



SPECIAL EDUCATION GUIDANCE

Dyslexia and Specific Learning Disabilities

This guidance document is intended to clarify the relationship between dyslexia and specific learning disabilities (SLD) as defined by state and federal special education law. Office of Special Education Programs (OSEP) guidance specific to this topic is also integrated within this document.

Nothing in state or federal law prohibits the use of the term dyslexia or other related terms such as dysgraphia and dyscalculia in IDEA evaluations, eligibility determinations, or Individual Education Program (IEP) documents. IEP teams may include any relevant information in special education documents.

The federal Individuals with Disabilities Education Act (IDEA) and Wisconsin state rules (PI 11) include Specific Learning Disability (SLD) as one disability category. SLD “may include conditions such as perceptual disability, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia” [34 CFR § 300.8 \(c\)\(10\)](#); [Wis. Admin. Code § PI 11.36 \(6\)\(a\)](#). [Wisconsin Act 86](#) specifies using the definition of dyslexia adopted by both the International Dyslexia Association (IDA) and the National Institute of Child Health and Human Development (NICHD): “a specific learning disability that is neurobiological in origin. Dyslexia is characterized by difficulties with accurate and 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” ([Wisconsin’s Informational Guidebook on Dyslexia and Related Conditions](#) 2021, 8)

In addition, OSEP provides State Educational Agencies (SEAs) and Local Educational Agencies (LEAs) with guidance regarding the use of Multi-Tiered System of Support (MTSS), including Response to Intervention (RTI), and timely evaluations. Specifically the guidance states that a parent may request an initial evaluation at any time to determine if a child is a child with a disability under IDEA (34 CFR §300.301(b)), and the use of MTSS, such as RTI, may not be used to delay or deny a full and individual evaluation under [34 CFR §§ 300.304-300.311](#) of a child suspected of having a disability. A timeline extension specific to initial evaluations when SLD is being considered may be granted to allow the

IEP team to collect necessary data from two scientific research-based interventions with weekly progress monitoring. Parents or guardians of the child must agree to the extension.

An outside diagnosis of dyslexia made by a non-public school professional (e.g., neuropsychologist, dyslexia specialist, medical doctor) does not automatically establish special education eligibility. A student diagnosed with dyslexia must be found eligible as a “child with a disability” under state and federal special education law in order to receive special education services. State and federal special education regulations require LEAs, e.g., school districts, to implement full, individual, and comprehensive special education evaluations. A comprehensive special education evaluation is a process that first determines if a student meets criteria for one or more disability categories specified in state and federal law, including SLD. If the student meets criteria for one or more disability categories, the IEP team must also determine if there is a need for special education (i.e., specially designed instruction). [Wis. Admin. Code § PI 11.35](#). Wisconsin’s eligibility criteria used to identify SLD requires the student demonstrate insufficient progress after two scientific research-based intensive interventions, measured by weekly progress monitoring data. [Wis. Admin. Code § PI.11.36 \(6\)](#) The student must also demonstrate inadequate classroom achievement, as measured by a standardized academic achievement test administered after interventions, in one or more of eight areas of academic concern. These include three areas of reading: (1) basic reading skills, (2) reading fluency, and/or (3) reading comprehension. In addition, the IEP team must consider a number of exclusionary factors.

OSEP guidance reinforces the requirement that LEAs conduct comprehensive special education evaluations. Such evaluations require the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about a student. A comprehensive special education evaluation includes information provided by the parent and may include findings from assessments or evaluations conducted by entities other than the LEA. Parents or guardians of the child may bring such information to the IEP team, and this information must be considered as part of a comprehensive special education evaluation. Evaluations and other information shared by the parent, such as a diagnosis of dyslexia and corresponding assessment results, provide supporting or new information about the student's academic and functional skills needed for determining the nature and extent of the student's disability and educational needs.

When a student is found eligible for special education, the next step is for the IEP team, which includes the parent, to develop an Individualized Educational Program (IEP). The comprehensive evaluation, including information from the parent and outside evaluations, is the foundation for an in-depth discussion of disability and unique disability-related needs to develop IEP goals and services.

Resources

For more information on the criteria for identifying a specific learning disability in Wisconsin, including links to state and federal laws, see DPI's [Specific Learning Disabilities Webpage](#)

Office of Special Education Programs (OSEP) [Dear Colleague Letter: Policy guidance on the use of the terms dyslexia, dyscalculia, and dysgraphia. October 23, 2015](#)

Melody Musgrove, Director, Office of Special Education Programs (OSEP) Memorandum to State Directors of Special Education: [A response to intervention \(RTI\) process cannot be used to delay-deny an evaluation for eligibility under the Individuals with Disabilities Education Act \(IDEA\)](#)

Wisconsin Department of Public Instruction: [Informational Update Bulletin 21.01: Special Education Evaluation](#)

Wisconsin Department of Public Instruction: [Wisconsin's Instructional Guidebook on Dyslexia and Related Conditions](#)



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