



December 8, 2025

The Honorable Bill Cassidy
422 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Erin Houchin
342 Cannon House Office Building
Washington, DC 20515

RE: Response to the Reintroduction of the *21st Century Dyslexia Act (S.3010/H.R. 5769)*

Dear Chairman Cassidy and Representative Houchin,

The Consortium for Constituents with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society, free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance. In support of CCD's overall mission, the Education Task Force advocates for federal legislation, regulations, and guidance that protect civil rights, ensure high expectations, and address the educational, as well as the social and emotional needs of infants, children and youth with disabilities and their families. In this work, we focus on the *Individuals with Disabilities Education Act (IDEA)*, the *Every Student Succeeds Act (ESSA)*, *Section 504 of the Rehabilitation Act*, the *Americans with Disabilities Act (ADA)*, and other applicable laws.

Our organizations appreciate the efforts you continue to make to raise awareness for students with dyslexia and the important need to identify and support them. Most recently, you reintroduced the *21st Century Dyslexia Act (S.3010/H.R. 5769)*. Our organizations share the objective of ensuring effective early screening to identify students with learning disabilities and efficiently providing evidence-based instructional support to accelerate learning. We also agree that there are opportunities to help practitioners and educators improve the identification process, interventions and educational support for students with disabilities, including for students impacted by their ability to read.

We are concerned that this legislation has been introduced at a time when oversight and accountability for the nation's core law that protects students with disabilities is under threat, mere weeks after mass layoffs of staff with both the expertise and statutory obligations to ensure implementation of the Individuals with Disabilities Education Act (IDEA) and the ongoing threat to move IDEA to a health-focused agency. Rather than work to address concerns regarding IDEA which require immediate attention, the bill seeks to amend the law -which is permanently authorized- when such an action could further jeopardize the rights and protections for students with disabilities, including students with dyslexia, under the statute.

While our organizations support differential diagnosis of learning disabilities within IDEA's Specific Learning Disability (SLD) category and successfully negotiated language in 2004 that markedly improved access to early intervention services and diagnoses when SLD is suspected, we have three concerns with the legislative text proposed in the *21st Century Dyslexia Act*. If our concerns are left unaddressed, we know this legislation will not achieve the shared goals to improve the evaluation, early and effective identification and learning for students with dyslexia and other SLD's. To that end, we offer the following:

1. Do not add dyslexia as a new category under IDEA:

Dyslexia is already named as a subtype within the Specific Learning Disability (SLD) category (20 U.S.C. §1401(30) and 34 CFR §300.8(c)(10)).^{1,2} Dyslexia does not account for all reading disability subtypes. Dyslexia is the most common reading disability, associated with persistent difficulties with decoding and word recognition. Some students, however, can read the words well but cannot comprehend what they've read (and do not have dyslexia). Adding dyslexia as a distinct disability category distinguishes itself from reading comprehension deficits that are not primarily word-reading deficits.

Often, distinguishing between these two types of reading struggles is challenging in practice and does not help educators develop actionable steps to address the issue. Furthermore, learning disabilities tend to co-occur (e.g., a student may have dyslexia and dyscalculia). Interventions and supports can be strategically chosen to address pervasive learning challenges. Separating the specific learning disability category into subtypes could potentially delay services and complicate funding for service delivery.

The category in which a student is identified – by law – provides guidance, but should not have a direct bearing on *which* interventions and services are chosen. Interventions and services are determined on an individual basis based on student need (codified with an Individualized Education Program (IEP) developed by the students' IEP team). Based on a student's outlined IEP goals, educators track student growth to ensure instruction and services match a student's needs. Data-based decision making drives instructional choices, not a diagnosis or eligibility category. An identified disability is a starting point for action, not a recipe for specific interventions or services. Identification does not tell educators *which* approaches will improve academic performance. For these reasons, we believe dyslexia should not be added as a separate category under IDEA.

2. Do not use the proposed definition of dyslexia:

The *21st Century Dyslexia Act* defines dyslexia as “an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader.” Using this definition in federal law raises *major* concerns. Firstly, this definition does not include actionable means of measuring whether a student has dyslexia versus another type of learning disability (e.g., dyscalculia, dysgraphia, etc.).

Secondly, this definition specifies the IQ-discrepancy diagnostic or “severe discrepancy” model which IDEA already allows.³ However, due to years of research and practice –showing that this model lacked both validity and reliability in determining the existence of an SLD including dyslexia– and, with bipartisan agreement in 2004, Congress eliminated the sole requirement to use this model when evaluating a student suspected of having an SLD.⁴ As such, 11 states have eliminated the requirement for districts to use IQ achievement discrepancy when determining SLD and 39 states still allow its use.⁵ The National Association of School Psychologists have recommended that the IQ discrepancy approach not be used to identify a student as having an

¹ Ryder, R. E. (2016). Letter to Decoding Dyslexia Missouri on evaluation of a Specific Learning Disability. *U.S. Department of Education: Office of Special Education and Rehabilitation Services*. Retrieved from: <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

² Yudin, M.K. (2015). Dear colleague letter regarding dyslexia guidance. *U.S. Department of Education: Office of Special Education and Rehabilitative Services*. Retrieved from <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

³ P.L. 108-446, Sec. 614 (b)(6)

⁴ The Honorable Tim Murphy (R-PA) said: Let me draw upon my first hand experience as a psychologist who has participated in many of these discussions regarding learning disabled children...I am particularly pleased with the bill's provisions to improve the definition of 'specific learning disabilities...that children [can now] receive scientifically based instruction as soon as possible instead of relying on the outdated IQ-achievement discrepancy model as the sole measure of a student's IDEA eligibility." U.S. House of Representatives, (November 19, 2004) at: <https://www.govinfo.gov/content/pkg/CREC-2004-11-20/html/CREC-2004-11-20-pt1-PgE2129.htm>

⁵ Horowitz, S. for Understood (2025). The Discrepancy Model: What you need to know. Retrieved from <https://www.understood.org/en/articles/the-discrepancy-model-what-you-need-to-know>

SLD – including dyslexia.⁶ Additionally, a recent paper from the National Center for Learning Disabilities explains three identification methods to determine SLD and highlights that the IQ discrepancy method is neither supported by research evidence nor does it support timely and actionable intervention.⁷

While it still remains challenging for school personnel and other experts to determine whether a student has dyslexia or another SLD, the amendment to the IDEA in 2004 accurately and sufficiently updated the law to honor the flexibility IDEA has long-provided to states in determining SLD, and to support both research and practice so that students suspected of having dyslexia or any SLD may be provided early intervention services upon recognition of a learning challenge, rather than being forced to wait while they fall significantly behind.^{8,9}

3. Maintain current exclusionary factors

The definition of SLD in current law states that “Such term does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disabilities¹⁰, of emotional disturbance, or of environmental, cultural, or economic disadvantage.” Pursuant to federal law, these factors must be ruled out as the primary cause of a learning challenge before a child may be determined eligible for services under the SLD category. A major reason for including the terms “environmental, cultural, or economic disadvantage” is to protect students from being incorrectly identified as having a disability. The inclusion of these terms is critical given the history of disproportionate identification and placement of students of color, English Learners, and students impacted by poverty as eligible under IDEA. Studies have shown that even when controlling for income, racial and ethnic disparities in the identification of students with disabilities persisted in high incidence disability categories such as Specific Learning Disability.¹¹ Other studies have found that the demographics of the school impact identification. Therefore, these exclusionary factors must be maintained for a child to be determined eligible for IDEA services under the SLD category.

While we know a lot about how students learn, no student presents with the same learning challenges or symptoms. Decades of research, practice and individual experiences bear this out as it relates to dyslexia. The International Dyslexia Association and the Learning Disabilities Association of America both categorize dyslexia as a Specific Learning Disability subtype just like IDEA.¹² The U.S. Department of Education’s Office of Special Education and Rehabilitation Services also recognized and reiterated that dyslexia is a type of SLD in 2015.¹³ Given that CCD and many of its member organizations have persistently worked to assure that dyslexia is known and better supported through federal policy, including examining new ways to

⁶ National Association of School Psychologists. (2022). Identification of Students With Specific Learning Disabilities. [Position Statement]. Retrieved from: <https://www.nasponline.org/x59975.xml>

⁷ Rodrigo, S., Harris, S., and Stelitano, L. (2025). Evaluation of specific learning disabilities: Allowable methods of identification and its implications. Retrieved from <https://ncld.org/wp-content/uploads/2025/10/251014-White-Paper-Tagged.pdf>

⁸ Stuebing, K. K., Barth, A. E., Molfese, P. J., Weiss, B., & Fletcher, J. M. (2009). IQ is not strongly related to response to reading instruction: A meta-analytic interpretation. *Exceptional children*, 76(1), 31-51.

⁹ Fletcher, J. M., Lyon, G. R., Fuchs, L. S., & Barnes, M. A. (2019). *Learning disabilities: From identification to intervention* (2nd ed.). New York, NY: Guilford Press.

¹⁰ Students with intellectual disabilities, such as those with Down syndrome, can also have co-occurring specific learning disabilities. However, in practice this can be very difficult to determine. IEP teams should consider all areas of academic, social, and emotional difficulty and develop a comprehensive plan designed to improve the student’s academic achievement and overall success.

¹¹ Grindal, T., Schifter, L. A., Schwartz, G., & Hehir, T. (2019). Racial differences in special education identification and placement: Evidence across three states. *Harvard Educational Review*, 89(4), 525–553.

¹² IDA & LDA. (2018) White Paper: How Myths About Learning Disabilities Rob Many of Their Potential to Succeed and Contribute in School and in the Workplace. Retrieved from: <https://dyslexiaida.org/ida-lda-whitepaper/>

¹³ Yudin, M.K. (2015). Dear colleague letter regarding dyslexia guidance. *U.S. Department of Education: Office of Special Education and Rehabilitative Services*. Retrieved from <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

define it¹⁴, we welcome any further opportunities to assure more is done to identify, support, and improve the educational opportunities for individuals with dyslexia and other reading disabilities.

We appreciate any effort that seeks to better identify and meet the needs of children and adults with disabilities and those with other learning challenges. While we have concerns about the specifics of the *21st Century Dyslexia Act*, we hope to work with you to protect access to Child Find under IDEA for all children, including those with dyslexia, so that all students, regardless of their disability status, have access to a high-quality education. If you have any questions, please do not hesitate to reach out to one of the co-chairs of the CCD Education Taskforce listed below. We look forward to your continued partnership in the 119th Congress.

Sincerely,

Access Ready Inc.

Allies for Independence

American Music Therapy Association

American Occupational Therapy Association

American Therapeutic Recreation Association

Autism Society of America

Autistic People of Color Fund

Autistic Women & Nonbinary Network

Center for Learner Equity

Council for Exceptional Children

Council for Learning Disabilities

Council of Parent Attorneys and Advocates (COPAA)

Disability Belongs™

Disability Rights Education & Defense Fund

Division of Learning Disabilities of the Council for Exceptional Children (DLD)

Higher Education Consortium for Special Education (HECSE)

Learning Disabilities Association of America

National Association of Councils on Developmental Disabilities

National Association of the Deaf

National Association of School Psychologists

National Center for Learning Disabilities

National Disability Rights Network (NDRN)

National Down Syndrome Congress

TASH

Teacher Education Division of the Council for Exceptional Children (TED)

The Advocacy Institute

The Arc of the United States

For questions or additional information please contact: CCD Education Task Force co-chairs:

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¹⁴ 2025 Definition of Dyslexia, International Dyslexia Association retrieved at: <https://dyslexiaida.org/2025-dyslexia-definition-project/#:~:text=IDA%202025%20Definition%20of%20Dyslexia,influences%20that%20interact%20throughout%20development.>

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CC:

Ranking Member Bernie Sanders, Senate Health, Education, Labor, and Pensions Committee
Members of the Senate Health, Education, Labor, and Pensions Committee

Chairman Tim Walberg, House Education and Workforce Committee
Ranking Member Bobby Scott, House Education and Workforce Committee
Members of the House Education and Workforce Committee

Bill cosponsors