

## When reading becomes a right: What the law says about dyslexia, education

Annie McGlothlin Guest columnist

Nov 5, 2025

---



Annie McGlothlin

*Annie McGlothlin, co-founder of WYO Right to Read, has spent decades advocating for children's educational rights and for the rights of adults with disabilities to live with choice, dignity, and opportunity. A paralegal, mother of an adult son with autism, and grandmother raising a grandson with dyslexia, she was instrumental in passing 2019 legislation to protect children in the court system and organized the 2014 Capitol march for disability funding. For more, visit [WYORightToRead.org](http://WYORightToRead.org).*

I am not an attorney, and I do not give legal advice. I am a grandmother — one who found herself thrust into special-education law after watching my bright, creative grandson struggle to read.

He has dyslexia. Like so many Wyoming children, he was failing in school — not because he wasn't smart, but because the system didn't know how to teach him. Because our youngest son has autism — he's now nearly 40 — we learned about special-education law long ago. Back then, he wasn't learning through traditional instruction, either. After research, we discovered that Applied Behavior Analysis (ABA) was the evidence-based method he needed. We hired an attorney, pursued that right and prevailed.

That experience taught us something lasting: when a specific method is essential to a child's progress, the law supports parents who insist upon it. Today, I find myself fighting a similar battle — but this time for my grandson. After years of advocacy, he continues to receive the evidence-based instruction he needs to learn to read.

## The legal foundation: IDEA, Section 504 and ADA

Under the Individuals with Disabilities Education Act (IDEA), every child with a disability has the right to a Free Appropriate Public Education (FAPE) — one designed to meet their unique needs and prepare them for further education, employment and independent living.

Dyslexia is explicitly listed as a “specific learning disability.” That means students with dyslexia are entitled to individualized, evidence-based instruction delivered by qualified teachers. Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) extend these protections by prohibiting discrimination and ensuring equal access.

Together, these laws guarantee not just attendance, but meaningful access — an education that leads to genuine progress. And how can a student with dyslexia have “equal access” if they are never taught to read?

## What I learned the hard way

At my first Individualized Education Program (IEP) meetings, I was told, “We can’t list a specific reading program or methodology in your child’s IEP.” Like most parents, I believed it. Later, I learned that’s not always true.

Not every IEP must name a method, but when a child’s progress depends on one, the law requires it. If your child can only learn through structured, evidence-based programs — like Orton-Gillingham approaches such as Wilson or Barton — that methodology *must* be written into the IEP and delivered consistently. The 9th Circuit U.S. Court of Appeals confirmed this in *R.E.B. v. Hawaii Department of Education* (2017), holding that when a particular method is essential to a child’s plan, it must be specified and implemented consistently.

Children with dyslexia cannot learn to read through traditional “specialized” instruction. They need explicit, systematic literacy programs that teach the structure of language. Many require at least an hour per day, taught by trained educators, to make meaningful progress.

## Precedent matters: The courts have spoken

In *Endrew F. v. Douglas County School District* (U.S. Supreme Court, 2017), the court raised the standard for every IEP in America. Schools must provide programs “reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” Minimal or token progress is not enough.

For students with dyslexia, “appropriate progress” means learning to read — not just advancing grades while remaining functionally illiterate. In *O.R. v. Clark County School District* (9th Circuit, 2018), the court reaffirmed that denying or inconsistently applying a required methodology can amount to a denial of FAPE. The district was ordered to reimburse the parents \$456,990.60 for providing the method themselves.

These cases send a powerful message: when a particular methodology is essential for a child to learn, the law protects your right to demand it. There are many more cases affirming that principle.

## What parents can do

- 1. Know the law.** Dyslexia qualifies as a “specific learning disability” under IDEA. That classification carries legal rights to specialized instruction and accountability.
- 2. Document everything.** Keep copies of evaluations, emails and IEP drafts. If the district refuses to identify the diagnosis or include a methodology, request a Prior Written Notice under 34 C.F.R. § 300.503 requiring them to explain the refusal in writing.
- 3. Insist on evidence-based instruction.** If a neuropsychologist or reading specialist recommends a structured literacy program, that recommendation carries legal weight. When it’s critical to your child’s progress, the law supports your right to have it written into the IEP.

## The bigger picture

At WYO Right to Read, we believe literacy is a civil right. Every child deserves access to teachers trained in evidence-based methods, and schools must be held accountable under the law.

## Closing thought

I never set out to become an expert in special-education law. I just wanted my children — and now my grandson — to learn. After decades of advocacy, I’ve learned that justice in education begins when parents know the law and demand its promise be kept. It’s the tool that empowers families to ensure that every child, regardless of how their brain is wired, has the right to learn to read.

If your child is struggling, don’t wait. Ask questions. Request evaluations. Keep records. And know this — you are not alone. The law is on your side. And so are we. For more information and resources, visit [WyoRightToRead.org](http://WyoRightToRead.org) — there’s far more to your child’s educational rights than what’s written in the “Procedural Safeguards” packet handed to you at IEP meetings.