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William Cobey, Chair
All Members
North Carolina State Board of Education
301 N. Wilmington Street
6302 Mail Service Center
Raleigh, NC 27601-2825

Re: NC DPI Proposed Changes to the NC Policies;
Specific Learning Disability Definition and Evaluation

Dear Mr. Cobey and the Members of the State Board of Education,

I am writing to express my concerns about the proposed changes (March 2015) to the North Carolina Policies Governing Services for Children with Disabilities (NC Policies) regarding the identification of Specific Learning Disability.

I am currently a secondary mathematics teacher at Northwest Halifax High School in Halifax County Schools. In addition to serving as a regular education mathematics teacher, I also serve as the Chairperson of the school's Student Assistance Team, which meets regularly to intervene with students who are failing to make progress and, where appropriate, to refer students for special education evaluations.

Having reviewed the proposed changes regarding screening for a Specific Learning Disability, I have concerns regarding its implementation at the secondary level. Two issues in particular must be addressed by the Board: (1) the ability to expeditiously use the Response to Intervention (RTI) framework to evaluate and address a student's potential needs given the high school academic calendar and (2) the significant demands that RTI makes on the classroom teacher's time to the potential detriment of both the student under evaluation and the teacher's other students.

I urge the Board of Education to address the issue of compressed time horizons at the secondary level as it considers proposed policy changes. As chairperson of the Student Assistance Team I have seen firsthand the reality that a series of interventions to address a student's needs can take months to complete satisfactorily. Each intervention needs to be implemented for at least several weeks before any meaningful change can be seen or assessed. Should that intervention not realize any gains in student performance, another meeting must be set and another intervention decided upon, implemented, and evaluated. From there the process repeats itself. Given that a high school semester is eighteen weeks and that it would be unusual for a student to be referred within the first weeks of school, the odds are small that a complete RTI cycle, which maintains fidelity to state policy, would be able to be completed within the time during which the referring teacher has that student in his or her class. For example, my experience as SAT Chairperson indicates that a student who is referred for screening in October might still be in the middle of the process by February or March, after the first semester has ended. While the intervention cycle could of course continue into the next semester, the student has lost the chance to receive special education services that might have helped her in the previous semester. In addition, the student might miss the opportunity to receive accommodations on college entrance exams that might take

place in the midst of the screening process. There is also the risk that a student might drop out of school in the midst of a protracted screening process. This latter situation is unfortunately all too real a possibility in my experience and demands that any screening process be as expeditious as it is thorough.

In addition to the need for an expeditious process of RTI at the secondary level, I urge the Board to consider the new demands that RTI makes on classroom teachers' time. Preparing, implementing, and assessing a high-quality intervention for one student can be akin to planning nearly an entire additional lesson. Unassisted, this leaves the classroom teacher with an unreasonable workload. Teachers must be given significant support in organizing, implementing, and collecting data on students undergoing an RTI-based screening process. I would urge the Board to consider making a non-classroom teacher school employee ultimately responsible for each intervention to ensure that RTI cycles do not suffer from the many competing demands on a classroom teacher's time.

The proposed policy changes appear quite vague as to what qualifies as a "scientific research-based" intervention. Should the Board adopt the proposed changes, this requirement must be made more specific to ensure teachers and school personnel know what options are available to them when considering a variety of potential interventions. These interventions must also be age and context-appropriate and developed with input from classroom teachers in a variety of settings, from Blue Ribbon to Title I schools and everything in between. Only then, will each child receive the fair and effective screening, and potentially the services, to which they are entitled.

Sincerely yours,



Benjamin A. Mishkin