



August 30, 2017

CALIFORNIA DYSLEXIA GUIDELINES FINALLY PUBLISHED

Educators woke up to a pleasant surprise on August 14, 2017 when they found that the California Department of Education's Dyslexia Workgroup had published its final California Dyslexia Guidelines.¹ The Guidelines were written in response to California Assembly Bill 1369 (2015) which added California Education Code sections 56334 and 56335. Those statutes spelled out a requirement that schools have in place a method to screen all students for dyslexia prior to the start of the 2017-2018 school year. The statutes likewise require that schools develop effective reading interventions for students that are identified as being dyslexic.

In response to the Bill, the Department of Education formed the Dyslexia Workgroup, which was a team composed of a variety of stakeholders whose mission was to provide guidance concerning how schools could accomplish their new tasks. The Workgroup's final meeting occurred in March 2017, but publication of the Guidelines was uncertain to occur prior to the start of the new school year. In fact, the Department of Education had warned schools not to wait on publication of the Guidelines to develop effective universal screening procedures for dyslexia. Despite this caveat, many schools struggled to locate adequate resources to meet the new requirement leaving SELPA directors scrambling to address the issue created by the new law. Thankfully the Guidelines appear to have addressed and answered many of the concerns that educators have had with the new requirements – as the Guidelines address screening procedures, as well as a variety of situations concerning struggling readers. In passing AB 1369, California joined other States in establishing statutes that address dyslexia more specifically than provided for in the IDEA and its implementing regulations.

To date there has been no litigation in California regarding AB 1369 and relatively little in other states that have enacted similar laws. AB 1369 did not create a new statutory right to relief upon which a student may sue a school outside of the IDEA or Section 504. That is not to say, however, that students' attorneys will not work tirelessly to find a way to use the statute to their advantage.

¹ The Guidelines can be found here : <http://www.cde.ca.gov/sp/se/ac/documents/cadyslexiaguidelines.pdf>

Should you have any questions please do not hesitate to contact Schools Legal Service. We will be monitoring the progress of statewide rollout of the new Guidelines and what litigation – if any – arises from it.

If you need any further assistance or advice, please feel free to contact our office.

– *KYLE W. HOLMES*

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