

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules
accompanies this form

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Teacher Standards and Practices Commission
Agency and Division

584
Administrative Rules Chapter Number

Amending rules related to program standards for dyslexia instruction.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Rulemaking - Standards for dyslexia instruction

Statutory Authority:

ORS 342

Other Authority:

Statutes Implemented:

ORS 342.120 - 342.430; 342.455-342.495 & 342.553

Need for the Temporary Rule(s):

Pursuant to ORS 342.147, the TSPC Commission is authorized to establish standards for approval for educator preparation providers and programs. In the 2015 session, the Oregon Legislative Assembly enacted a new statutory requirement related to dyslexia instruction. HB 2412 (2015) directs the Commission to establish standards for approval of an educator preparation program that require early childhood education, elementary education, special education and reading programs to provide instruction on dyslexia and that the instruction be consistent with the knowledge and practice standards of an international organization on dyslexia. This rulemaking amends an earlier version of the temporary rule related to dyslexia instruction. The amendments:

- Replace the explicit list of program components with "the necessary program components" for purposes of reporting. By eliminating the "check-list" type of reporting requirements, the agency will enable the EPPs to provide a more in-depth, narrative, description of how they are incorporating dyslexia instruction standards into their programs;
- Replace the name "report" with "plan" and change the submission date for the compliance plans from December 15, 2016 to December 31, 2016 to align exactly with the statutory deadline;
- Focus the standards specifically on elements of dyslexia instruction, eliminating references to general literacy standards;
- Add the phrase "may predict or are associated with dyslexia" to standards in order to include students who demonstrate predictive dyslexia characteristics;
- Add a specific standard related to applying dyslexia instruction knowledge to pedagogy practice; and
- Add language that the standards for dyslexia instruction apply to all students the candidate is being prepared to teach, including English Language Learner (ELL) students.

Documents Relied Upon, and where they are available:

Agency materials and Commission agenda items; agency website

Justification of Temporary Rule(s):

The Commission is required to adopt rules related to new statutory requirements for dyslexia instruction for teacher candidates enrolled in educator preparation programs. In the original temporary rule, the Commission created new program standards for dyslexia instruction and required educator preparation providers to review, and possibly revise, their current program components to meet new statutory requirements. The timely review of educator preparation programs may permit presently enrolled teacher candidates to receive instructional tools that enable current public school students to obtain higher levels of literacy, including students with dyslexia.

The Commission is promulgating the revisions to the temporary rules in order to provide clarity on the standards and reporting requirements and to extend the timeline to the educator preparation programs required to include the dyslexia instruction. The revised standards eliminate the reference to general literacy standards and focus specifically on the requirements for dyslexia instruction, adding language related to identification, assessments, screening and progress monitoring. The revisions to the standards also require candidates to demonstrate their knowledge of dyslexia instruction in their pedagogy practice. In addition, the revised temporary rule delineates that new standards apply to all students that candidate is preparing to teach, including English Language Leader students. Finally, the revised timeline moves the reporting requirement from December 15 2016 to December 31, 2016. The revisions of the temporary rule were developed in consultation with stakeholders during the Rules Advisory Committee process.

Failure to adopt the revisions of temporary rule will cause prejudice to educator preparation programs because the programs will be required to incorporate standards that are broader and less delineated than the revised standards and to provide their plans for compliance earlier than is required by statutory requirements. Moreover, failure to adopt the revised temporary rule will cause prejudice to English Language Learner students, who were not specifically included in the previous version and therefore would not be included in the compliance reports required by statute before December 31, 2016.

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