**SPECIFIC LEARNING DISABILITY (DISCREPANCY)**

DETERMINATION OF DISABILITY: *(student’s name) meets/does not* meet special education eligibility under the category of Specific Learning Disability using a Severe Discrepancy Process.

Data for determining eligibility was gathered from (List multiple resources):

☐ Cumulative file review

☐ Medical reports

☐ Three observations

 Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

☐ Tests (CBM, CBE, MAP, NDSA, Intelligence Tests, Achievement Tests, etc.)

☐ Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Student’s name) does not achieve adequately for his or her age to meet State approved grade-level standards and exhibits pattern of strengths or weakness in performance, achievement, or both, that is determined by the team to be relevant to the identification of a specific learning disability, using appropriate assessments: (**Discrepancy between ability and achievement, gap between student’s performance and peers and convergent data from multiple sources must ALL be answered ‘yes’ to meet eligibility criteria**)

1. Is there a SIGNIFICANT GAP (Grades K-2: 1.5 standard deviations below the mean using a regression to the means formula or 22-23 points; Grades 3-12: 1.65 standard deviations below the mean using a regression to the mean formula or 24-25 points) between the student’s performance on individual measures of intellectual or cognitive ability and standardized measures of achievement?

☐ Yes (*list area(s) and ability vs. achievement data*) (*thorough description written in IWAR*)

☐ No (*list area(s))*

2. Is there a significant gap between the student’s performance on achievement measures in COMPARISON to the average performance of the student’s classroom peers (this determination can only be made using measures based on the student’s classroom curriculum)?

☐ Yes (*list area(s) and provide performance data*) (*thorough description written in IWAR*)

☐ No (*list area(s))*

3. If formal means are used to measure achievement, do INFORMAL RESULTS confirm the formal results?

Informal results should support formal results, if data is contradicting, additional information should be gathered and when the team has all information needed, professional judgment should be used to make a determination regarding the existence of a discrepancy.

☐ Yes (*list area(s)*)

☐ No (*list area(s))*

4. Is the discrepancy between the student’s ability and achievement NOT CORRECTABLE without special education and related services?

☐ Yes

☐ No

5. Complete the Exclusionary Factors Worksheet

6. Refer to the general education intervention documentation form in order to validate the impact on the student’s progress in the general curriculum

**“Exclusionary” Factors**

(Information adapted from Colorado SLD Guidelines and

Tennessee Exclusionary Clause Documentation)

The eligibility team is required to take into consideration the effects of what are commonly referred to as “exclusionary” factors. However, it must be clear that a student, for whom one of these factors applies, could also be appropriately identified as having a Specific Learning Disability. The issue is one of “primary cause” for the learning difficulties. With the changes to

SLD Criteria, serious consideration of these factors has become even more important than in the past.

Federal Regulations, require that the multidisciplinary team determine that its findings (that address the criteria for SLD) are not PRIMARILY the result of – “visual, hearing, or motor disabilities; cognitive impairment (CI); emotional impairment (EI); cultural factors; environmental or economic disadvantage; or limited English proficiency.”

The effects on the determination of SLD cannot be considered in the same manner for all the exclusionary factors. Vision, hearing, and motor disabilities, as well as CI and EI, are all special education disability categories. The team must determine whether the primary reason for learning difficulties is the presence of one of these other disabilities or SLD. It is possible for a team to conclude that SLD is the primary disability, even if the child, for example, also has a visual impairment. Some LEAs exercise the option of determining a secondary disability. It is not necessary to do so; however, all educational needs that significantly impact the child’s progress in the general education curriculum must be addressed. For example, a student with a motor impairment may also have a reading deficit that requires specialized instruction in basic reading skills.

Cultural, economic and environmental factors are more complex and, thus, more difficult to address in examining the primary cause of poor achievement. Basically, these conditions do potentially influence the development of cognitive and linguistic skills that are necessary for academic learning and can co-exist with specific learning disabilities. (Fletcher et al., 2007)

It is critical to keep in mind that special education eligibility under any disability category entitles the child’s special education needs to be addressed through the IEP, whether or not those needs are typically associated with the identified disability.

***Vision, Hearing and Motor (Physical) Disabilities***

As with some of the other “exclusionary factors,” these disabilities may co-exist with specific learning disabilities and must be addressed in instructional/intervention planning if they are present. It is the decision of the eligibility team to determine if the underachievement is due primarily to one of these disabilities or a Specific Learning Disability. The mere presence of one of these disabilities should not preclude a determination of SLD as the primary disability.

A student with a primary educational disability in the area of vision, hearing and/or physical disabilities may be considered as also having a learning disability if the identified learning deficits are significantly greater than what can be reasonably expected as a result of the primary disability (e.g., hearing loss) alone. Again, all the identified needs of the child must be addressed, whether or not typically linked to the child’s primary disability.

***Cognitive Impairment (CI)***

This is probably the one “exclusionary factor” that would not typically be thought to co-exist with SLD. Rather, all academic learning difficulties would be attributed to the condition of limited intellectual capacity.

Criteria for this disability category are very clear and should be considered if limited intellectual capacity is suspected.

A team suspecting CI might first start with a measure of adaptive behavior, one of the essential criteria for a CI determination. Adaptive behavior within normal limits (not “significantly below the culturally imposed expectation of personal and social responsibilities”) would rule out a determination of CI. In addition, a deficiency in academic achievement of performance below the 6th percentile in measures of language, reading and math is required for the determination of CI. In other words, an individually administered IQ test may not be necessary to rule out CI as the primary cause of learning difficulties if these other measures are within normal limits.

***Emotional Impairment (EI)***

Specific learning disabilities often co-occur with emotional, behavioral, and attention disorders (Fletcher et al., 2007). Determining which condition is primary is often a difficult task. In some cases, social or emotional difficulties may be secondary to the lack of school success. In others, the academic underachievement may be a result of mental illness or ADHD. Specifically, math and written expression disorders are especially common in children with ADHD, presumably because of the predominant role of executive functioning skills such as strategy use and procedural learning (Barkley, 1997; Fletcher et al., 2002). Research is beginning to clarify the importance of improving academic achievement in combination with positive behavior supports in reducing behavioral difficulties. If social, emotional, and/or behavioral factors are assessed to be impacting achievement, it is important that they are considered in educational planning, even if it is determined that SLD is the primary disability.

***Cultural Factors***

Partnering with parents is crucial in assessing this variable, along with student interviewing and observation. Sensitivity and instruction/curriculum review are needed to assess if instruction is “culturally responsive,” an important element of appropriate instruction. A review of AYP (Adequate Yearly Progress) data for individual schools and districts may also be beneficial in addressing the effects of cultural factors. The disaggregated data might indicate that most students of a particular cultural or ethnic group are achieving at acceptable levels in response to the instruction they are receiving. If a particular student is receiving the same instruction in a similar learning environment, but not achieving, a determination that the learning difficulties are not due to cultural factors might be made

.

***Environmental or Economic Disadvantage***

Again, partnering with parents is crucial when assessing these factors as is student interviewing and observation. Assessing, and especially meeting, student needs through the provision of community, medical, and social support is important. Addressing these needs as appropriate may result in improved focus and response to effective academic instruction. As with cultural factors, a review of AYP data for individual schools and districts may also be beneficial in considering the effects of these two factors. The team would be reviewing results that have been disaggregated based on Socio-Economic Status (SES) as indicated by qualification for free/reduced lunch.

***Limited English Proficiency***

In order to rule out limited English proficiency as the primary cause of learning difficulties, there are several questions that must be answered affirmatively:

1. Has this student been given an English language proficiency test?

2. Is this student receiving or has this student received English Language Acquisition (ELA) services in accordance with the district’s developed program?

3. Have targeted interventions been implemented in addition to English language acquisition services? English language acquisition services, although important, should not be considered to be “interventions.”

4. Has progress been monitored and compared with the progress of a comparable group of English language learners? It is important to compare students to similar peers (students should be from the same culture, language, age and immigrant groups)

5. Has progress been markedly lower than that of English language learner peers?

English language learners demonstrate similar acquisition patterns. It must be shown that a student demonstrates atypical growth for his/her peer group in all areas of language (speaking, listening, reading and writing) in order for language acquisition to be ruled out as the cause of the difficulties.

1. Have ELA and other services been provided for a sufficient length of time so that growth can be measured? Students who are newly arriving immigrants will move through a stage of culture shock and adjustment to the U.S. school system. They may appear to have signs and symptoms of a disability, when in reality they have not yet adjusted to the school system. Although there is not a specific time frame for students to adequately adjust to schooling in the U.S., teams should carefully consider whether the time has been adequate enough to learn basic vocabulary, hear and discriminate the English sounds and symbols, follow basic directions and practice learned skills.

**EXCLUSIONARY FACTORS WORKSHEET**

Specific Learning Disability

|  |  |  |
| --- | --- | --- |
| **Each factor must be ruled out as the PRIMARY FACTOR for the student’s inability to progress in the general education curriculum.** | **Yes** | **No** |
| **1. Lack of instruction in essential components of reading and math** |
| Does information obtained during assessment indicate lack of instruction in reading and math is **not** the determinant factor in this student’s inability to progress in the general education curriculum? |  |  |
| **2. Limited English Proficiency** |
| Answer the following questions |  |
| * Is there a language other than English spoken by this student?
 |  |  |
| * Is there a language other than English spoken by the student’s home?
 |  |  |
| * Are there any specific dialect or cultural influences that would affect the student’s ability to speak or understand English?
 |  |  |
| *If questions in Section 2 are NO, limited English proficiency is not a determinant factor.* |  |
| *If any of the questions in Section 2 are YES, please document the reason(s) that English proficiency is not the primary reason for the student’s deficit cognitive and/or adaptive scores.* |
| **3. Cognitive Impairment** |
| *Document all information gathered in assessment that would exclude cognitive impairment as the determinant factor for this student’s academic deficits.* |  |
| * Cognitive score(s) Is this student’s cognitive profile equally depressed in all areas?
 |  |  |
| * If yes to above, does the Multidisciplinary Report justify the exclusion of CI as the primary factor in this student’s ability to learn?
 |  |  |
| **4. Emotional Impairment** |
| *Document all information gathered in assessment that would exclude emotional impairment as the determinant factor for this student’s academic deficits.* |  |
| * Does the student exhibit emotional difficulties that interfere with learning?
 |  |  |
| * Does the student have a medical history and/or school history of emotional difficulties?
 |  |  |
| * If either are yes above, has a Functional Behavior Assessment been conducted?
 |  |  |
| * Results of the FBA provide information that EI is not the determinant factor for the student’s learning problem(s).
 |  |  |
| **5. Vision, Hearing, or Motor Impairments** |
| *Document all information gathered in assessment that would exclude vision, hearing, or motor impairments as the determinant factor for this student’s academic deficits. Answer YES if the results are not the determinant factor of disability.* |  |
| * Vision Screening
 |  |  |
| * Hearing Screening
 |  |  |
| * Does the student have a history of significantly delayed motor development?
 |  |  |
| * Is there a medical diagnosis for a motor impairment that would affect the student’s ability to learn access general education instruction?
 |  |  |
| * Have any physical or motor impairments been observed or assessed?
 |  |  |
| **6. Environmental, Cultural, or Economic Disadvantage** |
| *Document all information gathered in assessment that would exclude environmental, cultural, or economic disadvantage as the determinant factor for this student’s academic deficits.* |  |
| * Does the assessment data indicate that lack of opportunity to learn due to environmental, cultural, or economic disadvantage is not the cause of the student’s academic deficits.
 |  |  |
| **7. Motivational Factors** |
| *Answer the following questions:* |  |
| * Does the student attempt classroom assignments and/or homework?
 |  |  |
| * If no, is the student’s performance on grade level during classroom activities?
 |  |  |
| * Are group achievement scores consistent with the student’s grades?
 |  |  |
| * Does information gathered indicate lack of motivation is NOT the determinant factor?
 |  |  |
| **8. Situational Trauma** |
| *Answer the following questions:* |  |
| * Has the student’s academic performance fallen dramatically within the last 6-12 months?
 |  |  |
| * Is there knowledge of any situations within the student’s family that would contribute to a drop in academic performance?
 |  |  |
| * Does information gathered indicate situation trauma is not the determinant factor?
 |  |  |

SLD – Exclusionary Factors Worksheet

**General Education Intervention Documentation Form**

|  |  |
| --- | --- |
| **Student Name:** | **Date:** |

**Cumulative Folder Review**

|  |  |
| --- | --- |
| Health Information | Previous Services |

|  |  |
| --- | --- |
| Vision Screening Date:\_\_\_\_\_\_ Results:\_\_\_\_\_\_\_Hearing Screening Date:\_\_\_\_\_\_ Results:\_\_\_\_\_\_\_\_Current Medical Diagnosis:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Medications:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Allergies:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Previous Intellectual Assessments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Reading Service:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Math Services:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Special Education:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Retained:year/grade:\_\_\_\_\_\_\_\_\_\_\_\_\_\_Preschool:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Limited English Proficient: ( ) YES ( ) NO |

Attendance Current Academic Performance

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| # Days Absent Last Year:\_\_\_\_\_# Tardies Last Year:\_\_\_\_\_\_\_\_\_# Days Absent Current Year:\_\_\_\_\_\_\_\_\_\_\_# Tardies Current Year:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_#Other Schools Attended:\_\_\_\_\_\_\_\_ |  | Math | Reading | Writing/LA |
| GR:\_\_\_\_\_\_ |  |  |  |
| GR:\_\_\_\_\_\_ |  |  |  |
| GR:\_\_\_\_\_\_ |  |  |  |

**Previous Testing Records**

|  |
| --- |
| \_\_\_Summarize/Attach DIBELS, NWEA MAP, STAR, AIMSweb, NDSA, other\_\_\_Attach past special education information, CBMs, and any additional testing results |

 Most Recent Testing Records

|  |  |  |
| --- | --- | --- |
| DIBELS/STAR | MAP | NDSA |
| \_\_\_\_\_Date: | \_\_\_\_\_Date: | \_\_\_\_\_Date: |
| \_\_\_\_\_Date: | \_\_\_\_\_Date: | \_\_\_\_\_Date: |
| \_\_\_\_\_Date: | \_\_\_\_\_Date: | \_\_\_\_\_Date: |
| \_\_\_\_\_Date: | \_\_\_\_\_Date: | \_\_\_\_\_Date: |
| \_\_\_\_\_Date: | \_\_\_\_\_Date: | \_\_\_\_\_Date: |

|  |  |  |
| --- | --- | --- |
| DIBELS Result: | MAP Result: | NDSA Result: |
| ISF | LNF | NWF | ORF | % | COMP | WCPM | Math | Read | Lang | Read | Math |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| Special Assistance |
| Has the child been referred to Title 1 |  | YES |  | NO |
| If yes, what type of service has been received? |
| What were the results: |
| If no, why not? (no program at this level, etc.) |
| Did the student receive services through Early Childhood Special Education: |
| If yes, in what area: (speech, pre-academic, social behavioral, reverse mainstream, etc.) |

|  |
| --- |
| DOCUMENTATION PRE-REFERRAL INTERVENTIONS: |
| 1. Documented intervention:

Date beginning:Date ending: (should be a minimum of three weeks between beginning and ending)Documented Result: |
| 1. Documented Intervention:

Date beginning:Date ending: (should be minimum of three weeks between beginning and ending)Documented Result:3.Documented Intervention:Date beginning:Date ending: (should be minimum of three weeks between beginning and ending)Documented Result: |
| Parent Input/Personal/Family History |
| Describe the family structure (i.e.: mother and father and 2 siblings; foster parents; father & stepmother, grandparents & siblings, etc.) |
| How much time is spent on homework each day? |
| Does the child read at home or for pleasure? |
| Are there any medical concerns? (i.e.: history of seizures, asthma, allergies, etc.) |
| Is there history of learning problems with other members of this family? |
|  | YES |  | NO |
| If yes, describe the nature of the problem: |
| How many schools has this student attended since kindergarten? |  |
| Are there cultural issues that need to be considered? |  | YES |  | NO |
| If yes, describe: |
| What is the primary language at home? |  |
| Are there other languages spoken in the home? |  | YES |  | NO |
| If yes, identify the second language |  |
| Are there any other date related to family dynamics and home environment of which the school team needs to be aware? |
| Team Recommendations:\_\_\_\_\_\_\_Based on significant progress, student will be removed from intervention services: however, will continue the use of the current intervention in the classroom\_\_\_\_\_\_\_Based on the progress results, student will continue with intervention.\_\_\_\_\_\_\_Based on lack of progress, student will be referred for education services.Team Member Signatures:Parent: Teacher: Teacher:Principal: Other: |