Learner status. Information about a student's specific learning difficulties, including difficulties related to reading, writing, and/or mathematics is important to include in evaluation results as it assists in determining the nature and extent of the student's disability and educational needs resulting from the student's disability.

5. How does the CSE determine whether a student has received appropriate instruction in reading or mathematics?

The following questions may facilitate discussion on whether a student struggling in reading, writing, and/or mathematics has been receiving effective instruction and what steps may be taken to ensure the student receives effective instruction:

- What type of reading, writing, and/or mathematics instruction has been used?
- Was instruction provided individually, in a small group, or in a classroom setting?
- How long has such instruction in reading, writing, and/or mathematics been provided with progress monitoring? What has been the frequency and/or duration of that instruction?
- What are the qualifications of the person(s) who provided the instruction?
- What modifications and adaptations to instruction have been implemented? What have been the effects of such modifications or adaptations?
- What methodologies and/or strategies have been proven most effective in promoting the student's reading, writing, and/or mathematics development considering the student's individual strengths and weaknesses in each area?
- Has the student had opportunities to work on reading, writing, and/or mathematics activities independently?
- Prior to referral, were the student's reading, writing, and/or mathematics challenges addressed through an MTSS framework (e.g., RtI)? Did teachers and providers delivering tiered interventions effectively communicate with one another regarding the student's needs?

6. May school district personnel use the terms dyslexia, dysgraphia, and dyscalculia when reporting on the evaluation results for a student with (or suspected of having) a disability or when developing a student's individualized education program (IEP)?

Yes. There is nothing in federal or State regulations that prohibits the inclusion of the terms dyslexia, dysgraphia, and dyscalculia in evaluation and eligibility documentation or in the development of a student's IEP. When applicable, the team of qualified professionals responsible for determining whether the student has a learning disability should include information about the specific condition (e.g., dyslexia, dysgraphia, or dyscalculia) that relates to the student's eligibility determination.

7. What are some considerations when developing an IEP for a student with a disability resulting from dyslexia, dysgraphia, and/or dyscalculia?

A student who has been identified as having a disability, including a learning disability resulting from dyslexia, dysgraphia, and/or dyscalculia, must receive special education programs and services in accordance with the recommendations in the student's IEP to meet his or her unique needs at no cost to the student's parent. The IEP of such students must be developed to ensure the student has meaningful access to the general education curriculum and is provided the appropriate special education programs and services including, as appropriate, related services, accommodations, program modifications, and other supports necessary to meet his/her unique, disability-related needs. A student's IEP must also include annual goals, or statements that identify what knowledge, skills and/or behaviors a student is expected to be able to demonstrate within the year during which the IEP will be in effect. Each annual goal must include the evaluative criteria, evaluation procedures and schedules to be used to measure a student's progress on that goal. A student's progress toward IEP goals and objectives provides information on whether the CSE has appropriately developed the IEP to reach the desired outcomes for the student.

Additionally, the IEP must describe the concerns of the parent for the education of their child. If a parent has concerns related to their child's dyslexia, dysgraphia, and/or dyscalculia, such concerns must be considered in the IEP development process. Beginning the school year in which a student turns age 15, students must be invited to their CSE meeting when transition services will be discussed. In preparation for their CSE meeting, students should be taught to self-advocate and have an opportunity to practice those skills. During their CSE meeting, students should be given the time and support to describe in their own words how their disability affects their education. Students should explain how they learn best, what tools and supports they need, and what has and has not worked in the past.

Again, there is nothing in federal or State regulations that prohibits the inclusion of the terms dyslexia, dysgraphia, and dyscalculia in a student's IEP. The use of specific terms, along with detailed descriptions of the student's learning characteristics, supports the development of an IEP that enables the student to make progress on his or her annual IEP goals and to participate and progress in the general education curriculum.

8. What is specially designed instruction?

Specially designed instruction, which is delivered through special education programs and services, means adapting, as appropriate to the needs of an eligible student with a disability, the content, methodology, or delivery of instruction to address the unique needs that result from the student's disability; and to ensure access of the student to the general curriculum, so that he or she can meet the educational standards that apply to all students. Specially designed instruction may be individualized or group instruction or a special service or program provided to meet the student's needs in the area of his or her disability as recommended in the

IEP. This instruction may be provided in the classroom or in another educational setting structured to meet the needs of the individual student.

9. Is there a specific type of specially designed instruction that must be provided to students with dyslexia, dysgraphia, and/or dyscalculia?

The specially designed instruction that is appropriate to the unique needs of each student with a disability resulting from dyslexia, dysgraphia, and/or dyscalculia may vary across individual students with each of these specific learning disabilities. Because of this, there is no single approach, product, or method of delivering specially designed instruction to such students that is required in federal or State law and regulations. **The specially designed instruction provided to each student should be based on the information documented in the present levels of performance and tailored to his or her individual, disability-related needs.** The recommendations of the programs and services a student needs cannot be based solely on the category of the student's disability. When discussing a student's present levels of performance, the CSE should review what prior instructional methods and strategies have been utilized with the student to avoid reinstituting programs that have not proven effective in the past.

Specially designed instruction must be provided with appropriate frequency, duration, and instructional grouping specific to the student's individual, disability-related needs. Effective instruction for students with disabilities resulting from dyslexia, dysgraphia, and/or dyscalculia should be explicit and systematic. This means that information is presented in a clear and straightforward way, and the student is provided with step-by-step examples during each lesson. Instruction should follow a logical order where easier concepts are taught before harder concepts, and each lesson should be scaffolded building upon skills that the student has previously been taught. Instruction in this manner should also reflect the principles of universal design for learning³ (i.e., providing multiple means of engagement, representation, and expression during instructional activities) through the use of multisensory strategies that engage more than one sense (e.g., touch, movement, sight, hearing) at a time. There should be many opportunities for the student to practice skills in the context of meaningful activities, and the student should be provided with ongoing and specific corrective feedback.

Specially designed instruction for students with dyslexia should incorporate and build on the overall domains of effective reading instruction (i.e., phonological/phonemic awareness, phonics, comprehension, fluency, and vocabulary). Specially designed instruction for students with dyslexia should, however, explicitly and systematically target the specific reading skills with which the student demonstrates difficulty. Specially designed instruction for students with dysgraphia may include activities that develop improved motor planning and automaticity for letter formation and fluent handwriting. Students with dyslexia

³ CAST (2018). Universal Design for Learning Guidelines version 2.2. Retrieved from <http://udlguidelines.cast.org>

and/or dysgraphia may also need direct and systematic spelling instruction that includes a focus on the phonological, morphological (i.e., parts of words that contribute to overall word meaning), syllabic, and orthographic (i.e., visual memory for conventional spelling patterns) components of encoding words with increasing complexity. Finally, examples of specially designed instruction for dyscalculia may include explicit and systematic instruction that builds the student's number sense, computation skills, and representation of quantity, sequential, and/or categorical concepts.

10. What role does collaboration play in the provision of specially designed instruction?

Collaboration among reading specialists, special education teachers, related service providers, and general education classroom teachers is critical to ensure that the efforts of all personnel involved with the student contribute to improved reading, writing, and/or mathematical performance. Collaboration affords teachers an opportunity to maintain ongoing communication which is necessary to enhance student success. Without time to collaborate, a student's literacy or mathematical program may be fragmented. For example, several teachers may be working on the same content and annual goals but using different language, strategies, interventions and materials with the student. In addition to being confusing for a student, it will likely negatively impact the student's progress. School district administrators are strongly encouraged to establish opportunities for consultation among teachers and related service providers which support meaningful instructional integration to meet the needs of these students. In addition, school administrators should provide opportunities for teachers to learn about effective research⁴ on instruction and its application in the classroom. By fostering open communication:

- General and special educators can benefit from the shared expertise of their colleagues who have extensive training in the diagnosis and remediation of reading/literacy problems. Additionally, they are knowledgeable about developmentally appropriate and well-balanced instructional methodologies in literacy.
- General education teachers and reading specialists can benefit from the expertise of special education teachers who are skilled at adapting and modifying instructional strategies and curriculum to meet the needs of individual students.
- All teachers can collaborate on methods of assessment to accurately reflect the skills and knowledge of students with disabilities and to ensure

⁴ Information on research on different programs, products, practices, and policies in education that may guide evidence-based instructional decisions for students with learning disabilities is available at the Institute of Education Sciences [What Works Clearinghouse](#).

that the testing accommodations indicated in a student's IEP are consistently implemented.

- Special educators can familiarize general education teachers and reading specialists with the CSE process and facilitate their participation in meetings to review student progress.
- Reading specialists who provide specially designed reading instruction in settings outside of the student's general education classroom can collaborate with classroom teachers to ensure that:
 - interventions, strategies, and instructional techniques used in specially designed reading instruction are consistently implemented throughout the student's instruction in all curricular areas; and
 - specially designed reading instruction is adapted to encompass and integrate vocabulary, concepts, and curricular material addressed in the general education classroom setting.

Each general education teacher, special education teacher, related service provider and/or other service provider who is responsible for the implementation of a student's IEP must be informed of his or her responsibility to implement the recommendations in the IEP, and such individuals must be provided a copy of (or electronic access to) the IEP prior to its implementation. School district and building administrators should ensure that all teachers working with a student, including special and general education teachers, reading teachers, or other appropriate support personnel are able, as necessary, to consult with and act as resources for each other.

11. What considerations should be made for students with disabilities resulting from dyslexia, dysgraphia, and dyscalculia in the general education classroom?

Schools may utilize a variety of combinations of special education supports and services to serve students with disabilities in general education settings and promote meaningful access, participation, and progress in the general curriculum. Access to and participation in the general education curriculum does not occur solely because a student is placed in a general education classroom, but rather when students with disabilities are actively engaged in learning the content and skills that define the general education curriculum. Meaningful access to the general education curriculum means that a student with a disability has the appropriate supports, services, and accommodations to address his or her disability-related needs.

Instructional and testing accommodations must be considered and recommended, as appropriate, in accordance with the student's unique needs. A student's need for assistive technology devices and services must be considered at a student's

initial CSE meeting and at least annually during the review of each student's IEP. Accommodations, along with assistive technology devices and services, provide students with the ability to demonstrate skills and attainment of knowledge without being limited or unfairly restricted due to the effects of a disability. A student with a disability who has dyslexia, for example, may need instructional and testing accommodations to mitigate a significant difficulty with decoding, and these accommodations are aligned with the student's assistive technology needs (e.g., use of text-to-speech software programs). This type of accommodation will allow the student to access grade-level text to complete assignments and take both classroom and State assessments without being unfairly restricted by his/her disability. However, the provision of such accommodations does not replace the need for appropriate specially designed reading instruction for such students, nor does it eliminate the need for schools to conduct ongoing assessments of the individual reading skills of such students.

Please refer to the Office of Special Education's [Testing Accommodations for Students with Disabilities](http://www.p12.nysed.gov/specialed/publications/test-accommodations-guide-february-2018.html) (<http://www.p12.nysed.gov/specialed/publications/test-accommodations-guide-february-2018.html>), [Webcast on Assistive Technology for Students with Disabilities](http://www.p12.nysed.gov/specialed/publications/2016-memos/assistive-technology-webinar.html) (<http://www.p12.nysed.gov/specialed/publications/2016-memos/assistive-technology-webinar.html>), and [Assistive Technology for Students with Disabilities Policy Brief](http://www.p12.nysed.gov/specialed/documents/assistive-technology-for-students-with-disabilities.pdf) (<http://www.p12.nysed.gov/specialed/documents/assistive-technology-for-students-with-disabilities.pdf>) for additional information on effective implementation of such supports and services for students with disabilities.

12. How can school districts support the social-emotional and behavioral needs of students with disabilities impacted by dyslexia, dysgraphia, and/or dyscalculia?

It is important that parents and schools recognize the social, emotional, and behavioral challenges that may occur along with learning challenges such as dyslexia, dysgraphia, and/or dyscalculia. The IEP recommendations for all students with disabilities must report the student's present levels of performance and indicate his or her individual needs related to academic achievement, functional performance and learning characteristics; social development; physical development; and management needs. If a student identified as having a learning disability also exhibits social, emotional and/or behavioral challenges that interfere with the student's ability to progress in the general education curriculum and/or on annual goals, the student's IEP must address these issues.

The National Center for Learning Disabilities reports that dyslexia, which is the most common and most studied learning disability, increases the risk of anxiety, depression, low self-esteem and peer rejection. Social-emotional learning (SEL) instruction has been shown to lead to more positive social behaviors, less emotional distress, fewer suspensions and disciplinary incidents, increases in

school attendance and improved test scores and grades.⁵ Providing appropriate support, encouragement, and behavioral supports helps to ensure that students with disabilities are best able to access and benefit from instruction. New York State's Every Student Succeeds Act (ESSA) plan includes a goal for ensuring that all students have access to support for their social-emotional well-being. More information on integrating SEL into existing structures such as curriculum and PBIS is available on NYSED's [Office of Student Support Services website](http://www.p12.nysed.gov/sss/sel) (<http://www.p12.nysed.gov/sss/sel>).

13. What role does professional development play in the provision of specially designed instruction to students with disabilities resulting from dyslexia, dysgraphia, and/or dyscalculia?

While many general and special education teachers have a range of knowledge and skills in literacy and mathematics instruction, some do not. Knowledge about effective research on instruction in specific areas is important for all teachers in order to improve the performance of students. Appropriate professional development activities should be implemented to meet the needs of any teachers who require additional expertise in the areas of reading, writing, and/or mathematics instruction. The professional development needs of each school district and school building may vary widely; however, effective professional development leading to sustainable improvements involves thoughtful planning around structure, content, and follow-up support/coaching for personnel. Administrators should explore resources that may be available to meet the in-service needs of their staff, such as arrangements with Teacher Centers, Staff and Curriculum Development Networks, Regional Special Education Technical Assistance Support Centers, as well as local colleges and universities. Teachers should be involved in developing professional development plans in the district.

Additionally, the IEP must describe the supports for school personnel, as necessary, that will be provided on behalf of an individual student in order for the student to advance toward attaining his/her annual goals, to be involved in and progress in the general curriculum, and to participate in extracurricular and other nonacademic activities. Supports for school personnel are those that would help school staff to more effectively work with the student. This could include, for example, special training for a student's teacher to meet a unique and specific need of the student.

14. How can schools actively involve parents in the education of their child with dyslexia, dysgraphia, and/or dyscalculia?

Parents are members of the CPSE and CSE. They must be provided every opportunity to participate in making decisions concerning their child's program. Parents are partners with school personnel in developing their child's IEP.

⁵ Horowitz, S. H., Rawe, J., & Whittaker, M. C. (2017). *The State of Learning Disabilities: Understanding the 1 in 5*. New York: National Center for Learning Disabilities.

Parents have valuable information about their child. They know their child's interests, how their child expresses feelings, and how their child responds to problems. Parents are familiar with their child's background and can relate reading to their child's life experiences. Schools need to capitalize on parents' capabilities to support instruction.

Schools should create environments conducive to active involvement of families by planning ways to establish rapport, by responding to opportunities to connect families with needed services and by providing a variety of options for parents to become partners with the schools. Schools and teachers should share information about effective strategies and activities that parents can use at home to support reading, writing, and mathematics development. In addition to scheduling parent-teacher conferences, schools can engage parents as partners in the education of their child through the use of strategies, such as:

- helping parents understand what dyslexia, dysgraphia, and/or dyscalculia are, dispelling common myths, and explaining how these conditions impact their child's education;
- hosting parent workshops or seminars that provide parents with information and strategies to support their child's literacy and mathematics skills;
- providing lists or suggestions of developmentally-appropriate reading, writing, and mathematics materials/activities;
- helping parents of students with dyslexia access eBooks and audiobooks through the public library system and/or through other resources (e.g., [Bookshare](https://www.bookshare.org/cms/) <https://www.bookshare.org/cms/> or [Learning Ally](http://www.learningally.org/) <http://www.learningally.org/>); and/or
- sharing information with parents on the instructional strategies being used with their child, the progress their child is making, and ways parents can reinforce what their child is learning at home.

15. Where can I find more information⁶ on meeting the needs of students with disabilities resulting from dyslexia, dysgraphia, and/or dyscalculia?

In October 2015, the United States Education Department's Office of Special Education and Rehabilitative Services (OSERS) issued policy guidance on

⁶ *The resources provided are created and maintained by other public and private organizations. The New York State Education Department does not control or guarantee the accuracy, relevance, timeliness, or completeness of this information. The inclusion of these websites is not intended to endorse any views expressed, or products or services offered on these websites, or the organizations sponsoring the sites.*

students with learning disabilities resulting from dyslexia, dysgraphia, and dyscalculia. This policy guidance document is available on [OSERS' website](https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf) (<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>).

The [National Center on Improving Literacy](https://improvingliteracy.org/) (<https://improvingliteracy.org/>), which is funded by the United States Education Department's Office of Elementary and Secondary Education, in partnership with the Office of Special Education Programs, provides information on evidence-based approaches to screen, identify, and instructionally support students with literacy-related disabilities, including dyslexia.

The [Schoolwide Integrated Framework for Transformation \(SWIFT\)](http://www.swiftschools.org/) (<http://www.swiftschools.org/>) is a national technical assistance center that builds whole system—state, district, school, and community—capacity to provide academic and behavioral support to improve outcomes for all students. SWIFT provides evidence-based resources on the use of multi-tiered instructional strategies, differentiation, Universal Design for Learning, and flexible grouping to support instruction for all students, including those with the most extensive support needs.

The [New York State Response to Intervention Technical Assistance Center](https://nysrti.org/) (NYS RtI TAC) (<https://nysrti.org/>) is part of the NYS Education Department's strategy to promote and build school district capacity to implement a systemic, response to intervention process. The NYS RtI TAC provides resource information and professional development on topics related to RtI.

The [What Works Clearinghouse](https://ies.ed.gov/ncee/wwc/) (WWC) (<https://ies.ed.gov/ncee/wwc/>) is a part of the Institute of Education Sciences within the United States Department of Education. WWC reviews the existing research on different programs, products, practices, and policies in education. The goal of WWC is to provide educators with the information they need to make evidence-based decisions.

[Understood.org](https://www.understood.org/en) (<https://www.understood.org/en>) provides information to parents whose children, ages 3–20, are struggling with learning and attention issues.

The [National Center for Learning Disabilities](https://www.nclld.org/mission-and-history) (<https://www.nclld.org/mission-and-history>) provides information and resources for parents and young adults with learning and attention issues.

The [International Dyslexia Association](https://dyslexiaida.org/) (<https://dyslexiaida.org/>) provides a range of information, resources and supports for individuals with dyslexia and other related reading differences and their families.