



Law Office of Norma Francullo, LLC
Empowering Parents and Students

Diagnosed with Dyslexia?

Your child's right to learn
how to read.

What We'll Cover Today

- I. Law Basics
- II. New Jersey Dyslexia Laws
- III. New Jersey Dyslexia Handbook
- IV. What Parents Need To Know

I. Law basics

Federal laws impacting students with disabilities

There are two pathways through which students may qualify to receive special education

- **Individuals with Disabilities Education Act(IDEA)**
- **Section 504 of the Rehabilitation Act of 1973**

IDEA

- The **Individuals with Disabilities Education Act (IDEA)** is a **United States federal law** that governs how states and public agencies provide early intervention, **special education**, and related services to children with disabilities.
- It addresses the educational needs of children with disabilities from birth to age 21.

The IDEA's Mandate:

- Entitles all children who meet the definition of **“a child with a disability”** to receive:
 - A **Free Appropriate Public Education (FAPE)**
 - In the **Least Restrictive Environment (LRE)**

Who qualifies under IDEA?

Children between the ages of 3 and 21, who meet the eligibility criteria in one of thirteen qualifying disabilities ***and who require special education services because of the disability*** can qualify for services under IDEA.

13 disability categories under IDEA

- Autism
- Deafness disturbance
- Hearing impairment
- Multiple disabilities
- Other health impairment
- Speech or language impairment
- Traumatic brain injury
- Visual impairment (including blindness)
- Deaf-blindness
- Emotional
- Intellectual disability
- Orthopedic impairment
- Specific learning disability

Eligibility under IDEA

To be eligible, a student must have a disability that ***adversely affects*** her or his educational performance **and** must need special education and related services in order to receive an appropriate education.

CHILD FIND:

- "Child Find." Schools are obligated to identify, locate, and evaluate all children with disabilities who need special education and related services. Parents are asked if the school can evaluate their child. Or —
- Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. This request should be in writing. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed within a reasonable time after the parent gives consent.

Do you need to fail first?

- According to IDEA, states must make a free appropriate public education available to “any individual child with a disability who needs special education and related services, even if the child has not failed or been retained in a course or grade and is advancing from grade to grade.”

[34 CFR §300.101(c)(1)]

Federal civil rights law

Section 504

- A civil rights statute which prohibits discrimination against individuals with disabilities
- It is an anti-discrimination law
- It is not an education law
- Programs or activities that receive Federal financial assistance fall under Section 504
- Schools are required to provide a “free appropriate public education” (FAPE)

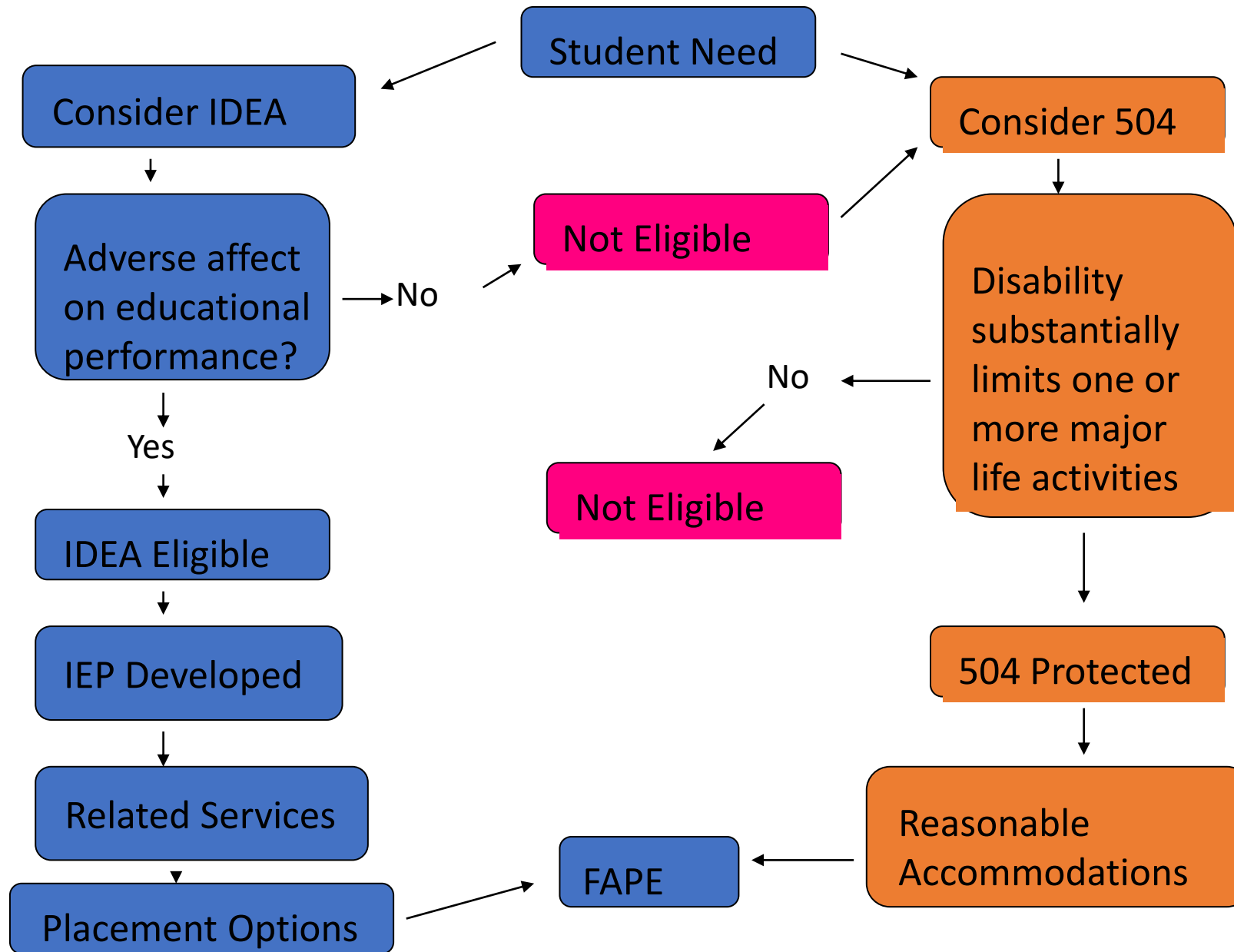
Disability defined under section 504

*Under Section 504 there is no list of “approved” disabling conditions. A person with a disability is someone who:

1. Has a physical or mental impairment which substantially limits one or more major life activities OR
2. Have a record of such an impairment OR
3. Is regarded as having such an impairment

Section 504

- It is about leveling the playing field
- Accessibility to regular education programs
- Its focus is on preventing discrimination
- It is about accommodations



II. New Jersey Dyslexia Laws

Dyslexia Laws

- **Dyslexia Definition**
- **Professional Development**
- **Dyslexia Screening**

Dyslexia Defined

- Effective immediately 2013-2014 school year
- Incorporated the International Dyslexia Association's definition of dyslexia into the New Jersey Administrative Code

Professional Development (PD)

- Starting 2013-2014 School Year
- 2 hours of PD annually
- Available to general education, special education, basic skills, English as a second language (ESL), instructional support staff, administrators, supervisors, Child Study Team members, reading specialists, Learning disabilities teacher consultants (LDTC) and Speech and Language specialists.
- This applies to K-3
- Board of Education can expand the opportunity to other staff members

Dyslexia Screening

Who gets screened?

- A student exhibiting:
 - 1 or more potential indicators of dyslexia or other reading disabilities
- ***“No later than the student’s completion of the 1st semester of the second grade”***

Dyslexia Screening, continued...

- Who conducts the screening?

A teacher or other teaching staff member
“properly trained in the screening process for
dyslexia and other reading disabilities.”

Dyslexia Screening, Continued...

- What happens after screening?

If student possesses 1 or more potential indicators of dyslexia or other reading disabilities:

1. Student gets a comprehensive assessment for the learning disorder
2. If results show a “diagnosis of dyslexia or other reading disability”, then the school “shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics, fluency, vocabulary and reading comprehension.”

III. New Jersey Dyslexia Handbook

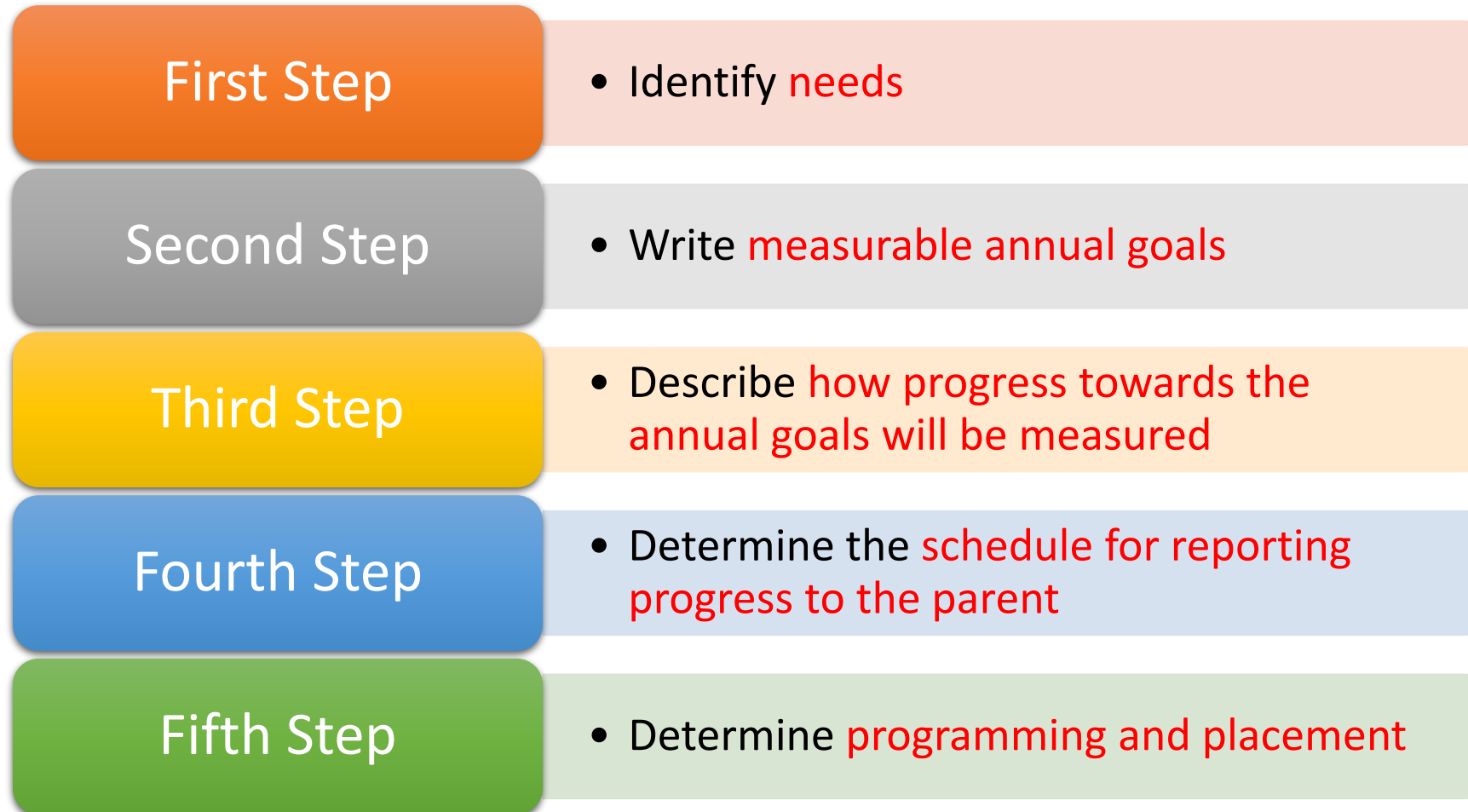
NJ Dyslexia Handbook

- <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf>
- Save it on your computer
- Print it in color
- Bring it with you to your IEP meeting
- Exploring the New Jersey Dyslexia Handbook-4 part recorded webinar series:

<https://www.state.nj.us/education/specialed/dyslexia/handbook.shtml>

IV. What Parents Need to Know

FOCUS ON THE BIG PICTURE





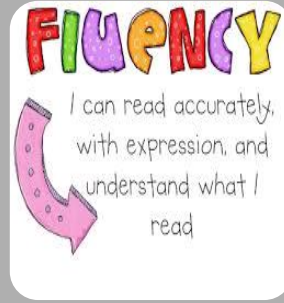
Decoding



Encoding



Reading
Comprehension



Fluency



Vocabulary

Progress Monitoring

Baseline

- Provides you with a starting point

Annual Goal

- Goal set for the year

Data Collection

- Shows the student's performance over time

As a parent ...

- You need to collect your own data and observations throughout the year
- Build allies within the school
- Educate yourself about your child's disability
- Educate yourself about what his/her reading difficulties are. “What does it look like”
- Know what Structured Literacy Program is being used in your district

Be informed...

- Knowledge about your rights, your child's disability, and how we remediate
- Network with other parents, educators, specialists
- Learn from other students who are dyslexic
- Keep up to date on technology for classroom and home use

Be informed...

- Watch for the warning signs
- Look for the indicators of dyslexia
- Video tape your child reading
- Take pictures of your child's writing
- Take note of their emotions
- Take note of how they socialize
- Know your child's strengths and weaknesses

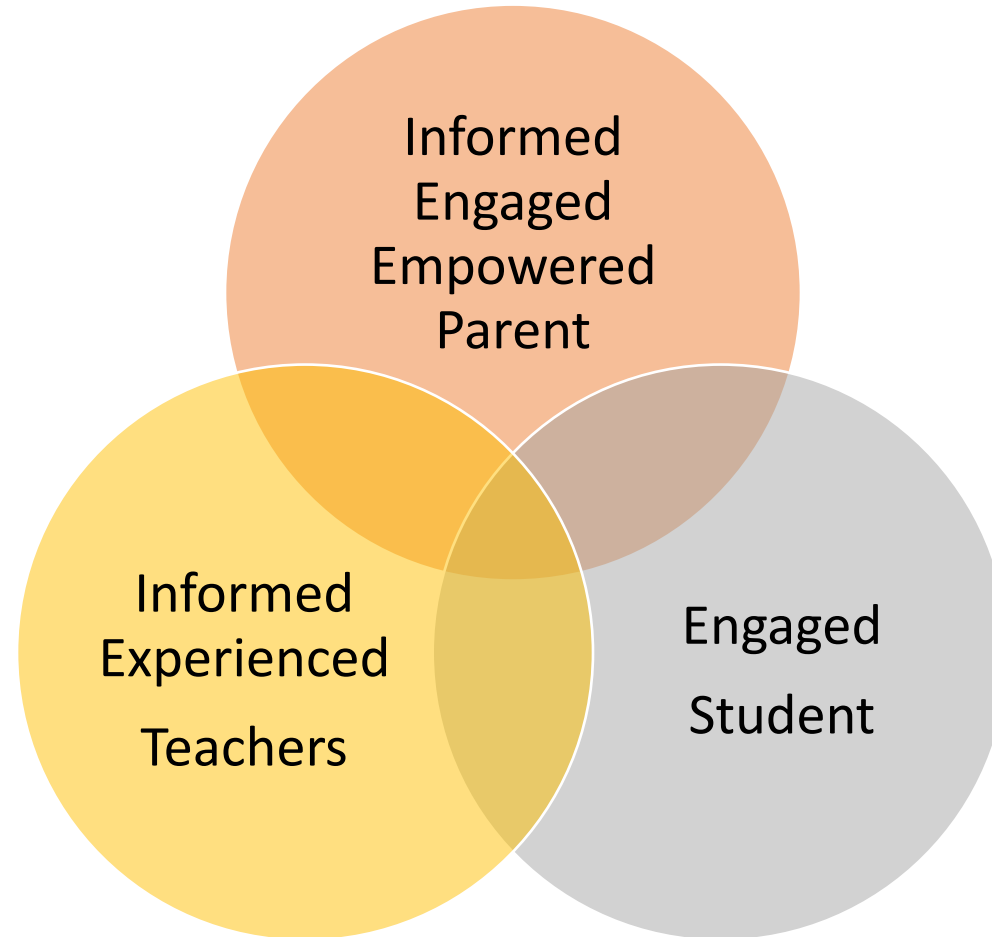
Be engaged...

- Be aware of what programs are at your school
- Get to know the teachers
- Get to know what your child is learning
- Check on homework
- Ask questions
- Volunteer in your school

Summary...

1. Good evaluation—identify the needs
2. Measurable annual goals and objectives
3. Progress Monitoring
4. Structured Literacy instruction
5. Experienced Teachers
6. Involved Parents
7. Engaged Students

SUCCESSFUL COMBINATION



- Everyone at the table has a voice
- We all must be “child” focused
- Everyone’s opinions must be heard
- You will not always agree, but you will need to come to an agreement that works for both sides
- ***“Develop a language of persuasion rather than a language of positional battle”***

(*Parenting A Struggling Reader*, pg. 53 by Susan Hall and Louisa Moats)

Everyone has a
voice

QUESTIONS?



Law Office of Norma Francullo, LLC
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Thank you

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