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Testimony Opposing the Proposed Dyslexia-Related Legislation

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 it is currently written. 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, 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.

One of the primary concerns with this legislation is the undue stress it places on teachers. Educators today are 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. The absence of clear guidance and support for school leaders exacerbates this issue, leaving educators to navigate complex requirements on their own.

Additionally, the proposed legislation places an overdependence on the functional implementation of a Multi-Tiered System of Support (MTSS) as outlined in Section 24. By making MTSS optional, or failing to develop a consistent statewide application, many districts do not have a truly functional MTSS framework. Instead, they may simply "check the box" to indicate compliance without a robust system in place. This presents a significant weakness in the proposed legislation. Without a reliable MTSS



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framework, the intended support systems will be ineffective, further burdening educators, failing to provide necessary student interventions and contributing to the likelihood of litigation.

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.

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.

High-quality universal preK 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.

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,

Greg Nyen, Superintendent

Marquette-Alger Regional Education Services Agency