



North Dakota Legislative Council

Prepared for the Special Education Funding Committee
LC# 27.9072.01000
September 2025

READING AND MATHEMATICS PROFICIENCY IN STUDENTS WITH DISABILITIES - BACKGROUND MEMORANDUM

Senate Concurrent Resolution No. 4019 (2025) ([appendix](#)) directs the Legislative Management to study reading and mathematics proficiency rates among students in the state with disabilities and the effectiveness of current educational policies, programs, and resource allocations in addressing any disparities. The study must include:

- Examination of academic disparities, analyzing the latest student performance data on statewide reading and mathematics assessments to identify trends and disparities affecting students with disabilities, and comparing the subgroup performance to overall state proficiency rates;
- Identification of contributing factors, evaluating systemic barriers contributing to low proficiency rates, including funding for special education services, limited access to trained teachers and support staff, geographic disparities between rural and urban areas, and accessibility of evidence-based curriculum and instructional strategies;
- Assessment of existing policies and programs, reviewing the implementation and impact of current state and federally funded programs, and identifying gaps in policy, funding, and program effectiveness;
- Engagement of stakeholders, soliciting input from parents and families of students with disabilities to ensure parent involvement in decisionmaking, educators, school administrators, special education professionals, and advocacy groups focused on disability rights;
- Research of best practices, examining successful models and initiatives in states that have effectively reduced proficiency disparities, and exploring innovative approaches in early literacy, numeracy, and equitable education practices; and
- Consideration of actionable policy and funding recommendations aimed at reducing proficiency disparities, expanding access to high-quality, evidence-based educational programs, enhancing transparency in costs and resource allocation, and improving accountability and data transparency.

Testimony in support of Senate Concurrent Resolution No. 4019 was received from advocacy groups focused on disability rights and other stakeholders, including parents of students with disabilities, who shared anecdotal evidence supporting the need for the study. No testimony was received in opposition to the study.

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

Since 1969, the National Assessment of Educational Progress (NAEP), also known as The Nation's Report Card, has been the largest and most consistent national assessment of what public and private school students know and are able to do in various subjects. In North Dakota, for the 2023-24 school year, fourth grade students who took the NAEP had an average mathematics score of 241, compared to 237 nationally. The average reading score for fourth grade students was 216, compared to a national average of 214. For fourth grade students with disabilities, 50 percent scored below basic proficiency in mathematics, compared to 14 percent of students not identified as students with disabilities, and 80 percent scored below basic proficiency in reading, compared to 32 percent of students not identified as students with disabilities.

Eighth grade students who took the NAEP had an average mathematics score of 280, compared to the national average of 272. Eighth grade students who took the NAEP scored an average of 257 in reading, which was identical to the national average. For eighth grade students with disabilities, 70 percent scored below basic proficiency in mathematics, compared to 24 percent of students not identified as students with disabilities, and 71 percent scored below basic proficiency in reading, compared to 26 percent of students not identified as students with disabilities.

CURRENT POLICIES AND PROGRAMS

State Statutory Requirements

Science of Reading

The Department of Public Instruction (DPI) and the North Dakota Regional Education Association are partnering to assist schools and school districts in implementing North Dakota Century Code Section 15.1-21-12.1, which aligns with the science of reading. The science of reading provides evidence for a set of techniques that best support all students to become proficient readers.

Section 15.1-21-12.1 requires elementary principals and kindergarten through grade 3 teachers to obtain professional development training focused on systematic and direct reading instruction, use curricula grounded in evidence-based methods, and employ reading instruments and other resources to diagnose, monitor, and guide reading development and comprehension for each student. The reading curriculum must include phonemic awareness, phonics, fluency, vocabulary, and comprehension. Teachers are responsible for delivering core instruction, addressing gaps in the curriculum, and providing targeted interventions for students who are not meeting grade level expectations.

In addition, under Section 15.1-13-35.1, early childhood and elementary teachers, including special education, art, music, and physical education teachers, must demonstrate competence in beginning reading instruction based on scientifically proven best practices to earn teacher certification.

Dyslexia Screening

Section 15.1-32-26 defines dyslexia as "a specific learning disability that is neurobiological in origin and characterized by difficulties with accurate or fluent recognition of words and poor spelling and decoding abilities, independent of the individual's general intelligence level." According to the International Dyslexia Association, dyslexia typically results from a deficit in the phonological component of language, which often is unexpected based on other cognitive abilities and despite effective classroom instruction. The secondary consequences of dyslexia may include deficiencies in reading comprehension and impeded vocabulary development and background knowledge growth.

Under Section 15.1-32-26, with the guidance of the Superintendent of Public Instruction, each school district must administer an approved universal dyslexia screening for students up to 7 years old and provide intervention services for the students who display characteristics of dyslexia. School districts must assess students receiving these services to evaluate the effectiveness of the interventions. School districts also must provide professional development on dyslexia characteristics and appropriate interventions to kindergarten through grade 3 teachers and special education staff. Additionally, a universal screening must be given to any student at the request of a parent, legal guardian, or teacher.

Other Literacy Programs

The Department of Public Instruction oversees the following programs and administers related state and federal grants to support development of literacy skills that are essential for the success of students.

Amira Learning

Amira Learning is an artificial intelligence tool that provides individual tutoring services to students by assessing oral reading fluency and providing contemporaneous feedback to support student reading development. The 69th Legislative Assembly appropriated funds to provide Amira Learning for high-use, high-fidelity school districts through June 2027. Amira Learning is provided free of cost to students.

An evaluation of Amira's effectiveness showed that North Dakota students who consistently used the program achieved notable gains on the 2024 North Dakota state assessment in grades 3 through 5. Specifically, third grade students who used Amira more than 20 minutes per week improved by an average of 15 points, fourth grade students improved by 17 points, and fifth grade students improved by 10 points on the North Dakota state assessment.

Comprehensive Literacy State Development

The comprehensive literacy state development program, authorized under Sections 2221-2225 of the Elementary and Secondary Education Act [Pub. L. 114-95; 20 U.S.C. 6301 et seq.], is a federal program focused on improving literacy skills for disadvantaged children from birth through grade 12, including children living in poverty, English learners, and children with disabilities.

In October 2019, North Dakota was awarded \$43.9 million from the United States Department of Education. Funds were distributed according to greatest need to 20 sites in the state in alignment with the North Dakota literacy plan. The literacy plan provides a framework for schools to build and maintain learning opportunities that support every student at every grade level to become fluent in reading, writing, speaking, and listening. Funding from the comprehensive literacy state development program was distributed over 5 years and concluded in August 2025. The final report for the United States Department of Education is forthcoming.

In September 2024, North Dakota was awarded \$44.8 million from the United States Department of Education to launch the North Dakota Comprehensive Literacy Improvement through Measured Building Systems (ND CLIMBS) initiative. The initiative has the following objectives:

- School team members will plan and manage effective literacy systems;
- Administrative building instructional leaders will learn and improve English language arts leadership practices;
- Educators will learn and improve instructional practices; and
- School team members will deliver effective instruction.

Schools who applied to DPI for ND CLIMBS funding demonstrated their need for funding to support literacy by providing data related to students with economic disadvantages, based on free and reduced lunch counts; students with disabilities, based on individualized education program assignments; students learning English as a second language; Native American students; students with low proficiency rates in English language arts, by school building; students in school buildings with low engagement in the Building Assets, Reducing Risks model; and a narrative describing the school's reality and needs, understanding of improvement approaches, and capacity and willingness to engage in those approaches.

From 2025 through 2029, ND CLIMBS will provide funding based on need to 49 elementary and secondary schools for 4 years, including two installments in year 4, to strengthen schoolwide systems for delivering high-quality, evidence-based instruction. Grants will support teacher training, evidence-based instructional materials, literacy assessments, and family engagement, ensuring all students have the tools and support needed to become proficient readers.

Language Essentials for Teachers of Reading and Spelling Funding

Language Essentials for Teachers of Reading and Spelling (LETRS) training is a leading comprehensive professional development program for teaching reading, spelling, and related language skills, which provides educators with a deep understanding of the science of literacy instruction. Using funds allocated by the 68th Legislative Assembly, DPI is providing each public school district with \$2,000 per elementary building serving kindergarten through grade 3 to support LETRS training for educators. The allocation provides funding for at least one educator in each eligible building to receive full LETRS certification.

Mathematics Curriculum and Professional Development - Screening Tool Pilot Program

The 69th Legislative Assembly enacted Senate Bill No. 2213 (2025), which provides a comprehensive approach to improve mathematics achievement, particularly in light of the decline in achievement following COVID-19. The bill requires:

- Mathematics curriculum to be based on evidence and research, include differentiated instruction, align to the state standards, and focus on foundational skills and competencies;
- The provision of continuing professional development for teachers, including special education teachers and school leaders focused on best practices in mathematics instruction;
- The implementation of formative assessments, targeted intervention, and a research-based intervention program;
- Dyscalculia and mathematics deficiencies screening and intervention for students in kindergarten through grade 3 and for any student by request of a parent, legal guardian, or teacher, beginning July 1, 2027;
- Administrative rulemaking by DPI and the Kindergarten Through Grade Twelve Education Coordination Council to implement Section 15.1-21-12.2 with stakeholder input, including the development of mathematics curriculum professional development requirements, intervention strategies, and mechanisms to monitor implementation;
- Periodic reporting by the Superintendent of Public Instruction to the Legislative Management on the effectiveness of the implementation of Section 15.1-21-12.2;
- Mathematics instruction competency as a prerequisite for teacher licensure, including for elementary teachers beginning July 1, 2027; and
- A pilot program for screening services for students in grades 4 through 8, including the compilation of outcomes and impact of the screening services and instruments used.

Additionally, with the passage of Senate Bill No. 2213, the 69th Legislative Assembly appropriated \$1.5 million to DPI for the 2025-27 biennium to improve mathematics curriculum, instruction, and student achievement with district-level professional development.

OTHER CONSIDERATIONS Recommendations

The National Center for Learning Disabilities partners with educators, students, families, and young adults to advance innovative research and advocate for equitable policies that address systemic barriers in schools, workplaces, and communities. The National Center for Learning Disabilities recommendations include the following policies to support learning for students with disabilities:

- High-quality, accessible, and inclusive academic instruction;
- Effective progress monitoring and accurate evaluations for specialized instruction; and
- Meaningful family support and engagement.

Inclusion

In 2004, the reauthorization of the Individuals with Disabilities Education Act (IDEA) established that "the education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible." Inclusive classrooms contribute to stronger academic outcomes and better preparation for higher education and future careers. A 2022 study by Indiana University found high schools implementing inclusive practices had students with higher grades and greater readiness for life after graduation. A 2016 study by the Alana Institute and ABT Associates showed inclusive classrooms foster academic excellence for all learners. Inclusive environments help students build self-confidence, strengthen peer relationships, and encourage positive views of diversity by promoting acceptance and

understanding of differences, including disabilities. Individualized instruction is a key element of inclusion which provides each learner with the support and resources necessary for academic success.

Progress Monitoring

Progress monitoring in special education is a structured approach that tracks both academic and behavioral progress to ensure students receive the support they need. Progress monitoring includes the use of tools like curriculum-based measurements and direct behavior ratings to guide instruction and teaching strategies. This process not only improves academic outcomes but also builds essential life skills such as problem solving, self-regulation, and resilience, helping students succeed in school and beyond.

Family Engagement

One of the strongest predictors of academic success is active family involvement in a child's education. Although family engagement supports all learners, students with disabilities often require a higher level of parental participation and advocacy to ensure they receive instruction that is equitable to that provided to their peers without disabilities.

Academic Potential

Misconceptions and stereotypes about students with disabilities often create barriers that prevent them from achieving their full academic potential. According to a report published by the National Center on Educational Outcomes, 80 to 85 percent of these students are capable of meeting the same educational standards as their peers when provided with individualized instruction, appropriate accommodations, and necessary support services. A study by the Northwest Evaluation Association found that students with disabilities make academic gains in math and reading at rates equal to or greater than their peers during the school year, yet they experience greater learning loss over the summer. This seasonal decline widens achievement gaps over time. To address this challenge, the Northwest Evaluation Association recommends offering extended school year opportunities such as summer tutoring and enrichment programs to sustain progress and reduce disparities.

Early Intervention

Early intervention services are designed to maximize a child's developmental potential by recognizing and addressing delays or disabilities at an early stage. Young children's brains are especially responsive to learning and growth. Early intervention fosters healthy brain development and strengthens the ability for children to learn and engage with their surroundings. Research indicates children who receive these services experience improved outcomes across cognitive, social, emotional, and behavioral domains. Early intervention also supports school readiness, boosts academic performance, decreases the need for special education, and increases the chances of future employment and independent living. Developmental delays are not always permanent, and timely intervention may influence a child's progress significantly. In addition to benefiting the child, these services assist families by offering education, training, and resources that enhance a family's capacity to meet their child's needs. The availability of these services also leads to reduced stress and the promotion of better mental health and overall well-being for parents and caregivers.

POSSIBLE STUDY APPROACH

In conducting the study of reading and mathematics proficiency in students with disabilities, the committee may wish to receive testimony from representatives of:

- DPI regarding the latest student performance data on statewide reading and mathematics assessments, academic disparities and contributing factors, existing policies and programs to support reading and mathematics proficiency for students with disabilities, and information regarding the distribution of state and federal funding for special education;
- The stakeholder community, including parents, families, educators, school administrators, special education professionals, including the North Dakota United Special Education Collective, and advocacy groups, including the North Dakota Protection and Advocacy Project and Designer Genes regarding the effectiveness of current policies, programs, and resource allocations; and

- Organizations such as the Education Commission of the States and the National Conference of State Legislatures regarding different approaches states have implemented to reduce the disparity between academic achievement for students with disabilities and the general student population.

ATTACH:1