



## Parent Advocacy for Struggling Readers: What Does the MN Law Have to Say?

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A comprehensive guide was developed by MDE and Decoding Dyslexia MN called “Navigating the School System when a Child is Struggling with Reading or Dyslexia” and can be found on the Decoding Dyslexia MN website under [Parent Resources](#).

In 2015, the definition of dyslexia was passed into MN Statute [125A.01](#), Subd 2.

MN Statute [125A.01](#), subd 2. "Dyslexia" means a specific learning disability that is neurological in origin. It is characterized by difficulties with accurate or fluent recognition of words 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. Students who have a dyslexia diagnosis must meet the state and federal eligibility criteria in order to qualify for special education services.

In 2017, funds were appropriated for MDE to hire a Dyslexia Specialist to provide technical assistance for dyslexia, to serve as the primary

**source of information, to support schools in addressing the needs of students with dyslexia, and to increase professional awareness and instructional competencies to meet the needs of these students (MN Statute [120B.122](#)).**

MN Statute [120B.122](#) DYSLEXIA SPECIALIST. Subdivision 1. Purpose. The department must employ a dyslexia specialist to provide technical assistance for dyslexia and related disorders and to serve as the primary source of information and support for schools in addressing the needs of students with dyslexia and related disorders. The dyslexia specialist shall also act to increase professional awareness and instructional competencies to meet the educational needs of students with dyslexia or identified with risk characteristics associated with dyslexia and shall develop implementation guidance and make recommendations to the commissioner consistent with section 122A.06, subdivision 4, to be used to assist general education teachers and special education teachers to recognize educational needs and to improve literacy outcomes for students with dyslexia or identified with risk characteristics associated with dyslexia, including recommendations related to increasing the availability of online and asynchronous professional development programs and materials.

**MN Statute [120B.12](#), Subd 2, states that each school district must report to MDE their “efforts to screen and identify students with dyslexia to the commissioner by July 1st of each year.” And, a student identified must be provided with alternate instruction under MN Statute [125A.56](#) Subd 1c, that is multisensory, systematic, sequential, cumulative, and explicit.**

MN Statute [120B.12](#), subdivision 2, is amended to read: Subd. 2. Identification; report. (a) Each school district shall identify before the end of kindergarten, grade 1, and grade 2 students who are not reading at grade level before the end of the current school year and shall identify students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher. Reading assessments in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive assessment and annually report summary assessment results to the commissioner by July 1. The district also must annually report to the commissioner by July 1 a summary of the district's efforts to screen and identify students with: (1) dyslexia, using screening tools such as those recommended by the department's dyslexia and literacy specialist; or (2) convergence insufficiency disorder to the commissioner by July 1. (b) A student identified under this subdivision must be provided with alternate instruction under section [125A.56](#), subdivision 1.

MN Statute [125A.56](#), subdivision 1, is amended to read: Subdivision 1. Requirement. (a) Before a pupil is referred for a special education evaluation, the district must conduct and document at least two instructional strategies, alternatives, or interventions using a system of scientific, research-based instruction and intervention in academics or behavior, based on the pupil's needs, while the pupil is in the regular classroom. The pupil's teacher must document the results. A special education evaluation team may waive this requirement when it determines the pupil's need for the evaluation is urgent. This section may not be used to deny a pupil's right to a special education evaluation. (b) A school district shall use alternative intervention services, including the assurance of mastery program under section 124D.66, or an early intervening services program under subdivision 2 to serve at-risk pupils who demonstrate a need for alternative instructional strategies or interventions. (c) A student identified as being unable to read at grade level under section 120B.12, subdivision 2, paragraph (a), must be provided with alternate instruction under this subdivision that is multisensory, systematic, sequential, cumulative, and explicit.

**In 2017, an amendment was added to MN Statute [120B.12](#), Subd 3, stating that the district must continue to provide reading intervention past 3rd grade until the child is reading at grade level.**

**Also, it was changed to state that a “school district is strongly encouraged to provide a *Personal Learning Plan* for a student who is unable to demonstrate grade-level proficiency, and should be developed in consultation with the student’s parent or guardian. The personal learning plan must address knowledge gaps and skill deficiencies”.**

MN Statute [120B.12](#), subdivision 3, is amended to read: Subd. 3. Intervention. ( Starting on Line 22.12 of HF2) (a) For each student identified under subdivision 2, the district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the district must continue to provide reading intervention until the student reads at grade level. District intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections. (b) A school district or charter school is strongly encouraged to provide a *personal learning plan* for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3. The district or charter school must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices

during and outside of the regular school day, periodic assessments, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

**Each school district is required to have a *Local Literacy Plan* posted on its website per MN Statute [120B.12](#), Subd 4a, that explains the school's "plan to have every child reading at or above grade level no later than the end of grade 3".**

Minnesota Statutes 2016, section [120B.12](#), Subd. 4a. Local literacy plan. (a) Consistent with this section, a school district must adopt a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners. The plan must be consistent with section 122A.06, subdivision 4, and include the following: (1) a process to assess students' level of reading proficiency and data to support the effectiveness of an assessment used to screen and identify a student's level of reading proficiency; (2) a process to notify and involve parents; (3) a description of how schools in the district will determine the proper reading intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress; (4) evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention; and (5) identification of staff development needs, including a program to meet those needs. (b) The district must post its literacy plan on the official school district Web site.

*The majority of the above legislation was brought forth by the dedication and advocacy of Decoding Dyslexia members on volunteer efforts for the past 5 legislative sessions.*

*Kindly provided as a resource by Decoding Dyslexia Minnesota,  
where we strive to build dyslexia awareness, empower parents to advocate for their  
students,  
And inform policy makers on best practices to ensure all students reach their full  
potential.*

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