



PEPP, INC

Parents Educating Parents and Professionals

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SPECIFIC LEARNING DISABILITIES (SLD)

Definition

(1) Specific learning disability is defined as a disorder on one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not apply to students who have learning problems that are **primarily** the result of visual, hearing or motor disabilities, emotional or behavioral disorders or environmental, cultural or economic disadvantage.

(2) This definition is intended to distinguish a specific learning disability from a general learning deficit or from underachievement. The term specific learning disability would, therefore, exclude those students whose overall limited cognitive ability results in pervasive learning problems. A specific learning disability is characterized by a pattern of strengths and weaknesses. While most students with specific learning disabilities have average or above intelligence, **some** students with specific learning disabilities may score below the average range on tests of intelligence. For these students, there shall be thorough documentation that eligibility criteria have been met.

(3) The student with a specific learning disability has one or more serious academic deficiencies that are significantly discrepant with measured ability. The student's need for academic support alone is not sufficient for eligibility and does not override the other established requirements for determining eligibility.

(4) The student who is eligible for services under the category of specific learning disabilities exhibits a deficit in basic psychological processes which is manifested

in a severe discrepancy between actual achievement and expected performance. Deficits in basic psychological processes in the definition typically include problems in attending, discrimination/perception, sensory integration, organization, sequencing, short-term memory, long-term memory and/or conceptualization/reasoning. Once a deficit in basic psychological processes is documented there shall be evidence that the processing deficit has impaired the student's mastery of the academic tasks required in the regular curriculum. An achievement deficit exists when there is a severe discrepancy between current achievement and estimated measured ability and when the current achievement is below the student's grade placement level.

- (5) Students whose achievement in classroom academics is not commensurate with their abilities in academic areas may be considered as having a specific learning disability even though they are progressing from grade to grade.

Eligibility and Placement

- (1) A team may determine that a child has a specific learning disability if:
- (a) The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in (b) below if provided with learning experiences appropriate for the students' age and ability level;
 - (b) The team finds that a student has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:
 - Oral expression- use of spoken language to communicate ideas (as opposed to speech disorders).
 - Listening comprehension- ability to understand spoken language at a level commensurate with the students age and ability levels.
 - Written expression- ability to communicate ideas effectively in writing with appropriate language.
 - Basic reading skills- ability to understand the meaning of written language.
 - Reading comprehension- ability to use sound/symbol associations to learn phonics in order to comprehend the text.
 - Mathematics calculation- ability to process numerical symbols to derive results, including, but not limited to,

spatial awareness of symbol placement and choice of sequence algorithms for operations required.

- Mathematics reasoning- ability to understand logical relationships between mathematical concepts and operations, including, but not limited to, correct sequencing and spatial/symbolic representation.

The SLD Eligibility Team

(1) The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parents and a team of qualified professionals which must include:

- (i) The student's regular teacher; or
- (ii) If the student does not have a regular teacher, a regular classroom teacher qualified for his or her age; or
- (iii) For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
- (iv) At least one person qualified to conduct individual diagnostic examinations of students, such as school psychologist, speech-language pathologist, or remedial reading teacher.
- (v) A teacher professionally certified in the area of specific learning disabilities or interrelated;

(2) After all data have been collected, the eligibility determination shall be made by the SLD Eligibility team. **The establishment of eligibility is a professional judgment that is based on all pertinent information that is thoroughly documented in the eligibility team report.**

(refer to 34 C.F.R. / 300.540)

The SLD Eligibility Team Report

- (1) For a student suspected of having a specific learning disability, the documentation of the team's determination of eligibility must include a statement of:
- (a) Whether the student has a specific learning disability;
 - (b) The basis for making the determination;
 - (c) The relevant behavior noted during the observation of the student;
 - (d) The relationship of that behavior to the student's academic functioning;
 - (e) The educationally relevant medical findings, if any;
 - (f) Whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and,
 - (g) The determination of the team concerning the effects environmental, cultural, or economic disadvantage.
- (2) The eligibility team report shall include an interpretive summary of each of the required eligibility components indicated below. The summary statements shall be supported by more comprehensive evaluation reports in the student's record.

Prior Strategies: Alternative approached to the curriculum which have been attempted, based on Student Support Team data or, if the student being reevaluated, based on approached used in the current special education services, must be documented.

Cognitive Results:

1. Cognitive ability levels from the psychological evaluation, including the test instruments used, the date of the evaluation, and the results must be summarized. Cognitive and other psychological components of functioning shall be assessed by a qualified psychological examiner employing a comprehensive individual evaluation process.
2. This psychological evaluation shall have been administered within the last 12 months if the student is being considered for an initial placement in a specific learning disabilities program.
3. In general, composite cognitive scores are used to compare to achievement scores. In some cases where the obtained composite cognitive score is not considered an accurate

estimate of the student's realistic potential, an alternate cognitive ability score may be used. Written evidence shall be presented which illustrates why this alternate score is a better estimate of the student's overall ability than the obtained composite score. The score which is being used for the comparison must be clearly indicated.

Processing Problems:

1. The student who is eligible for services under the category of specific learning disabilities exhibits a deficit in basic psychological processes which is manifested in a severe discrepancy between actual achievement and expected performance.
2. Deficits in basic psychological typically include problems in attending, discrimination/perception, sensory integration, organization, sequencing, short-term memory, long-term memory and/or conceptualization/reasoning. The processing problem(s) indicated in the psychological evaluation must be clearly summarized.

Processing Strengths: Evidence of strengths in processing that are commensurate with estimated cognitive ability must be summarized.

Statement of Status:

1. An initial statement of status shall be written for each of the seven areas listed below. The statement of status is a brief description of the student's educational performance in his or her current educational setting. The statement of status is used to determine the areas in which the student is currently experiencing difficulty in the classroom. These areas will then be further assessed.
 - **Oral Expression** – Use of spoken language to communicate ideas (as opposed to speech disorders).
 - **Listening Comprehension** – ability to understand spoken language at a level that is age-appropriate.
 - **Written Expression** – ability to communicate ideas effectively in writing with appropriate language.

- **Basic reading skills** – ability to use sound/symbol associations to learn phonics in order to comprehend written text.
- **Reading comprehension** – process of understanding the meaning of written language.
- **Mathematics calculation** – appropriate processing of numerical symbols to derive results, including spatial awareness of symbol placement and choice of sequence algorithms for operations required.
- **Mathematical reasoning** – understanding logical relationships between mathematical concepts and operations, including correct sequencing and spatial/symbolic representation.

Achievement Testing:

1. Once a deficit in basic psychological processes is documented, there shall be evidence that the processing has impaired the student's mastery of the academic tasks required in the general curriculum. Achievement testing is one step in determining whether or not there are deficits. Testing must be completed for those areas in which the statement of status indicates the possibility of a problem.
 - When the achievement test of choice gives both age and grade norms for standard scores, the age norms shall be used, since cognitive ability tests are normed by age. For students who have been retained, norms for their chronological age shall be used.
 - Kindergarten, first-grade students, or pre-school children may be identified as having a specific learning disability. However, it is often difficult to determine whether a deficit in basic psychological processes and a severe discrepancy exists; therefore, caution shall be exercised prior to such a decision.
 - Discrepancy for kindergarten, first grade, or pre-school children shall be based on performance within the area of communication and/or readiness skills, specifically reading readiness skills, specifically reading readiness

abilities such as skills, specially related to phonological awareness and phonics. These discrepancies shall be at least one year below chronological age expectancy and not the result of lack of experience.

- An achievement deficit exists when there is a severe discrepancy between current achievement and estimated ability and when the current achievement is below the student's grade placement level.
2. Each identified academic deficit area shall be confirmed by at least two measures of performance.
- One measure shall be an individually administered standardized instrument yielding a standard score that specifically assesses the learning area.
 - The second measure of a deficit area may be another individually administered instrument, a group administered instrument, or qualitative data in the form of classroom tests and/or teacher made tests. However, teacher observation is not sufficient.

Statement of Severe Deficits:

1. The use of a comparison of scores and the differential assessment of points between a standard score on a cognitive ability test and a standard score on a standardized achievement test are not to be used to automatically exclude or include a student as eligible, but this is one factor in determining whether the student has a specific learning disability. Use of this comparison score shall also take into account consideration of whether the student has received remedial, tutoring or private services which may reduce the discrepancy between scores.
2. A severe discrepancy shall be assessed with the use of a comparison of standard scores. The cognitive ability score and achievement score are compared on a common scale, with a mean of 100 and a standard deviation (SD) of 15. When each has the same mean and standard deviation, direct comparison is possible. Otherwise the scores will need to be converted to the same scale.
3. For initial placement, a severe discrepancy is defined as a difference of 20 points between a standard score on a cognitive ability test and a standard score on a standardized achievement test. The test instruments must be on a common scale with a mean of 100 and SD of 15.
4. For a student undergoing reevaluation, a severe discrepancy is defined as a difference of 15 points between standard scores on a cognitive ability test

and a standardized achievement test on a common scale with a mean of 100 and SD of 15.

5. For a student, currently placed in special education program other than SLD, who is being initially evaluated to determine the presence of a learning disability, a severe discrepancy is defined as a difference of 20 points between a standard score on a cognitive ability test and a standard score on a standardized achievement test.
6. Specific scores for the seven learning areas which have severe discrepancies must be clearly indicated.

Observation:

1. The result of a classroom observation **in each area of suspected underachievement and classroom observation of problematic social interactions, if there are any**, must be summarized.
 - A qualified psychological examiner or teacher certified in specific learning disabilities or interrelated shall conduct the classroom observation.
 - In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.
 - The observation shall describe the student's performance in the area(s) of suspected deficit. The observation must focus on the student's academic performance in the learning area in which there is a suspected problem. The focus of the observation is not general behaviors, but rather how the student is performing in the learning area.

Classroom Work Samples:

1. Analyzed classroom work sample(s) in each area of suspected underachievement which clearly show performance to be below grade level.
 - The purpose of the work samples is to provide additional evidence to support the conclusion that the student is not performing on grade level.
 - The work samples must be annotated to indicate how the student's performance of a student whose performance is on grade level.
 - The annotation may include information such as the grade level of the work, the kinds of errors made by the student, the amount of time needed to complete the work, the amount of assistance needed, or a narrative comparing the student's work with the expected level of performance.

Exclusionary Factors: Documentation of the conclusion that the discrepant performance is **not primarily** due to the factors below must be included in the eligibility report:

- Intellectual disability
- Hearing or vision impairment
- Emotional and behavioral disorder
- Environmental disadvantage
- Cultural difference
- Economic disadvantage
- A typical educational history, e.g., irregular school attendance, attendance at multiple schools inappropriate or insufficient teaching.
- Native or primary language other than English

Educationally relevant medical information: Any relevant medical information must be summarized on the eligibility report.

Team Conclusion:

1. The conclusion statement must clearly establish a link between basic psychological processing problem(s), the severe discrepancy(ies) between ability and achievement, and classroom academic performance in one or more of the seven areas. Evidence of strengths that are commensurate with estimated cognitive ability must be summarized.
2. The conclusion statement must clearly document the affect of the student's specific learning disability on classroom performance.

Other Requirements for the Eligibility Team Report:

1. Date of the meeting
2. Signature and position of team members
3. Documentation of parent participation in the eligibility decision
4. Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

Reprinted from the
Georgia State Board of Education Rules
Rules Pertaining to Special Education

Adopted: August 10, 2000