

Identifying Students with Specific Learning Disabilities



Part 2: SLD Eligibility Determination

Section 4: 47- 62
(Documentation requirements
will be covered in Part 3.) &
Section 5: 67-104

Reminder: watch for a blue box in top right corner for page references from the Colorado *Guidelines for Identifying Students with Specific Learning Disabilities*.



Summary of the Eligibility Considerations

SLD Determination

CRITERIA

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;

AND

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

One or more areas must be identified

Oral
Expression

Listening
Comprehension

Written
Expression

Basic
Reading

Reading
Fluency

Reading
Comprehension

Math
Calculation

Math Problem
Solving



CONSIDERATIONS

1. Learning problems in area(s) indicated above are **NOT PRIMARILY** due to...

- visual disability; hearing disability; motor disability; significant limited intellectual capacity; significant identifiable emotional disability; cultural factors;
- environmental or economic disadvantage; or limited English proficiency

2. Findings are **NOT** due to ...

- lack of appropriate instruction in reading, including in the essential components of reading instruction
- lack of appropriate instruction in math
- limited English proficiency



DETERMINATIONS

YES

The student has a
Specific Learning Disability.

NO

The student can receive
reasonable educational benefit
from general education alone.



The Multidisciplinary (Eligibility) Team agrees that this student



is



is not *eligible for special education*.

Academic Skill Deficit

Given are some recommended parameters for deciding the significance of a deficit (even after targeted/intensive intervention). These are NOT intended to be absolute cut-points. The convergence of multiple sources of data needs to be considered by the team.

Note: The language in both federal and state law is that “the child does not achieve adequately for the child’s age or to meet State-approved grade-level standards...” rather than in comparison to that child’s assessed IQ as was true with the application of a discrepancy/regression formula.

Academic Skill Deficit, cont.

Use of multiple data sources, such as...

- Curriculum Based Measurement (CBM) results that include at least 6 data points at or below the 12th percentile, based on state/national norm [e.g., maze (reading comprehension), correct digits (math), oral reading fluency]
- Criterion Reference Measures at 50% or below grade level expectancy [e.g., Student consistently scores 40% or less in math problem-solving where the grade level expectation is 80% or better as indicated in the curriculum and/or text materials.]
- Other assessments at/below 12th percentile [such as individually administered norm-referenced tests: *Test of Written Language-3*; *Test of Word Reading Efficiency*; *KeyMath3*, etc.)

At least one measure needs to reflect a comparison to state or national benchmarks or norms to maintain consistency across the state as to what is to be considered a “significant deficit.”

Important Reminder: The academic skill deficit must still be evident AFTER the provision of targeted/intensive intervention.

Example: Deficit in Basic Reading Skills

After 16 weeks* of targeted/intensive interventions...

- 6 most recent CBM scores for Oral Reading Fluency are at/below the 10th percentile.
- Comprehensive Test of Phonological Processing places student in the 8th percentile.
- Writing samples indicate poor phonemic awareness/phonetic skills.

*16 weeks is just an example; problem-solving team determination of intervention intensity and decision-making timelines depends on several factors, such as the age/grade of the student, the specific skill being addressed and the significance of the achievement gap.

Insufficient Progress

Problem-solving teams monitor student progress toward age or grade level norms/benchmarks. Insufficient progress can be determined by identifying expected rates of progress and by utilizing a gap analysis.

The following slides illustrate the implementation of gap analysis in the determination of sufficiency of progress.

Insufficient Progress

Steps in determining:

- 1) Identify expected achievement and rate of progress in order to close the Gap with peers
- 2) Apply Gap Analysis over time to determine progress toward goal
- 3) Insufficient progress: Gap with age/grade benchmarks is not closing, even with targeted or intensive intervention

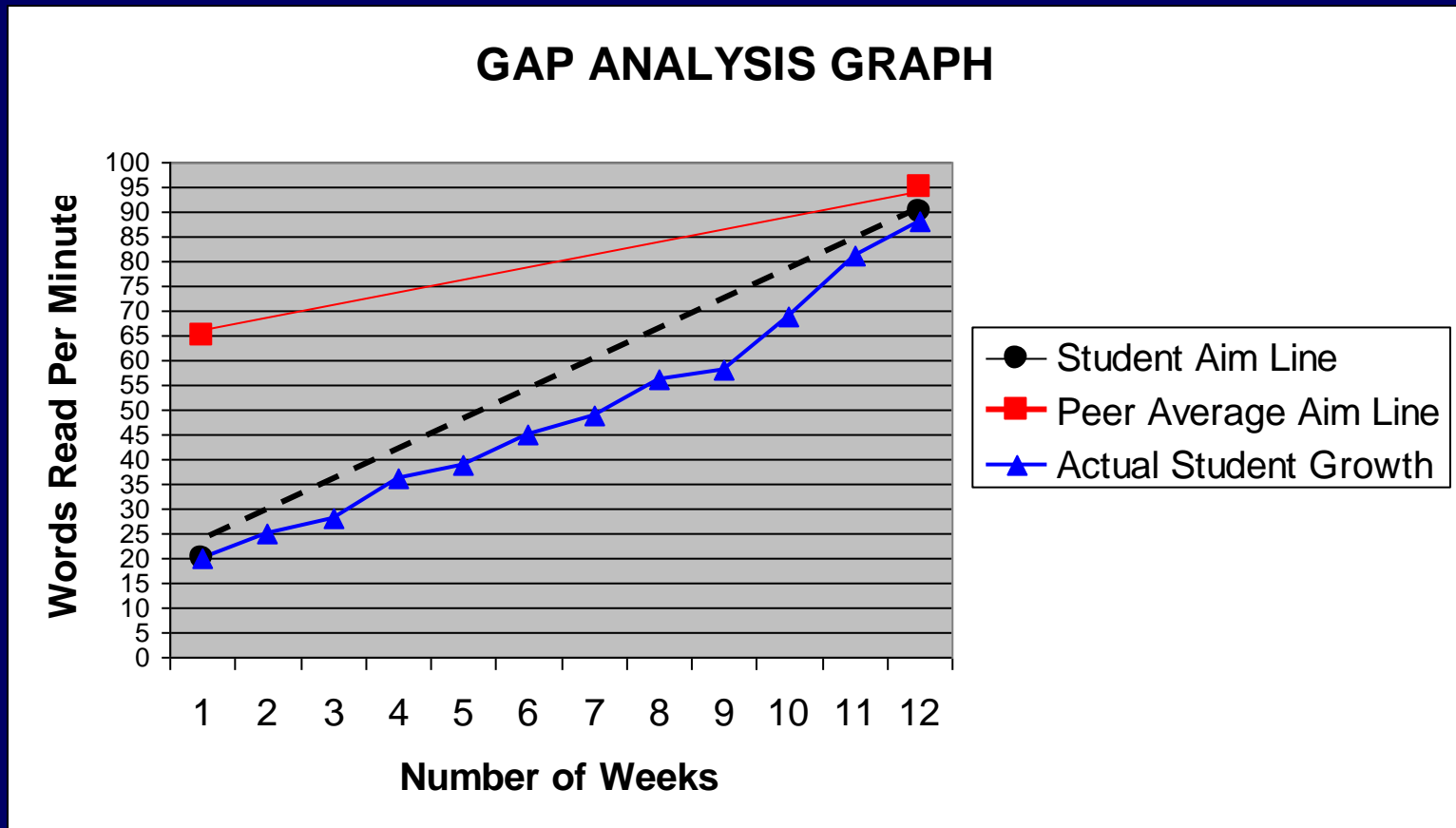
Academic Example of Gap Analysis

[Benchmark divided by Current Level of Performance = Gap]

68 Words Per Minute (Spring Benchmark for second grade)/
20 Words per Minute (Current level of performance) = 3.4
Gap

2+ = Significant Gap and signifies a need for Tier II or Tier III
intervention to close the Gap between student and peers.

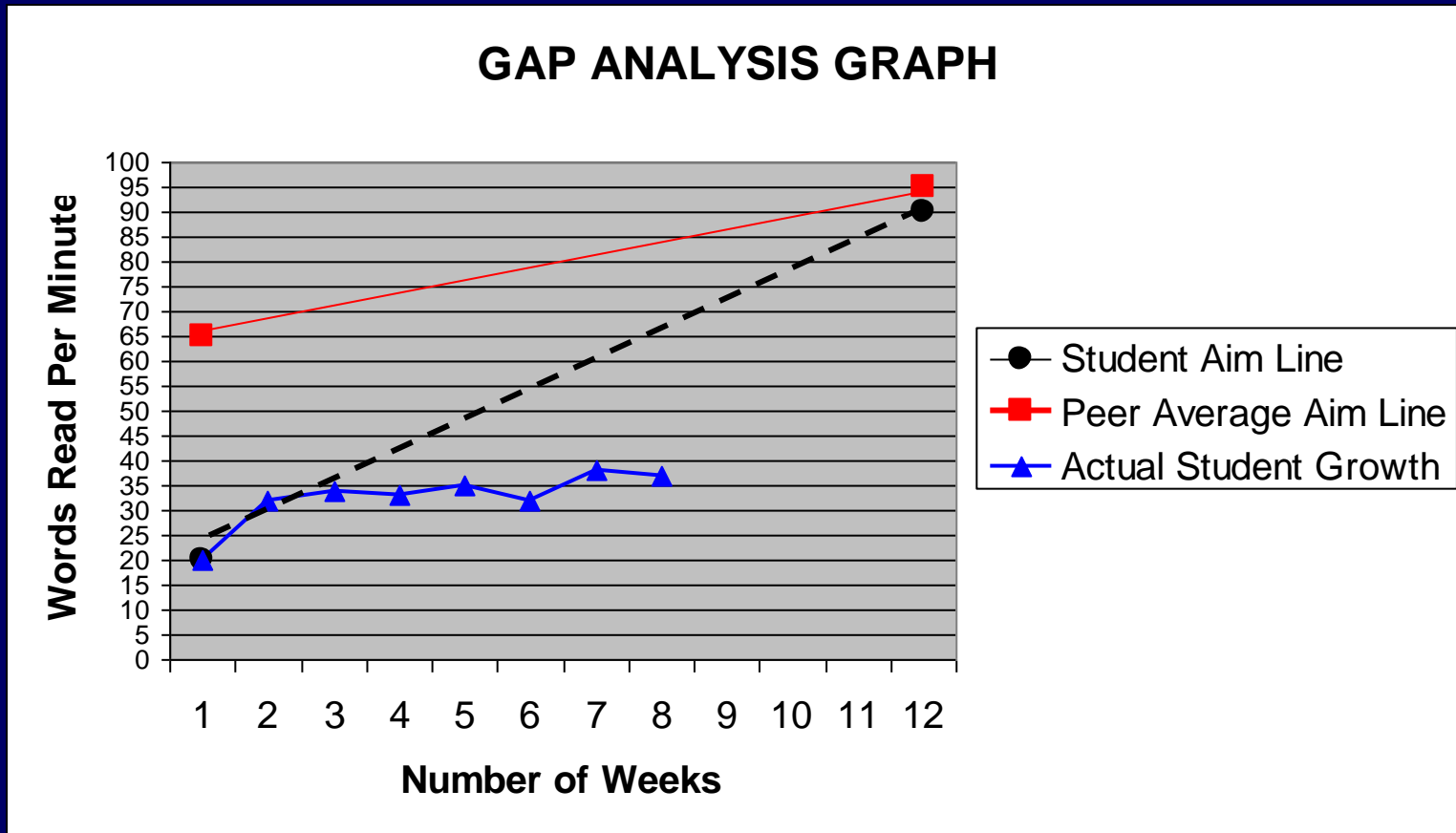
Sufficient Progress



Benchmark - 90 / Current Level - 20 = 70 (gain needed to close the Gap)

Intervention resulted in the 4.6 WPM growth per week necessary to close the Gap with peers.

Insufficient Progress

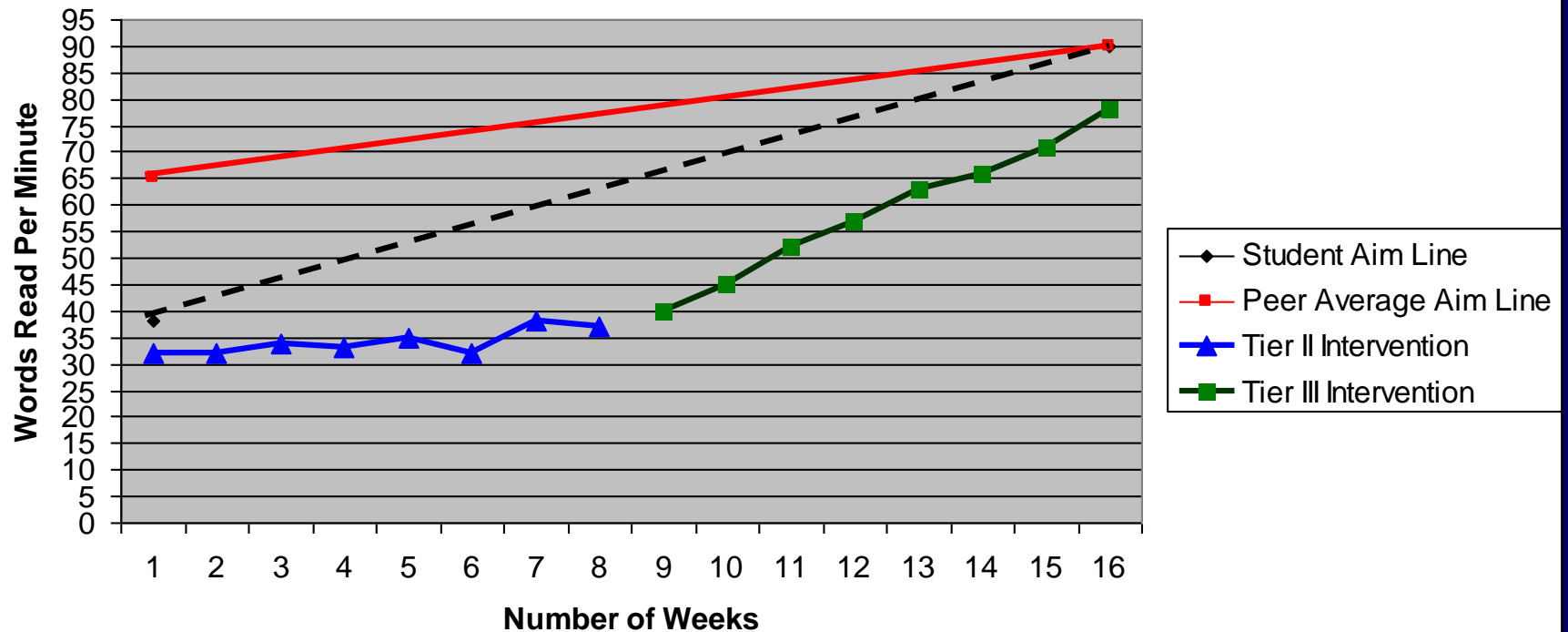


Benchmark - 90 / Current Level – 20 = 70 (gain needed to close the Gap)

Intervention did not close the Gap – student needs more time, intensity or a different intervention.

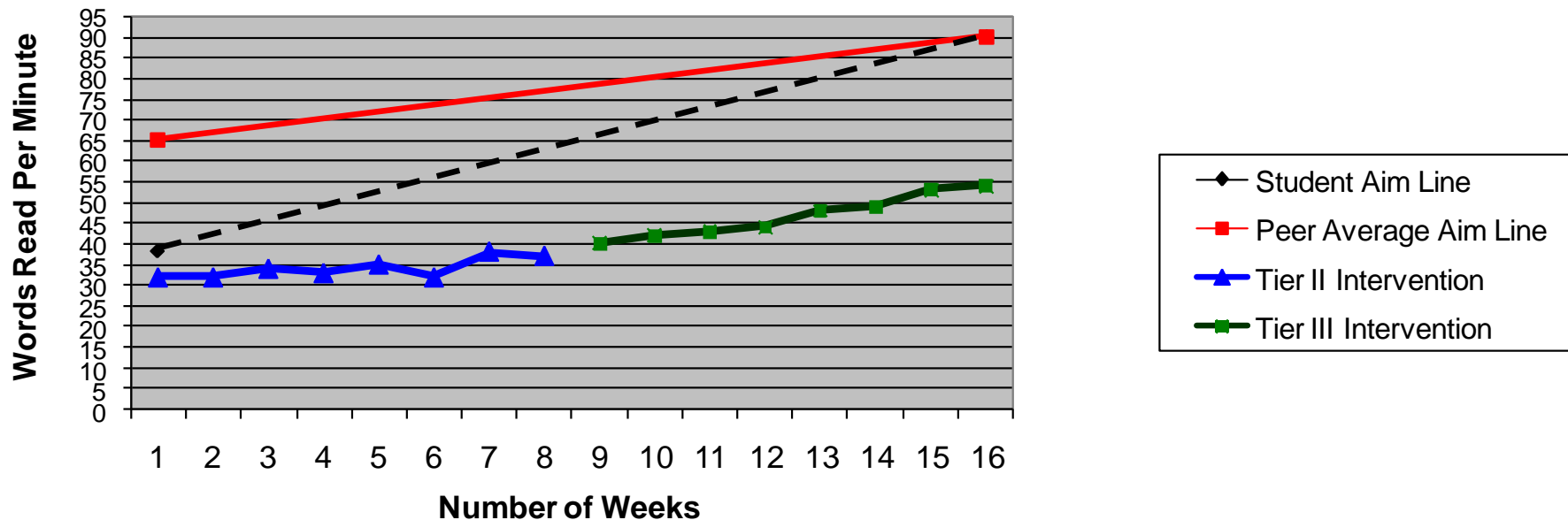
Sufficient Progress with Intense Intervention

GAP ANALYSIS GRAPH



Insufficient Progress (even with intense intervention) – Possible SPED Referral & Determination

GAP ANALYSIS GRAPH



CSAP: Appropriate Uses

- Appropriate to use CSAP results to improve instruction for all students or particular groups of students.
- Appropriate to use CSAP results as an initial screener, especially for older students. (e.g., to determine which 9th graders to further assess in basic literacy skills)
- Appropriate to reference CSAP results in a review of existing data and as one piece of evidence in the body of evidence for an individual student.

CSAP: Inappropriate Uses

- Inappropriate to use CSAP results as the one required measure against state/national norms
 - An annual outcome measure does not demonstrate performance in a timely manner after the provision of intervention.
 - An individually-administered measure is recommended.

- Inappropriate to use CSAP results as evidence of “insufficient progress”
 - CSAP does not provide a frequent enough measure to demonstrate “insufficient progress” in response to scientific, research-based intervention.
 - An individually-administered measure is recommended.

Consideration of “Exclusionary” Factors

The learning problems in the area(s) identified are not primarily due to...

- Visual, Hearing or Motor Disability;
- Significant Limited Intellectual Capacity (SLIC) (assess Adaptive Behavior first – a child found to be within normal limits would not be special education eligible within this category)
- Significant Identifiable Emotional Disability (Data from observation and checklists)

Consideration of “Exclusionary” Factors, cont.

The learning problems in the area(s) identified are not primarily due to...

- Cultural Factors (Local, disaggregated norms for AYP);
- Environmental or Economic Disadvantage (AYP for low SES); or
- Limited English Proficiency (AYP data for LEP) – **see pages 59-61 in *Guidelines***

Consideration of “Exclusionary” Factors, cont.

References to “AYP” in the previous slide...

A school system should be cognizant of the Adequate Yearly Progress data for all disaggregated groups. If most students within a school setting who are of a particular ethnic group, low SES, or at a similar level of English language acquisition are achieving poorly, it might be inappropriate to label an individual student from one of these groups as having a disability based on similar poor performance. The system should be striving to provide (universal/core) instruction in such a way as to improve the achievement of all students.

Consideration of “Exclusionary” Factors, cont.

The determination that an individual student’s difficulties are not “primarily due to” one of these specified factors must be carefully weighed by eligibility team.

One or more of these factors may certainly be relevant to a individual child whose difficulties may appropriately be determined to be the result of a Specific Learning Disability. **Even though these factors are commonly referred to as “exclusionary,” they can co-exist with an identified SLD disability.**

Findings of disability/eligibility are not due to...

- ❑ lack of appropriate instruction in reading, including in the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act of 1965);
- ❑ lack of appropriate instruction in math; or
- ❑ limited English proficiency.

Applicable to consideration any disability!

Has the student been provided with appropriate instruction?

- Student has been exposed to instruction that is effective for most students
- Problem-solving process has been applied across tiers (instruction/intervention informed by student data)
- Interventions have been implemented with fidelity

- George Batsche

Final Determinations

- 1) The student has a Specific Learning Disability **and**
- 2) The student cannot receive reasonable educational benefit from general education alone.

Final Determinations, cont.

The team might consider that in order to receive reasonable educational benefit from general education...

- the student continues to need substantial interventions and supports in order to progress
- the intensity and duration of interventions needed cannot be maintained in general education alone

3) The Multidisciplinary (Eligibility) Team agrees that this student is eligible for special education.