

**Riverside County Special Education Local Plan Area
Specific Learning Disabilities/Dyslexia
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Introduction

Expertise in specific learning disabilities (SLD) is an essential area of specialization for all school psychologists. The California Association of School Psychologists (CASP, 2014) has identified that children learn in many different ways; some learning styles and aptitudes require modification in typical classroom instructional approaches; not all children who learn differently from their peers are learning disabled; specific learning disabilities are intrinsic to the individual and persist over time; and not all children with specific learning disabilities require special education. The National Association of School Psychologists (NASP, 2011) has taken the position that all school psychologists should be knowledgeable about the following:

- Federal and state laws and regulations, and (where applicable) state and local guidelines regarding special education evaluation procedures;
- Assessment measures and procedures that adhere to professional standards and enable school psychologists to address the requirements listed above, including curriculum-based and norm-referenced measures of academic skills, procedures for screening academic progress and monitoring response to intervention, norm-referenced measures of basic psychological processes, and measures of social–emotional competencies and behaviors;

- Emerging research on specific learning disabilities, including the nature of learning disabilities, and effective interventions;
- Effective instructional practices including research-based practices for general education, the relationship between results of comprehensive assessments and the recommendations that can be made for strengthening classroom instruction, research-based instructional practices for culturally and linguistically diverse students, and the impact of cultural and linguistic diversity on response to instructional intervention.

These SLD Guidelines are not intended to cover all the expected knowledge and skills inherent in identifying specific learning disabilities. However, they are designed to provide sufficient information for school personnel to develop common definitions, understand best practice assessment methods, the various models for determining a student's eligibility for special education services as a student with a specific learning disability, and considerations for educational planning.

Definitions

There are various interpretations about what a specific learning disability is and how it can be identified. The National Association of School Psychologists (NASP, 2011) sees specific learning disabilities as endogenous in nature and characterized by neurologically based deficits in cognitive processes. These deficits are specific; that is, they impact particular cognitive processes that interfere with the acquisition of academic skills. Specific learning disabilities are also heterogeneous—there are various types of learning disabilities, and there is no single defining academic or cognitive deficit or characteristic common to all types of specific learning disabilities. Specific learning disabilities may coexist with other disabling conditions (e.g., sensory deficits, language impairment, behavior problems), but are not primarily due to these conditions. Of children identified as having specific learning disabilities, the great majority (over 80%) have a disability in the area of reading. The manifestation of a specific learning disability is contingent to some extent upon the type of instruction, supports, and accommodations provided, and the demands of the learning situation. Early intervention can reduce the impact of many specific learning disabilities. Specific learning disabilities vary in their degree of severity, and moderate to severe learning disabilities can be expected to impact performance throughout the life span. Finally, a multi-tiered system of student supports (MTSS) has been identified as effective as part of comprehensive approach to meet students' academic needs.

Specific Learning Disabilities

California Education Code Title 5, Section 3030 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 have manifested itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia."

Basic Psychological Processes

The term "basic psychological processes" as set forth in Section 3030 (b)(10) includes "attention, visual processing, auditory processing, phonological processing, sensory-motor skills, cognitive abilities including association, conceptualization, and expression."

The following will A) define each psychological process and B) define specific learning disabilities associated with said psychological processing deficits as well define characteristics of each disability.

Attention Processing: the ability to selectively focus cognitive activity toward a stimulus over a period of time without being distracted by other competing stimuli.

Visual Processing: how the brain interprets and makes sense of what is seen through different aspects of visual processes such as-

- Visual Discrimination: the ability to discriminate or determine differences and related features of an object and/or symbol.
- Visual Memory & Sequential Memory: the ability to recognize or remember for immediate recall of an object or symbol. At times this includes the ability to recall said items in a specific sequential order.
- Visual-Spatial Relations: the ability to perceive or distinguish differences in positions (ex: reversals or rotations) among similar objects or forms.
- Visual Form Constancy: the ability to mentally manipulate objects or symbols and visualize the resulting outcome.
- Visual Figure-Ground: the ability to visually perceive a symbol or object within a complex background or within surrounding objects.
- Visual Closure: the ability to visually identify a figure when presented with an incomplete picture of said figure.

Auditory Processing: the brain's ability to perceive and make sense of sound information. Specific auditory processing skills include-

- Auditory Awareness: the ability to detect sound, locate the sound source, attend to auditory information amidst competing background noise.
- Auditory Discrimination: the ability to interpret differences between sounds including rate, intensity, duration, pitch, and prosody.
- Auditory Identification: the ability to create meaning to sounds and speech and to be able to change speech production based on hearing their own speech sounds.
- Auditory Comprehension: the ability to understand auditory messages including directions and understanding of stories, make sense of information when pieces of auditory information are missing, retain auditory information both immediately and after delay, and organize and manipulate spoken language for higher level learning and communication. (Susie S. Loraine, Super Duper Publications, 2010)

Phonological Processing: the ability to process basic word sounds which includes the aptitude to analyze and manipulate sound structures of words. Phonological processing is only one aspect of overall auditory perception which is only involved with the sounds that correspond to speech. This includes one's ability to rhyme words, segment words or break words into syllables, as well isolate and count phonemes (Aaron, Joshi, & Quatroche, 2008).

Sensory-Motor Processing: the ability to integrate both the sensory system and motor system by first receiving the sensory information and second producing a motor response. Some Sensory-Motor skills include-

- Body in space: the ability to know where one's body is in space and in relation to objects around them. This skill leads to visual motor skills which are essential in learning to write and draw.
- Laterality: ability to cross midline of the body as well knowing left from right
- Centering: ability to cross midline of the body from top to bottom

Cognitive Abilities Processing: the ability to acquire knowledge through our thoughts, experiences, and senses. These abilities include-

- **Association:** the ability to create meaningful relationships between two or more items or concepts
- **Conceptualization:** the ability to mentally formulate an idea(s) or explanation from experience or presented information
- **Expression:** the ability to effectively express ones thoughts and ideas

Learning Disabilities / Disorders

“Learning Disability” is a term describing a number of other, more specific learning disabilities such as Dyslexia, Dysgraphia, Dyscalculia, Auditory Processing Disorder, Language Processing Disorder, and/or Non-Verbal Learning Disability.

Auditory Processing Disorder:

Auditory Processing Disorder (APD) refers to an impairment in auditory processing ability which may impact the receiving, understanding, discriminating, manipulating, and remembering auditory information.

Characteristics:

- Mishearing/discrimination problems
- Problems following directions
- Problems attending to oral messages
- Distracted by background noises
- Poor organization of verbal material
- Oral and written expression problems
- Difficulty remembering what they hear
- Difficulty learning to read (National Coalition for Auditory Processing Disorders, 2016)

Dyscalculia:

A learning disability in which the individual struggles to understand or comprehend arithmetic including difficulties with math symbols, organizing numbers, memorizing math facts, and trouble counting.

Characteristics-

- Shows difficulty understanding concepts or place value, and quantity, number lines, positive and negative value, carrying and borrowing
- Has difficulty understanding and doing word problems
- Has difficulty sequencing information or events
- Exhibits difficulty using steps involved in math operations
- Show difficulty understanding fractions
- Is challenged making and handling money
- Displays difficulty recognizing patterns when adding, subtracting, multiplying, or dividing
- Has difficulty putting language to math processes
- Has difficulty understanding concepts related to time such as days, weeks, months, season, quarters, etc.
- Exhibits difficulty organizing problems on the page, keeping numbers lined up, following through on long division problems (Learning Disabilities Association of America, 2016)

Dysgraphia:

“Dysgraphia is a learning disability that affects writing abilities. It can manifest itself as difficulties with spelling, poor handwriting and trouble putting thoughts on paper” (National Center for Learning Disabilities, 2007). Students with dysgraphia may have problems with executive

functions for self-regulating letter writing, word spelling, and composing process (Washington State, 2011).

Characteristics-

- Tight, awkward pencil grip and body position
- Illegible handwriting
- Avoiding writing or drawing tasks
- Tiring quickly while writing
- Saying words out loud while writing
- Unfinished or omitted words in sentences
- Difficulty organizing thoughts on paper
- Difficulty with syntax structure and grammar
- Large gap between written ideas and understanding demonstrated through speech (National Center for Learning Disabilities, 2007).

Dyslexia:

“Dyslexia is a specific learning disability that is neurobiological 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 growth of vocabulary and background knowledge” (International Dyslexia Association, 2016).

Characteristics-

- May have a history of delayed oral language or speech development
- Difficulties in phonemic awareness skills such as rhyme, perception and sequence of sounds in words, segmenting (breaking words into sounds), and blending (combining sounds to make a whole word)
- Poor reading fluency (seems slow and laborious)
- Experiences decoding errors, especially with the order of letters
- Shows wide disparity between listening comprehension and reading comprehension of some text
- Has trouble with spelling (e.g., may omit speech sounds, write the wrong letters for sounds used, and demonstrate poor recall for familiar, small, frequently used words)
- May have difficulty with handwriting (e.g., awkward pencil grip, poor letter formation, difficulty spacing letters, and/or letter reversals)
- Exhibits difficulty recalling known words
- Has difficulty with written language (good ideas verbally but difficulty expressing them coherently in writing)
- May experience difficulty with math calculations, vocabulary or concepts, ability to memorize math facts or formulas, difficulty discriminating between similar sounding numbers, and/or difficulty copying numbers and keeping them aligned.
- Decoding real words is better than nonsense words
- Organization of time, materials and space
- May exhibit social and emotional difficulties stemming from repeated failure in the classroom, misunderstanding messages from others (Washington State, 2011; Learning Disabilities Association of America, 2016)

“Since dyslexia is a neurological, language-based disability that persists over time and interferes with an individual’s learning, it is critical that identification and intervention occur as early as possible” (Texas, 2014, p. 11).

Non-Verbal Learning Disability:

“A nonverbal learning disability is a condition in which an individual does not accurately process information that is not verbal or linguistic (such as visual-spatial information, facial expressions, or social cues)” (Learning Disabilities Association of America, 2016).

Characteristics-

- Has trouble recognizing nonverbal cues such as facial expression or body language
- Shows poor psycho-motor coordination; clumsy; seems to be constantly “getting in the way,” bumping into people and objects
- Using fine motor skills a challenge: tying shoes, writing, using scissors
- Needs to verbally label everything that happens to comprehend circumstances, spatial orientation, directional concepts and coordination; often lost or tardy
- Has difficulty coping with changes in routing and transitions
- Has difficulty generalizing previously learned information
- Has difficulty following multi-step instructions
- Make very literal translations
- Asks too many questions, may be repetitive and inappropriately interrupt the flow of a lesson
- Imparts the “illusion of competence” because of the student’s strong verbal skills(Learning Disabilities Association of America, 2016)

Assessment Methods

It is not the intent of this document to repeat existing documents. Rather, we refer the reading to those documents themselves.

The Riverside County SELPA has created *Best Practices for Special Education Evaluations* and posted it on our website (www.rcselpa.org) under Policies and Procedures Section 4 Core Evaluations. This document includes key, terms, child find requirements, reasons for evaluation, referral requirements, initial assessment, reevaluation, and planning for assessment. In addition it has legal assessment timelines, notice of procedural safeguards and parent rights, prior written notice, and assessment procedures. There is a section on selection of assessment tools, assessment strategies, and other factors to consider. Specific eligibility criteria as defined in Title 5 are included therein as well as how to analyze data for meaningful results. Various options for how to write a comprehensive evaluation report as well as best practices for presenting the report are also included therein.

In addition, the SELPA has adopted *“Alternate Means” Assessment Guidelines* and posted them in the same section of our webpage. It is designed around the MATRIX Framework, focusing on the procedural categories of review of records, observations, interviews, informal assessment, and formal testing. These strategies are delineated across each of the domains: reasoning, executive functioning, visual-spatial skills, social cognition, and language. There is a section on interpreting results for specific learning disabilities and how that is distinct from intellectual delay, as well as a section on report writing.

For students suspected of having dyslexia (difficulty with words), the Texas Dyslexia Handbook (2014) and Greenville ISD (2015-16) recommends that the following assessment areas be assessed: letter knowledge (name and associated sound), reading words in isolation, decoding unfamiliar words accurately, reading fluency (both rate and accuracy), reading comprehension,

spelling, phonological/phonemic awareness, and rapid naming of symbols or objects. Additional areas may include vocabulary, listening comprehension, verbal expression, written expression, handwriting, memory for letter or symbol sequences, mathematical calculation/reasoning, phonological memory, verbal working memory, and processing speed.

Determining Eligibility for Special Education

The determination that a child has a specific learning disability (SLD) and is in need of special education services is a multi-step process. “The objective is to ensure that the child receives the instruction, support and services needed to succeed in school” (NCLD, 2012, p. 1). Regardless of the eligibility determination model adopted, schools are expected to:

1. engage in preventative and targeted instruction and intervention;
2. as appropriate, conduct comprehensive evaluations designed to determine the best educational programs and accommodations for students while also ensuring “child find” is properly implemented;
3. design comprehensive evaluations to focus on each student’s individual learning needs in the context of educational opportunities, performance, and responsiveness to high quality opportunities to learn over time; and
4. select every component of the evaluation based on its relevance for creating the student’s instructional program (NCLD, 2012).

This section includes Title 5 Education Code eligibility criteria, and specific models on determining eligibility under the discrepancy model, patterns of strengths and weaknesses, and response to intervention (RtI). In all cases, the IEP team must complete the SLD Determination Form (Appendix 1). In addition, the group that determines whether a student meets the eligibility criteria for a specific learning disability must consist of the student’s parent and a team of qualified professionals: the student’s regular education teacher; or, if the student does not have a regular education teacher, a regular education classroom teacher qualified to teach a student of his or her age; or for a student of less than school age, an individual qualified to teach a student of his or her age; and at least one person qualified to conduct individual diagnostic examinations of students, such as a school psychologist, speech-language pathologist, or remedial reading teacher (CDE, 2009). The LEA may include other individuals beyond these members to assist in making the eligibility determination.

Title 5 Education Code Eligibility Criteria

Per the California Code of Regulations Title 5 § 3030, as revised in 2014, special education eligibility as a student with a Specific Learning Disability (SLD) is defined below.

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 have manifested itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The basic psychological processes include attention, visual processing, auditory processing, sensory-motor skills, phonological processes, cognitive abilities including association, conceptualization and expression.

- A. *Specific learning disabilities do not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.*

B. *In determining whether a pupil has a specific learning disability, the public agency may consider whether a pupil has a severe discrepancy between intellectual ability and achievement in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning. The decision as to whether or not a severe discrepancy exists shall take into account all relevant material which is available on the pupil. No single score or product of scores, test or procedure shall be used as the sole criterion for the decisions of the IEP team as to the pupil's eligibility for special education. In determining the existence of a severe discrepancy, the IEP team shall use the following procedures:*

1. *When standardized tests are considered to be valid for a specific pupil, a severe discrepancy is demonstrated by: first, converting into common standard scores, using a mean of 100 and standard deviation of 15, the achievement test score and the intellectual ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the standard criterion which is the product of 1.5 multiplied by the standard deviation of the distribution of computed differences of students taking these achievement and ability tests. A computed difference which equals or exceeds this standard criterion, adjusted by one standard error of measurement, the adjustment not to exceed 4 common standard score points, indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations and work samples, as appropriate.*
2. *When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the assessment plan.*
3. *If the standardized tests do not reveal a severe discrepancy, the IEP team may find that a severe discrepancy does exist, provided that the team documents in a written report that the severe discrepancy between ability and achievement exists as a result of a disorder in one or more of the basic psychological processes. The report shall include a statement of the area, the degree, and the basis and method used in determining the discrepancy. The report shall contain information considered by the team which shall include, but not be limited to: (i) Data obtained from standardized assessment instruments; (ii) Information provided by the parent; (iii) Information provided by the pupil's present teacher; (iv) Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores; (v) Consideration of the pupil's age, particularly for young children; and (vi) Any additional relevant information.*
4. *A severe discrepancy shall not be primarily the result of limited school experience or poor school attendance.*

C. *Whether or not a pupil exhibits a severe discrepancy, a pupil may be determined to have a specific learning disability if:*

1. *The pupil does not achieve adequately for the pupil'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 pupil's age or State-approved grade-level standards: (i) Oral expression; (ii) Listening comprehension; (iii) Written expression; (iv) Basic reading skills; (v) Reading fluency skills; (vi) Reading comprehension; (vii) Mathematics calculation; (viii) Mathematics problem solving, and*
- 2.

- i. *The pupil does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified when using a process based on the pupil's response to scientific, research-based intervention; or*
 - ii. *The pupil 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; and*
3. *The findings are not primarily the result of: (i) A visual, hearing, or motor disability; (ii) Intellectual disability; (iii) Emotional disturbance; (iv) Cultural factors; (v) Environmental or economic disadvantage; or (vi) Limited English proficiency.*
4. *To ensure that underachievement in a pupil suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group making the decision must consider:*
 - i. *Data that demonstrate that prior to, or as a part of, the referral process, the pupil was provided appropriate instruction in regular education settings, delivered by qualified personnel; and*
 - ii. *Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the pupil's parents.*
5. *In determining whether a pupil has a specific learning disability, the public agency must ensure that the pupil is observed in the pupil's learning environment. In the case of a child of less than school age or out of school, a qualified professional must observe the child in an environment appropriate for a child of that age.*

Common Issues

The above definition allows for eligibility determination based on the Discrepancy model, the Response to Intervention model and the Pattern of Strengths and Weaknesses model. Issues impacting eligibility which are common to each model include exclusionary factors, appropriate instruction, and satisfactory school attendance.

Exclusionary Factors – Eligibility for special education as a student with a specific learning disability cannot be made if it is determined that academic delays are primarily the result of:

- a. A visual, hearing, or motor disability;
- b. An intellectual disability;
- c. An emotional disturbance;
- d. Cultural factors;
- e. Environmental or economic disadvantage; or
- f. Limited English proficiency.

Prior to referring a student for an assessment for a specific learning disability, the school-based team, along with the parent, if possible, should consider the possibility of these issues on the student's academic development. For example, concerns over a possible visual disability can be addressed through a school screening and/or doctor's visit, with the results driving different interventions or a different assessment. Limited English proficiency may direct the school to develop general education supports to better foster growth in the student's second language of English before a specific learning disability is addressed. Finally, concerns with the possibility of an intellectual disability or emotional disability may alter the focus of a special education assessment away from SLD. With that said, exclusionary factors should also be considered

during and after an assessment for a specific learning disability as the information collected during the assessment may assist in determining the existence and impact of such factors.

Educators face an ongoing challenge in distinguishing a learning disability from the challenges of learning a second language. When a student who is an English Learner (EL) fails to learn English at the expected pace, falls behind academically, or exhibits inappropriate behavior, educators must decide whether this is caused by a learning disability or by difficulty in developing second language skills. The literature identifies four challenges in the identification of learning disabilities among students who are ELs: lack of professionals' knowledge of second language development and disabilities, poor instructional practices, weak intervention strategies, and inappropriate assessment tools (Sanchez, Parker, Akbayan, & McTigue, 2010). Appendix 2: *Comparison of Language Differences versus Disabilities* can be a useful reference in this decision making process.

Appropriate Instruction – Eligibility for special education as a student with a specific learning disability cannot be made if appropriate instruction has not been provided.

Data should be acquired to show that appropriate interventions were utilized prior to and/or during a SLD assessment. Appropriate interventions include, but are not limited to, providing instruction focused on targeted skill deficits, using alternate curricula given the match to the student needs, modifying the amount of support provided a student and introducing a behavior management system. Regular collection and review of data in the areas of concern will then help to determine whether an intervention is being successful and whether a SLD assessment would be needed.

Regular Attendance and Limited School Experience – Eligibility for special education as a student with a specific learning disability cannot be made for students who have not attended regularly and/or have had little school experience.

To have significantly less exposure to instruction due to absences can greatly impede learning. Determining a specific amount of absences that could be considered a significant amount is challenging. As a guideline, it is recommended that if a student has missed 15% or more days in the year subsequent to the assessment, more specifically, 27 or more absences over the course of the previous 180 school days, the impact of attendance should be considered significant.

Often-times academic delays are shown by students who have had limited school experience, such as the kindergartener who has had no preschool experience or the first grader who did not attend kindergarten. Given the lack of formal instruction, they may well be lacking in prerequisite knowledge and/or the knowledge of how school operates and what their role and responsibilities are. These factors may significantly impact learning for reasons unrelated to a specific learning disability.

Discrepancy Model

Eligibility via the Discrepancy model is partially based on a severe discrepancy between measured cognitive/intellectual ability and achievement in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning. When using standardized measures and considering the steps noted in Ed Code, a severe discrepancy is present when measured ability is at least 19-points higher than achievement. Such a discrepancy should also be corroborated by other assessment information.

When determining cognitive/intellectual ability, caution should be taken to use the score which is most valid for the student. On any given ability test, the full scale score is the most reliable and

valid and should be used unless professional judgment determines otherwise. For example, using a nonverbal ability score instead of a full scale score could be appropriate for second language learners. Always refer to the test manual for information regarding the appropriate interpretation of different composite/cluster scores.

Should standardized tests be determined as invalid for a specific student, than alternate measures can be used to establish ability. Such measures should be specified on the assessment plan.

In addition to the determination of a severe discrepancy, eligibility under the Discrepancy model must also include the identification one or more basic psychological process (i.e. attention, visual processing, auditory processing, sensory-motor skills, phonological processes, cognitive abilities including association, conceptualization and expression) which is primarily responsible for the existing discrepancy. As noted earlier, students whose discrepancies are primarily due to other factors, such as poor school attendance or second language development, would not be found eligible.

The relationship between a basic psychological processing deficit and a discrepant academic area must be supported by research. The COMPARES chart, located in Appendix 3, documents the research links between processing and achievement areas. Convincing (rating of 3) to strong convincing (rating of 4) evidence must be shown between processing and achievement in order to establish that the basic psychological processing area is primarily responsible for the severe ability-achievement discrepancy. Without such a relationship, eligibility cannot be established.

Should a severe discrepancy not be found using standardized instruments, the IEP team does have the ability to document that such a discrepancy, in fact, does exist. In this latter situation, it is important to emphasize that the IEP team is tasked to showing that the presence of a severe discrepancy exists, along with a processing deficit. That is, the same criteria is still in effect, but the IEP team can use other sources, such as parent and teacher information, observations, work samples and results of other standardized measures, to support their conclusion.

Patterns of Strength and Weakness (Alternate Means)

The Riverside County SELPA *“Alternate Means” Assessment Guidelines* integrate well with existing practices and provide practitioners with alternative strategies to evaluate eligibility for special education when an IQ-Achievement discrepancy model is not appropriate. The California Department of Education (CDE) has issued a directive to state special educators. LEAs are not to use intelligence tests in the assessment of African-American students referred for any special education services. The alternate means assessment strategies promoted herein take an ecological approach to look at a student’s strengths and weaknesses.

The recommended first step in both the initial and reevaluation processes is to review existing evaluation data (REED). Employing the REED or RIOT Model (review, interview, observe, then test) ensures that “all areas related to the suspected disability” are addressed instead of solely focusing on the learner through testing. Review prior records or any other type of permanent product that might be relevant. Since multiple perspectives and input are crucial to decision making, anyone with knowledge of the student and his or her skills should be interviewed. This might include teachers, administrators, parents, or the student herself. It is important to observe the student in a classroom or other setting to actually see what is occurring. Whether to use structured or informal observational approaches should depend on what type of information is sought. Although considered last in the sequence, testing (standardized or criterion referenced) is sometimes the best way to get certain types of information.

Under the pattern of strengths and weaknesses (PSW) model, a comprehensive assessment is conducted to determine “why” a student is struggling in school – to look at analyzing the data differently, not at point score discrepancies. The PSW model is based on the following core research-based principles:

1. Specific learning disabilities are characterized by neurologically-based deficits in cognitive processing – a conclusion supported by a meta-analysis that found significant processing differences between students with SLD and students without SLD.
2. Research has demonstrated the existence of specific cognitive processes and sound tools and measures exist to assess these cognitive processing areas.
3. Research has found links between various cognitive processes and specific areas of academic achievement.

The Riverside County SELPA adopted the MATRIX system as our means of assessing PSW. It is designed to provide an organized, systematic, yet flexible system for gathering the necessary information to understand why a student may be struggling in school. The MATRIX system, developed by California’s Diagnostic Center North, is a fair and non-biased assessment model; it meets the state’s legal criteria and conforms to recommendations for the assessment of African American students; it reflects current knowledge about assessment; and it represents best practices for assessment of all students. The MATRIX model is a multifaceted system for assessing development using a variety of procedural methods: review of records and work sample, observations, interviews, informal and formal assessment without relying upon, or even requiring, administration of standardized tests. These guidelines are designed around this alternative means assessment model.

Response to Intervention

Before being able to make decisions about special education eligibility based on RtI, a local educational agency (LEA) must first develop a common definition of RtI and then implement the key components of the system.

Definitions

RtI is often described as “the practice of providing high-quality instruction and intervention matched to student need, monitoring progress frequently to make decision about changes in instruction or goals, and applying child response data to important educational decisions (NASDSE, 2006). This definition stresses three critical components: (1) quality differentiated instruction, (2) frequent monitoring of student progress, and (3) adjusting what is done with students based on data from that monitoring. This has also been condensed into the following definition – “*RtI is a framework for making instructional decisions based on data, in order to accelerate learning for all students*” (Renaissance Learning, 2009, p. 1).

In California (CDE, 2009), the focus is on Response to Instruction and Intervention (RtI²) as a systematic, data-driven schoolwide process of early intervention and prevention of academic and behavioral difficulties. It integrates resources from general education, categorical programs, and special education through a comprehensive system of core instruction and interventions matched to student needs with close monitoring of student progress. In a single, well-integrated system of instruction and interventions informed by student outcome data, accountability for positive outcomes for all students is a shared responsibility of all staff members.

RtI is the practice of providing high quality instruction/intervention matched to student needs and using learning rate over time and level of performance to make important educational decisions. **Learning rate** refers to a student’s growth in achievement or behavior competencies over time

compared to prior levels of performance and peer growth rates. **Level of performance** refers to a student's relative standing on some dimension of achievement/performance compared to expected performance. It is important to remember that *“learning rates and levels of performance vary significantly across students”* (NASDSE, 2005, p. 5). Decisions about the duration and intensity of interventions can be made using information/data on learning rate and level. The key components should be the same regardless of location of implementation.

Key Components

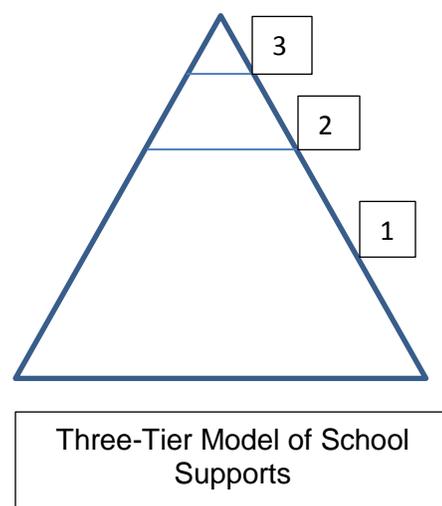
Rtl is based on the following core principles: (1) we can effectively teach all children; (2) intervene early; (3) use a multi-tiered model of service delivery; (4) use a problem-solving method to make decisions within a multi-tiered model; (5) use research-based, scientifically validated interventions/instruction to the extent available; (6) monitor student progress to inform instruction; (7) use data to make decision; and (8) use assessment for three different purposes: screening, diagnostics, and progress monitoring (NASDSE, 2005). Rtl brings together many well established and proven elements: the problem solving model, using formative assessment and time-series graphing to improve outcomes, brain research showing the benefits of early direct intervention, use of professional learning communities, differentiated instruction, and academic engaged time (Renaissance Learning, 2009).

“Implementation of Rtl requires three essential components:

- 1. multiple tiers of intervention service delivery (a three-tier model is used for illustration);*
- 2. a problem-solving method; and*
- 3. an integrated data collection/assessment system to inform decisions at each tier of service delivery”* (NASDSE, 2005, p. 21).

“The tiers represent actions, not classifications” (Renaissance Learning, p. 2). Furthermore, none of the tiers is “special education” – students move through the tiers *in both directions* as indicated by assessment data.

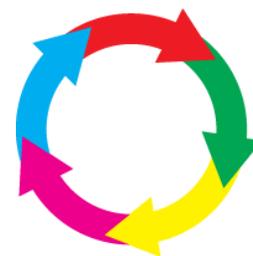
Whether looking academic systems, behavioral systems, or mental health interventions, typically Tier 1 is core instructional interventions, including validated curriculum, universal screening, and differentiated instruction. Tier 2 is strategic, targeted short-term group interventions, provided in addition to, not in lieu of, core instruction. Such instruction can be discontinued for students who improve in critical academic and/or behavioral measures as a result of the intervention. Some students may exhibit progress but continue to need Tier 2 supplemental supports. Students who fail to display meaningful progress are considered for Tier 3. Tier 3 is intensive, individual interventions that reflect modifications in frequency, duration and/or teacher-student ratios. In the model, 80% of students are supported in Tier 1, about 15% in Tier 2, and about 5% in Tier 3. Students who do not respond to such tiered targeted interventions are referred for a comprehensive evaluation to determine eligibility for special education and related services under the category of SLD. The data collected during the Rtl² process is reviewed as part of the eligibility determination.



A tiered approach provides the means to allocate resources to meet the needs of all students. It allows the LEA to identify students who may require more intensive intervention and whose

performance should be monitored more closely. The problem solving model is implemented at each tier. The focus on problem solving is based on the following model:

- **Identify:** is there a problem
- **Analyze:** what is the problem?
- **Set goals:** what do we have to change to solve the problem?
- **Intervene:** How will we change it?
- **Assess:** Is the intervention working?
Do we need to change something else?



Problem Solving Model

An integrated data collection/assessment system to inform decisions at each tier of service delivery is an essential component. Typically such systems are formatted around curriculum-based assessment and measurement (CBA/CBM). To be useful for making decisions within a multi-tier system, the data collection/assessment system must have the following nine characteristics:

1. Directly assess the specific skills embodied in state and local academic standards;
2. Assess “marker variables” that have been demonstrated to lead to the ultimate instructional target (e.g., reading comprehension);
3. Are sensitive to small increments of growth over time;
4. Can be administered efficiently over short periods;
5. May be administered repeatedly (using multiple forms);
6. Are readily summarized in teacher-friendly data displays;
7. Can be used to monitor an individual student’s progress over time; and
8. Have direct relevance to the development of instructional strategies that address the area of need (NASDSE, 2005, p. 25-26).

The California Department of Education (CDE, 2009) identifies the following as critical core components for full implementation of a strong RtI² process:

1. High-quality classroom instruction;
2. Research-based instruction;
3. Universal screening;
4. Continuous classroom progress monitoring;
5. Research-based interventions;
6. Progress monitoring during instruction and interventions;
7. Fidelity of program implementation;
8. Staff development and collaboration;
9. Parent involvement; and
10. Specific learning disability determination.

“The integrity of both core and supplemental interventions must be assured prior to determining that a student has a disability” (NASDSE, 2005, p. 28). In addition, standards of comparison must be operationally defined and pre-established to determine if a student’s assessment results are significantly discrepant (meet a level of intensity) from expectations. The assessments utilized for Rtl must have treatment validity and be able to be compared to objective criteria if one wants to use the data to identify a disability and need for special education services. Rather than relying on discrepancies in standardized test scores, in the Rtl model, assessments typically measure skills that are directly needed in the classroom, examine what the student can and cannot do in relation to an instructional point of view, and linked directly to instructional interventions.

Determining Special Education Eligibility Using Rtl

Eligibility determination applying Rtl practices begins with implementation of the regulations requiring that the IEP team and other qualified professionals, as appropriate must:

- (1) Review existing evaluation data on the child, including:
 - i. Evaluations and information provided by the parents of the child;
 - ii. Current classroom-based assessments and observations; and
 - iii. Observations by teachers and related services providers (34 CFR 300.305(a)(1)).
- (2) On the basis of that review, and input from the child’s parents, identify what additional data, if any, are needed to determine:
 - i. (A) Whether the child is a child with a disability, and the educational needs of the child; or
(B) In case of a reevaluation of a child, whether the child continues to have such a disability, and the educational needs of the child;
 - ii. The present levels of academic achievement and related developmental needs of the child;
 - iii. (A) Whether the child needs special education and related services; or
(B) In the case of a reevaluation of a child, whether the child continues to need special education and related services; and
 - iv. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum (300.305).

Furthermore, the child must 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 (300.304(b)(4)). Since in-depth assessment in all domains is not required in an Rtl model, it should occur only in the areas previously identified when (1) screening information suggests serious impairment, and, (2) the likelihood that the serious impairment in a specific domain is a significant factor in the student’s poor achievement, behavior, or both (NASDSE, 2005).

Eligibility determination can be made using the convergence of data from multiple sources (e.g., teachers, parents, the student), using multiple methods (e.g., record review, interviews, observations, tests), and from multiple educational domains (e.g., curriculum, instruction, environment). The documentation must occur in each of the following four eligibility criteria:

1. **Rate difference**, such as large performance differences compared to peers and benchmark assessment expectations in relevant domains;

2. **Rate of learning difference**, such as large differences in rate of learning compared to peers and trajectories toward benchmarks when provided with high-quality interventions implemented over a significant period;
3. **Documented adverse impact** on education and need for special education; and
4. **Exclusion factors**:
 - a. Rule out sensory impairments and the absence of instructional opportunities; and
 - b. Rule out mild mental retardation, emotional disturbance, speech language, and other disabilities as the primary cause of the significant achievement deficiency.

Making a determination about special education eligibility is based on data analysis and a series of decisions aligned to two prongs: disability and need. First, the student's assessment results meet a pre-established level of intensity defined as significantly different from expectations. Secondly, there must be progress monitoring data from frequent assessments indicating significant deficiencies in rate of learning. In making this determination, the student's progress is compared to his or her performance from baseline data collection, to the normative rate of progress displayed by peers and to the rate of learning required for the student to close his or her performance gap with typical peers. Thirdly, the student's difficulties must have a demonstrable adverse impact on his or her educational performance.

The determination of need is established by examining the student's response to various instructional strategies, including the accommodations and modifications provided. If the student is progressing satisfactorily with the strategies that can be managed within general education, the student does not qualify as eligible for special education. If the student fails to make meaningful progress in general education or it has been demonstrated that he or she shows progress only when specially designed and highly intensive levels of intervention are used, then the student's performance may meet the "need" for special education criteria.

Finally, the assessment team members must analyze the exclusionary factors. The student's learning problems cannot be due to another disability (e.g., visual, hearing, or motor disability); due to environmental, cultural, or economic disadvantage; and not the result of a lack of appropriate instruction in reading, including the essential components of reading instruction, lack of instruction in math, or limited English proficiency (20 USC 1414(b)(5)(A-C).

Completing the SLD Eligibility Determination Form

The SLD Eligibility Determination Form (Appendix 1) must be attached to the IEP when an assessment for specific learning disability has been conducted (e.g., at the Initial and/or Triennial IEP meeting). Although it is an IEP team determination of eligibility for special education services based on identified needs, typically, the school psychologist is the one that completes the form due to their knowledge and expertise in the area. This form does not need to be completed at an annual IEP meeting.

Beyond the core demographic information about the student, the relevant behavior related to academic functioning observed by someone other than the classroom teacher are noted. The student must exhibit a disorder in one or more of the following basic psychological processes: attention, sensory-motor skills, visual processing, auditory processing, phonological processing, cognitive abilities (including association, conceptualization and expression). Under the severe discrepancy model, there must be evidence of the presence of a severe discrepancy based on valid standardized tests in one or more of the following areas: oral expression, written expression, listening comprehension, mathematical calculations, basic reading skills, mathematic reasoning, and/or reading comprehension. In addition, this discrepancy cannot be due primarily to limited school experience or poor school attendance. The evidence that a

severe discrepancy between ability and achievement does exist should include the following evidence:

- A. Data obtained from standardized assessment instruments (ability and achievement)
- B. Information provided by the parent
- C. Information provided by the pupil's present teacher
- D. Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores
- E. Consideration of the pupil's age

Under the other SLD determination models, the IEP team can consider the following additional relevant information:

- A. The pupil does not achieve adequately for his or her 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 to the age or grade level standards: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving.
- B. The pupil does not make sufficient progress to meet age or state-approved grade level standards in one or more of the areas identified when using a process based on the pupil's response to scientific, research-based intervention. **OR**
- C. The pupil 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.
- D. The discrepancy is not due primarily to limited school experience or poor school attendance.

In addition, the findings cannot be primarily the result of any of the following items. If "YES" to any item, a learning disability is not found!

- A visual, hearing, or motor disability
- Intellectual disability,
- Emotional disturbance
- Cultural factors
- Environmental or economic disadvantage
- Limited English proficiency
- Lack of appropriate instruction in reading or math based on the following evidence:
 - Data demonstrate that prior to, or as a part of, the referral process, the pupil was provided appropriate instruction in regular education settings, delivered by qualified personnel, and,
 - Data-based documentation of repeated assessments of achievement at reasonable intervals reflecting formal assessment of student progress during instruction, which was provided to the pupil's parents.

- NOTE: A student cannot be excluded from special education on the grounds that the student's deficits are due to lack of appropriate instruction in reading or math or limited English Proficiency if the student otherwise meets the requirements for eligibility (E.C. 56329).

The team determines if the student has a specific learning disability and writes a brief description of the information or data used to form that decision. By signing, each team member agrees with the conclusions. If a member disagrees with the IEP team's decision about eligibility as a student with a specific learning disability, he or she will sign and date the form after writing a statement herein and/or on a separate page that is then attached to the IEP.

Educational Planning

Teachers who provide instruction to students with dyslexia and related learning disabilities should be trained on instructional approaches that are multi-sensory, explicit, systematic, sequential, and cumulative. Instruction must address the phonology, morphology, orthography, syntax, semantics, and pragmatics of language.

Instruction decisions for a student with a specific learning disability, including dyslexia, must be made by the IEP team committee that is knowledgeable about potential instructional components and approaches for students with dyslexia. For many students, the remedial or supplemental (not core) instructional program is offered in a small group arrangement and the major instructional strategies utilize individualized, intensive, and multisensory methods as appropriate. Components of instruction, as appropriate for the reading needs of the student with dyslexia, may include all of the following:

- **Phonological awareness** -- The understanding of the internal sound structure of words. A phoneme is the smallest unit of sound in a given language that can be distinct from other sounds. The ability to segment spoken words into their component phonemes is an important aspect of phonological awareness.
- **Sound-symbol association** – The knowledge of the various speech sounds in any language to the corresponding letter or letter combinations that represent those speech sounds. The mastery of sound-symbol association (alphabetic principle) is the foundation for the ability to read (decode) and spell (encode).
- **Syllabication** – A unit of oral or written language with one vowel sound. The six basic types of syllables in the English language are: closed, open, vowel-consonant-e, r-controlled, vowel pair (or vowel team), and consonant-le (or final stable syllable).
- **Orthography** – written spelling patterns and rules in a given language. The instruction should be integrated with phonology and sound-symbol knowledge.
- **Morphology** – The study of how a base word, prefix, root, suffix (morphemes) combine to form words. A morpheme is the smallest unit of meaning in a given language.
- **Syntax** – The sequence and function of words in a sentence in order to convey meaning.
- **Reading comprehension** – The process of extracting and constructing meaning through the interaction of the reader with the text to be comprehended and the specific purpose for reading. The reader's skill in reading comprehension depends upon the development of accurate and fluent word recognition, oral language development, background knowledge, use of appropriate strategies to enhance comprehension and

repair it if it breaks down, and the reader's interest in what he or she is reading and motivation to comprehend its meaning.

- **Reading fluency** – The ability to read text with sufficient speed and accuracy to support comprehension.

In addition, when making recommendations, best practices indicate the need to consider explicit and systematic instruction; specific reading, spelling and writing, as well as math instructional approaches; and possible instructional/classroom accommodations

Explicit Instructions:

1. **Make directions clear.** Speak briefly and clearly, and always provide written directions.
2. **Get students interacting.** To ensure that all of your students are engaged, require frequent responses from students.
3. **Build in a review.** To help students retain information, check for mastery and understanding.
4. **Multisensory.** The involvement of visual (seeing text or pictures), auditory (hearing lecture, discussion, or technology), and kinesthetic/tactile (feeling and moving) sensory modalities.

Systematic:

Instruction begins with the easiest, most basic elements of language and progresses to more difficult material. Each step builds on those already learned.

Reading Instructions:

1. **Teach phonemic awareness.** Phonemic awareness, the awareness of and ability to manipulate sounds within words, creates the foundation for long-term success in reading and spelling.
 - a. Activities: rhyming tasks, categorization of phonemes, identification of phonemes, word and phrase segmentation, phoneme deletion, phoneme addition, phoneme substitution, etc. - these provide practice in manipulating and sorting letters and sounds
2. **Read aloud to students.** This is the perfect way to hear how letters and sounds work together, develop vocabulary and explicitly model reading comprehension strategies.
3. **Teach phonics.** New readers and older students who struggle to decode need help. Make sure students know their letter sounds and can blend sounds together.
 - a. Activities: tactile such as writing letters in sand, shaving cream, etc. while naming the letter, tracing letter with finger while naming, identify sounds and letters in words, place pictures in categories according to sounds such as beginning or ending sounds, etc.
4. **Teach reading fluency.** Practice repeated reading or multiple readings of connected text, instruction in decoding and word identification, materials at student's independent reading level, and provide opportunities to listen to readings with good inflection and prosody.
5. **Use Speech-to-Text Software.** With headphones and a computer, students can "read with their ears," regaining independence.

Spelling and Writing Instructions:

1. **Teach specific strategies.**
2. **Use graphic organizers.**
3. **Use Speech-to-Text Software.** Make sure handwriting and spelling challenges don't get in the way of students expressing their ideas.
4. **Teach handwriting.** Research has shown that elementary students who write legibly and automatically write longer and better compositions.
5. **Teach spelling.** Spelling instruction needs to continue through seventh grade according to researchers. Each method should teach students the common orthographic patterns of English as well as use of affixes and spelling rules. Students should be encouraged to repeat the word. This help students hear sounds in sequence and feel the speech production in sequence. Listening for the vowel sounds allows students to address difficulty parts of a word first.

Math Instructions:

1. **Teach with manipulatives.** Students with dyslexia don't always understand symbols immediately. You can use manipulatives like base-10 blocks to teach basic math operations.
2. **Use graph paper.**
3. **Provide calculators.**

Finally, possible instructional/classroom accommodations may include copies of notes (teacher or peer provided), note taking assistance, additional time on class assignments and tests, reduced/shortened assignments (chunking, few items without elimination concepts), priority seating, oral reading of directions or written material, word banks, formula charts, and clarifying or simplifying directions.

Conclusions

As noted previously, there are various interpretations about what a specific learning disability is and how it can be identified. The California Education Code Title 5 definition of a Specific Learning Disability (SLD) indicates that the individual must have a disorder in one or more of the basic psychological processes that impacts one's ability to listen, think, speak, read, write, spell, or do mathematical calculations. Some students may evidence characteristics associated with a learning disability (LD) such as Dyslexia, Dysgraphia, Dyscalculia, Auditory Processing Disorder, Language Processing Disorder, and/or Non-Verbal Learning Disability. A student with either of these labels may or may not be eligible for special education services. In making this determination, various assessment methods are utilized, the findings analyzed, and the information considered by an IEP team. Always, the objective is to make an instructional plan that helps each child succeed in school.

While the Title 5 eligibility criteria are clearly defined, there are various procedures that can be used to determine if a severe discrepancy between intellectual ability and achievement in specific academic categories. Best practices in assessment recommendations include the use of review of existing data, observations, interviews, and tests (which may be standardized, non-standardized, and/or curriculum based). The assessors must also consider exclusionary factors and historical issues such as delivery of appropriate instruction, regular school attendance, and school experiences.

In using the discrepancy model, the team must look at measured cognitive or intellectual abilities and achievement, evidence of a processing disorder behind the impairment (e.g., a relationship between the two as demonstrated in the COMPARES Chart), and if the student's needs can be met without special education support. Alternative measures must also be considered when standardized tests are determined to be invalid or not appropriate. The Riverside County SELPA has adopted the MATRIX system as our patterns of strengths and weaknesses model to guide teams through the data collection, analysis, and report writing processes. The definitions, key components, and critical factors to consider in determining special education eligibility using response to intervention model are also included herein. Under the Rtl model, documentation must be available in each of the following four eligibility criteria: rate difference, rate of learning difference, adverse impact, and exclusionary factors. While most LEAs are not prepared to use the Rtl model at this time, it is included herein as a potential option for LEAs to move toward.

No matter which model is utilized, the IEP team must complete the SLD Determination Form at the time such determination is made (initial and reevaluations). Once eligibility is determined, the IEP team continues to complete the required forms leading to an offer of a free appropriate public education in the least restrictive environment.

Acknowledgements, References and Resources

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Shannon Smith, Program Specialist, Springs Charter Schools
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Alisha Sylvester, Speech Language Pathologist, Jurupa Unified School District

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Approved 5.13.16

RIVERSIDE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)
TEAM DETERMINATION OF SPECIFIC LEARNING DISABILITY

The use and distribution of this form is limited to employees of public school agencies within the Riverside County Special Education Local Plan Area (SELPA)

If the IEP team does not find a severe discrepancy between measures of intellectual ability and achievement, the IEP team may consider the following based on systematic intervention.

IEP Team finds that a severe discrepancy between ability and achievement does exist as a result of the psychological processing disorder identified above based on the following evidence:

Data obtained from standardized assessment instruments (ability and achievement):

Information provided by the parent:

Information provided by the pupil's present teacher:

Evidence of the pupil's performance in the regular and/or special education classroom obtained from:
Observations:

Work Samples:

Group Test Scores:

Consideration of the pupil's age:

Additional Relevant Information:

The pupil does not achieve adequately for the pupil'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 to age or grade-level standards:

- | | | |
|--|--|--|
| <input type="checkbox"/> Oral Expression | <input type="checkbox"/> Listening Comprehension | <input type="checkbox"/> Written Expression |
| <input type="checkbox"/> Basic Reading Skills | <input type="checkbox"/> Reading Fluency Skills | <input type="checkbox"/> Reading Comprehension |
| <input type="checkbox"/> Mathematics Calculation | <input type="checkbox"/> Mathematics Problem Solving | |

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

OR

The pupil 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

The discrepancy is not due primarily to limited school experience or poor school attendance

**RIVERSIDE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)
TEAM DETERMINATION OF SPECIFIC LEARNING DISABILITY**

The use and distribution of this form is limited to employees of public school agencies within the Riverside County Special Education Local Plan Area (SELPA)

The findings are not primarily the result of any of the items below: (If “yes” to any item, a learning disability is not found.)

A visual, hearing, or motor disability:

Yes No

Intellectual disability:

Yes No

Emotional disturbance:

Yes No

Cultural factors:

Yes No

Environmental or economic disadvantage:

Yes No

Limited English Proficiency:

Yes No

Lack of appropriate instruction in reading or math based on the following evidence:

Yes No

Data demonstrate that prior to, or as a part of, the referral process, the pupil was provided appropriate instruction in regular education settings, delivered by qualified personnel; and

Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the pupil’s parents.

The student has a specific learning disability:

Yes No

Basis for determination of eligibility (must take into account all relevant material which is available on pupil):

I agree with the conclusions above:

| | | | |
|---------------------------|--------------------|-----------------------------|--------------------|
| | ____ / ____ / ____ | | ____ / ____ / ____ |
| School Psychologist | Date | Special Ed. Admin./Designee | Date |
| | ____ / ____ / ____ | | ____ / ____ / ____ |
| Special Education Teacher | Date | General Education Teacher | Date |
| | ____ / ____ / ____ | | ____ / ____ / ____ |
| SLP Specialist | Date | Other | Date |
| | ____ / ____ / ____ | | ____ / ____ / ____ |
| Parent/Guardian | Date | Other | Date |

My assessment of this student differs from the above report as follows: (Attach additional pages as necessary)

| | |
|-----------|--------------------|
| | |
| Signature | Title |
| | ____ / ____ / ____ |
| | Date |

Comparison of Language Differences versus Disabilities

| Learning Behavior Manifested | Indicators of a Language Difference due to 2 nd Language Acquisition | Indicators of a Possible Learning Disability |
|---|--|--|
| Oral Comprehension/Listening | | |
| 1. Student does not respond to verbal directions | 1. Student lacks understanding of vocabulary in English but is demonstrates understanding in L1 | 1. Student consistently demonstrates confusion when given verbal directions in L1 and L2; may be due to processing deficit or low cognition |
| 2. Student needs frequent repetition of oral directions and input | 2. Student is able to understand verbal directions in L1 but not L2 | 2. Student often forgets directions or needs further explanation in L1 and L2 (home & school); may be due to an auditory memory difficulty or low cognition |
| 3. Student delays responses to questions | 3. Student may be translating question in mind before responding in L2; gradual improvement seen over time | 3. Student consistently takes a longer time period to respond in L1 & L2 and it does not change over time; may be due to a processing speed deficit |
| Speaking / Oral Fluency | | |
| 1. Student lacks verbal fluency (pauses, hesitates, omits words) | 1. Student lacks vocabulary, sentence structure, and/or self-confidence | 1. Speech is incomprehensible in L1 and L2; may be due to hearing or speech impairment |
| 2. Student is unable to orally retell a story | 2. Student does not comprehend story due to a lack of understanding and background knowledge in English | 2. Student has difficulty retelling a story or event in L1 and L2; may have memory or sequencing deficits |
| 3. Does not orally respond to questions or does not speak much | 3. Lacks expressive language skills in English; it may the silent period in 2nd language acquisition | 3. Student speaks little in L1 or L2; student may have a hearing impairment or processing deficit |
| Phonemic Awareness/Reading | | |
| 1. Student does not remember letters sounds from one day to the next | 1. Student will initially demonstrate difficulty remembering letter sounds in L2 since they differ from the letter sounds in L1, but with repeated practice over time will make progress | 1. Student doesn't remember letters sounds after initial and follow-up instruction (even if they are common between L1/L2); may be due to due a visual/auditory memory deficit or low cognition |
| 2. Student is unable to blend letter sounds in order to decode words in reading | 2. The letter sound errors may be related to L1 (for example, L1 may not have long and short vowel sounds); with direct instruction, student will make progress over time | 2. Student makes letter substitutions when decoding not related to L1; student cannot remember vowel sounds; student may be able to decode sounds in isolation, but is unable to blend the sounds to decode whole word; may be due to a processing or memory deficit |
| 3. Student is unable to decode words correctly | 3. Sound not in L1, so unable to pronounce word once decoded | 3. Student consistently confuses letters/words that look alike; makes letter reversals, substitutions, etc. that are not related to L1; may be processing or memory deficit |

Comparison of Language Differences versus Disabilities

| Reading Comprehension & Vocabulary | | |
|---|---|---|
| 1. Student does not understand passage read, although may be able to read w/ fluency and accuracy | 1. Lacks understanding and background knowledge of topic in L2; is unable to use contextual clues to assist with meaning; improvement seen over time as L2 proficiency increases | 1. Student doesn't remember or comprehend what was read in L1 or L2 (only applicable if student has received instruction in L1); this does not improve over time; this may be due to a memory or processing deficit |
| 2. Does not understand key words/phrases; poor comprehension | 2. Lacks understanding of vocabulary and meaning in English | 2. The student's difficulty with comprehension and vocabulary is seen in L1 and L2 |
| Writing | | |
| 1. Errors made with punctuation/capitalization | 1. The error patterns seen are consistent with the punctuation and capitalization rules for L1; student's work tends to improve with appropriate instruction in English | 1. Student consistently or inconsistently makes capitalization and punctuation errors even after instruction; this may be due to deficits in organization, memory or processing |
| 2. Student has difficulty writing grammatically correct sentences | 2. Student's syntax is reflective of writing patterns in L1; typical error patterns seen in 2 nd language learners (verb tense, use of adverbs or adjectives); improves over time | 2. The student makes more random errors such as words omissions, missing punctuation; grammar errors are not correct in L1 or L2; this may be due to a processing or memory deficit |
| 3. Student has difficulty generating a paragraph or writing essays but is able to express his or her ideas orally | 3. Student is not yet proficient in writing English even though they may have developed verbal skills; student makes progress over time and error patterns are similar to other 2 nd language learners | 3. The student seems to have difficulty paying attention or remembering previously learned information; the student may seem to have motor difficulties and avoids writing; student may have attention or memory deficits |
| Spelling | | |
| 1. Student misspells words | 1. Student will "borrow" sounds from L1; progress seen over time as L2 proficiency increases | 1. Student makes errors such as writing the correct beginning sound of words and then random letters or correct beginning and ending sounds only; may be due to a visual memory or processing deficit |

COMPARES: Research Links Between Processing And Achievement Areas

| Processing Area | Processing Sub-Area | Basic Reading Skills (Decoding) | Reading Fluency | Reading Comprehension | Written Expression | Math Calculation | Math Problem Solving | Listening Comprehension | Oral Expression |
|-----------------------------|---|---------------------------------|-----------------|-----------------------|--------------------|------------------|----------------------|-------------------------|-----------------|
| Auditory | Phonological Processing | 4 | 3 | 3, 1 | 2 | 2 | 2 | 3 | 3 |
| | Auditory Memory | 4 | 3 | 4 | 4 | 4 | 4 | 4 | 4 |
| | Auditory Processing Speed | * | * | * | * | * | * | 3 | 3 |
| | Auditory Processing | 2, 3 | * | 3 | 0 | 0 | 0 | 3 | 2 |
| Visual-Spatial | Visual-Spatial Processing | 2 | 2 | 2, 3 | 1 | 2, 3 | 1 | 1, 2 | 0 |
| | Orthographic Processing | 4 | 4 | 2 | 2 | 2 | 0 | 0 | 0 |
| | Visual Memory | 2 | 2 | 4 | 3, 4 | 4 | 4 | 0 | 0 |
| | Visual Processing Speed | 4 | 4 | * | * | * | * | 0 | 0 |
| Cognitive Abilities | Memory | 4 | 4 | 4 | 4 | 4 | 4 | 3, 4 | 4 |
| | Rapid Naming Skills | 4 | 4 | 2 | 2 | 3 | 2 | 0 | * |
| | Conceptualization and Fluid Reasoning / Problem Solving | 0 | 0 | 2, 3 | 2, 3 | 3 | 4 | 0 | 0 |
| | Expression | 3 | 0 | 3 | 3 | 0 | 3 | 3 | * |
| | Language Processing (Crystalized Knowledge) | 4 | 3 | 3 | 3 | 2 | 3 | * | * |
| | Processing Speed | 4 | 4 | 3 | 3, 4 | 4 | 4 | 3 | 3 |
| | Executive Functions | 3 | 2, 3 | 4 | 3 | 3 | 3 | 4 | 4 |
| Sensory-Motor Skills | Visual Motor, Fine Motor, Graphomotor, Sensorimotor | 1 | 0 | 0 | 3 | 2 | 1 | 0 | 0 |
| | Sensorimotor Memory | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Sensorimotor Speed | 0 | 0 | 0 | * | 0 | 0 | 0 | 0 |
| | Oral Motor / Oral Motor Speed | 2 | 3 | 0 | 0 | 0 | 0 | 0 | * |
| Attention | Attention | 1 | 1, 2 | 2 | 2 | 3 | 2 | 2 | 1 |

4 = Strong Convincing Evidence; **3** = Convincing Evidence; **2** = Partially Convincing Evidence; **1** = Unconvincing Evidence; **0** = No Research Found

