



As State Co Leader of Decoding Dyslexia Texas - Thank you for the opportunity to comment on the proposed rule change.

Decoding Dyslexia is a national grassroots advocacy coalition active in all 50 states. Our mission is to:

- Raise dyslexia awareness, empower families to support their children and inform policy-makers on best practices to identify, remediate and support students with dyslexia.
1. Supporting dyslexics includes their rights and need to use assistive technologies, which include text to speech to access print and speech to text to generate content.
 2. We also strive to dispel misconceptions and misrepresentations of dyslexics when portrayed inaccurately in the media, policy and law.

Of concern In your work prior to issuing new regulations:

Dyslexia is not simply “Slow Reading”, your portrayal of dyslexia as merely slow reading, suggesting that more time or a slower, simplified pace is enough to satisfy every dyslexic individuals rights to access printed content is inaccurate. At the heart of dyslexia is the inability or reduced ability to effectively decode print. This is neurological in origin and not reflective of cognitive abilities to comprehend material. A Dyslexics ability or inability to read standard print effectively is not reflective or related to intelligence. One of the greatest tools to full participation in society for those dyslexics that continue to struggle with standard print, is the use of audio enhanced text, also known as read aloud or text to speech.

One concern is that in reaching out and shaping these new rules, dyslexia and dysgraphia, two common learning disabilities, have not been adequately described a byproduct of not being considered or invited to participate in discussions related to the proposed rules. Other disability categories, robustly included in the rules, were included through out this process. Had a diverse group of dyslexics, who use technology daily been included, the myth of simplifying the disability as “slow readers” could have been dispelled immediately and more consideration to their needs of text to speech included in the proposed rules.

Of major concern is the are narrowing of who and what types of disabilities are entitled to benefits under the proposed rules. Leaving out dyslexia and dysgraphia, which are disabilities that restrict access to text and have a need to be included in the refresh is not acceptable. At the very least this creates ambiguity where clarity at this stage of the process is completely possible.

Where do dyslexics or other Learning disabilities like dysgraphia fit in to these new rules? There is no mention of Dyslexia and Dysgraphia at all in the rules yet they were vaguely if inaccurately included in some of the discussions leading up to the rule making process. Dyslexias prevalence is greater than or equal to the prevalence of other specifically mentioned disabilities and their need and use of text to speech and speech to text is as great as other disabilities. Dyslexics have an equal need to accessible print, in audio enhanced format, electronic or standard. Dyslexics commonly use audio enhanced text, Text to speech and many use Speech to text access and generate content, be it curriculum, workplace needs and other daily tasks revolving around text. So we are very concerned as to the term dyslexia not being included anywhere in the rules.

The rules are also very clear that they are eliminating cognitive disability entirely with only a promise to craft legislation later, currently cognitive accessibility needs are mentioned under section 508 which you are eliminating. Removing a category that had protections in prior laws with a promise to take care of this later..elsewhere is concerning. While dyslexia is neurological in origin we do not consider dyslexia to be a cognitive impairment that effects reasoning or IQ but yet still we are unclear where dyslexia is included or excluded in the proposed rules.

The internet along with current and emerging technologies are being used for online learning, banking and dispersing information needed to fully participate in life. These technologies and mediums should be accessible to all disabilities and not limited in scope to a few very deserving yet exclusive sets, including dyslexics in the manor that reflects the reality of their audio text interface needs is essential.

Last we give an example of what we see as concerning throughout the new rules, the **Redefining OUT of dyslexia and other print based disabilities needs by crafting new narrow definitions:**

One Example: ON Page 124 the proposed rule states:

602.4 Alternate Formats for Non-Electronic Support Documentation

This section proposes that, where documentation is provided in written (i.e., hard copy) format, such documentation must also be made available, upon request, **in alternate**

formats usable by individuals who are blind or have low vision. What about Dyslexia? This proposed requirement then removing §§ 1194.41(a) and 1193.33(a)(2) of the existing 508 Standards and 255 Guidelines, respectively, and is classifying this exclusionary change as simply “***with minor editorial changes***”. If you are dyslexic this is definitely NOT a minor editorial change.

What you call “minor edits” remove a more inclusive term covering disability as “end user” which covered dyslexics and replace it with ONLY TWO specific disabilities, blind, VI. We ask that you also include dyslexia and dysgraphia who have equal needs to access alternate content in print with audio.

By being overly specific you are creating a climate where that dyslexics may not be entitled to accessible content. **We ask that where the rules specifically call out Blind, VI and deaf users, we insist that you specifically call out and specify dyslexia and dysgraphia, common disabilities with as great a need of access as the others.**

In conclusion, had there been an equal effort to include the dyslexic voice and needs in the refresh, much of our concerns could have been avoided. Because of this we request that all areas that reference access to print, specifically mentioning other disability types, that dyslexia and their need to have audio enhanced text is included in the revisions.

Regards,
Robbi Cooper
Decoding Dyslexia - Texas