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TO: Chief School Administrators
Directors of Special Education
Administrators of a State Facility
Administrators of a Charter School
Administrators of an Approved Private School for Students with Disabilities
Administrators of a College-Operated Program
Statewide Special Education Advisory Council
Agencies or Organizations Concerned with Special Education

FROM: Susan Martz, Assistant Commissioner
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SUBJECT: Update on Dyslexia Legislation

Within the past few months, three laws were enacted by the New Jersey Legislature with the goal of improving the identification and remediation of reading disabilities. The purpose of this memo is to inform district staff of the responsibilities of both the state and districts in implementing the laws.

1. Definition of Dyslexia

The first law, P.L.2013, c.131, requires that the New Jersey Department of Education (NJDOE) promulgate regulations incorporating the International Dyslexia Association's definition of dyslexia into Chapter 14 of Title 6A of the Administrative Code. This will be done when Chapter 6A:14 is opened for amendment. The definition will not establish another category of disability, but will clarify the term which is currently included in federal and state descriptions of learning disabilities. The definition of dyslexia that school districts should be utilizing is as follows:

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 reading experience that can impede growth of vocabulary and background knowledge.

2. Minimum PD Requirement

The second law, P.L.2013, c.105, requires a minimum of **two hours** of professional development **each year** for general education teachers; kindergarten - grade 3, special education, basic skills, and English as a second language teachers; reading specialists; learning disabilities teacher consultants and speech-language specialists. The professional development must be on the screening, intervention, accommodation, and use of technology for students with reading disabilities, including dyslexia. School districts will be responsible for determining how staff will meet the professional development requirement. The NJDOE is in the process of developing training opportunities to assist educators in meeting this requirement; however, districts will not be obligated to participate in training offered by NJDOE to meet this training requirement.

The reading disabilities professional development requirement goes into effect beginning with the 2014-2015 school year. By terms of the law, the training requirement is effective the first full school year after enactment of P.L.2013, c.105. Because the Act was effective August 7, 2013, and a school year is defined in N.J.S.A. 18A:36-1 as beginning July 1 and ending June 30, the first full school year after enactment of the Act is the 2014-2015 school year, which begins on July 1, 2014.

The requirement for professional development in reading disabilities may be considered part of the 20 hours of annual professional development required by *N.J.A.C.* 6A:9-15.4(a). According to *N.J.A.C.* 6A:9-15.2(d) and (e), professional development may include activities within a school, such as job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work. Professional development may also include, but is not limited to, courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school such as universities, educational service agencies, technical assistance providers, networks of content specialists, and other education organizations and associations. Professional development may be conducted in person or electronically.

Documentation of teachers' fulfillment of this professional development requirement should be maintained in the district.

3. Screening for Reading Disabilities

The third law, P.L.2013, c.110, requires that the NJDOE provide districts with information on screening instruments which can be used to identify students who possess one or more indicators of dyslexia or other reading disabilities. The NJDOE is also required to develop and distribute appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities. Notice will be provided when the required resources will be posted on the NJDOE web site.

The NJDOE recognizes that districts may already be screening for reading difficulties and subsequently planning and delivering appropriate interventions for students. The intent of the law is to have educators consider the possibility of, and thus provide specific interventions for, potential reading disabilities, including dyslexia. In many instances, the current instruments used for screening may also

be used to satisfy the requirements of the law. The imperatives are the use of data collected from the screenings, as well as the consideration of the potential for reading disabilities, including dyslexia.

The law requires that each school district screen students who have exhibited one or more potential indicators of dyslexia or other reading disabilities, no later than the student's completion of the first semester of second grade. This law will take effect for the 2014-2015 school year.

Should you have any questions or require additional information, please contact Kathy Ehling at 609-292-7602.

SM/TS/PS/PM/KE

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