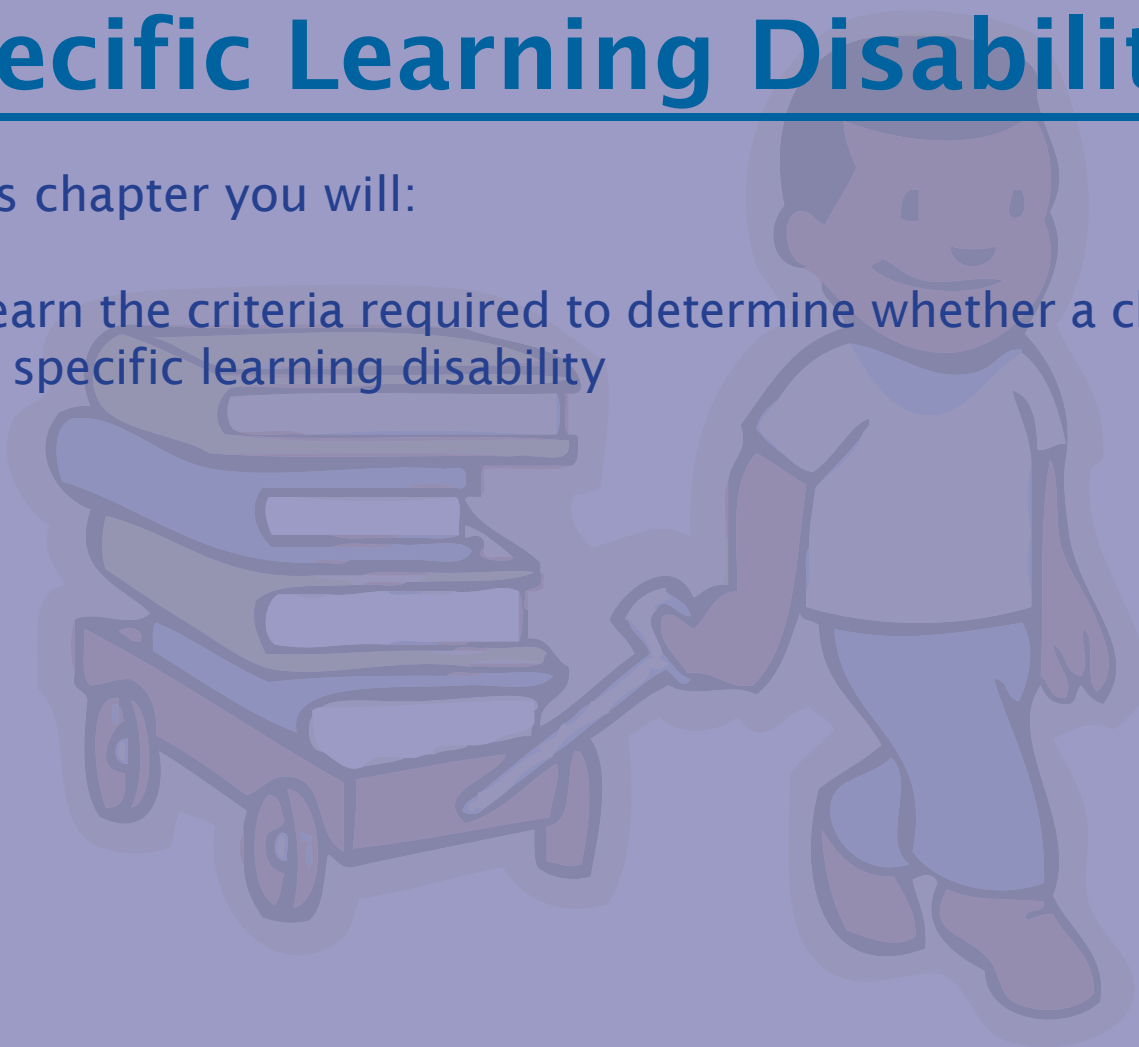


Chapter 5:

Additional Procedures for Specific Learning Disabilities

In this chapter you will:

- learn the criteria required to determine whether a child has a specific learning disability



Overview

IDEA 2004 expanded the specific learning disability determination to require States to adopt criteria that

- does not require the use of a severe discrepancy between intellectual ability and achievement in determining whether a child has a specific learning disability;
- must permit school districts to use an educational process based on the child's response to scientific, research-based instructional interventions; **and**
- may permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability.

Schools in Illinois shall, no later than the beginning of the 2010-2011 school year, implement the use of a process that determines how the child responds to scientific-research-based interventions as part of the evaluation procedure.

SLD may manifest itself in the imperfect ability to:

- » listen
- » think
- » speak
- » read
- » write
- » spell
- » do mathematical calculations

SLD can include conditions such as:

- » perceptual disabilities
- » brain injury
- » minimal brain dysfunction
- » dyslexia

- » developmental aphasia

SLD does not include learning problems that are primarily the result of:

- » visual, hearing, or motor disabilities
- » mental retardation
- » emotional disturbance
- » environmental, cultural, or economic disadvantage

IEP teams cannot determine that a child has an SLD if the child's learning problems primarily result from:

- » lack of appropriate instruction in reading
- » lack of appropriate instruction in math
- » limited English proficiency

Special Education Eligibility Considerations

Within a scientific, research-based intervention process, such as RtI, school teams are able to use student progress data collected at each tier to document a student's response to scientific, research-based interventions as part of the special education evaluation process. Evaluation to determine special education eligibility may occur at any tier, although it typically occurs within Tier 3 when a student either:

- Does not respond to the most intensive interventions or
- Responds to the interventions but is not able to maintain his/her performance if the intensity level is decreased or the interventions are faded.

It is also important to note that a parent may request a special education evaluation at any point during the intervention process. The use of the RtI process cannot delay the evaluation, if needed. The district must fully consider the parents' request and decide whether or not to conduct the evaluation. The district must then notify the parents in

Worth a Look

The procedures for addressing eligibility under the category of SLD can be found at 23 IAC 226.130.

writing of its decision and the reasons for that decision.

State special education regulations require that by the 2010-2011 school year, school districts must use an RtI process as part of the special education evaluation process when a specific learning disability (SLD) is suspected. After using an RtI process for this purpose, a district may also, but is not required to, use a severe discrepancy between intellectual ability and achievement as part of the evaluation process for determining whether a child has a SLD. However, they will not be able use severe discrepancy alone to determine eligibility.

ISBE recognizes that some districts are currently further along in the implementation of RtI and may implement this process prior to the 2010-2011 school year. Additionally, the RtI process may be used as part of the evaluation process for students considered for eligibility in other disability areas.

