

Educator's Guide to North Dakota Dyslexia Law

In 2023, North Dakota passed a law with key requirements for schools to help children with reading difficulties. The law is North Dakota Century Code [NDCC 15.1-32-26](#), in which dyslexia is defined as a neurological (brain) difference that causes difficulties reading words, spelling, and decoding.

Reading is a code in which letters represent sounds. While learning to read, a brain is building processes to crack that code. **A brain with dyslexia does not build the pathways between sound and print with the same efficiency as a non-dyslexic brain.** Schools must have informed processes to help every child develop successful pathways to reading fluency.

This document explains what the law means for your school system.

What must North Dakota schools do about Dyslexia?

Universal Dyslexia Screen

Q: How is a dyslexia screener different than a universal reading screener?

North Dakota public schools must screen all enrolled* students seven years of age and younger for dyslexia risk factors.

***Enrolleed students means kindergarten and up.**



A screener is a brief test of skills designed to quickly recognize students who are having difficulty with skills typically in place at that age/grade.

Classroom teachers do not diagnose dyslexia. Trained professionals must do that.

A: Most professionals agree that dyslexia is primarily a word reading difficulty; the dyslexia screener's purpose is to identify difficulties with decoding (as opposed to vocabulary and comprehension).

Q: Can children be diagnosed with dyslexia through this screener?

A: No. The language may sound as if this is a one-time test that identifies whether a child has dyslexia. Still, a screener only signals that a child is having challenges with reading skills, which are known to indicate future reading success and are often present in individuals with dyslexia.

Q: What if a child is over seven and the parents or teacher are concerned that they may have dyslexia? Can they take the screener?

A: Yes. North Dakota schools must provide a screener when a parent or teacher requests. There are indications appropriate for each grade level.

Q: Should preschool children be screened?

A: Enrollment begins at kindergarten; therefore, preschool programs are not included in the requirement. However, preschool staff are encouraged to know and recognize early indicators of language and literacy delays and would benefit from implementing processes to identify these red flags.

Further Diagnosis

North Dakota public schools must perform additional reading skill evaluations for those students showing dyslexia risk factors through screening.



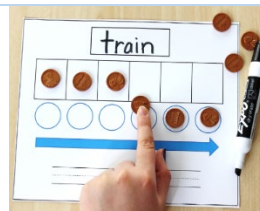
When a child's scores on the screener alert to a possible reading challenge, school personnel review the scores in more detail, give another version of the test, or give the child additional tasks to fully understand the child's reading challenges.

Q: Does this mean the child must undergo lengthy dyslexia testing?

A: *Not necessarily. From the dyslexia screening, some students may be identified as having a significant risk of reading failure in multiple skill areas. To provide teaching that will benefit the child, school personnel may more closely examine the scores and responses the child provided during the screening. Depending on the information available, it may be necessary to have the child demonstrate additional skills through oral or written tests. Educators gather valuable information to plan the child's reading instruction in this process. However, some children will require additional diagnostic measures.*

Intervention Pathways

North Dakota public schools must describe the intervention services for the identified dyslexia risk factors.



An intervention is a lesson or series of lessons designed to target below-grade-level skills and improve them to grade level as quickly as possible.

Q: If students are not "diagnosed" with dyslexia, how should the school provide an intervention?

A: *The screener signals a warning to activate the educator's response. Students without dyslexia can also have low decoding and word recognition skills. All students demonstrating low skills should immediately receive intervention support to build up those identified weak skills. There is evidence that early intervention is critical to support all struggling learners, whether dyslexic or experiencing another type of delay.*

Q: Is this a special education or individual education plan (IEP)?

A: *No. An intervention pathway is the school's response plan for addressing reading skill concerns. Schools plan research-based ways to help students strengthen weak reading skills with appropriate books, supplies, schedules, and lessons that pinpoint lagging skill areas. Many schools develop flowcharts for this purpose. Special education evaluation may be included in this plan when interventions are not helping a child make adequate progress.*

Q: Is there a requirement under Special Education Law for serving students diagnosed with dyslexia, or could they be served under Title I?

A: *The identification process for special education services remains the same for all students. An official dyslexia diagnosis is not an automatic designation for special education services. A student with dyslexia could also be served through Title I services or another approach that best serves the student. If there are concerns that a student diagnosed with dyslexia might need special education services, then a comprehensive evaluation should be initiated to determine eligibility for special education.*

Intervention Services

North Dakota public schools must provide intervention services to students with characteristics of dyslexia.



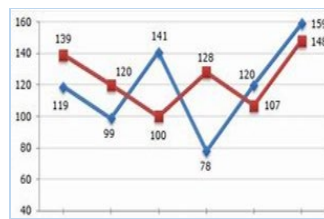
Using the information from screenings and further diagnosis, school personnel use the school's intervention pathway plan to match children with intervention services that will best help them improve lagging skills.

Q: What does the child do for the intervention?

A: Students may learn skills in small groups or one-on-one with their teacher, a reading specialist, or a trained paraprofessional. Students may sometimes work on independent activities or computer-supported practice that can precisely target the skills they need. They may remain in their classroom or travel to another learning space for this learning.

Ongoing Evaluation through Assessment

Schools must administer assessments to determine the effectiveness of the intervention services in improving children's reading and learning skills.



Schools must monitor student progress by testing at regular intervals and looking for signs and test indicators to determine whether students are or are not progressing.

Q: Will a child stay in intervention forever?

A: Students may be part of a group for a short time or require ongoing support to achieve grade-level reading. Schools carefully watch students' skills through regularly scheduled tests and classroom information. When a student has reached grade level skill, the student will likely stop receiving intervention. The system of assessment will continue, and if, at some time, the student shows below-grade skills, intervention processes will be restarted. A different approach should be explored if a student is not progressing.

Professional Development

North Dakota public schools must provide professional development on dyslexia characteristics and interventions to appropriate kindergarten through grade three personnel of the school district and special education unit.



Schools must ensure that their building has educators who understand and can help students with dyslexia succeed.

Q: Are North Dakota school districts required or legally mandated to employ a credentialed dyslexia specialist?

A: No. However, they must identify staff in their district to receive training in dyslexia.

Q: Who must be trained in dyslexia?

A: It is up to the district leaders to determine which staff members will receive training.

Q: Does every classroom teacher need training in dyslexia?

A: According to NDCC 15.1-21-12.1, enacted in 2021, all teachers and principals working in North Dakota schools teaching students in grades K-3 must be trained in explicit and systematic literacy instruction. This teaching method benefits the most students, including those with dyslexia. Under NDCC 15.1-31-26, enacted in 2023, all schools must identify some personnel to be trained in dyslexia characteristics and interventions. The law does not specify who or how many must be trained. It is implied that those trained individuals would provide guidance and expertise to colleagues to establish systems that support students with dyslexia.

Q: What kinds of previous training are allowed? Do “years of experience” matter?

A: The dyslexia training outlined in the law is not as specific as the reading training law. However, the intent was to ensure that all school districts have access to professional knowledge and expertise in supporting students with reading challenges characteristic of dyslexia. These trained staff members inform system decisions and guide colleagues in instructional support related to dyslexia. The law does not address a level of expertise or a timeline of skill acquisition for identifying educators for dyslexia characteristics and intervention training.

Q: Where should districts begin work on this law?

A: Review the law to ensure all parts are addressed and contact the local REAs for resources and guidance.

For more information, visit www.nd.gov/dpi/education-programs/literacy/dyslexia.

International Dyslexia Association