

SPECIFIC LEARNING DISABILITY

I. DEFINITION

"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 manifest itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does 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.

II. POSSIBLE REFERRAL CHARACTERISTICS

Students identified as having a specific learning disability (SLD) exhibit a number of characteristics. As the referral characteristics listed below are reviewed, it becomes evident that almost any student may display some of these characteristics. However, the student identified as having a specific learning disability is distinguished by the magnitude and/or severity of his/her presenting characteristics.

A. Intellectual

1. Appears to possess average or above average intelligence based on standardized intelligence tests but does not perform at expected achievement levels when exposed to conventional teaching strategies

B. Academic (In general)

1. Scores indicate inconsistency and great variability between expectancy and performance
2. Short attention span; unable to concentrate on any one task for very long
3. Easily distracted by irrelevant stimuli
4. Disorganized in the use of books and materials
5. Unable to follow and understand class discussion; appears to be inattentive or daydreaming

6. Difficulty understanding meaning of time and fails to comprehend the requirements of completing assignments within a certain time frame

C. Reading

1. Visual processing
 - a. Visual discrimination difficulties; confusion of similar letters and words
 - b. Letter and word reversals and inversions
 - c. Difficulty in following and retaining visual sequences
 - d. Word substitutions
 - e. Distracted reading; skipping and jumping over words
 - f. Omission of words, phrases and sentences
 - g. Slow recognition of words
2. Auditory processing
 - a. Difficulty in separating words into their component phonemes and syllables or in blending them into whole words
 - b. Difficulty in spontaneous recall of sounds associated with letters and words
 - c. Disturbances in auditory sequencing

D. Writing and Drawing

1. Inability to form letters or digits correctly
2. Difficulty in staying on or between the lines
3. Difficulty in judging length and width of letters
4. Difficulty in spatial organization, identification or matching of shapes, and/or rotation or distortion of drawings of geometric designs

5. Reversal of letters and/or digits
6. Difficulty in discriminating left from right

E. Arithmetic

1. Difficulty in analyzing and solving math problems of various complexity (one or multiple step), including those involving probability
2. Difficulty in associating the spoken form with the correct printed material
3. Difficulty in learning the cardinal and ordinal system of counting
4. Difficulty in understanding the meaning of the process sign
5. Difficulty in understanding the arrangement of numbers on a page
6. Inability to follow and remember the sequence of steps used in various mathematical operations
7. Difficulty with concepts of space, time, size, distance, quantity and/or linear measurement

F. Behavior

1. Hyperactivity, attentional deficits: constant motion, inability to attend to a specific task for a required period of time
2. Emotional lability: easily upset, anxious, low frustration threshold, may exhibit rapid change from one mood to another
3. Impulsivity: uninhibited, acts without thinking
4. Distractibility: difficulty in attending to dominant stimuli, may abnormally fixate on unimportant details
5. Perseveration: attention becomes fixed upon a single task, which is repeated over and over
6. May frequently demonstrate an inability to assimilate, store or recall visual and/or auditory stimuli; inability to identify or discriminate between visual and auditory stimuli

7. May be confused in his/her relationship to the physical environment and become disoriented in a familiar setting such as school, playground and neighborhood
8. May frequently disrupt the classroom, demand attention to an inappropriate degree, speak out of turn or exhibit an inability to control responses
9. May disregard or fail to understand the feelings of others
10. May demonstrate a low tolerance for change, may react inappropriately to stimuli
11. May lack self-sufficiency, seldom initiates appropriate activities, may have limited knowledge or acceptance of age role and may compensate by acting foolish or making fun of others
12. Has difficulty interpreting emotions, attitudes and intentions others communicate through nonverbal aspects of communication (facial expressions and body language)

G. Communicative Abilities

1. Fails to grasp simple word meanings
2. Comprehends words in isolation but fails to comprehend in connected speech
3. Frequently uses incomplete sentences and has numerous grammatical errors as evidenced by poor use of pronouns and verb tenses
4. Unable to organize and express ideas even when adequate information is provided, relates minor or irrelevant details
5. Cannot give clear and appropriate directions
6. Does not recognize and understand figurative language such as alliteration, similes, metaphors, personification, and idioms
7. Uses gestures extensively while talking or in place of speech
8. Cannot predict outcomes, make judgments, draw conclusions or generate alternatives after appropriate discussion

9. Has problems interpreting and/or using vocal pitch, intensity and timing for purposes of communicating subtle distinctions in emotions and intention
10. Asks questions and/or responds to questions inappropriately (especially "wh" and "how" question forms)
11. Has difficulty comprehending and using linguistically complex sentences
12. Has problems acquiring and using grammatical rules and patterns for word and sentence formation
13. Has difficulty interpreting or formulating compound or complex sentences (oral and written), sentences which compare and contrast ideas or show cause-effect relationships
14. Cannot write an organized paragraph using related sentences of varying length and grammatical complexity

H. Physical

1. General coordination poor; awkwardness evident in skipping, climbing, running, walking, jumping, hopping, etc.
2. May fall or stumble frequently or maintain equilibrium by touching tables, chairs or desks when moving about the room
3. May exhibit difficulty with fine motor coordination tasks
4. May have difficulty differentiating between right and left; may exhibit directional confusion, mirror-writing, reversals, inversions or rotations of letters and/or numerals

III. SCREENING INFORMATION

A. Required

1. Hearing
2. Vision

B. Recommended

1. Formal

- a. Group achievement and/or group mental abilities tests
- 2. Informal
 - a. Teacher made or criterion-referenced tests
 - b. Work samples
 - c. Observational data in classes and other settings
 - d. Anecdotal records
 - e. Rating scales
 - f. Checklists
 - g. Response to scientific, research-based intervention

IV. REQUIRED EVALUATION DATA

In evaluating a child suspected of having a specific learning disability, the multidisciplinary evaluation team must include: the child's regular teacher; or if the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; and at least one person qualified to conduct individual diagnostic examinations of children, such as a school psychology specialist, speech-language pathologist, remedial reading teacher or special education teacher.

- A. Social History**
- B. Individual Intelligence (One required)**
- C. Individual Achievement (One required)**
- D. Adaptive Behavior (One required)**
- E. Communicative Abilities (Required as indicated below)**

A comprehensive language screening measure is required. Screening instruments must be established and validated for such use and assess areas of receptive and expressive language. These instruments cannot be single-word vocabulary measures only. Review of social, educational, and communication history and/or classroom observation of communicative abilities should also be utilized. If the student fails the screening or if language is identified as a problem area, a diagnostic measure is required.

F. Other (Required)

1. Learning processes
 - a. Visual perception (One required)
 - b. Auditory perception (One required)
2. Observation

The public agency must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.

The group described in 34 CFR 300.306(a)(1) and §6.06.1.2 and §6.07.1, in determining whether a child has a specific learning disability, must decide to -

- a. Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or
- b. Have at least one member of the group described in 34 CFR 300.306(a)(1) and §6.06.1.2 and §6.07.1 conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with 34 CFR 300.300(a), is obtained.

In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

A written report of the observation must be prepared which includes the following information: the relevant behavior noted during the observation of the child, the relationship of that behavior to the child's academic functioning, length of the observation, day of week and time of day the observation was conducted, any modification(s) implemented by the regular classroom teacher during the observation and the outcome of those modifications.

3. Areas listed below (One required for each deficit area as determined by intellectual, general achievement and educational performance)
 - a. Oral expression;
 - b. Listening comprehension;
 - c. Written expression;
 - d. Basic reading skills;
 - e. Reading fluency skills;
 - f. Reading comprehension;
 - g. Mathematics calculation; or
 - h. Mathematics problem solving.

V. OPTIONAL EVALUATION DATA

- A. Motor Development (Fine and gross motor)**
- B. Vocational Assessment**

VI. EVALUATION DATA ANALYSIS

- A. The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in 34 CFR 300.8, must be made by the child's parents and a team of qualified professionals, which must include -
 1. The child's regular teacher; or
 - a. If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
 - b. For a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
 2. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychology specialist, speech-language pathologist, or remedial reading teacher.

- B.** The group described in 34 CFR 300.306 may determine that a child has a specific learning disability, as defined in 34 CFR 300.8(c)(10), if -
- 1.** The child does not achieve adequately for the child's age or to meet State approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State approved grade-level standards:
 - a.** Oral expression;
 - b.** Listening comprehension;
 - c.** Written expression;
 - d.** Basic reading skills;
 - e.** Reading fluency skills;
 - f.** Reading comprehension;
 - g.** Mathematics calculation; or
 - h.** Mathematics problem solving.
 - 2.** The child does not make sufficient progress to meet age or State approved grade-level standards in one or more of the areas identified in paragraph 1 above of this section when using a process based on the child's response to scientific, research-based intervention; or
 - 3.** The child 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, consistent with 34 CFR 300.304 and 300.305; and
 - 4.** The group determines that its findings under paragraphs 2 and 3 of this section are not primarily the result of -
 - a.** A visual, hearing or motor disability;
 - b.** Intellectual disability;
 - c.** Emotional disturbance;

- d.** Cultural factors;
 - e.** Environmental, or economic disadvantage; or
 - f.** Limited English proficiency.
- 5.** The State does not require the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability. The public agency may use a process based on the child's response to scientific, research-based intervention; and may use other alternative research-based procedures for determining whether a child has a specific learning disability, as defined in this section and 34 CFR 300.8(c)(10).
- a.** If a public agency elects to use a severe discrepancy between intellectual ability and achievement as a factor in the process of determining whether a child has a specific learning disability, the severe discrepancy must be in one or more of the following areas:
 - 1)** Oral expression;
 - 2)** Listening comprehension;
 - 3)** Written expression;
 - 4)** Basic reading skills;
 - 5)** Reading fluency skills;
 - 6)** Reading comprehension;
 - 7)** Mathematics calculation;
 - 8)** Mathematics problem solving.
 - b.** A discrepancy must be documented. It is required that discrepancies be determined by use of regression analysis. This method requires the use of a standard score comparison, meaning that achievement and intellectual functioning scores must be converted to the same standard score scale so that they can be directly compared. Age-based standard scores must be used. [Refer to Appendix D - SLD Eligibility Criteria in Special Education and Related

Services, Procedural Requirements and Program Standards
(ADE, 2008)]

- C.** To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in 34 CFR 300.304 through 300.306 and §6.00 of these regulations -
1. Data that demonstrates that prior to, or as a part of, the referral process the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
 2. Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.
- D.** The public agency must promptly request parental consent to evaluate the child to determine if the child needs special education and related services, and must adhere to the timeframes described in 34 CFR 300.301 and 300.303, unless extended by mutual written agreement of the child's parents and a group of qualified professionals, as described in 34 CFR 300.306(a)(1) -
1. If, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described in paragraphs C 1 and 2 of this section; and
 2. Whenever a child is referred for an evaluation.
- E.** Specific documentation for the eligibility determination. For a child suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in the 34 CFR 300.306(a)(2), must contain a statement of -
1. Whether the child has a specific learning disability;
 2. The basis for making the determination including an assurance that the determination has been made in accordance with 34 CFR 300.306(c)(1);
 3. The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;

4. The educationally relevant medical findings, if any;
5. Whether -
 - a. The child does not achieve adequately for the child's age or to meet State-approved grade-level standards consistent with 34 CFR 300.309(a)(1); and
 - b. The child does not make sufficient progress to meet age or State approved grade-level standards consistent with 34 CFR 300.309(a)(2)(i); or
 - c. The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State approved grade level standards or intellectual development consistent with 34 CFR 300.309(a)(2)(ii);
6. The determination of the group concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental, or economic disadvantage; or limited English proficiency on the child's achievement level; and
7. If the child has participated in a process that assesses the child's response to scientific, research-based intervention -
 - a. The instructional strategies used and the student-centered data collected; and
 - b. The documentation that the child's parents were notified about -
 - 1) The State's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - 2) Strategies for increasing the child's rate of learning; and
 - 3) The parents' right to request an evaluation.

This report must be dated and each group member must certify by signature whether the report reflects each member's conclusion. If the report does not reflect an individual team member's conclusion,

the member must submit a separate statement presenting his or her conclusions.

VII. PROGRAMMING CONSIDERATIONS

The evaluation committee will determine appropriate programming based upon careful analysis of all evaluation information, including the student's observed behavior during an instructional period. Numerous intervention approaches and strategies have been developed for students who have specific learning disabilities. It is the responsibility of instructional personnel to review and evaluate such interventions for appropriateness and effectiveness. However, the emphasis must be on programming which meets individual needs.

Students with SLD often encounter difficulty with materials used in regular classroom instruction. Therefore, modifications in pace, content and/or curriculum may be necessary for those classes.