

Criteria for the Identification of Students with a Specific Learning Disability

Recognizing the many factors involved in appropriately identifying students with Specific Learning Disabilities (SLD), Middlesex County Public Schools' Office of Special Education, has established criteria to be used by eligibility committees for the purpose of decision-making.

State Definition:

Regulations Governing Special Education Programs For Children With Disabilities in Virginia (2009) defines a specific learning disability as 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 an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include a learning problem that is primarily the result of visual, hearing or motor disabilities; of mental retardation; of emotional disturbance; or of environmental, cultural, or economic disadvantage.

A multi-disciplinary team may determine that a student has a specific learning disability if:

1. The student exhibits a clear and significant information processing deficit;
2. There is a significant discrepancy between the student's educational achievement and his/her grade placement and ability levels despite provision of learning experiences appropriate for the student's grade placement and ability levels; and
3. The student's response to scientific research based interventions indicates a profile consistent with a learning disability that warrants special education and related services.
4. The child does not achieve adequately for the child's age or to meet VDOE 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 VDOE approved grade level standards:
 - Oral expression,
 - Listening comprehension
 - Written expression,
 - Basic reading skills,
 - Reading fluency skills,
 - Reading comprehension,
 - Mathematics calculation, and
 - Mathematics problem solving.
5. The child does not make sufficient progress to meet age or VDOE approved grade-level standards in one or more of the above eight areas when using a process based on the child's response to intervention, or
6. The child exhibits a pattern of strengths and weaknesses in performance, achievement or both, relative to age, VDOE approved grade level standards, or intellectual development, that is determined by the eligibility group to be relevant to the identification of a specific learning disability, using appropriate assessments.
7. A child is not determined eligible for specific learning disability if the child's underachievement was primarily the result of limited English proficiency.

NOTE: The student is not eligible if the achievement deficit is primarily the result of visual, hearing, or motor disability; below average cognitive

abilities; emotional disturbance; environmental, cultural, or economic disadvantage; or motivational factors.

The student is not eligible if it is found that the determinant factor in the learning problems is the lack of appropriate instruction in reading, including the essential components of reading (phonemic awareness; phonics; vocabulary development; reading fluency, including oral reading skills; and reading comprehension strategies).

The student is not eligible if the determinant factor is a lack of appropriate instruction in math.

Prior to determining that a student is eligible for special education and related services as a student with a specific learning disability, to ensure that the underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the eligibility group considers, as part of the evaluation:

- Data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- Data-based documentation or repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

Clarification:

Significant Discrepancy: means all /1.5 standard deviation or 22 point discrepancy between ability and achievement in determining initial eligibility for Special Education; in determining continued (re-evaluation) eligibility, there must be 1 standard deviation or a 15 point discrepancy between ability and achievement

Educational Achievement: Refers to a student's level of skill development on an individually administered norm referenced test on one or more of the following areas: reading (basic or comprehension), listening comprehension, reading fluency, mathematics (calculation or reasoning), written expression, or oral expression.

Processing Deficit: Refers to a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written. Processing deficits may exist in one or more of the following areas: attention/ concentration (auditory or visual), memory (visual/auditory short term or long term), auditory processing, visual processing, sensory-motor integration.

PSYCHOLOGICAL PROCESS COMPONENT

The basic psychological process involved in learning encompasses several stages. First is the *reception* of information through the various sensory input channels – hearing, seeing, touching, and awareness of oneself in relation to space.

The second involves *association* – the way the youngster mentally organizes incoming information for storage and later retrieval. For example, the student may process information in a step-by-step, sequential manner, or may process a field of information simultaneously, or may use an integrated approach. While association is a neurological process, incoming information is dependent upon previous learning experiences, which

must be considered when evaluating psychological processes. Finally, psychological processing includes the expression of information through the various modalities – speaking, writing, and moving in space. Difficulty at any stage of processing can result in a learning disability.

Rather than relying solely on one or two standardized tests, the eligibility committee should consider *patterns* of behavior, and the relationship to the processing of information. For example, a youngster with a visual processing problem may show a pattern of difficulty in reproducing designs, may miscall words of similar configuration, lose the place while reading, and omit or transpose letters or syllables when copying.

Although it isn't possible to observe psychological processes directly, it is possible however, to observe certain behaviors from which inferences about the psychological processes can be made. These processes are best understood, for educational purposes, in relationship to academic areas and the basic psychological process underlying them:

ACADEMIC AREAS	PSYCHOLOGICAL PROCESS EXAMPLES
1. Oral Expression	Verbal expression (encoding) Syntax Vocabulary development
2. Listening Comprehension	Auditory reception (decoding) Auditory memory Auditory discrimination Auditory association (relationship)
3. Written Expression	Eye hand coordination Visual perception Directionality Manual expression Fine motor coordination Concept formation
4. Basic Reading Skill	Visual discrimination Visual closure Sound blending Auditory memory Visual reception (decoding) Figure ground relationships Tracking ability (sound symbol relationships) Word recognition Reading Fluency
5. Reading Comprehension	Visual reception (decoding) Visual memory Visual association (relating items) Concept formation
6. Mathematical Calculation	Visual memory Auditory memory Eye hand coordination Spatial relationships Concept formation
7. Mathematical Problem Solving	Concept formation Memory

In attempting to verify behaviors indicative of a processing deficit, it is important to look for patterns of processing problems, and these patterns may not be readily apparent from

a student's performance on a single test. A single variance (e.g. ability subtest scores, perceptual-motor performance, or a given educational measure) should not be viewed constituting a processing disorder. Indications of processing problems derived from several assessment components and from the analysis of information from teachers, work samples, and parents should report that the student has inordinate difficulty with understanding directions and request at home, or often asks for things to be repeated and then only remembers part of what is being said. Similar behaviors may be noted at school.

Evidence of a psychological processing deficit must be evident in classroom performance and should be in at least two assessment components (medical, sociocultural, psychological, and educational, etc.). In particular, educational data generated by the classroom teacher will be critical to the identification of a student as having a specific learning disability.

It is important that all evaluation components be examined when validating processing disorders. If it is suspected that a disorder in psychological processing is significantly impairing learning, then that suspicion should be corroborated through observing the student's behavior in the classroom and other settings, through psychological assessment, and through educational testing.

Assessments:

If the student is suspected of having a specific learning disability, then assessments must include, but not be limited to, the following:

- **Observation** – Written report of the child's academic performance and behavior in the child's learning environment (including the general education classroom setting) to document the child's academic performance and behavior in the areas of difficulty. NOTE: This observation should take place in a class where perceived weaknesses are indicated. *In case of a child less than school age or out of school, a group member shall observe the child in an environment appropriate for a child of that age.
- **Classroom Educational Documentation** - Written report from classroom teacher(s) describing the child's level of academic, developmental, social, or adaptive level of functioning including strengths, weaknesses, and other factors which affect educational performance.
- **Psychological** – Written report from a qualified school psychologist or other qualified professional based on the use of a battery of appropriate instruments which may assess cognition, emotionality, and processing performance.
- **Educational** – Written report describing current educational performance/achievement and identifying instructional strengths and weaknesses in academic skills and processing performance.
- **Sociocultural** – Written report from a qualified visiting teacher or school social worker based on the use of information collected through social appraisal instruments which will include background and social/adaptive behavior in the home, school, and community.

- Hearing Screening – Written report to assess the child’s hearing.

Furthermore, eligibility teams must document initial identification of a student as learning disabled in a written summary to include:

- a) A statement indicating whether or not the child has a specific learning disability;
- b) The basis for making the determination;
- c) Relevant behavior noted during the observation of the student and the relationship of that behavior to the child’s academic functioning;
- d) Educationally relevant medical findings, if any;
- e) Information indicating whether or not there is a severe discrepancy between the child’s achievement and ability which cannot be corrected without special education and related services;
- f) Effects of any environmental, cultural, or economic disadvantage, as determined by the team; and,
- g) A statement by each eligibility committee member that the report reflects their conclusions. If it does not reflect a particular member’s conclusion, then the team member must submit a separate statement presenting their conclusions.

Eligibility Criteria:

The following criteria must be met when determining whether a student is eligible for SLD services:

1. The child’s age falls within 2-21 years of age, inclusive.
2. The child displays average intellectual ability, as measured by a standardized instrument.
3. The presence of a severe discrepancy between ability and achievement is noted in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving.
4. The presence of a disorder in one or more of the psychological processes exists and is documented by educational and/or psychological testing and is observable in the classroom setting, which impairs achievement commensurate with the child’s age based on State approved grade level standards.
5. The learning difficulty is not primarily the result of visual, hearing or motor disabilities, or mental retardation, or emotional disturbance, or environmental, cultural or economic disadvantage.

6. “Limited English Proficiency” must be ruled out as a primary factor in eligibility determination.
7. The need for specially designed instruction can be documented.
8. The child requires special education.