

# NAACP NJ State Conference Literacy and Dyslexia Resolution Proposal

## “The Right to Read”

### EXECUTIVE SUMMARY

Every student deserves access to great teaching, equitable resources, and a safe learning environment from grade school classrooms to college campuses. Students matter and working on their behalf has never been more urgent.

NAACP has always stood for the fundamental human right of literacy. Literacy and the right to read are necessary to realizing our vision of an inclusive community rooted in liberation where all persons can exercise their civil and human rights without discrimination.

The best time to help a person learn to read, and to identify whether they are struggling and need more support, is when they are young, especially grades K-3. [Once this window closes, the outcomes and success rates drop precipitously](#) for children without effective intervention.

At best, such children’s outcomes and potential are limited by illiteracy. At worst, we’ve also known at least since 1993 that [illiteracy has a direct, causal link to incarceration](#). However, [only 33% of African American children statewide meet expectations in ELA by Grade 7](#), which is the lowest among any race/ethnicity in our state. [New Jersey stands out internationally](#) for its incarceration rates and the majority of those incarcerated in our state are individuals of color.

A child who struggles to read experiences the daily trauma of illiteracy at school. Whether a child receives effective reading instruction and appropriate intervention has behavioral and academic implications for that child and the community.

Therefore, the NAACP-New Jersey State Conference Education Committee shall proceed with a resolution and continuing focus on literacy and dyslexia, ensuring that the most children possible learn to read, by insisting upon-

- better access to resources
- better pre-service training for aspiring educators
- better screening and assessment
- better intervention and special education when needed
- better professional development for teachers of reading
- better curriculum and instruction
- better instructional leadership

A change in the practices of our schools and the laws of our state is the best and *only* way to usher the *urgent, system-wide change* all children deserve. We can get there in collaboration with our partners in education and our state government, if we insist upon it.

We do and we will. Until *all* can read.

The intent of the resolution is to support–

- pre-service teachers receive effective training in the cognitive science of reading and evidence-based practices for literacy instruction,
- districts implement evidence-based core/general education curriculum, instruction, and in-service training aligned to the cognitive science of reading,
- universal screening for reading difficulty of all K-3 students,
- appropriate, evidence-based interventions are provided to students in need of reading intervention,
- based on results of the universal screening, as well as the progress monitoring of students' response to effective core or general education (tier I) instruction, and appropriate interventions (tier II), districts must evaluate all students at risk of reading failure, for specific learning disabilities,
- the term “dyslexia” is written into the IEP classification when a student is identified with a specific learning disability that data indicates is due to the student's struggle with reading,
- intensive, evidence-based interventions are provided to students with dyslexia

## RESOLUTION #1

### THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) RESOLUTION RECOGNIZING AND ADDRESSING THE EDUCATIONAL IMPLICATIONS OF LITERACY AND DYSLEXIA IN THE STATE OF NEW JERSEY

Sponsored By: New Jersey State Conference

#### RECITALS

**WHEREAS**, the Federal Every Student Succeeds Act (ESSA) defines Comprehensive Literacy Instruction under 20 USC 6641 SEC. 2221.(b)(1)(A) as “includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;”<sup>1</sup>

**WHEREAS**, the Federal Every Student Succeeds Act (ESSA) further defines Comprehensive Literacy Instruction under 20 USC 6641 SEC. 2221.(b)(1)(B) as “includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;”<sup>2</sup>

**WHEREAS**, in 1997, Congress inquired of the Director of the National Institute of Child Health and Human Development (NICHD), in consultation with the Secretary of Education, to convene a national panel to assess the status of research-based knowledge, including the effectiveness of various approaches to teaching children to read;<sup>3</sup>

**WHEREAS**, in 2000, the National Reading Panel (NRP) released its findings in a report entitled “Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications for Reading Instruction: Reports of the Subgroups;”<sup>4</sup>

**WHEREAS**, the National Council on Teacher Quality found that New Jersey’s teacher preparation programs at colleges and universities “continue to lack a comprehensive set of policies to improve teacher knowledge of evidence-based early reading methods” and do not have “standards that require approved teacher preparation programs to provide scientifically-based reading instruction”;<sup>56</sup>

**WHEREAS**, in 2017, the State of New Jersey, in its New Jersey Dyslexia Handbook, affirmed the National Reading Panel’s (NRP) conclusions, including that all children need systematic and

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<sup>1</sup> <https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf>

<sup>2</sup> *Id.*

<sup>3</sup> <https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf>

<sup>4</sup> *Id.*

<sup>5</sup> <https://www.nctq.org/publications/State-of-the-States-2021:-Teacher-Preparation-Policy#reading>

<sup>6</sup> <https://www.nctq.org/dmsView/NCTQ-State-of-the-States-Reading-in-Teacher-Preparation-Policy>

explicit instruction which is “necessary to build skills and strategies for reading, spelling and writing”,<sup>7</sup>

**WHEREAS**, the New Jersey Department of Education’s Dyslexia Handbook, in the last paragraph of page 2, states, “It is imperative that New Jersey students have the opportunity to learn from teachers and specialists who are well versed in the cognitive science of reading<sup>8</sup> and well trained in delivering literacy instruction that aligns to evidence-based practices<sup>9</sup> and methodologies.”<sup>10</sup>

**WHEREAS**, the term “dyslexia” is found in twenty-two state laws, including the New Jersey Administrative Code, and in Federal law under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act within the broad eligibility category of a Specific Learning Disability (SLD);<sup>11</sup>

**WHEREAS**, in October 2015, the Federal Department of Education (USDOE), Office of Special Education and Rehabilitation Services (OSERS), published a “DEAR COLLEAGUE LETTER on IDEA/IEP Terms”<sup>12</sup> to provide policy guidance on the use of the term “dyslexia” in Individualized Educational Programs (IEPs), encouraging state education agencies and local school districts to consider situations where it would be appropriate to use the term dyslexia to describe and address a child’s unique, identified needs through evaluation, eligibility, and IEP documents. Office of Special Education and Rehabilitation Services (OSERS) further encouraged States to review their policies, procedures, and practices to ensure that they do not prohibit the use of the term dyslexia<sup>13</sup>;

**WHEREAS**, in ensuring the provision of free appropriate public education (FAPE), the Office of Special Education and Rehabilitation Services (OSERS) encouraged States to remind local school districts of the importance of addressing the unique educational needs of children with specific learning disabilities resulting from dyslexia during Individualized Educational Program (IEP) Team meetings and other meetings with parents under the Individuals with Disabilities Education Act (IDEA);<sup>14</sup>

**WHEREAS**, the IDEA requires that the IEP Team tailor specifically designed instruction to meet the individual needs of students, and students who exhibit characteristics of dyslexia must be provided an appropriate individualized intervention at school, at no cost to the parent, to address the unique needs of the child that result from the child’s disability; and to ensure access

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<sup>7</sup> <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf>

<sup>8</sup> <https://www.thereadingleague.org/what-is-the-science-of-reading/>

<sup>9</sup> <https://lincs.ed.gov/publications/pdf/PRFbooklet.pdf>

<sup>10</sup> <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf>

<sup>11</sup> <https://sites.ed.gov/idea/statute-chapter-33/subchapter-i/1401/30>

<sup>12</sup> <https://sites.ed.gov/idea/idea-files/osep-dear-colleague-letter-on-ideaiep-terms/>

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children;<sup>15</sup>

**WHEREAS**, in 2013, P.L.2013, c.131, P.L.2013, c.105, and P.L.2013, c. 210 became law requiring New Jersey public school boards of education to adopt a common definition of dyslexia, to be used to assist teachers of reading including regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, and to plan, provide, screen, evaluate, and improve educational services to pupils with dyslexia;<sup>16</sup>

**WHEREAS**, P.L.2013, c.131 under N.J.A.C. 6A:14-1, adopts the International Dyslexia Association definition of dyslexia, which formally defines dyslexia as “a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge;”<sup>17</sup>

**WHEREAS**, the International Dyslexia Association’s position is that “popularly employed reading approaches, such as Guided Reading or Balanced Literacy<sup>18</sup>, are not effective for struggling readers. These approaches are especially ineffective for students with dyslexia because they do not focus on the decoding skills these students need to succeed in reading. What does work is Structured Literacy, which prepares students to decode words in an explicit and systematic manner. This approach not only helps students with dyslexia, but there is substantial evidence that it is more effective for all readers;”<sup>1920</sup>

**WHEREAS**, the New Jersey Department of Education’s Dyslexia Handbook further states, “In addition to meeting the requirements for screening for dyslexia, districts should utilize universal screening.<sup>21</sup> Universal Screening is a brief procedure designed as a first step in identifying students who may be at high risk for delayed development or academic failure and in need of further services, specifically reading instruction.<sup>22</sup> Screening should be conducted upon entry at grade levels (K-5), and at regular intervals (minimally, twice a year) to determine the need for additional interventions;”<sup>2324</sup>

**WHEREAS**, regarding students with dyslexia, P.L.2013, c.105 18A:40-5.4 also provides that “the board of education shall provide appropriate evidence-based intervention strategies to the

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<sup>15</sup> <https://sites.ed.gov/idea/regs/b/a/300.39>

<sup>16</sup> <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf> pp. 47-48

<sup>17</sup> *Id.*

<sup>18</sup> <https://www.ohrc.on.ca/en/right-to-read-inquiry-report/appendix-3-glossary-terms>

<sup>19</sup> <https://dyslexiaida.org/effective-reading-instruction/>

<sup>20</sup> <https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf>

<sup>21</sup> *Id.*

<sup>22</sup> <https://dyslexiaida.org/universal-screening-k-2-reading/>

<sup>23</sup> *Id.*

<sup>24</sup> <http://www.rtinetwork.org/essential/assessment/screening/readingproblems>

student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension”;<sup>25</sup>

**WHEREAS**, the New Jersey DOE advised school districts to be proactive in their implementation of P.L.2013, c.105 18A:40-5.4 through an April 15, 2014 “Update on Dyslexia Legislation” memorandum, stating “The intent of the law is to have educators consider the possibility of, and thus provide specific interventions for, potential reading disabilities, including dyslexia;”<sup>26</sup>

**WHEREAS**, ensuring a free, appropriate public education education in the least restrictive environment for children with specific learning disabilities is a critical and important responsibility of each school district in the State of New Jersey;<sup>27</sup>

**WHEREAS**, there is compelling scientific evidence that evidence-based instruction, early identification, and intervention improves literacy outcomes for most students with symptoms of dyslexia within the state of New Jersey;<sup>28,29,30,31</sup>

**WHEREAS**, the American Federation of Teachers (AFT) have clarified that high-quality reading instruction requires the following elements: strong core curriculum, instructional materials aligned with the research, appropriate reading assessments, timely and intensive intervention for struggling students and high-quality professional development. It further clarified that a strong core curriculum should reflect the research consensus that effective beginning reading instruction must include explicit, systematic, core classroom instruction in kindergarten through third grade on these essential components: phonemic awareness, phonics, fluency, vocabulary and comprehension;”<sup>32</sup>

**WHEREAS**, Structured Literacy instruction (tier 1, core classroom) that is rooted in reading science is required for the majority of all students (including those with dyslexia) to acquire the skill of reading;<sup>33,34,35,36</sup>

**THEREFORE BE IT RESOLVED**, that the NAACP demands that the State amend 18A:40-5.3 to include the *requirement* that Local Education Agencies (LEAs) utilize universal screening processes as the initial step in identifying students who may be at high risk for delayed development or academic failure and in need of further services, specifically reading instruction,

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<sup>25</sup> *Id.*

<sup>26</sup> <https://www.nj.gov/education/specialed/memos/Dyslexia/041514Update.pdf>

<sup>27</sup> [https://www.nj.gov/education/specialed/form/prise/RevisedParentalRights\(PRISE\).pdf](https://www.nj.gov/education/specialed/form/prise/RevisedParentalRights(PRISE).pdf)

<sup>28</sup> <https://files.eric.ed.gov/fulltext/ED613947.pdf>

<sup>29</sup> <https://lincs.ed.gov/publications/pdf/NELPReport09.pdf>

<sup>30</sup> <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf> pp. 7

<sup>31</sup> <https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf>

<sup>32</sup> <https://www.aft.org/education/engaging-curriculum/elements-effective-reading-program>

<sup>33</sup> <https://dyslexiaida.org/ladder-of-reading-infographic-structured-literacy-helps-all-students/>

<sup>34</sup> <https://files.eric.ed.gov/fulltext/ED613947.pdf>

<sup>35</sup> <https://lincs.ed.gov/publications/pdf/NELPReport09.pdf>

<sup>36</sup> <https://www.state.nj.us/education/specialed/dyslexia/NJDyslexiaHandbook.pdf>

conducted for all students, upon entry at grade levels (K-5), and at regular intervals (minimally, twice a year) to determine the need for additional interventions proactively rather than taking a wait-and-see approach;

**BE IT FURTHER RESOLVED**, that the NAACP demands that New Jersey replace the Praxis Teaching Reading: Elementary Education (5203) licensure test requirement for prospective Elementary and Special Educators with a test that is well grounded in the science of reading, and set revised standards for teacher preparation programs, requiring they address the science of reading instruction;

**BE IT FURTHER RESOLVED**, that the NAACP demands that Local Education Agencies (LEAs) create a plan to provide teacher and staff training necessary to improve the understanding of dyslexia and its warning signs, to implement appropriate evidence-based tier 1 Structured Literacy Instruction grounded in the cognitive science of reading throughout New Jersey, and appropriate classroom accommodations/modifications;

**BE IT FURTHER RESOLVED**, that the NAACP demands that the State identify appropriate assessments, which ensure that phonological processing is assessed when conducting an evaluation for special education eligibility under the eligibility category of Specific Learning Disability, following State and Federal laws and regulations determining special education eligibility, and when determining the unique educational needs of students with dyslexia;

**BE IT FURTHER RESOLVED**, that the NAACP demands that the State ensure the provision of Free and Appropriate Public Education by requiring public schools provide reading instruction for all students grounded in the cognitive science of reading, which is evidence-based, multi-sensory, direct, explicit, structured, and sequential, especially K-3, as well as in interventions for students with dyslexia, as required by 20 USC 6641 SEC. 2221.(b)(1)(A), P.L.2013, c. 210 and 18A:40-5.4, and as recommended by the New Jersey Dyslexia Handbook;

**BE IT FINALLY RESOLVED**, that the NAACP demands New Jersey's Commissioner of Education, review and update policies, procedures and practices to ensure that: (1) such policies, procedures and practices are aligned with federal and state mandates and guidelines; and (2) IEP Teams understand that the term "Specific Learning Disability" does not prohibit the use of the term "dyslexia" when determining special education eligibility and educational services noted in IEP documents. The Local Education Agencies (LEAs) shall complete specified reviews and where appropriate update LEA policies, procedures and practices.

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President

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Chair, Education Committee