



KPBSD TECHNICAL GUIDANCE  
FOR SPECIFIC LEARNING  
DISABILITY CRITERIA

# TABLE OF CONTENTS

## Contents

|  |    |
|--|----|
| KPBSD Response to Intervention - Explained _____           | 1  |
| RTI Tier 2 and Tier 3 Defined _____                        | 2  |
| What is required before a referral? _____                  | 3  |
| At a Glance: Summary of Eligibility Criteria _____         | 4  |
| Alaska State Eligibility Criteria _____                    | 5  |
| KPBSD SLD Definition _____                                 | 6  |
| SLD Criteria for RTI _____                                 | 7  |
| SLD Criteria for Pattern of Strengths and Weaknesses _____ | 8  |
| Role of Cognitive Assessments _____                        | 12 |
| RTI for Younger Students _____                             | 13 |
| Reevaluations _____  | 14 |
| Comprehensive Evaluations _____                            | 15 |

## KPBSD Response to Intervention - Explained

Response-to-Intervention (RTI) uses a multi-tiered system to teach students reading and math. It can also be an effective model for addressing behaviors that impede the student's learning or adversely impact the school environment. Each tier represents an increasingly intensive level of instruction. Students move from one tier to another based on the student's educational needs. This multi-tiered system encourages using all of the resources available to help students master academic skills while using data to rigorously monitor whether the program is working. RTI is not a placement tool with the final goal being special education services. Rather, RTI is a flexible teaching and intervention model for providing instruction to all students that enhances a school's ability to rapidly target students who are struggling academically.

The RTI process is a model that is used to make decisions involving all students in general education to create a fully integrated system of instruction that is guided by student data. The best possible learning occurs when student skills and abilities closely match the curriculum and instruction within the classroom.

Through the RTI model, students at all academic levels can be provided appropriate instruction to increase success and provide enrichment opportunities. KPBSD supports seven core beliefs regarding RTI:

1. ALL children can learn and achieve high standards as a result of effective teaching,
2. ALL students must have access to a rigorous, standards-based curriculum, and research-based instruction,
3. Providing academic support at the earliest indication of need is necessary for student success,
4. A system of tiered interventions is essential for addressing the full range of student needs,
5. Student results are improved when academic progress is closely monitored and data are used to inform instructional decisions,
6. Collaboration among educators, families and community members is foundational to effective problem-solving and instructional decision making, and
7. Ongoing and meaningful involvement of families increases student success.

The RTI process consists of 5 major characteristics:

1. Data-Based Decision Making, important educational decisions are based on data
2. Universal Screening – an assessment to identify high and low performing students who are at-risk or not meeting predetermined benchmarks
3. Tiered Delivery of Instruction – KPBSD has adopted a three-tier RTI approach with each tier representing increasingly intensive services
4. Progress Monitoring – the practice of assessing students' academic performance on a regular basis
5. Fidelity of Implementation –the delivery of instruction in the way in which it was designed to be delivered.

## RTI Tier 2 and Tier 3 Defined

Please refer to the KPBSD Intervention Manual for more specifics. Below are basic considerations and requirements for each Tier.

### Tier 2

- Tier 2 interventions for reading are strongly recommended to be a minimum of 3 sessions per week for a minimum of 20-30 minutes each session in addition to core instruction and for math 10 minutes daily (can be embedded in core instruction).
- Tier 2 interventions are implemented consistently for 9 to 12 weeks.
- They typically are provided in small groups of students.
- Tier 2 interventions must be provided by trained personnel who have experience teaching the intervention, can consistently make each session, and who endorse the importance of adhering to the research based protocol for the intervention.
- The I-Team determines which interventions are most appropriate for the student.
- Students may benefit from and be provided more than one Tier 2 intervention consecutively or the same intervention repeatedly if it promotes adequate mastery.
- Progress monitoring CBMs are administered bi-weekly (at least two times per month) or more on grade-level as determined by the I-Team.

NOTE: I-Team's that are meeting to discuss moving students to Tier 3 MUST invite the school psychologist and the student's parents though the parents are not required to attend.

### Tier 3

- Tier 3 interventions for reading are provided daily for 45-60 minutes in addition to core instruction (this can be in one session or divided into two sessions where at least 30 minutes should be direct instruction with a teacher) and for math 15 minutes daily (can be embedded in core instruction).
- Tier 3 interventions are implemented consistently for 9 to 12 weeks.
- They typically are provided in small groups of students or individually.
- Tier 3 interventions must be provided by trained personnel who have experience teaching the intervention, can consistently make each session, and endorse the importance of adhering to the research based protocol for the intervention.
- The I-Team determines which interventions should be implemented at this Tier.
- Students may benefit from and be provided more than one Tier 3 intervention consecutively or the same intervention repeatedly if the data supports it promotes adequate skill or content mastery.
- Progress monitoring CBMs are administered weekly on grade-level.

NOTE: For our small school with less than five teachers, this rigorous of a Tiered process may be impractical. While efforts should be made to provide Tiered intervention, the process of determining a learning disability may be better suited with a Pattern of Strengths and Weaknesses model.

## What is required before a referral?

- A child must receive at least two intensive, scientific research based or evidence based interventions implemented prior to evaluation, unless the parent requests an evaluation or the IEP team waives this requirement because it determines the child's need of an evaluation is urgent.
- **Twelve** progress monitoring data points on **grade-level** probes in the area of concern.
  - Given that students in the RTI process are still considered general education students and are still receiving core instruction at grade level, they should be monitored within the context of their Core Curriculum which is on grade level. The desired goal of the RTI process is for at-risk students to become proficient on grade-level materials so their progress should be monitored within that context.
- The instructional strategies used with the student, including intensive intervention, were applied in a manner highly consistent with the design (implemented with fidelity), closely aligned to pupil need, and culturally appropriate.
- There is no age requirement for identifying students with SLD. However, given the wide variation of typical development, paired with the limited amount of time most children from age three through second grade have had to develop and demonstrate the academic skills addressed in the SLD rule, IEP teams should be prudent in identifying SLD in this age group. It is not unusual for young students to have not yet received explicit instruction in one or more of the academic areas listed in the rule. When a student demonstrates significant delay, but there is not enough information to determine if the student meets the SLD criteria, other eligibility categories may want to be considered.

## At a Glance: Summary of Eligibility Criteria

Special education eligibility in the category of a Specific Learning Disability is based upon evidence that the student does not achieve adequately for the student's age or to meet grade level standards in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematical calculation, mathematics problem solving.

Specifically, the multidisciplinary team must determine that ...

1. the student has one or more significant academic skill deficits as compared to age-level peers or grade-level benchmarks.
2. the student is making insufficient progress in response to research/evidence-based interventions.
3. the student's learning difficulties are not PRIMARILY\* the result of visual, hearing, or motor disabilities; significant limited intellectual capacity; significant identifiable emotional disability; cultural factors; environmental or economic disadvantage; or limited English proficiency.

In addition, as is stated in the Federal Rules and Regulations and pertaining to the identification of any disability, the findings cannot be the result of a lack of appropriate instruction, specifically in the essential components of reading and in math.

**Teams must be cautious when considering absences as a determinate factor for "lack of appropriate instruction."** The psychological and physical impact of a disability can result in school avoidance, necessitating teams to examine the reasons for excessive absenteeism. Whereas there is not guidance on how to determine reasons for excessive absenteeism, the team should consider relevant information from school files and special education files, as well as information provided by the child, parents, teachers, and other professional knowledgeable of the child. Denial of special education services due to absences related to a disability may be a violation of IDEA.

Eligibility for special education is based on two final determinations:

- 1) the student has a Specific Learning Disability that adversely impacts his/her educational performance and
- 2) the student needs special education services as a result of the disability.

\* Note that a specific learning disability may co-exist with another disability that is found to be the primary disability by the multidisciplinary team; all special education needs must be identified, whether or not it is commonly linked to the primary disability category in which the child has been classified.

# Eligibility

## ALASKA SPECIAL EDUCATION HANDBOOK – DEFINITION OF SLD

To be eligible for special education and related services as a child with a learning disability, a child must

1. exhibit a specific learning disability as defined as
  - a. a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
    - i. Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.
  - b. The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards: Oral expression, Listening comprehension, Written expression, Basic reading skill, Reading fluency skills, Reading comprehension, Mathematics calculation, Mathematics problem solving,
    - i. The child does not make sufficient progress to meet age or State-approved grade-level standards in one or more areas when using a process based on the child's response to scientific, research-based intervention; or
    - ii. The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments.
2. require special facilities, equipment, or methods to make the child's education program effective; and
3. be certified by the group as qualifying for and needing special education services.

## KPBSD SLD Definition

Specific Learning Disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of: visual, hearing, or motor disabilities; significant limited intellectual capacity; significant identifiable emotional disability; cultural factors; environmental disadvantage; or limited English proficiency. The specific learning disability prevents a student from receiving reasonable educational benefits from general education alone.

Consider using the KPBSD SLD in the database for the “Learning Disability Explanation” on the ESER.

|   |   |
|---|---|
| <a href="#">Show/Hide Text Ruler</a> <a href="#">Check Spelling</a> <b>Complete this ENTIRE section ONLY for students referred for a LEARNING DISABILITY.</b> |   |
| Relevant Behavior/Rel to Functioning (20 lines max)   |   |
| Medical Findings (10 lines max)   |   |
| <b>***Psychologists Responsible for the following four fields***</b>  |   |
| Learning Disability Data (40 lines max)   |   |
| Learning Disabled in Area(s) of   | <input type="checkbox"/> Written Expression <input type="checkbox"/> Math Problem Solving <input type="checkbox"/> Reading Comprehension <input type="checkbox"/> Basic Reading<br><input type="checkbox"/> Oral Expression <input type="checkbox"/> Math Calculation <input type="checkbox"/> Listening Comprehension <input type="checkbox"/> Reading Fluency |
| Learning Disability Explanation (10 lines max)  |   |
| Environmental, Cultural, and Economic Considerations  |   |



# SLD Criteria

## RESPONSE TO INTERVENTION MODEL

In identifying the existence of SLD, a determination must be made that a student continues to have a significant academic skill deficit even after obtaining evidence of effective instruction in the general education classroom and the provision of Tier 2 and Tier 3 intervention. Below are some parameters for deciding the significance of a deficit. These are NOT intended to be absolute cut-points and the convergence of multiple sources of data needs to be considered by the eligibility team.

Parameters:

1. The child does not achieve adequately\* for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards: Oral expression, Listening comprehension, Written expression, Basic reading skill, Reading fluency skills, Reading comprehension, Mathematics calculation, Mathematics problem solving.

\*Inadequate achievement is defined as: Performance at or below the 10<sup>th</sup> percentile (Standard Score 81).

*When using standardized tests such as the WJ-IV or the WIAT-III, Clusters or Composites not individual Subtests should be interpreted to define achievement levels.*

2. The child does not make sufficient progress to meet age or State-approved grade-level standards in one or more areas when using a process based on the child's response to scientific, research-based intervention.

Not making sufficient progress is defined as: A minimum of 12 data points are required from a consistent intervention in order to establish the rate of progress. Rate of progress is inadequate when the child's

1. rate of improvement is minimal and continued intervention will not likely result in reaching age or state-approved grade-level standards;
2. progress will likely not be maintained when instructional supports are removed;
3. level of performance in repeated assessments of achievement falls below the child's age or state-approved grade-level standards.

Rate of Improvement

$$\text{ROI} = \frac{\text{Goal Score} - \text{Initial Score}}{\text{Weeks Elapsed}}$$

# SLD Criteria

## STRENGTHS AND WEAKNESSES MODEL

### What is a Pattern of Strengths and Weaknesses?

- The assessment of a student to determine whether he or she exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual development.
- A Pattern of Strengths and Weaknesses (PSW) model provides a systematic method for looking at a wide range of cognitive processes.
- School teams may determine a pattern of strengths and weaknesses by evaluating specific areas of cognitive function, academic achievement or both and comparing those results against each other or in contrast to other measures of student performance.
- PSW includes both a normative (comparison to peers) and relative (individual significance, compared to child's overall processing abilities) strengths and weaknesses.

### To determine if a student has a Pattern of Strengths and Weaknesses:

- Examine the standardized academic achievement test results along with state curriculum standards and classroom performance and determine whether the child is achieving adequately (>85 or 16<sup>th</sup>ile) in basic reading, reading fluency, reading comprehension, math calculation, math problem-solving, written expression, oral expression, listening comprehension.
- Examine the child's pattern of academic strengths and weaknesses along with his/her cognitive strengths and weaknesses. Determine a research-based relationship between the area of academic weakness and the cognitive weakness(es). Determine that the cognitive weakness(es) correlates with the academic deficits (see page 10) within an otherwise "normal" learning pattern and that this pattern has existed over a period of time.
- Using all available data including, if needed, developmental histories, behavioral checklists, functional assessment of academic behaviors, medical statements, etc., determine that the lack of achievement and pattern of strengths and weaknesses is not primarily the result of 1) visual, hearing, or motor impairment; intellectual disability or emotional disturbance; 2) cultural factors; 3) environmental/economic disadvantage; 4) lack of appropriate instruction; or 5) limited English proficiency

STRENGTHS AND WEAKNESSES MODEL

| Assessment Type   | PSW Not Supported  | PSW Supported  | Score                    |
|---|--|--|--------------------------|
| <p><b>File Review</b><br/>Cumulative Record, Report Cards, Work Samples, Health records, Behavior, 2<sup>nd</sup> Language, Attendance, Previous IEPs</p>   | <p>A's or B's/ 3 or 4 on grade-level expectations<br/>Score = 0</p>  | <p>D's or F's / 1 or 2 on grade-level expectations<br/>Score = 1</p>   |                          |
| <p><b>Grade Level Achievement</b><br/>Statewide Assessments/Work Samples</p>  | <p>"Proficient" or "Advanced" grade-level expectations<br/>Score = 0</p>   | <p>"Below Proficient" or "Far Below Proficient" grade-level expectations<br/>Score = 1</p>   |                          |
| <p><b>Classroom Observation</b></p>   | <p>Student demonstrates average to above-average understanding of academic, follows teacher's directions, and completes work accurately with same amount of teacher assistance as peers.<br/>Score = 0</p> | <p>Student demonstrates that he or she does not understand the majority of the academic content, needs directions repeated; does not complete work accurately.<br/>Score = 1</p>   |                          |
| <p><b>CBM: Benchmarking and Progress Monitoring with implementation of interventions</b></p>  | <p>Progress equal to or greater than peers in same instructional setting<br/>Score = 0</p>   | <p>Progress below that of the majority of peers in same instructional setting<br/>Score = 2</p>  |                          |
| <p><b>Achievement*</b><br/>WJ-IV, WIAT-III, TOWRE-2, GORT-V, TERA, TEMA, TEWL, FAR<br/><br/>*Clusters or Composites, not individual Subtests, should be interpreted to define achievement levels<br/><br/>Achievement areas: basic reading, reading fluency, reading comprehension, math calculations, math reasoning, and written expression</p> | <p>Standard scores in achievement areas are either <b>all</b> strengths (<math>\geq 85</math>)<br/>or<br/><b>all</b> weaknesses (<math>&lt;85</math>)<br/>Score = 0</p>                                    | <p>At least one standard score must be a strength (<math>\geq 85</math>)<br/><b>AND</b><br/>At least one standard score must be a weakness (<math>&lt;85</math>)<br/>Score = 2</p>   |                          |
| <p><b>Cognitive Processes</b><br/>WISC-V, WJ-IV, CTOPP-2, SB5, DAS-2<br/><br/>Cognitive areas: Crystallized Knowledge, Fluid Reasoning, Visual Processing, Short-term Memory, Long-term Retrieval, Processing Speed, and Auditory Processing</p>  | <p>Standard scores in cognitive ability areas are either <b>all</b> strengths (<math>\geq 85</math>)<br/>or<br/><b>all</b> weaknesses (<math>&lt;85</math>)<br/>Score = 0</p>                              | <p>At least three standard scores must be strengths (<math>\geq 85</math>) not related to the area of concern<br/><b>AND</b><br/>At least one standard score must be a weakness (<math>&lt;85</math>) related to the area of concern<br/>Score = 2</p> |                          |
| <p><b>SLD Decision: Score must be a minimum of 7/9 to support PSW eligibility.</b></p>  |  |  | <p>Total =<br/>___/9</p> |

STRENGTHS AND WEAKNESSES MODEL

Suggested “Critical Cognitive Abilities” from Carrol-Horn-Cattell theory

| COGNITIVE CLUSTER   | ACHEIVEMENT AREA  |
|---|---|
| <b>Comp-Knowledge (Gc)</b><br><i>Crystalized Intelligence</i> | Basic Reading/Skills<br>Reading Comprehension<br>Math Calculation/Num Op<br>Math Reasoning  |
| <b>L-T Retrieval (Glr)</b><br><i>Long-Term Retrieval</i>      | Basic Reading/Skills<br>Reading Comprehension<br>Reading Fluency/ORF<br>Math Reasoning<br>Written Expression  |
| <b>Vis-Spacial Think (Gv)</b><br><i>Visual Processing</i>     | This cluster does not significantly predict achievement in specific areas (used to consider cognitive strengths)  |
| <b>Fluid Reasoning (Gf)</b><br><i>Novel Reasoning</i>         | Reading Comprehension<br>Math Calculation/Num Op<br>Math Reasoning/Problem Solving  |
| <b>Processing Speed (Gs)</b><br><i>Processing Speed</i>       | Basic Reading/Skills<br>Reading Comprehension<br>Reading Fluency/ORF<br>Math Calculation/Num Op<br>Math Reasoning/Problem Solving<br>Written Expression |
| <b>Short-Term Mem (Gsm)</b><br><i>Short-term memory</i>       | Basic Reading/Skills<br>Reading Comprehension<br>Math Calculation/Num Op<br>Math Reasoning/Problem Solving  |
| <b>Auditory Process (Ga)</b><br><i>Auditory Process</i>       | Basic Reading/Skills<br>Reading Comprehension<br>Math Calculation/Num Op  |
| <b>ADDITIONAL FACTORS:</b>                                    |   |
| <b>Working Memory (WM)</b>                                    | Basic Reading/Skills<br>Reading Comprehension<br>Math Calculation/Num Op<br>Math Reasoning/Problem Solving  |
| <b>Phonemic Awareness</b>                                     | Basic Reading/Skills  |

## STRENGTHS AND WEAKNESSES MODEL

### **Additional information to consider if needed when using the Strengths and Weaknesses Model**

- The criteria listed above are a “guideline” for helping Assessment Team members make eligibility decisions. When standard scores are used, standard error of measurement should always be considered.
- When determining if a student’s cognitive weaknesses(es) exist(s) in an otherwise normal pattern of intellectual development, teams must determine that at least three cognitive abilities are within the normative average range (standard score of 85 or above) and one cognitive ability below average (standard score of below 85).
- Team members are encouraged to use the stated criteria in conjunction with clinical judgment in cases where the evidence for a learning disability is not clear cut, when a student has been home-schooled, or when test results and classroom performance are inconsistent;
- The strengths and weaknesses model criteria can be used with students whose first language is not English; however, Assessment team members are encouraged to use Flanagan and Ortiz’ Culture-Language Test Classifications to help sort out a culture/language difference versus a learning disability.
- At 3 yr. re-evaluations, IEP team members are directed to answer the following questions: “Does the student continue to need specialized instruction?” (This is a “team” decision. Be sure to include parents, student, teachers, and relevant specialists in this decision.). If “yes,” document his/her need for specialized instruction. Enough information is needed so that “present levels of performance” and IEP goals can be written. If “no,” document the student’s lack of need for specialized instruction.
- A developmental history;
- An assessment of fine motor, perceptual motor, communication, social or emotional, and perception or memory if the child exhibits impairment in one or more of these areas;
- A medical statement or health assessment indicating whether there are any physical factors that may be affecting the child's educational performance.

### FOR REFERENCE:

*Flanagan, D. P., McGrew, K. S., and Ortiz, S. O. (2000). The Wechsler intelligence scales and Gf-Gc theory: a contemporary approach to interpretation. Boston: Allyn & Bacon.*

*Flanagan, D. P., Ortiz, S. O., Alfonso, V., and Mascolo, J. (2002). The achievement test desk reference (ATDR): Comprehensive assessment and learning disabilities. Boston: Allyn & Bacon.*

*McGrew, K. S., and Flanagan, D. P. (1998). The intelligence test desk reference (ITDR): Gf-Gc cross-battery assessment, Boston: Allyn & Bacon.*

## Role of Cognitive Assessments

Excerpt from “Frequently Asked Questions about Special Education Eligibility and Entitlement within a Response to Intervention (RTI) Framework: A Closer Look at the RTI Process and Special Education

*Do I have to do an IQ test as part of an evaluation for SLD?*

Neither state rules nor federal IDEIA regulations governing special education evaluation requirements, including the additional procedures for SLD identification, specify that a particular type of assessment (e.g., an intelligence/IQ test) must be conducted. However, in the past districts have often used intelligence tests to establish that a student has a severe discrepancy between achievement and intellectual ability in order to determine the existence of a SLD, as previously required under the Individuals with Disabilities Education Act of 1997.

Because the implementing regulations of IDEIA 2004 eliminated the IQ/achievement discrepancy criterion for SLD, districts that previously conducted intelligence testing to fulfill this criterion no longer need to do so. Intelligence tests are also not necessary for intervention planning, as screening, progress monitoring, and diagnostic/prescriptive assessments collected as part of the RTI process can provide the information needed.

*Does cognitive processing need to be assessed as part of an SLD eligibility evaluation?*

No. As stated previously, none of the federal regulations addressing special education evaluation requirements, including the additional procedures for SLD identification, specify that a particular type of assessment (e.g., assessment of psychological or cognitive processing) must be conducted. Further, although the federal definition of SLD uses the terminology “a disorder in one or more of the basic psychological processes,” the U.S. Department of Education’s response in the “Analysis of Comments and Changes” section of the federal regulations states the following:

*The Department does not believe that an assessment of psychological or cognitive processing should be required in determining whether a child has an SLD. There is no current evidence that such assessments are necessary or sufficient for identifying SLD. Further, in many cases, these assessments have not been used to make appropriate intervention decisions... In many cases, though, assessments of cognitive processes simply add to the testing burden and do not contribute to interventions. As summarized in the research consensus from the OSEP Learning Disability Summit (Bradley, Danielson, and Hallahan, 2002), ‘Although processing deficits have been linked to some specific learning disabilities (e.g., phonological processing and reading), direct links with other processes have not been established. Currently, available methods for measuring many processing difficulties are inadequate. Therefore, systematically measuring processing difficulties and their link to treatment is not yet feasible \* \* \*. Processing deficits should be eliminated from the criteria for classification \* \* \*.’ (p.797). (Federal Register, Vol. 71, No. 156, p.46651)*

## RTI for Younger Students

In most cases, evaluating young students for learning disabilities should be done with caution. Because academic skills are just beginning to develop at this it is often difficult to identify significant academic deficits. For example, for kindergarten students, we benchmark and monitor their ability to name letters (Letter-Naming Fluency CBM probes). A deficit in this area does not necessarily indicate a difficulty in basic reading skills because the child has not been taught to read yet. Furthermore, the team needs to implement tiered interventions and collect 12 data points in order to determine if the student is making progress and these should be developmentally appropriate. Please see guidance from the RTI committee regarding appropriate interventions for younger students. If other areas are of concern, such as speech/language, adaptive/self-help skills, motor issues and/or emotional concerns, then it may be more prudent to assess students with the category of Early Childhood Developmental Delay (ECDD) in mind.

### FOR REFERENCE:

Wisconsin SLD criteria FAQ (<http://sped.dpi.wi.gov/sites/default/files/imce/sped/pdf/sld-faq.pdf>)

*Is there an age requirement for identifying students as SLD? Could a preschool child be found eligible as having the impairment of SLD?*

There is no age requirement for identifying students with SLD. However, given the wide variation of typical development, paired with the limited amount of time most children from age three through second grade have had to develop and demonstrate the academic skills addressed in the SLD rule, IEP teams should be prudent in identifying SLD in this age group. Before identifying any student with SLD, at least two SRBIs must be implemented and there must be evidence of insufficient progress and inadequate classroom achievement compared to the expectations for same age/grade peers, in one or more of the eight potential areas of concern. In addition, exclusionary factors must be considered including whether the student has received appropriate instruction in the area(s) of concern. It is not unusual for young students to have not yet received explicit instruction in one or more of the academic areas listed in the rule. When a student demonstrates significant delay, but there is not enough information to determine if the student meets the SLD criteria, the impairment of Significant Developmental Delay (SDD) may be. General education interventions should also be considered and implemented as appropriate. It is anticipated the prevalence of SLD in preschool through early elementary age children will remain very low.

CO Pre-school/young children (page 108) -

[http://www.cde.state.co.us/sites/default/files/documents/cdesped/download/pdf/sld\\_guidelines.pdf](http://www.cde.state.co.us/sites/default/files/documents/cdesped/download/pdf/sld_guidelines.pdf)

If a specific learning disability is suspected the RTI process must be implemented as this is a component of eligibility. However, if the team determines there is appropriate data from preschool interventions, progress-monitoring, and other assessment; and the child meets the other criteria, SLD can be considered using existing data. Because academic skills are just beginning to develop at this time, it is often difficult to validly determine a specific academic deficit. Other disability categories (or a decision that the child may not need special education supports and services) may be considered more relevant for a six-year-old (e.g., Speech-Language Impairment), with ongoing instruction/intervention and monitoring over time helping provide clarity as the child progresses academically during the early elementary years.

## Reevaluations

Excerpt from “Frequently Asked Questions about Special Education Eligibility and Entitlement within a Response to Intervention (RTI) Framework: A Closer Look at the RTI Process and Special Education”

*How are reevaluations conducted when using RTI?*

Some states requires the use of a process that determines how a student responds to scientific, research-based interventions as part of the evaluation procedures to determine the existence of a SLD, and such a process must also be used as part of a reevaluation for SLD. The requirements specific to reevaluations with regard to when and how often they must be conducted remain applicable, as do the requirements for evaluations in general and the additional requirements for SLD identification.

When a student is found eligible for special education and related services through an evaluation process that includes RTI, the same core practices of RTI continue in the delivery of the services identified on the student’s IEP. This includes interventions matched to student needs and frequent progress monitoring to determine the student’s response to intervention, as well as adjusting the interventions based on the progress monitoring data. The data collected as part of that intervention process should be used to determine needs and eligibility on an ongoing basis, including during the reevaluation process.

Regardless of whether or not the initial evaluation included the use of an RTI process, it is presumed that the initial eligibility process was valid and that the disability remains unless data exist that indicate otherwise. Such data could include evidence showing a change in the student’s ability to benefit from the general education curriculum without special education and related services. The U.S. Department of Education commented on this issue in the context of reevaluations and state SLD eligibility criteria that have been revised to include an RTI process:

States should consider the effect of exiting a child from special education who has received special education and related services for many years and how the removal of such supports will affect the child’s educational progress... Obviously, the group should consider whether the child’s instruction and overall special education program have been appropriate as part of this process. If the special education instruction has been appropriate and the child has not been able to exit special education, this would be strong evidence that the child’s eligibility needs to be maintained.

Planning for reevaluations is the same as the planning that occurs for initial evaluations. The IEP team, which includes the student’s parents, reviews existing data to determine what, if any, additional data are needed. The reevaluation focuses on assessment of progress, including how the student has responded to the interventions (i.e., the degree to which the special education services are addressing the student’s needs), answering any assessment or diagnostic questions, and planning subsequent instruction and interventions. Ultimately, the reevaluation determines:

- Whether the student continues to have a disability and need special education and related services,
- The educational needs of the student,
- The present levels of academic achievement and related developmental needs of the student, and
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet the annual IEP goals and to participate in the general education curriculum.



# Comprehensive Evaluations

Based on Alaska State Criteria, an observation of the student is a requirement for SLD. Best practices in comprehensive assessments include using the RIOT (Review records, Interviews, Observation, and Testing) process. A psycho-educational report completed by the school psychologist is required to determine eligibility.

## FOR REFERENCE:

Excerpt from “Frequently Asked Questions about Special Education Eligibility and Entitlement within a Response to Intervention (RTI) Framework: A Closer Look at the RTI Process and Special Education

*How can the requirement for a full and individual evaluation be met in an RTI model?*


The federal regulations require a “full and individual evaluation” to be completed before the initial provision of special education and related services, and this requirement does not change in an RTI process. Further, in conducting the evaluation, school districts must use a variety of assessment tools and strategies that may assist in determining whether the student is a student with a disability. The student must also be “assessed in all areas related to the suspected disability, including, **if appropriate**, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities”. In addition, the evaluation must be sufficiently comprehensive to identify all of the student’s special education needs. Depending on their nature and scope, it is possible that data generated during the RTI process could fulfill the requirements of a “full and individual evaluation.”

*What constitutes a “sufficiently comprehensive evaluation”?*

The use in the federal regulations of such terms as “if appropriate” establishes the authority of the school team, of which the student’s parent is a member, to determine the areas, also called domains, in which the student should be assessed. Therefore, what constitutes a “comprehensive” evaluation is determined on an individual basis in accordance with a student’s needs. In the past, the required “comprehensive evaluation” was interpreted by most to mean a common battery of assessments for all students suspected of having a particular disability. Now it is anticipated that the data gathered during the RTI process, related directly to the student’s performance in the learning context, should reduce the need for the “common battery” approach to assessments.

In conducting an evaluation, the team may not use any single measure or assessment as the sole criterion for making a disability determination and for determining an appropriate educational program. While a student’s response to scientific, research-based intervention is crucial to disability identification and educational planning, other types of information and assessment data must also be collected throughout the RTI process.

The requirement to collect additional information and assessment data can be addressed through what is commonly called the RIOT (Record review, Interviews, Observation, and Testing) process, which is typically an integral part of the early intervening period. Below are examples of data sources and



evaluation tools in each of these four categories that might be included in a full and individual evaluation. The collection of this information and data may occur during the RTI process and/or after the special education evaluation period begins.

- Record Review: Student work samples, grades, office referrals, etc.
- Interviews: Of teachers, parents, counselors, the student, and others involved in the student's education
- Observation: Of the student in specific, relevant settings and of the learning environment
- Testing: Universal screening, CBMs (depending on tier), classroom tests, district-wide and state tests, functional behavior assessments, etc.

The following is a list of some of the evaluation tools that might be included in a full and individual evaluation:

- Interviews
- Observation of the student in specific, relevant settings
- Error analysis of work samples
- Functional Academic Assessments, including CBMs and CBE
- Progress monitoring data
- Results from state and local assessments
- Functional Behavioral Assessments
- Behavior Rating Scales
- Vocational assessments
- Developmental, academic, behavioral, and functional life skills checklists
- Standardized (norm-referenced) assessment