

Testimony regarding SB 567 – delivered via zoom June 4, 2024

Good morning, esteemed members of the committee. My name is Dr. Gregory Nyen, and I am here today to express my concerns regarding the proposed legislation for dyslexia support and reading intervention. As a school psychologist and special education director with extensive professional training and experience, I have a deep understanding of the challenges faced by educators and the critical need for effective support for students with dyslexia. Additionally, I am acutely aware of the sensitivity required when delivering difficult learning-related diagnoses to young parents. While the intentions behind this bill are commendable, it is important to recognize the potential adverse effects it may have on our teachers, especially special education teachers, and the increased likelihood of litigation due to non-compliance.

Over the past two decades, we have seen a proliferation of dyslexia-specific and reading-related legislation across 46 states. These efforts, while well-meaning, have largely failed to achieve their goals of improving reading equity and achievement. The current proposal appears to follow the same prescriptive and increasingly specific path as previous efforts. It mandates early screening, approved assessments, tiered support systems, research-based instruction, and targeted professional development for teachers. However, it does not address the core issues that have hampered the effectiveness of previous legislation.

One of the primary concerns with this legislation is the undue stress it places on teachers, particularly special education teachers. These educators are already working under immense pressure to meet the diverse needs of their students. The proposed bill's requirements for specific assessments and interventions, without providing the necessary infrastructure and support, will only add to their burden. Teachers will be held accountable for implementing these mandates, often without adequate training or resources. This increased accountability can lead to heightened stress, burnout, and job dissatisfaction among educators during a time when more teachers are leaving the system than entering.

Furthermore, the legislation's reliance on specific assessments and interventions raises significant concerns about compliance and the potential for litigation. As we have seen in states like Connecticut, the implementation of similar laws has led to wide variation in how districts and schools can comply, largely due to differences in existing infrastructure and funding. These disparities are starkly evident between urban and suburban districts, which have more resources, personnel, and tools at their disposal than the rural districts in Michigan. The rural

struggle over disparate funding and human resources is a topic I have addressed before and one that again comes to the forefront of the conversation. The absence of clear guidance and support for school leaders exacerbates this issue, leaving educators to navigate complex requirements on their own.

In addition, the mandated screening assessments have proven inadequate in identifying students with dyslexia and other reading difficulties accurately. This inadequacy not only fails to support students effectively but also opens the door to legal challenges. Schools and districts may face lawsuits from parents and advocacy groups if they are perceived as failing to comply with the legislation or if the mandated tools and practices do not yield the promised results.

The proposed legislation mandates that the department approve and provide a list of three or more "valid and reliable" screening, formative, and progress-monitoring assessments for use by school districts and public school academies. These tools must effectively screen for reading difficulties, monitor progress, and diagnose issues, while minimizing instructional time impact, integrating with instructional support, and providing timely results to educators and parents.

From a practitioner's perspective, implementing "valid and reliable" screening tools can be challenging due to several factors. Firstly, ensuring that all educators are adequately trained to administer and interpret these assessments requires significant time and resources, which may not be readily available. The lack of infrastructure and support can lead to inconsistent application and understanding of the results, making it difficult to provide appropriate interventions. Furthermore, balancing the demands of new assessments with existing workload pressures adds to the stress experienced by teachers, particularly those in special education. This increased stress, coupled with the potential for non-compliance and subsequent litigation, underscores the need for comprehensive support systems to facilitate the effective use of these tools.

It is important to note that previous waves of dyslexia legislation have not significantly improved outcomes for students. Studies in Texas and Arkansas found no increase in the identification rates for students with reading difficulties despite the introduction of dyslexia-specific laws. Moreover, demographic disparities in identification and support persist, with students from marginalized backgrounds less likely to be identified and supported adequately. This pattern underscores the need for a different approach.

Instead of repeating the same prescriptive strategies, I urge the committee to consider a more holistic approach that focuses on prevention and capacity-building. High-quality universal preK



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programs for all 4-year-olds and high-risk 3-year-olds have shown significant promise in preventing reading difficulties before they start. Early literacy experiences in these settings can reduce the incidence of dyslexia and alleviate the burden on intervention systems in later grades.

Moreover, investing in the professional development and support of educators is crucial. Rather than imposing additional requirements and accountability measures, we should focus on building the capacity of teachers and school leaders. This includes providing ongoing, collaborative professional learning opportunities that are closely aligned with curricular goals and instructional priorities. School leaders must be equipped to align all elements of a school's infrastructure, ensuring coherence and effectiveness in instructional practices.

In conclusion, while the goal of improving reading outcomes for students with dyslexia is laudable, the proposed legislation will be difficult to implement with fidelity, leaving teachers vulnerable to increased stress and school districts open to increased litigation. I urge the committee to slow down the process, consider the outcomes from others who have gone before us, and ensure that we get our legislation right.

Thank you for your time and consideration.

Sincerely,

Dr. Gregory Nyen

Superintendent

Marquette-Alger Regional Education Services Agency