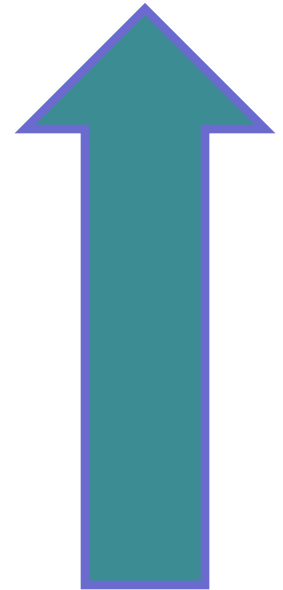


# *Identifying Students with Specific Learning Disabilities*



## Part 4: Special Considerations, FAQs & Role Changes

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



# Special Considerations

(Section 6 of Guidelines)

1. Pre-school/young children
2. Older (Secondary) Students
3. Twice Exceptional
4. Speech-Language or SLD  
(determination of primary disability)
5. English Language Learners & RtI

# IMPORTANT: Even if a student is determined not eligible for special education...

- Partner with parent/families to address concerns related to academic weaknesses
- Consider changes or supplements to classroom instruction
- Consider referral to Problem-Solving Team (RtI)
- Determine if student is in need of targeted/intensive intervention in area of concern
- Consideration of a 504 accommodations plan may be indicated

We need to think differently – special education should not be the only avenue to targeted instruction.

# Special Consideration: Preschool/Young Children

Specific “delays” may be predictive of later learning difficulties IF NOT ADDRESSED EARLY ON, such as...

- Delays in comprehension and/or expression of spoken language
- Delays in emergent/foundational literacy skills
- Slow naming speed (objects, colors, etc.)
- Limited phonological awareness (e.g., rhyming and sentence segmentation)
- Limited print awareness
- Limited oral vocabulary

Predicting SLD is NOT the same as identifying SLD. Eligibility criteria must be met – difficult to meet prior to formal academic instruction. Intervention may resolve a child’s early indicators that, if not addressed, could lead to later academic difficulties.

# DEVELOPMENT OF PHONOLOGICAL AWARENESS

Rhyming  
Songs

Sentence  
Segmentation

Syllable  
Segmentation  
& Blending

Onset-Rime  
Blending &  
Segmentation

Blending &  
Segmenting  
Individual  
Phonemes

LESS COMPLEX  
ACTIVITIES

MORE COMPLEX  
ACTIVITIES

“The category of specific learning disability is generally not applicable to preschool children with disabilities.”

- Alexa Posny, OSEP Director  
*Letter to Brekken, 6/2/10*

*Federal Office of Special Education Programs*

- “In general, LDs should not be identified in pre-schoolers.” [Fletcher et al., Learning Disabilities: from Identification to Intervention]
- Dr. Sally Shaywitz also cited in this book regarding the low level of reliability of academic assessment even in 1st grade.
- With receptive and/or expressive oral language development issues, Speech or Language Impairment (SLI) may be a more appropriate disability category for addressing these early needs

- Age 6: must shift from “Preschool Child with a Disability” eligibility to one of the other disability categories or exit from special education, **as appropriate**
  - May suspect SLD and evaluate for eligibility
  - Other disability (e.g., Speech - Language Impairment) may be determined to be more relevant for a young child
  - Ongoing intervention and monitoring will provide clarity as child progresses through school

# Special Consideration: Older/Secondary Students -- RtI & SLD Identification

## RtI/Problem-Solving Process with Older Students...

- ▶ Incorrect assumption by some that the RtI/Problem-Solving process does not work for older students
- ▶ Targeted/intensive interventions in basic skill areas may be appropriate at any level
- ▶ Progress monitoring tools (e.g., CBM), even if only normed through 8<sup>th</sup> grade, may still be appropriate to measure growth for H.S. students in basic skill areas (e.g., phonemic awareness and decoding)
- ▶ Other interventions, such as application of reading comprehension or math problem-solving strategies, can be applied within content area instruction and monitored through tracking of classroom performance, as well as through CBM or other measures

RECOMMENDED: view the ***RtI Secondary Implementation*** video posted on CDE's RtI website: <http://www.cde.state.co.us/RtI/ToolsResourcesRtI.htm>

## SLD Identification with Older Students...

- Same criteria and identification process applies as with younger students
- Possible that a student who was found “not eligible” under the previous criteria (IQ/Achievement discrepancy) may now be determined to have a Specific Learning Disability
- Reevaluation and continued eligibility for student identified under the previous criteria was covered in Unit 3 of this course (Section 3, p. 46 of *Guidelines*)

# Special Consideration: Gifted & SLD (Twice Exceptional)

*Key Question: Why might a student who has academic skill weaknesses in comparison to his/her areas of strength NOT be eligible for special education services in the category of SLD?*

- Clearly, a student may be appropriately identified as both GT & SLD, however...
- Disagreements arise when parent or other advocate believes that a child should be eligible for special education in category of SLD, even if the child is achieving at or near grade level (in some cases may have been diagnosed as having dyslexia)
- Common Rationale: child should be achieving above grade level in area(s) of relative difficulty because of high IQ or because of comparison to areas of strength

## Change in Federal Language

- **IDEA 1997/1999 (300.541)**

A team may determine that a child has a specific learning disability if –

(1) The child does not achieve commensurate with his or her **age and ability levels** in one or more of the areas....

- **IDEA 2004/2006 (300.309)**

(a) The group described in 300.306 may determine that a child has a specific learning disability, as defined in ..., if

(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...

COLORADO'S ECEA RULES' LANGUAGE IS  
CONSISTENT WITH THE FEDERAL LANGUAGE

**Relevant Case Law Example:** An impartial hearing officer in Alaska dismissed a due process complaint filed by parents who disagreed with the decision that their gifted child was not eligible for special education and related services. The officer stated that the student was not eligible because he did not need them to achieve adequately for his age or to meet state grade level standards. In this case, the student in a gifted program was meeting state standards and, therefore, it could not be determined that specialized instruction was needed to access the general education curriculum. The important consideration is how the student performs compared to age/grade-level peers rather than as compared to peers with similar intellectual ability. (*Anchorage Sch. Dist.*, 54 IDELR 67 – SEA AK 2010; *IDELR Highlights*, Vol. 54, Issue 2, 4/2/2010)

# Special Consideration: Speech Language Impairment (SLI) & SLD

# Special Consideration: SLI & SLD

- With the addition of Oral Expression and Listening Comprehension as areas of SLD in Colorado ECEA Rules, there have been more questions from the field as to primary disability determination (SLD or SLI).
- For more information as to the relationship between the two and guiding questions to consider when determining primary disability, review the slideshow presentation: *Oral Expression and Listening Comprehension as Areas of Specific Learning Disability* (posted on the SLD webpage: <http://www.cde.state.co.us/cdesped/SD-SLD.asp> )

# Special Consideration: Culturally and/or Linguistically Diverse (\*CLD) & SLD

\*CLD includes English Language Learners (ELL)

*Key Question: What are the unique considerations and procedures when referring, evaluating and identifying a student who is culturally and/or linguistically diverse?*

# Special Consideration: CLD & SLD

## “Exclusionary Factors”

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 or economic disadvantage; or **limited English proficiency**.

[2.08(6)(a)(i) of Colorado ECEA Rules; consistent with federal regulations]

# Cultural factors & English Language Proficiency

- Critical to the consideration of the effects of these two factors is the concept of learning difficulties being "primarily the result of..." either or both factors
- Certainly, either/both of the factors may co-exist with an appropriate identification of SLD
- Important to document student information and rationale when determining a student with one or both factors as having a disability and being eligible for special education services

# Determining Primary Home Language & English Language Proficiency

- Home Language Survey (all students– one time): determines if the child's **primary home language** is **other than English** (PHLOTE) & if PHLOTE ...
- CELApro Place Assessment (Colorado English Language Acquisition Proficiency Assessment) must be given within 30 days
- If determined to be an English Language Learner, give status (ELL status is updated each spring via CELA testing)

When considering referral for special education evaluation and eligibility in the area of SLD, the following questions should be addressed:

- ▶ Does evidence exist that a student's achievement and/or behavior differ significantly from that of other students with similar demographic characteristics?
- ▶ Does evidence exist that Tier 1 instruction was effective with most students who share this student's demographics? [Is core instruction effective for this population of students?]
- ▶ Did the interventions implemented have a research-base or represent instructional best practice and are they determined to be culturally and linguistically appropriate?

- ▶ Is the student, if ELL, receiving targeted academic interventions in addition to ELA services?
- ▶ Has there been sufficient, multi-tiered, instructional support given to provide access to the curriculum?
- ▶ Has progress been monitored and compared with the progress of a comparable group of learners?
- ▶ Is progress markedly lower than that of peers? [It is important to compare to students from similar culture, language, age and stage of English language acquisition.]
- ▶ Is the achievement gap with grade-level peers closing?

## Quality Assessments Should...

- ▶ Include parent/family interview
- ▶ Assess the student's current level and mode of functioning within the scope of their cultural background and experiences
- ▶ Identify educational needs rather than focus on perceived or inferred intellectual deficits
- ▶ Focus on learning assets and strengths as the basis for new learning

## Assessment Use & Interpretation

- ▶ Use assessments that minimize cultural bias
- ▶ Use informal measures to supplement standardized test scores
- ▶ Include assessments that are dynamic in nature (encompass teaching/learning cycle)
- ▶ Ascertain whether errors are typical of other students with similar backgrounds

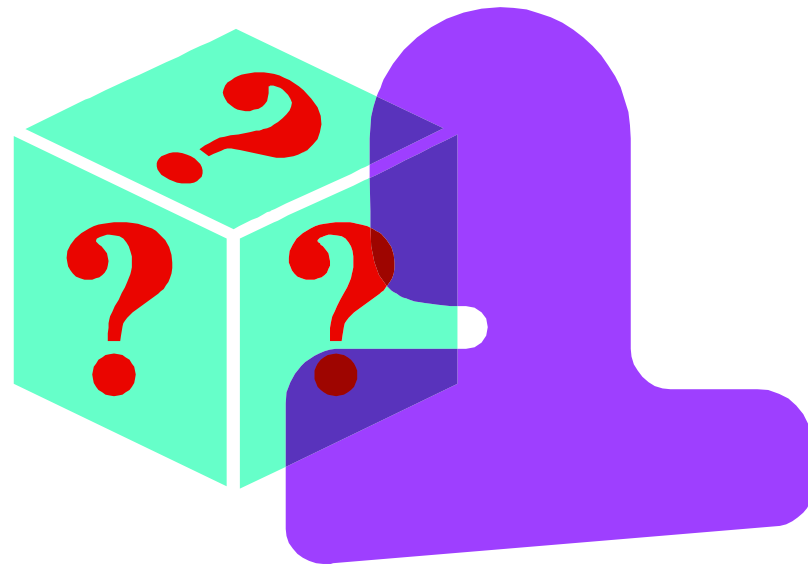
## Assessment Use & Interpretation, cont.

- ▶ Determine the student's language dominance
- ▶ Assess non-English dominant students in their native language
- ▶ Assess English dominant students in English and, if appropriate, in their native language

## Assessment Use & Interpretation, cont.

- ▶ Review test results with families members/other persons from student's background to gain additional insight as to the student's performance
- ▶ Include disclaimers and cautions about any departures from standard testing procedures and what effect they have on interpretation
- ▶ Interpret overall test scores within a **team** setting

# Frequently Asked Questions (subset of FAQs from Section 7)



## FAQ: *What is the relationship between Dyslexia & SLD?*

- Term “dyslexia” is used in state definition of SLD (as of 4/06) ... “including conditions such as...”
- SLDs that involve word level reading deficits cited as most common of specific learning disabilities
- Dyslexia is used by leading researchers in the field of reading disorders to describe word level reading disorders
- There is certainly overlap between students who may have received a diagnosis of dyslexia and those who have been identified as having a SLD and been found eligible for special education – particularly in the SLD area of “Basic Reading Skill.”

# Common Definition of Dyslexia

Definition endorsed by the International Dyslexia Association & the National Institute of Child Health and Human Development...

*Dyslexia is a specific learning disability that is neurological in origin. It is **characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities.** These difficulties typically result from a **deficit in the phonological component of language** that is often **unexpected** in relation to other cognitive abilities and the provision of effective classroom instruction. **Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge.***

## ***FAQ: Why might a child diagnosed as having dyslexia NOT be found eligible for special education with the category of SLD?***

- Disability category is Specific Learning Disability (“dyslexia” is not a federal or state special education disability category)
- Clinical diagnosis of dyslexia NOT equal special education eligibility
- Ultimately, SLD identification & special education eligibility are based on state criteria and required considerations/determinations

## **Disagreements as to special education eligibility sometimes arise...**

- When a parent or other advocate believes that because a child exhibits characteristics of dyslexia, that child should automatically be identified as having a specific learning disability (SLD) and be found eligible for special education services...
- Even if the child is performing at or near grade level in the area or areas of weakness.

## **Common rationale given is...**

- The child has also been assessed to have an above average IQ and, therefore, should have above average academic skills.
- Learning is difficult for the child because of the dyslexia, again, even though achieving at or close to age/grade level standards.

## *FAQ: What impact does the current SLD eligibility criteria have on "slow learners?"*

- "Slow learners" typically not previously eligible (due to no significant discrepancy between IQ and achievement")
- Recognition that "slow learners" may have SLD & it may be the learning disabilities that are causing flat cognitive profiles
- SLD & eligibility: "slow learners" may have significantly limited academic achievement & rate and amount of progress may be severely discrepant from peers
- "Slow Learners" may be eligible for special education in the disability category of SLD

## FAQ: *What about applying the revised criteria for SLD when student attends private school or is home-schooled?*

- Need to collect as much data as possible as to instruction/intervention provided and student performance in response to that instruction
- Could provide limited intervention at neighborhood (public) school as part of the special education evaluation
- Still must meet the requirement that a child's learning difficulties are not due to a lack of appropriate instruction (ANY DISABILITY)

*"Requirements for special education eligibility or the expectations for the quality of teachers or instructional programs are not affected, and do not differ, by the location or venue of a child's instruction."* (Federal Register p. 46656)

## *FAQ: How can an Independent Evaluation be conducted considering the role of "Response to Intervention" in the determination of SLD?*

- Parent has right to request an IEE if disagrees with AU evaluation
- IEE must conform to state criteria if at public expense
- Parent cannot obtain IEE at public expense before AU evaluation is complete simply because disagrees with use of RtI data
  - Federal Register, p. 46689, 46690

# Changing Roles of Special Educators and Related Service Providers



# Changing Roles...

It is anticipated that some of the time that these professionals previously spent in administering normative assessments will be converted to supporting the implementation of RtI/Problem-Solving.

NOTE: Funding sources for specific personnel may impact the professional activities in which they engage.

# Special educators & related service providers may collaborate with general educators in...

- Developing new team procedures– implementing a problem-solving process
- Conducting universal screening in areas of learning and behavior
- Determining and implementing appropriate research-based interventions
- Conducting classroom observations to assist in determining learner needs

## Special educators & related service providers may collaborate with general educators in...(cont.)

- Developing/implementing progress monitoring procedures & tracking results
- Conducting focused, diagnostic/prescriptive assessments that inform instructional decisions
- Evaluating instructional and program outcomes
- Helping parents understand the system and how they can be involved in educational decisions and intervention activities