



# Specific Learning Disability

## Policy Update

### June 2020

Dr. Beverly Emory: Deputy State Superintendent of District Support

Ms. Sherry Thomas: Director, Exceptional Children

Dr. Matt Hoskins: Assistant Director, Exceptional Children

# Public Comment

- Received 92 public comments (responded individually)
- Thematic analysis (based on frequency):
  - Definition of “Evidence-Based” (9 comments - 9.78%)
  - Observation requirements (8 comments - 8.70%)
  - Definition of SLD (8 comments – 8.70%)
  - Grammar / Spelling (5 comments – 5.43%)
  - General Outcome Measures (4 comments – 4.34%)



# Public Comment

## Definition of “Evidence-Based”

~~Scientific research-based intervention~~ Evidence-based intervention:

The term evidence-based intervention means a defined practice, program, or strategy that:

(I) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on –

(i) strong evidence from at least one well-designed and well-implemented experimental study; moderate evidence from at least one well-designed and well-implemented quasiexperimental study; or

(ii) promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or

(II) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and -

(i) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

School-based teams should use the highest level of evidence available when determining interventions across areas of concern.



# Public Comment

## Observation Requirements

### NC 1503-3.4 Observation

- (a) The LEA must ensure that ~~systematic~~ observational data **information** is collected in the child's learning environment (including core instruction and the setting in which the child received intervention) in order to:
  - (1) Document the child's academic achievement, functional performance and behavior in the area(s) of difficulty.
  - (2) Assist in the documentation that appropriate instruction was provided, and that ~~scientific research~~ **evidence**-based interventions were delivered.
- (b) The IEP Team described in NC 1503-2.7(a)(1), in determining whether a child has a specific learning disability, must ~~decide to use-~~
  - (1) ~~Information from at least one systematic observation conducted during routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation~~ **Relevant observation data/information regarding instructional, curricular, and/or environment areas addressed to support appropriate instruction of all students that was completed before the child was referred for an evaluation, or as part of the evaluation described in NC 1503.2.5 through NC 1503-2.7;**



# Public Comment

## Observation Requirements

- (2) ~~Information from at least one systematic observation conducted within the setting in which the child receives scientific research-based intervention, that was completed before the child was referred for an evaluation~~ Relevant observation data/information collected within the setting in which the child receives intervention to support effective evidence-based intervention delivery that was completed before the child was referred for an evaluation, or as part of the evaluation as described in NC 1503.2.5 through NC 1503-2.7;



# Public Comment

## Definition

### NC 1500-2.4(b)(11) Specific learning disability

#### Specific learning disability.

- (i) General. Means a ~~disability~~ **disorder** in ~~one or more of the basic~~ processes involved in understanding or in using language, spoken or written, that may manifest itself in the impaired ability to listen, think, speak, read, write, spell, or to do mathematical calculations. ~~The disability substantially limits academic achievement so that the child does not learn at an adequate rate when provided sustained, high quality instruction and scientific research~~ **evidence**-based intervention. **Alternate terms Conditions** may include, but are not limited to, dyslexia and dyscalculia.
- (ii) Disabilities not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of serious emotional disturbance, or of environmental, cultural, or economic disadvantage.



# Federal Definition

## Sec. 300.8 (c) (10)

[Statute/Regs Main](#) » [Regulations](#) » [Part B](#) » [Subpart A](#) » [Section 300.8](#) » [c](#) » 1

(10) Specific learning disability—

- (i) General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
- (ii) Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

*Last modified on May 25, 2018*



# Public Comment

## General Outcome Measure

### NC 1500-2.11(b)(13) Progress Monitoring

#### Progress monitoring

Progress monitoring refers to ~~an scientific research~~ **evidence**-based practice used to assess students' academic and/or behavioral performance and evaluate the effectiveness of instruction and/or specific interventions. Progress monitoring can be implemented with individual students, groups of students, or an entire class. Central to the practice is data-based documentation of repeated assessments that produce quantitative results that are charted over time to document rates of improvement. The measures should be brief, reliable, valid, sensitive, linked to the area of intervention/instruction, and measure the same construct/skill over time. Embedded assessments within evidence-based intervention programs can also be an important source of progress monitoring data for students that are performing well below grade level. Students who are performing very far below expected levels may be progress-monitored the most frequently with these types of measures, but should also receive periodic progress monitoring using **a general outcome measure** (CBM) in order to ensure skills are transferring to content that is closer to grade level expectations.



# 2016 NC SLD Eligibility Criteria

- **Prohibits**
  - Cognitive discrepancy
  - Pattern of strengths and weaknesses



# 2016 NC SLD Eligibility Criteria

- **Requires**

- The use of a student's responsiveness to instruction and evidence-based intervention *as a component of a comprehensive evaluation*

- **Continues to Require**

- Child Find
- Procedural safeguards
- A full and individual evaluation
- Data that demonstrate the child was provided appropriate instruction in the general education setting
- Intervention and progress monitoring



# Implementation Resources

- White paper
- 8 Fact Sheets
- Review and Planning Tool
- Sources of Evidence
- Data Mapping Template
- Minimum Standards Document



# Professional Learning

- MTSS Modules: 1,2,3 (District and School)
- EC Conference
- March and Summer Institute
- School Psychology Trainings
- Quarterly Regional Meetings (EC and MTSS)



# Questions

