

**SUMMARY OF PROPOSED CHANGES TO THE ARKANSAS DEPARTMENT
OF EDUCATION RULES GOVERNING HOW TO MEET THE NEEDS OF
CHILDREN WITH DYSLEXIA**

Section

- 2.00** Removes Act 1294 of 2013 as authority for rules and replaces it with Ark. Code Ann. §§ 6-41-601 through 6-41-610, which incorporate Act 1268 of 2015.
- 3.00** Adds definition of “dyslexia interventionist,” “dyslexia program,” and “dyslexia specialist”; revises definitions of “dyslexia therapist” and “dyslexia therapy.” All changes made to mirror definitions set forth in Act 1294 of 2015. Also adds definition of “program approved or defined by the Department.”
- 4.00** Changes made to mirror language of Act 1268 of 2015. Allows school districts to use a screener equivalent to DIEBELS (Dynamic Indicators of Basic Early Literacy Skills), and adds that if the screener shows a student is at risk, additional screening shall be conducted.
- 5.00** Paragraph struck after section 5.01 (“NOTE”) moved to section 4.00 with minor changes. Note under section 5.03 (now 5.02) struck because term “therapeutic services” no longer used in the law, having been replaced by “intervention” services. Language in 5.04 (now 5.03) added qualification language. The remainder of changes made to mirror language of Act 1268 of 2015.
- 6.00** Revisions made to mirror language of Act 1268 of 2015. Clarifies that a parent may request an independent, comprehensive dyslexia evaluation at their own cost, and actions a school district must take when presented with a diagnosis of dyslexia. Adds note clarifying that whether an individual is qualified to provide a diagnosis is dependent upon their licensure.
- 7.00** Minor language changes to mirror Act 1268 of 2015.
- 9.00** Mirroring language of Act 1268 of 2015, clarifies qualifications for a dyslexia specialist.
- 10.00** Minor language changes to mirror Act 1268 of 2015 (removed language defining and establishing training for dyslexia interventionist, which under Act 1268 now is defined section 3.00).
- 11.00** Minor language change to mirror Act 1268 of 2015, and removed dates that already have passed.
- 12.00** Mirroring language of Act 1268 of 2015, clarifies collaboration between Arkansas Department of Education and Arkansas Department of Higher Education related to teacher education programs.

- 13.0** Sets forth the membership of the Dyslexia Resource Guide committee, as set forth in Act 1268 of 2015.

Post-Public Comment

The following non-substantive changes were made following public comment:

- 1.03** Language added to remind readers to refer to the Dyslexia Resource Guide for additional guidance.
- 2.02** Language added for clarification (e.g., to remind that Ark. Code Ann. § 6-41-601 *et seq.* does not relieve a school district of its obligation to meet the requirements of the IDEA or § 504 of the Rehabilitation Act).
- 3.08** Removal of language that was intended to clarify but that caused confusion.
- 4.03** Language added to clarify that DIBELS or an “equivalent screener” might not alone be a sufficient measurement tool.
- 4.05** Language added to clarify that a student with an existing diagnosis of dyslexia is exempt from dyslexia screening *only if* the school district is providing interventions to that student.
- 6.03** Language added to ensure that if a school district decides against providing services based upon an independent comprehensive dyslexia evaluation, it must notify the student’s parent or guardian of its reasoning. Also, the “NOTE” clarifies that whether an individual may conduct an evaluation (in addition to a diagnosis) is dependent upon his or her licensure.
- 7.01** Language added to clarify that a school district must provide all services it deems appropriate for the student.