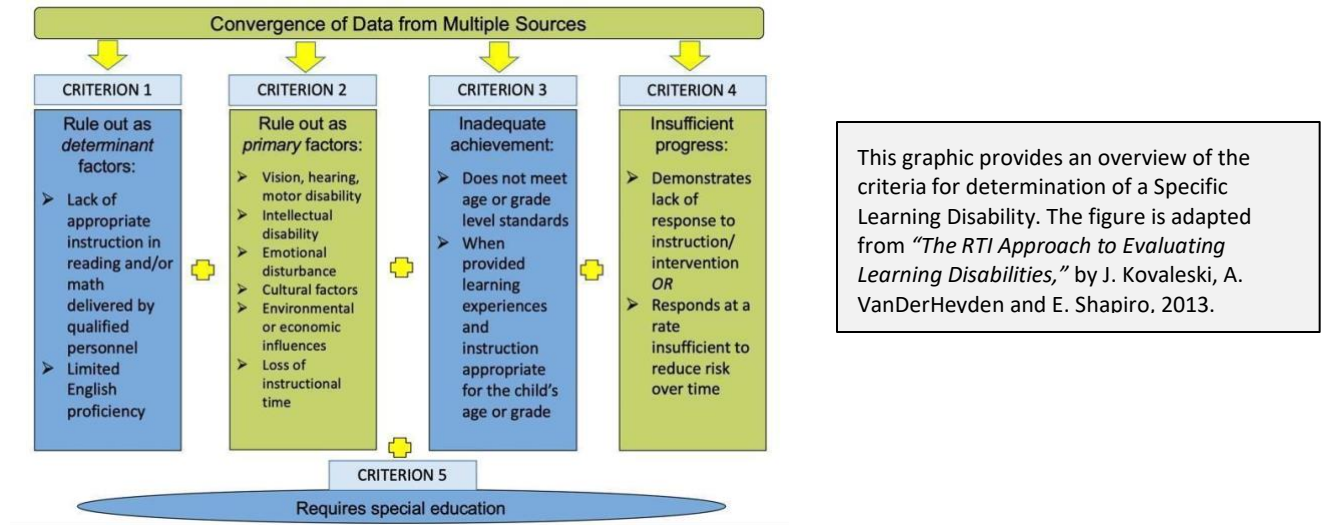


SLD POLICY FACT SHEET #6 – OBSERVATION REQUIREMENTS

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). This fact sheet, [the sixth in a series](#), addresses the changes in policy pertaining to the SLD **observation requirements**.



Observation Requirements (1503-3.4)

The IEP team¹ must use the following observation data in determining whether a child has a specific learning disability:

Observation(s) completed before the child was referred for an evaluation or as part of the evaluation:

- 1) Relevant observation data regarding instructional, curricular, and/or environment areas addressed to support appropriate instruction of all students;
- 2) Relevant observation data collected within the setting in which the child receives intervention to support effective evidence-based intervention delivery.²

Observation(s) completed after a referral for evaluation has been made and parental consent:

- 3) *Systematic* observation data of the child's academic performance during routine classroom instruction, conducted by a member of the IEP team.

Within the observation requirements, the [RIOT/ICEL organizational framework](#)³ is the recommended framework through which to operate. The observation data prior to referral typically exist when teams are effectively utilizing this organizational framework for *all* students. The observation data brought forward as existing data are primarily targeted around Instruction, Curriculum and Environment (ICE) and (as referenced in the policy addendum), should assist in the documentation that:

- 1) appropriate instruction was provided
- 2) evidence-based interventions were delivered

¹ For English Learners (ELs), at least one of the individuals conducting the observation(s) must be a person knowledgeable about instruction for ELs, as well as any pertinent cultural and/or linguistic characteristics of the individual child.

² The person(s) responsible for collecting the observational data of evidence-based intervention must have specific content knowledge of the curriculum and/or behavioral area that is targeted for the intervention.

³ ICEL refers to Instruction, Curriculum, Environment and Learner. RIOT refers to the multiple methods of assessment through the structures of Review, Interview, Observe and Test.

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The final observation requirement, conducted after an individual student is referred (i.e. an evaluation is determined necessary, and parental consent is obtained), is strictly focused on the **Learner** and involves collecting learner-targeted observation data specific to the area(s) of concern. This observation must document areas of strength as well as area(s) of need and is intended to address specific referral questions. ***It should assist in informing decisions relative to instructional design and delivery specific to the learner and must be conducted by a qualified professional who is not the teacher of the child.***

The added descriptor of “systematic” to the third observation requirement is intended to move teams/individuals from anecdotal or narrative summaries of what they observe to a more structured and quantifiable approach to collecting & reporting observation data.

A summary of the observation requirements and examples of observation types that may be used within an *instructional* model of evaluation and identification for SLD is provided in the following table:

Instructional Model of Evaluation and Identification for SED is provided in the following table:

| Fidelity of Instruction and Intervention Observation Data: (often provided as ‘existing data’) | | |
|---|---|--|
| Observation Focus: | Observation Setting: | Example Types: |
| Instruction/ Curriculum/ Environment | Core Instruction (Delivery/Response) | <ul style="list-style-type: none">- Classroom Walkthroughs- Structured Observation Checklist: <i>Program/Practice Specific</i>- Structured Observation Checklist: <i>General</i> Resources to address these may be available through PSU MTSS materials or building level system of support teams. |
| Instruction/ Curriculum/ Environment | Intervention (Delivery/Response) | |
| <u>Learner Specific Observation Data:</u> (identified within the evaluation plan) | | |
| Observation Focus: | Observation Setting: | Example Types: |
| Learner | Routine classroom instruction | <ul style="list-style-type: none">- Event Recording Tools- Duration & Latency Recording Tools- Time Sampling Interval Recording Tools <u>Resource:</u> Systematic Observation of Learner – Core Instruction |

References and Resources

IEP teams are encouraged to understand fidelity of instruction and intervention data guidelines within observation requirements.

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.