

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 439

Short Title: Students W/Specific Learning Disabilities. (Public)

Sponsors: Senators Lowe (Primary Sponsor); Bryant, Ford, Hartsell, and Robinson.

Referred to: Rules and Operations of the Senate.

March 26, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND LOCAL BOARDS
3 OF EDUCATION TO IMPLEMENT A SCREENING PROGRAM FOR THE EARLY
4 IDENTIFICATION OF STUDENTS WITH SPECIFIC LEARNING DISABILITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 115C of the General Statutes is amended by adding a new
7 Article to read:

8 "Article 9D.

9 "Early Identification of Students with Specific Learning Disabilities.

10 **"§ 115C-150.20. Purpose.**

11 It is the intent of the General Assembly that all students with specific learning disabilities,
12 including dyslexia and dyscalculia, receive early interventions for learning difficulties with
13 language, reading, writing, and mathematics. To provide a common set of professional
14 standards and guidelines for the early identification of and intervention for students with
15 specific learning disabilities, the State Board of Education and local boards of education shall
16 implement a screening process, comprehensive assessment, and intervention strategies for these
17 students in accordance with the provisions of this Article and Article 9 of this Chapter.

18 **"§ 115C-150.21. Definitions.**

19 The following definitions apply in this Article:

20 (1) Disability. – As defined in G.S. 115C-106.3(2).

21 (2) Individualized education program or IEP. – As defined in
22 G.S. 115C-106.3(6).

23 (3) Special education. – As defined in G.S. 115C-106.3(20).

24 (4) Specific learning disability. – A disorder in one or more of the basic
25 psychological processes involved in understanding or in using language,
26 spoken or written, that may manifest itself in the impaired ability to listen,
27 think, speak, read, write, spell, or to do mathematical calculations including
28 conditions such as perceptual disabilities, brain injury, minimal brain
29 dysfunction, dyslexia, and developmental aphasia. A specific learning
30 disability does not include learning problems that are primarily the result of
31 visual, hearing, or motor disabilities, of mental retardation, of serious
32 emotional disturbance, or of environmental, cultural, or economic
33 disadvantage.

34 **"§ 115C-150.22. Screening, assessment, and intervention.**

35 (a) The State Board of Education shall provide informational materials and screening
36 instruments developed in accordance with G.S. 115C-12(45) to local boards of education to



1 identify students who exhibit potential indicators of specific learning disabilities. Each local
2 board of education shall (i) provide for parents to receive informational materials related to
3 specific learning disabilities on an annual basis and (ii) ensure implementation of
4 age-appropriate screening instruments for the early identification of students with specific
5 learning disabilities.

6 (b) A local school administrative unit shall screen every kindergarten student enrolled
7 in the unit for specific learning disabilities using a screening instrument adopted by the State
8 Board.

9 (c) A local school administrative unit shall screen any student enrolled in first through
10 sixth grade in the unit who has not been screened for specific learning disabilities under
11 subsection (b) of this section using an age-appropriate screening instrument adopted by the
12 State Board.

13 (d) If a student is determined to exhibit potential indicators of a specific learning
14 disability, the local school administrative unit shall administer a comprehensive assessment
15 adopted by the State Board to determine whether the student has a disability. A student
16 identified as having a specific learning disability shall be provided appropriate intervention
17 strategies in accordance with the guidelines adopted by the State Board, through the student's
18 individualized education program, and any necessary supports for students and parents in
19 accordance with the requirements of section 504 of the Rehabilitation Act of 1973.

20 **"§ 115C-150.23. Training for school personnel.**

21 (a) Each local school administrative unit shall train one or more school employees to
22 administer the screening instruments provided by the State Board of Education pursuant to
23 G.S. 115C-150.22.

24 (b) Ongoing professional development opportunities, to the extent practicable, shall be
25 made available to teachers and other school personnel on the identification of and intervention
26 strategies for students with specific learning disabilities."

27 **SECTION 2.** G.S. 115C-12 is amended by adding a new subdivision to read:

28 "(45) To Adopt Informational Materials and Guidelines for Students with Specific
29 Learning Disabilities. – The State Board shall develop and adopt
30 informational materials and guidelines for students with specific learning
31 disabilities in accordance with the provisions of Article 9D of this Chapter,
32 including age-appropriate screening instruments, a comprehensive
33 assessment for students who exhibit potential indicators for specific learning
34 disabilities, and guidelines on appropriate early intervention strategies."

35 **SECTION 3.** G.S. 115C-296(b)(1) reads as rewritten:

36 "(1) Licensure standards.

37 a. The licensure program shall provide for initial licensure after
38 completion of preservice training, continuing licensure after three
39 years of teaching experience, and license renewal every five years
40 thereafter, until the retirement of the teacher. The last license renewal
41 received prior to retirement shall remain in effect for five years after
42 retirement. The licensure program shall also provide for lifetime
43 licensure after 50 years of teaching.

44 b. The State Board of Education, in consultation with the Board of
45 Governors of The University of North Carolina, shall evaluate and
46 develop enhanced requirements for continuing licensure. The new
47 requirements shall reflect more rigorous standards for continuing
48 licensure and shall be aligned with high-quality professional
49 development programs that reflect State priorities for improving
50 student achievement. Standards for continuing licensure shall include
51 at least eight continuing education credits with at least three credits

1 required in a teacher's academic subject area. Standards for
2 continuing licensure for elementary and middle school teachers shall
3 include at least three continuing education credits related to literacy.
4 Literacy renewal credits shall include (i) evidence-based assessment,
5 diagnosis, and intervention strategies for students not demonstrating
6 reading proficiency. ~~proficiency~~ and (ii) early identification and
7 intervention strategies for students with specific learning disabilities.
8 Oral language, phonemic and phonological awareness, phonics,
9 vocabulary, fluency, and comprehension shall be addressed in
10 literacy-related activities leading to license renewal for elementary
11 school teachers.

- 12 c. The State Board of Education, in consultation with local boards of
13 education and the Board of Governors of The University of North
14 Carolina, shall (i) reevaluate and enhance the requirements for
15 renewal of teacher licenses and (ii) consider modifications in the
16 license renewal achievement and to make it a mechanism for teachers
17 to renew continually their knowledge and professional skills."

18 **SECTION 4.** This act is effective when it becomes law and applies beginning with
19 the 2015-2016 school year.