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**Dyslexia Individualized Learning Plans Emergency Rule 0520-01-22**

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**The Background:**

In the 2022 legislative session, Governor Lee and the Tennessee General Assembly passed the Tennessee Investment in Student Achievement (TISA) Act which will transition the state to a student-based funding approach starting in the 2023-24 school year. TISA defines “unique learning need” as including a learning need for which an LEA must provide a student services, interventions, accommodations or modifications to meet the student’s needs pursuant to a number of laws, including T.C.A. § 49-1-229 which address students with characteristics of dyslexia. TISA requires that these services and accommodations be documented in a written plan. Due to the passage of TISA and the proposed Department of Education (Department) rules necessary to implement TISA, this item creates a new proposed rule that outlines requirements regarding dyslexia individualized learning plans (or ILP-Ds). ILP-D’s are documents developed for students with characteristics of dyslexia that prescribe the academic goals, supports, and/or accommodations that a student may need to access classroom instruction.

This rule delineates how students are identified as having characteristics of dyslexia and the required ILP-D components for each grade band. Additionally, the rule sets ILP-D requirements for local education agencies (LEAs), such as parental notification requirements and oversight plan requirements. The requirements outlined in this rule mirror the requirements outlined in the Department’s proposed TISA rules.

This rule is being brought as an emergency rule in accordance with T.C.A. § 4-5-208(a)(5) to ensure the requirements for ILP-Ds for students with characteristics of dyslexia are clear for LEAs and to ensure LEAs can begin development of ILP-Ds in the 2022-23 school year. The number of students identified as having characteristics of dyslexia and who have ILP-Ds in 2022-23 school year will impact the funding an LEA receives through TISA starting in the 2023-24 school year. A permanent version of this rule is also being heard on first reading at this meeting.

**The Fiscal Analysis Impact:**

T.C.A. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule, or regulation proposed to the State Board of Education. This item has no financial impact on the Department, the State Board, or any LEA or public charter school.

**The Recommendation:**

The Department of Education recommends approval of this item on first and final reading. The SBE staff concurs with this recommendation.