

## My Child Can't Read: What Should I Do?

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If your child struggles with reading, you have good reason to worry. After all, struggling readers usually feel humiliated and ashamed about their “failure.” They’re often badgered to try harder, although they start out working hard, trying their best. Some, desperately wanting to read, struggle endlessly, in vain, while others resist reading and eventually drop out of school. As adults, few compete successfully in a world requiring ever increasing literacy abilities. Fortunately, with proper support and instruction, many struggling readers can become good readers. And legally, schools must help.

Although many schools want to help, many don’t. If they don’t, three federal laws give you leverage if your child meets their “technical” eligibility definitions. Roughly speaking, if your child’s reading difficulties are moderate-to-severe, he may be eligible for special education under the Individuals with Disabilities Education Act of 2004 (IDEA); if they’re mild-to-moderate, Section 504 of the Rehabilitation Act of 1973 (Section 504) and the No Child Left Behind Act of 2001 (NCLB) can often help.<sup>1</sup>

### THE THREE LAWS

#### ***Eligible for Special Education under the Individuals with Disabilities Education Act of 2004 (IDEA)***

*A full eligibility evaluation.* Under IDEA, schools must evaluate children suspected of having reading disabilities, to determine their eligibility for special education and their educational needs. Thus, you have the right to request an evaluation to determine your child’s eligibility and needs. Fortunately, the process can be relatively quick. IDEA requires that your school district complete the evaluation within 60 days of your consent (unless your state has a different time frame), and that a team of “qualified professionals” evaluate your child, using a variety of technically sound measures or assessments.

IDEA also gives you the right to request a comprehensive evaluation by a reading specialist. Because schools rarely provide a reading specialist’s evaluation, request one. If schools will not provide a comprehensive reading evaluation, show them these sections of IDEA: “Each local education agency (LEA) shall ensure

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<sup>1</sup> For more precise definitions of eligibility, parents are urged to read the federal laws and regulations. These, along with informative articles on the laws, can be found at [www.nichcy.org](http://www.nichcy.org) (the National Dissemination Center for Children with Disabilities). For IDEA, parents are also urged to read their state laws and regulations.

that . . . Assessments . . . are administered by trained and knowledgeable personnel . . . The child is assessed in all areas of suspected disability . . . Assessment tools and strategies . . . provide relevant information that directly assists persons in determining the educational needs of the child” (20 U.S.C. §1414, Evaluations and IEPs). Then, if you live in one of the many states that have separate certifications for reading teacher or specialist, remind them that the state recognizes reading as a specific discipline requiring a specific course of study.

*The Individualized Education Program (IEP).* Shortly after the evaluations are completed, you and the team must meet to determine if your child has a disability that makes him eligible for special education. If your child is ineligible, the school can still use IDEA funds to provide the additional reading help he needs to succeed in general education. Moreover, as discussed below, he may also qualify for extra help under Section 504 and NCLB.

If, however, your child is eligible, his IEP Team must then meet to jointly write a plan, called an Individualized Education Program (IEP), that is likely to meet his special education needs, including teaching him to read.<sup>2</sup> The Team consists of a school representative,<sup>3</sup> at least one special education teacher, at least one regular education teacher (if your child does or may participate in general education settings, such as a general education class), a professional qualified to interpret the implications of the evaluation results, people with knowledge or special expertise about your child, your child (if appropriate), and you.<sup>4</sup> Because the reading specialist is probably the only person “who can interpret the instructional implications of the [reading] evaluation” (IDEA, 20 U.S.C. §1414, Evaluations and IEPs), you should formally request the specialist’s attendance.

*IDEA’s meaningful progress benefit.* As part of the IEP, the school must provide whatever services (other than services that are clearly medical, that require a doctor or hospital) your child needs to make significant progress in reading. Of course, to obtain these services, justification is needed.

The word “meaningful” is important—federal courts have not allowed schools to offer programs likely to produce only trivial or insignificant progress. The services in the IEP must offer your child the likelihood of making progress consistent with his abilities, progress likely to achieve the goals in his IEP. This is one reason why IDEA now requires that special education programs be

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<sup>2</sup> This article does not fully discuss IEPs. For more comprehensive information about IEPs, visit [www.nichcy.org](http://www.nichcy.org) or [www.ed.gov](http://www.ed.gov)

<sup>3</sup> IDEA requires that the representative be (a) knowledgeable about the availability or resources and the general education curriculum, and (b) qualified to provide or supervise special education. Insist that the representative attend, as only he or she may have the authority to commit resources.

<sup>4</sup> You, as parent or guardian, are an equal member of the team. Your thoughts, suggestions, and concerns are as important as anyone else’s. Moreover, IDEA mandates that the IEP Team consider the parents’ concerns for enhancing their child’s education.

“based on peer reviewed research to the extent practicable” (IDEA, 20 U.S.C. §1414, Evaluations and IEPs). This is also why he needs a reading evaluation that accurately and comprehensively portrays his needs and abilities, and why the goals in his IEP must be ambitious, but realistic. “Ambitious, but realistic” is an educational phrase, coined by the author; it means that with (a) quality instruction, using programs and instructional strategies that reflect the findings of peer-reviewed research, and (b) with continued, reasonable effort by your child, he will likely make substantial progress in reading, progress sufficient to achieve his IEP goals.

*The core.* The IEP is the core of every child’s special education program. By law, it is a highly personalized, mandated document that must describe your child’s “present levels of academic achievement and functional performance,” list “measurable annual goals, including academic and functional goals, designed to . . . enable [your] child to be involved in and make progress in the general education curriculum [including reading],” list whatever related services and supplementary aids and services your child needs to obtain these goals, list the supports your child’s teachers and other school personnel need to help him achieve these goals, and specify the school and type of setting(s) in which your child will be placed. (20 U.S.C. §1414, Evaluations and IEPs). Typical program settings you might be offered include:

- A general education class with an aide or an in-class support teacher to help with reading.
- A general education class with your child pulled-out for reading instruction by a resource or remedial reading teacher.
- A self-contained, full-time special education class.

Whatever the setting, it’s critical that the personnel be highly knowledgeable and skilled in the teaching of reading to struggling readers and that they know how to make instruction enjoyable, motivating, and productive. Having a good IEP without knowledgeable, skilled instructional staff is like having a good blueprint for a house, but one built by carpenters, plumbers, and electricians who can’t read blueprints. The result: Disaster.

Although IDEA encourages schools to employ “highly qualified” teachers, it does not explicitly mandate that they be effective; moreover, the definition of “highly qualified” is contentious and ambiguous and differs among states. Thus, it’s important that you advocate for knowledgeable, skilled instructional staff. One way to do this is to have the IEP Team write an IEP that calls for “—hours weekly of instruction by a certified reading specialist.” Another way is to have the IEP state that in order to improve your child’s reading, a reading specialist will review his progress weekly, help plan each week’s reading instruction, and consult with his teacher—hours weekly. When making one or both of these

requests, keep in mind two points: (a) many special education teachers have little formal education in teaching struggling readers how to read; (b) many state's recognize that diagnosing reading difficulties and teaching reading to struggling readers is different from special education; consequently, they offer different certifications.

“*Least Restrictive Environment (LRE).*” IDEA recognizes that no one setting is correct for every child. Thus, IDEA requires that each child's program take place in the Least Restrictive Environment (LRE), one that differs for different children. Specifically, IDEA requires that “to the maximum extent appropriate, children with disabilities . . . are [to be] educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily” (PL 108-446, § 612. State Eligibility). This means that (a) once IEP goals are agreed to, first consideration must be given to placement in general education, with whatever supplementary aids and services your child needs to succeed; (b) your child's program must be sufficiently personalized for him to achieve each of the goals in his IEP; and (c) your child must be educated in settings or classes that are as “normal” as possible, and in which he can achieve his IEP goals.

Legally, schools cannot place your child in a more restrictive environment because a less restrictive one that can fully meet his needs is unavailable or is more expensive. If your child can achieve his IEP goals in a regular class with the daily in-class help of a reading specialist, a special education class would be too restrictive and therefore illegal; in contrast, if your child requires the intensity and non-competitiveness of a specialized school for children with dyslexia to achieve his IEP goals, placement in a regular class with extra help from a reading specialist would be too restrictive, as he is unlikely to make adequate progress. Decisions about the appropriate setting or LRE must always be made on the basis of your child's unique needs, the degree to which the program involves him with children without disabilities, and his ability to make progress in the placement.

*A plan that works.* In essence, the IEP is a plan agreed to by you and the school's IEP Team members. As such, it must address your child's specific needs, unique abilities, and offer a program likely to produce good gains in reading; by law, it cannot be a generic boilerplate document the school gives to all children with reading disabilities. If the IEP is not working—if your child is not making sufficient progress—you should, in writing, request another IEP meeting, to identify the blocks to learning and to develop a new IEP, one that

removes the blocks and provides the services needed to successfully teach your child to read.

But how do you know if the IEP is working, if your child is achieving his goals? IDEA requires that the IEP contain “a description of *how* the child’s progress toward meeting the [IEP’s] annual goals . . . will be measured and *when* periodic reports on the progress the child is making toward meeting the annual goals . . . will be provided” (20 U.S.C. §1414, Evaluations and IEPs, italics added). A problem with this is that for all but children with the most limiting disabilities, IDEA no longer requires short-term objectives or benchmarks. As part of the IEP Team, however, you can request that (a) the IEP include short-term objectives or benchmarks to answer the how and when requirements; (b) your child’s teachers send you the results of weekly Curriculum-Based Measurement (CBM) probes, such as counting the number of words your child correctly pronounces in one minute of passage reading; (c) your child’s teachers send you the results of weekly Goal Attainment Scaling, a system they can use to numerically rate his progress in meeting his annual reading goals. If these don’t work, consider hiring a reading specialist to assess progress.

### ***Ineligible for Special Education under IDEA***

*Section 504 of the Rehabilitation Act of 1973 (Section 504)*. If your child is judged ineligible for special education under IDEA, all is not lost. Specially designated school representatives (usually the original IDEA “team of qualified professionals”) must formally meet to determine your child’s eligibility for additional or specialized reading services under Section 504 (29 U.S.C. § 794); often, 504’s definition of disabilities makes struggling readers eligible. If your child struggles to learn to read, and if progress is poor, she probably meets 504’s eligibility definition.<sup>5</sup>

In a nutshell, 504 requires the school to provide your child with the same opportunity to succeed in reading that it provides other children; often, this means additional services. In many respects, however, the services, rights, and potential benefits of IDEA eligibility are greater and more exact than 504 eligibility.<sup>6</sup> One of the major benefits of IDEA, distinguishing it from 504, is that IDEA requires a written IEP that contains specific items, such as annual academic and functional goals and statements of how progress toward these will be measured, and when you will be notified of progress.

*The No Child Left Behind Act of 2001 (NCLB)*. Under the NCLB (115 Stat. 1425, Pub. L. 107-110), schools must demonstrate that each subgroup of students identified by NCLB (e.g., students with disabilities, economically

<sup>5</sup> In broad terms, the definition states that schools cannot discriminate against children who have mental or physical problems that “substantially impair or restrict one or more major life activities, such as . . . learning” (Section 504).

<sup>6</sup> This is because IDEA is a “benefits” act and Sections 504 is a civil rights discrimination act.

disadvantaged students) has made adequate yearly progress (AYP) in reading. Schools that fail to demonstrate AYP for two consecutive years are labeled as needing improvement. Once this happens, schools may have to provide transfers to public schools that have achieved their targeted AYP as well as supplemental services, such as tutoring:

- “In the first year that a school is considered to be in need of improvement, parents receive the option to transfer their child to a higher-performing public school, including a charter school, in the district. Transportation must also be provided” (U. S. Department of Education, 2004, p. 4).
- “In the second year [of needing improvement] . . . the school must continue offering public school choice, and the school must also offer supplemental services (e.g., free tutoring) to low income students” (U. S. Dept. of Education, 2004, p. 5).

This may not be as good as it sounds. First, unlike IDEA services, NCLB transfers and supplemental services (e.g., tutoring) depend on the school’s finances, especially federal funding, which is often inadequate. Second, if one school in a district needs improvement, others probably do too. Unfortunately, if a school needing improvement is near an exceptionally good school, too many transfers may turn it from a good school into a “failing” school. Finally, the quality of tutoring may vary tremendously, as tutoring will be provided by a hodgepodge of private, for-profit companies and non-profit organizations. As with much of NCLB, the states have yet to figure out how to monitor and assess the quality of tutoring

Despite the difficulty that many educators and parents have with NCLB (e.g., dependence on standardized tests, inadequate funding), school personnel feel threatened by NCLB—they do not want the newspapers labeling them as “failing,” something that can happen if the school as a whole or a subgroup of the school’s students does poorly on the state’s NCLB tests. Thus, schools feel pressured to remediate reading problems, especially if they’re caught early on, when they’re easier to remediate. Although this does not give you specific rights unless the school has been legally identified as needing improvement and although NCLB has nothing to do with classifying your child as eligible for special education, NCLB can provide you with psychological and political leverage. To use this leverage, be polite, be respectful, be honest, but if the school denies your child needed services, be assertive: Remind school personnel that your child’s poor test scores can hurt everyone, including them—use the NCLB as legitimate leverage.<sup>7</sup>

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<sup>7</sup> If your child is classified as eligible for special education under IDEA, you may have additional leverage as states must annually inform the federal government of the progress of students with disabilities, the indicators of progress that states must use are directly linked to NCLB indicators of AYP.

### CRITICAL COMPONENTS OF READING INSTRUCTION: A READING PLAN

For your child's reading program to have a good chance of improving her reading, you should meet with school personnel to develop a reading plan (e.g., IEP). At minimum, it should:

- List and describe your child's independent, instructional, and frustration reading levels. As the name infers, children should be instructed with materials at their instructional level; at this level, teachers work directly with students; students easily recognize 95% or more of the words they encounter and understand 70% or more of what they read. At the independent level, children easily recognize 99% of the words they encounter and understand 90% or more of what they read; homework should be at this level. Frustration level materials should be avoided, as they cause emotional distress and block learning; at this level, children stumble with words, recognize fewer than 90% of the words they encounter and understand less than 70% of what they read.
- List and describe your child's specific reading difficulties (e.g., difficulties in quickly recognizing common words, analyzing unknown words, or comprehending grade level materials).
- List and describe the general methods and learning strategies that teachers and reading specialists will initially use to instruct your child.
- List and describe the level, type, and complexity of in-class work and homework assignments likely to frustrate and demoralize your child and the characteristics of assignments likely to make her feel successful and competent.
- List two to four ambitious but realistic reading goals, goals that with quality instruction your child should achieve without frustration (e.g., "By the end of the 4<sup>th</sup> marking period, Carol will read at a 4<sup>th</sup> grade instructional level in the XYZ basal series").
- List, for each goal and marking period, an objective or benchmark that clearly indicates whether your child is making "meaningful" progress (e.g., "Carol will read new 3<sup>rd</sup> grade selections of approximately 250 words, with 98% word recognition accuracy, on three successive occasions, by the end of the 2<sup>nd</sup> marking period"). Although not generally required by IDEA, objectives or benchmarks linked to marking periods make assessing progress manageable and provide information needed to quickly modify a failing program.
- List the services needed to assure substantial progress in reading (e.g., "Daily, Carol will receive 1-hour of one-to-one tutoring by a reading specialist").

- List and describe the accommodations and modifications needed to assure your child's success in her regular education classes and other instructional settings; this may include short assignments, specialized software, non-stigmatizing textbooks at her independent and instructional levels, in-class support teachers, and modified curricula.
- Describe how the different parts of your child's reading program (e.g., reading instruction in her regular education class and tutoring) will be coordinated so she does not get confused.

### INSTRUCTIONAL CONSIDERATIONS

To make meaningful progress in reading, struggling readers frequently need counseling, several hours of extra reading help weekly, one-to-one tutoring or small group instruction (two or three students) from a reading specialist, or daily instruction from a reading specialist over the summer. If your child is eligible for special education under IDEA, and if valid, relevant information shows that these or other services are needed to make progress or avoid regression, IDEA requires that schools offer these services, even if they have to create them from scratch.

#### ***Pull-out Programs***

Many teams of qualified professionals, administrators, teachers, and parents believe that placing children in pull-out resource center programs for part of the day produces adequate progress in reading. Sometimes it does. But sadly, these and other pull-out programs often produce minimal progress, even regression. Four reasons explain this. First, resource center teachers are special education teachers. As such, many lack sufficient education in reading disabilities, which is an extraordinarily complex field. This dramatically reduces their effectiveness, despite good intentions. Second, aides often provide these children with a great deal of pull-out and in-class reading instruction. Even under the direct supervision of teachers, many aides lack the knowledge and skill needed to provide quality instruction—they don't know how to respond to the struggling readers' difficulties. Third, compared to average achieving children, struggling readers need far more relevant reading instruction and opportunities to read materials they find interesting, easy, or moderately challenging. Unfortunately, in resource centers, these children frequently get little relevant instruction and few reading opportunities. And fourth, to avoid confusion and to provide sufficient reinforcement, struggling readers need systematic, integrated, coordinated instruction. Because resource center and regular classroom teachers often have little or no opportunity to regularly observe struggling readers in each others' classes and to jointly plan lessons, these children often get fragmented, uncoordinated, contradictory lessons that confuse and frustrate them. Part of the solution is to write

a plan (e.g., an IEP or a Section 504 accommodation plan) that explicitly provides the services of a reading specialist, provides ample opportunity for all instructional staff to observe one another instruct your child, and provides regularly scheduled times to jointly plan lessons.

### ***Reading Specialists***

As a parent, you should respectfully insist that your child get whatever extra reading instruction from a reading specialist that she needs and that the specialist meet with your child's regular and special education teachers at least twice a month to coordinate instruction in reading and related areas (e.g., social studies). At a minimum, the professionals teaching your child to read must have training adequate to meet the goals and objectives in her reading plan. Keep in mind that reading is complicated and that reading disabilities is even more complicated. Without coordinated instruction and without monitoring and supervision from a reading specialist, struggling readers are unlikely to succeed in reading. As the American Federation of Teachers (1999) noted, "teaching reading is a job for an expert . . . teaching reading is rocket science" (p. 1).

### **PARENT AND STUDENT SUPPORT**

To better understand your child's educational needs and to learn how to accelerate her learning and help her at home—in ways that avoid conflict and confusion—you might request regular parent training and counseling. Under IDEA, schools can provide these as related services if, as with all related services, you can make a compelling case that these services are necessary for your child "to benefit from special education" (20 U. S. C. §1401, Definition). If the school's IEP Team members agree, list the services and their annual goals in the IEP. Unfortunately, to provide such services, many schools require IDEA eligibility.

Many professionals forget that emotional issues often block students' learning, that often learning success depends on effectively resolving emotional issues. If this happens, share quotes from the professional literature. Here are two:

- When reading is viewed as a threat, children build negative self-schemas of who they are and who they can become. This way of thinking causes a dark mood to envelop their perceptions and they come to believe they are incapable of success. If this mood is persistent, chronic difficulties like learned helplessness may occur. Emotions go beyond the domain of reading to cut at the very soul of a child. (Zambo & Brem, 2004, p. 200)
- Emotional disorders and problems with social development are generally the result, rather than the cause, of learning problems . . . As children with learning problems appraise themselves in relation to others, they often see that they fall short in terms of achievement. They are

usually members of the low-reading group, and reading—or any academic subject—becomes a stress filled, anxiety producing situation. As a result, these children are more vulnerable to stress and pressures exerted by their environment. They attempt to minimize these pressures by developing varying defense mechanisms. One defense mechanism is withdrawing from participation in classroom activities and social activities; another is to become loud and aggressive, finding ways to be irritating and upsetting. Both of these avoidance techniques serve to mask their fear of failure. By emphasizing one behavior, such as acting out, attention can be distracted from other areas of inadequacy. (Rupley & Blair, 1989, p. 314)

If your child has emotional issues that interfere with academic success or that resulted from reading difficulties, IDEA and Section 504 provide excellent justification for requesting regular counseling. IDEA requires annual goals to “meet the child’s needs that *result* from the child’s disability . . . [to] meet each of the child’s other educational needs that *result* from the child’s disability” (20 U.S.C. §1414, Evaluations and IEPs, italics added). Thus, emotional scars from ongoing reading difficulties and adverse emotional reactions to academics (e.g., refusal to read, extreme passivity during reading, disruptive behaviors during academics) merit professional intervention sufficient to meet your child’s needs. As with most interventions, they should be focused, planned, systematic, and positive. To use IDEA, discuss your child’s emotional issues with the IEP Team, develop preliminary goals, ask the IEP Team to list counseling as a related service, meet with the counselor to discuss the goals, routinely meet with the counselor to monitor your child’s progress and decide how to coordinate efforts, and if necessary, ask the counselor to meet with the IEP team to modify the goals. Although IDEA and Section 504 provide the opportunity to get counseling, you might need to insist that the school provide it frequently enough to ensure success.

#### YOUR CHILD’S PROGRESS

Good educational policy, as well as IDEA, require that your child’s school inform you of your child’s progress. In addition to report card grades and teacher comments, listen to your child read and look at his written work. If you suspect inadequate progress, request a meeting with your child’s teacher, a meeting that gives you enough time to fully discuss issues and solve problems. At the meeting, ask the teacher to summarize your child’s progress; if it’s inadequate, jointly figure out how to accelerate it. If, after a month, your child continues to make inadequate progress, and under IDEA she is eligible for special education:

- Review your child’s program with her teacher and the members of her IEP Team most likely to figure out what’s blocking progress.
- Request an evaluation from a reading specialist if the school cannot figure out how to increase your child’s rate of progress. Ask that the evaluation include diagnostic teaching and observations of your child in all subjects involving reading and writing. If you were dissatisfied with the previous reading evaluation, ask for an independent evaluation from a university reading clinic or someone with a doctorate in reading disabilities. In the short and long run, it’s cheaper for the school to hire an expert who gets to the heart of the matter and identifies solutions than it is to perpetuate failure.
- Ask for a new IEP that provides accommodations, modifications, and services likely to accelerate progress. Make sure that the new program is closely monitored and that all parties agree to meet every four to six weeks to share data documenting progress.

#### RESOLVING DISAGREEMENTS

For legitimate reasons, school personnel may disagree with some of your opinions, observations, and requests. Getting into verbal fights or power struggles to prove that you’re right and they’re wrong creates resentment, but rarely improves the situation. In most instances, you’re likely to achieve satisfactory resolution if you treat school personnel with respect and focus on problem solving. This can be done by:

- Listening to fully understand their concerns and opinions.
- Summarizing their main points.
- Asking them to objectively lay out all major facts on a single piece of paper, in straightforward, non-technical language.
- Asking them to explain their analysis of the major facts.
- Asking them to discuss what they think will produce success in reading.
- Asking them to share the peer-reviewed literature that impartially discusses their recommendations.
- Asking them to join with you in creating clear, short-term objectives or benchmarks to assess progress.
- Asking them what data they will collect to monitor progress.
- Asking them what they recommend doing if, after a month, progress remains poor.

In other words, treat differences as problems to be solved rather than fights to be fought. If this proves unsatisfactory, you may request an independent evaluation, hire a reading specialist to help develop a reading program, or meet with a special education attorney to discuss the pros and cons of initiating an impartial due process hearing.

### TAKING ACTION

Being a parent is not easy, especially if your child struggles with reading. Nevertheless, you can do a great deal to help your child succeed in reading if you learn all you can about IDEA, Section 504, NCLB, and reading difficulties. But you must go beyond learning and take action. You must

- Investigate fully your child's learning needs.
- Monitor your child's progress continuously.
- Make informed requests.
- Schedule regular meetings with school personnel to assess data and monitor progress.
- Meet with teachers to coordinate efforts between school and home.
- Treat disagreements as problems to be solved.
- Make sure, if your child is eligible for special education, that her IEP or Section 504 plan is likely to provide her with the instruction and services needed to succeed in reading.

Although there are no guarantees, by taking these steps you dramatically increase the probability that your child will successfully learn to read.

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