

Testimony in Favor of House Bill 1231
Sixty-eighth Legislative Assembly of North Dakota
Submitted By: Alysia Budd

Thank you, Chairman Heinert and members of the committee. My name is Alysia Budd and I am in favor of House Bill 1231. I am providing a double testimony and am testifying both professionally and personally.

My professional background is that I am a pediatric occupational therapist with a graduate certificate in Dyslexia and Language-Based Learning Disabilities. I am a certified handwriting specialist, a certified Barton tutor, a dyslexia screener, and I currently have over 200 hours of formal Orton-Gillingham/Structured Literacy training (which has always been based on the science of reading and learning). I have over 20 years of experience working with and evaluating children with various developmental and learning concerns. I am also the founder and director of Inspiring Minds, Center for Dyslexia and Literacy, a non-profit center for dyslexia in Bismarck where we offer specialized assessment and tutoring for dyslexia and literacy concerns for individuals ranging in age from preschool through adulthood. We are also a training center providing a wide variety of workshops and trainings to educators, schools, universities, parents, and other professionals in the science of reading/learning and child development.

Most importantly, I am an incredibly proud mother of three sons with dyslexia and a wife of a husband who also has dyslexia.

I want to begin by thanking everyone involved with dyslexia legislation over the past two sessions. Your support for the 1 in 5 has made a difference. I have seen a significant decrease in families being told dyslexia is not real by their schools which was what was happening on a daily basis when I first began the center 8 years ago. I have also experienced increased collaboration from educators and other professionals with our shared students. This is all so wonderful! The dyslexia community is thankful for the role legislation has played, and for the proactive action taken by NDDPI.

Now it is time to ensure that this progress continues. HB 1231 is one way to continue to support children, families, and educators. It is vitally necessary for schools to identify dyslexia early and then provide the correct remediation/instruction and accommodations/support. Educators desire access to high quality trainings and resources. They also need to have access to specialists highly trained in dyslexia to help guide them.

Dyslexia is **not** isolated to a special education issue. Dyslexia is a general education issue. Many students with dyslexia stump their teachers and specialists and, therefore, do not receive adequate accommodations and/or support. Every single content area can be impacted by dyslexia including music class and physical education. Most students with dyslexia are not found eligible for an IEP, yet they still need to be understood and taught in ways that are effective for how they learn —in every single subject area.

The number one concern we hear day in and day out at the center is parents being told their child is doing too well to receive accommodations. Keep in mind that most students with dyslexia have average to above average intelligence, and some have gifted IQs. So they are often incredibly bright and teachers mistake this for them doing just fine and not needing any accommodations, services, or support.

Data from the 2021-2022 academic year in ND clearly demonstrates the need for HB 1231.

- 2021-2022 enrollment = 116,694 students
- Of those, 4,728 received special education services under the category of Specific Learning Disability.
- It is estimated that approximately 85% of students categorized under SLD have a language-based learning difference/dyslexia. So in ND, approximately 4,018 students with dyslexia receive special education services.
- Up to 20% of the population has dyslexia. That means that in ND schools, up to 23,338 students have dyslexia compared to 4,018 who were eligible for special education. Approximately 3% of ND dyslexic students are on an IEP versus the actual dyslexic population which is up to 20%. This is in alignment with the national average of about 4% of dyslexic students receiving special education services according to Sally Shaywitz (Shaywitz, 2020).
- Approximately 19,320 dyslexic students in ND public schools were not eligible for special education. My own sons would not be found eligible for an IEP. I

have never expected an IEP for them understanding how eligibility works, but they have been failed by our educational systems. They are not understood and would never have received the interventions they needed if I had not done it myself, and continue to do it myself. This is a general education issue that impacts every single subject area and every single academic year pre-k through 12 and beyond.

The trouble is—because dyslexia is generally misunderstood and under-identified, most are missed. 19,000 ND students are a lot of students. Students with dyslexia often experience anxiety and exhaustion from working so hard. To deny correct and appropriate accommodations in a classroom setting based on a perception that a student is doing “just fine” is not acceptable. They deserve us as adults ensuring they are successful in all of their learning environments. This means identifying dyslexia early, and acknowledging that this student will always be dyslexic. There is more to dyslexia than the reading piece.

The anxiety and exhaustion then overflows into the home when the school day is done. The teachers may never see the full effect it is having, because these students hide it all day long, but they then collapse when in a safe place. It is devastating. I am having to homeschool my youngest again this year due to these very reasons. It is unnecessary that families are still going through this emotional turmoil simply because of a lack of an understanding of what dyslexia really is, how to identify and support it in the classroom, and how dyslexia affects more than just reading.

I would also like to touch on the fact that dyslexia is one of the reasons why some of our students are experiencing social-emotional difficulties, yet as the data shows, dyslexia isn't even being recognized in a majority of students. The emotional damage that results when dyslexia is not identified, supported, and correctly remediated is staggering.

- 1 in 6 children who are not reading proficiently in third grade do not graduate from high school on time, four times the rate for children with proficient third grade reading skills (Hernandez, 2011)
- Approximately 80% of prison inmates are functionally illiterate, 48% of them being dyslexic (Moody, et.al., 2000)

- U.S. Senator Bill Cassidy included a provision for screening inmates for dyslexia in the First Step Act (S.3649)
- According to Dr. Nadine Gaab, PhD, a “late diagnosis of dyslexia often leads to low self-esteem, depression, and antisocial behavior” (Fliesler, 2017).

It is a myth that dyslexia can't be identified early, as it is possible to identify early warning signs as young as ages 3-4, particularly when there is a family history of language-based learning disabilities. Dr. Nadine Gaab, PhD of Boston Children's, along with her colleagues, studied the brains of infants with and without a family history of dyslexia. They discovered the following:

- “Atypical brain development associated with Developmental Dyslexia is already present within the first 18 months of life” (Gaab, et. al, 2015)
- Dyslexia is genetic, and those brain differences are present in infancy.
- Children are entering Kindergarten with a brain “less optimized to learn to read” (Gaab, 2017).
- A wait-to-fail approach results in “considerable psychological damage and stigma” (Fliesler, 2017)

Being a reading specialist, or having a master's degree in education, does not mean that there is specific training and education regarding dyslexia. My oldest boys worked with reading specialists, yet not one of them identified dyslexia in them. Their teachers were trained in whole language and balanced literacy approaches that are *not* the same thing as the Orton-Gillingham/Structured Literacy approach that is *essential* for dyslexia. So, as much as they did all that they could to help my boys, it was ineffective instruction that did not remediate their difficulties. HB 1231 works to actively address these issues.

My frustration as a mother is more than I can put into words. This information is not new. A couple of weeks ago I discovered a textbook at my mom's house that was from one of her graduate school courses on learning disabilities. She was a North Dakota public school

teacher and has asked me many times throughout our journey with our own sons and with our non-profit center what has gone wrong in ND schools, and that she had learned the very things that we are asking for when she was a teacher. The textbook I am referring to is from 1971 and discusses the same approaches that we use at Inspiring Minds and are recommended by the International Dyslexia Association. There are cited references to publications from Dr. Orton from 1937 in this textbook. It is unacceptable for us to do anything other than what is best for children and families, and this information has been readily available for decades.

It is also important that as a community we realize that the responsibility of full remediation of dyslexia does not land solely on our schools who are also educating hundreds of students with various learning and emotional difficulties. What is the responsibility of the schools is to acknowledge and identify students who fit the profile for dyslexia and to then provide the learning environment, emotional support, ongoing accommodations, and instruction that is effective for all learners. To learn the science of reading and to be knowledgeable of all of the areas impacted by dyslexia for up to 20% of their student population.

We have seen the incredible effectiveness of correct instruction privately for many years, but we now also have exciting data showing its effectiveness in a school setting with the pilot program. As a state, we need to first and foremost be concerned with what is best for children and families. There is no acceptable reason to deny children identification of their dyslexia, to deny them proven effective instruction and accommodations, and to deny families the essential support that they need throughout a child's academic journey.

North Dakota has an opportunity to do what is right for our students with dyslexia, to be an example to other states as to how to do it well, and to change the trajectory for future generations. I ask that you vote yes on House Bill 1231. Thank you for your time and your consideration of HB 1231.

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