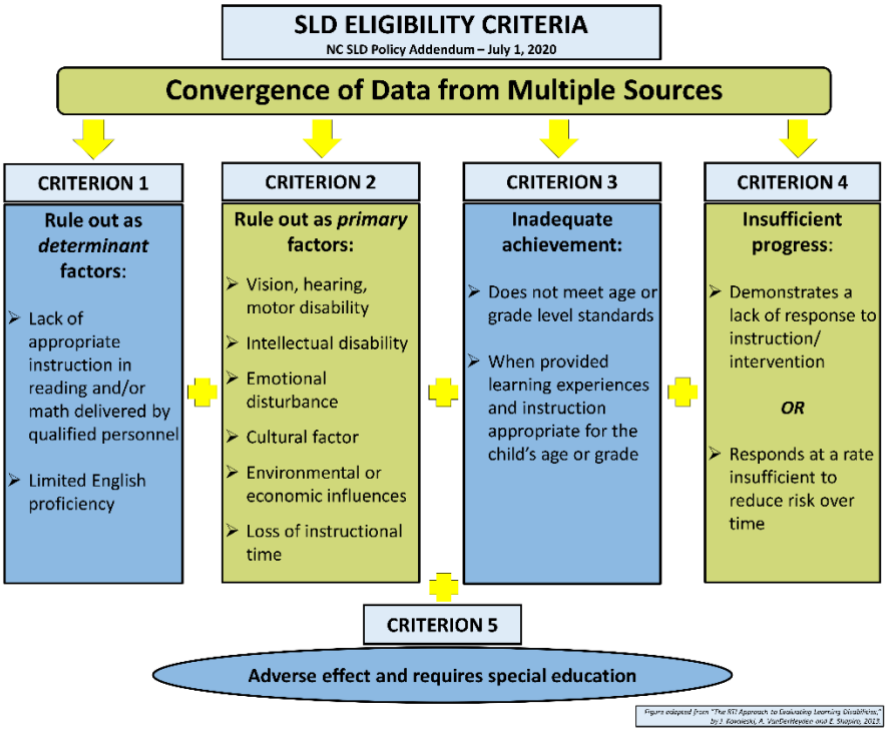
SLD POLICY FACT SHEET #1 – *IDENTIFICATION OF AN SLD*

The *NC Policies Governing Services for Children with Disabilities* became fully effective July 1, 2020, regarding the definition, evaluation and identification of students with Specific Learning Disabilities (SLD). The regulations for IDEA 2004 define a comprehensive evaluation as a "data-gathering process." This fact sheet, the first in a series, addresses the updated requirements related to the identification of an SLD.



This graphic provides an overview of the criteria for determination of a Specific Learning Disability. This figure is adapted from "The RTI Approach to Evaluating Learning Disabilities," by J. Kovaleski, A. VanDerHeyden and E. Shapiro, 2013.

Highlights

- Establishes a single, consistent process of defining, evaluating, and identifying students with SLD
- *Prohibits* the use of a discrepancy between intellectual disability and achievement (i.e. obtained by calculating a difference of 15 points or more between academic achievement and measured intellectual ability), the alternative to discrepancy analysis, and/or the use of a pattern of strengths and weaknesses.
- *Requires* the use of a student's responsiveness to instruction and scientific research based intervention through a multi-tiered system of support *as a component of a comprehensive evaluation.*
- Provides for early intervention, rather than a "wait to fail" approach
- A shift in focus from determining who is eligible for services to providing instruction students need for success
- A shift away from unexpected underachievement relative to intellectual ability to unexpected underachievement in the context of high quality instruction and intervention.
- Data that demonstrates the child was provided appropriate instruction in the general education setting
- Data based documentation of repeated assessments of achievement reflecting formal assessment of student progress
- A full and individual evaluation using multiple sources of data

- Streamlines training, guidance, and coaching
- Procedural safeguards
- Child Find

"A learning disability is not technically a learning disability unless it is allowed to become a disability." (Dickman, 2014)

MTSS and RtI

The North Carolina Department of Public Instruction has cast the vision that "Every NC Pre K-12 public education system implements and sustains all components of a Multi-Tiered System of Support to ensure college, career, and community readiness for all students" (North Carolina Department of Public Instruction, 2020).

MTSS is a *school improvement* framework that promotes effective schooling for *all* children through system wide support across six domains. RtI is integrated *within* a multi-tiered system of support. "RtI refers to the practice of providing high-quality, multi-tiered instruction and intervention matched to students' need, monitoring student progress frequently, and evaluating data on student progress to determine the need for special education support." (Batsche et al., 2005; Fuchs and Fuchs, 2006).

In an RtI-based approach to a comprehensive evaluation, a multi-tiered system of support is critical. North Carolina has intentionally paired an RtI based approach to evaluation and identification of students with SLD with a multi-tiered system of support (MTSS).

"You cannot have an RtI-based identification system for SLD without a MTSS in place. You can have a multi-tiered system of support in place without an RtI-based SLD identification system." (Shapiro, 2015)

Additional Resources:

SLD Taskforce report

For additional information, contact the NC Department of Public Instruction Exceptional Children Division

For additional information regarding MTSS, contact your PSU's MTSS Coordinator or building level system of support team.