



**The Council of Parent Attorneys and Advocates, Inc.**  
*Uniting Advocates. Protecting Rights. Changing Lives*

March 11, 2026

The Honorable Bill Cassidy  
422 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Erin Houchin  
342 Cannon House Office Building  
Washington, DC 20515

Dear Chairman Cassidy and Representative Houchin,

As a leading authority for special education law and preeminent voice for our nation’s children with disabilities and their families, the Council of Parent Attorneys and Advocates (COPAA) is writing to share our significant concerns and opposition to the *21<sup>st</sup> Century Dyslexia Act* (S.3010/H.R. 5769). Consistent with dissent raised by the Consortium for Constituents with Disabilities (CCD),<sup>1</sup> we wish to reinforce that the bill, as written, conflicts with our *shared goal* to strengthen support and increase access to early screening and intervention, identification, and educational services for students with dyslexia.

Families across the country are pushing for stronger support for students with dyslexia—and for good reason. Early identification and intervention change lives. Unfortunately, the *21<sup>st</sup> Century Dyslexia Act* would actually take us backwards.

Our first major concern with the bill is that it proposes to amend the Individuals with Disabilities Education Act (IDEA), the foundational civil-rights law that protects more than 8.65 million children with disabilities (ages 0-21) nationwide. We oppose amending IDEA now because the process would expose this protective law to any number of amendments that could weaken it. Congress permanently authorized Part B of IDEA to protect the PreK-12 sections of the law from any political forces that may jeopardize the civil rights and education protections that children and families need.

Given that Congress has not conducted a thoughtful process to engage stakeholders in meaningful discussions about how to protect the core pillars of IDEA, combined with the chaos caused by the Administration in education for families of children with disabilities, this is not the time to open the law and expose it to harmful proposals. We also see Chairman Cassidy’s recent effort to hold the *Respond, Innovate, Succeed, and Empower Act (RISE)* (HR.3939/S.3589) mark-up hostage to the *21<sup>st</sup> Century Dyslexia Act* as a flawed and disingenuous strategy that does a grave injustice to IDEA and the students and families it serves.

There are also serious issues with the specifics of the bill. While we agree that dyslexia should be named in a student’s Individualized Education Program (IEP) -and we know that too many schools refuse to do so- there is no need to amend IDEA to fix this. A letter from the Secretary of Education could easily clarify for states and districts that dyslexia is currently named in IDEA<sup>2</sup> and therefore, once a child is diagnosed with dyslexia, it can be explicitly named in the child’s IEP.

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<sup>1</sup> See: CCD Letter to Cassidy and Houchin, (Feb. 5, 2026) at: <https://c-c-d.org/fichiers/CCD-Education-TaskForce-Opposition-to-the-21st-Century-Dyslexia-Act.pdf>

<sup>2</sup> See: 34 CFR §300.8(c)(10)

Next, and as COPAA and partners have previously established, we disagree with the bill’s proposal to add back to IDEA a mandate that states *must use IQ testing*<sup>3</sup> to determine the existence of dyslexia when the current law appropriately *allows states to choose to use IQ testing but does not require it*.

COPAA supported Congress’ decision in 2004 to eliminate the federal requirement that schools use intelligence (e.g., IQ testing) as the major means to identify and qualify a child under IDEA with dyslexia. When states and districts use the IQ-achievement discrepancy model -which is also known as the ‘wait to fail’ model- children suspected of having dyslexia are typically required to fail two full years of school before they can receive early intervention and specialized reading support and instruction.

Congress listened to experts and advocates in 2004 and eliminated this gatekeeping requirement in IDEA to determine the existence of dyslexia. In doing so, states and districts can now choose to use evidence-based diagnostic screenings and evaluative tools that better distinguish students who may be struggling to learn to read from those who have dyslexia. This also ensures districts can provide early screening, intervention, identification, and educational services to any child suspected of having dyslexia without delay. In a climate where “let the states decide” prevails, current law is aligned with this sentiment and is also best practice.

There are additional problems with relying on IQ tests for dyslexia identification:

1. IQ tests are not designed for this purpose—and they are inequitable.

The limitations of IQ tests are well documented.<sup>4</sup> Most IQ tests were normed on White, middle- and upper-class children, and decades of research show they can be culturally biased.<sup>5</sup> They also fail to measure the types of strengths that many individuals with dyslexia possess such as creativity, big-picture thinking, and emotional intelligence. Finally, with the IQ-discrepancy model, students with dyslexia and lower-than-average IQ scores may not be found eligible for specialized reading services despite research and student outcome data showing that children with intellectual disabilities (e.g., Autism, Down Syndrome, developmental disabilities etc., ) can effectively learn to read using the same evidence-based strategies that benefit others.<sup>6</sup>

2. They burden schools and delay evaluations.

In most districts, only certified school psychologists can administer IQ tests, which means the staff expertise, cost, and workload required for IQ testing only adds to the pressure and expense that schools face. For families, it can be anguishing to wait for months for answers or support when school teams struggle to manage their workload and long waiting lists.

Thankfully, most states have opted to use IDEA’s flexibility, and they no longer *require* districts to use the IQ discrepancy model to determine dyslexia. There are also states who *let districts decide*

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<sup>3</sup> The 21<sup>st</sup> Century Dyslexia Act states, “(4)...dyslexia’ means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader...” <https://www.congress.gov/bill/119th-congress/house-bill/5769/text>

<sup>4</sup> Fletcher, J.M, Miciak, J., *The Identification of Specific Learning Disabilities: A Summary of Research on Best Practices*, University of Texas Center for Learning Disabilities, (2019) at: [https://nimtsstac.org/sites/default/files/session-documents/Resource%201\\_Fletcher%20%26%20Miciak%20%282019%29%20The%20identification%20of%20specific%20learning%20disabilities%20A%20summary%20of%20research%20on%20best%20practices.pdf](https://nimtsstac.org/sites/default/files/session-documents/Resource%201_Fletcher%20%26%20Miciak%20%282019%29%20The%20identification%20of%20specific%20learning%20disabilities%20A%20summary%20of%20research%20on%20best%20practices.pdf)

<sup>5</sup> See *Larry P. v. Riles* at: <https://clearinghouse.net/case/13908/>

<sup>6</sup> Whitbread, K., Treimanis, A., *Advocating for Evidence-based Reading Instruction for Students with Intellectual Disabilities*, (2025) at: <https://www.copaa.org/blogpost/895540/502950/Advocating-for-Evidence-based-Reading-Instruction-for-Students-with-Intellectual-Disabilities>

whether or how to use IQ testing as one part of an evaluation to determine if a child has dyslexia. In a recent scan of all 50 states -and requirements related to the IQ-discrepancy model- 29 states *permit but do not require* it, 11 states *permit but discourage its use*, 7 states *do not allow districts to use it*, and, four states *are silent and let districts decide*.<sup>7</sup> These approaches reflect what Congress intended and also ensures that school teams, including parents, may use evidence-based tools to determine whether a child has dyslexia or another learning disability (e.g., dysgraphia or dyscalculia which often coexist with dyslexia); may determine what interventions and support they need; and, decide how to provide help without waiting for years of academic decline for children to become eligible for educational support.

It is in the best interest of every child that Congress supports current law when determining dyslexia. The IDEA is designed to allow states and districts to choose whether and how to use a strong, evidence-based approach grounded in early intervention, fairness, and flexibility so that schools can focus their resources on providing early screening, intervention, and identification for any child struggling to learn to read. The bill's proposed changes to IDEA will only set us back.

COPAA therefore urges you to consider the harm, if enacted, the *21<sup>st</sup> Century Dyslexia Act* would unleash on hundreds of thousands of children suspected of having dyslexia. Instead, we encourage Congress to expand federal investments into all parts of IDEA as well as the Elementary and Secondary Education Act via the Fiscal Year 2027 appropriations process. Doing so would ensure that every child suspected of having dyslexia and/or any other learning challenge has access to evidence-based literacy instruction, early screening and intervention, and the educational services they may need.

We appreciate your consideration of the concerns that have led COPAA to oppose the bill. If you have questions or would like to discuss the bill, please contact Laura Kaloi, COPAA's federal policy advisor at [lkaloi@stridepolicy.com](mailto:lkaloi@stridepolicy.com).

Sincerely,



Denise Marshall  
CEO

cc:

Members of the U.S. Senate

Members of U.S. House of Representatives

COPAA is an unparalleled peer-to-peer network that enables parents, family members, attorneys, special education advocates, and related professionals to engage in protecting the legal and civil rights of students with disabilities and their families. As the nation's leading authority on special education law, we support parents and mentor those who defend students' educational rights. Our members are also a proud part of the disability community. We provide knowledge exchange, research, training, mentoring, community building; elevate all voices to ensure equitable access to an education; help parents participate as meaningful partners in their child's education, and ensure the laws are implemented; provide legal opinions that open doors for students and shape laws; and, we influence policies that support children and their families.

[www.copaa.org](http://www.copaa.org)

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<sup>7</sup> See: *Policy Scan of SLD Eligibility Methods: 50 States*, National Center for Learning Disabilities, (2026) at: [https://nclcd.org/wp-content/uploads/2026/02/FINAL\\_50-State-SLD-Policy-Scan-from-NCLCD.pdf](https://nclcd.org/wp-content/uploads/2026/02/FINAL_50-State-SLD-Policy-Scan-from-NCLCD.pdf)