



1005 State Street
East St. Louis, IL 62201

East St. Louis Area Joint Agreement
School Districts 188 & 189
Department of Special Services

Phone: (618) 646-3160
Fax: (618) 646-3015

ELIGIBILITY CRITERIA FOR SPECIFIC LEARNING DISABILITIES

“SPECIFIC LEARNING DISABILITIES” DEFINITION

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do perform mathematical calculations. Such terms includes such conditions as perceptual disabilities brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Such terms does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, intellectual disability, emotional disability, or environmental, cultural, or economic disadvantage.

ELIGIBILITY CRITERIA:

For a student to be eligible for Specific Learning Disabilities services, each of the following criteria must be given consideration by a team of qualified professionals as defined in the district’s policies and procedures:

- A) Current achievement levels
- B) Research based assessments and strategies
- C) Formal assessment
- D) Exclusionary factors

Professional judgment, supported by documentation, should be used to address each of the criteria.

The team shall determine that a student has a specific learning disability and is in need of special education and related services when the student meets the criteria described in items A through C. Information about each item must be sought from the parent/guardian and included as part of the assessment data. The assessment data must confirm that the disabling effects of the student’s disability occur in a variety of settings.

A. CURRENT ACHIEVEMENT LEVELS

The student must demonstrate severe underachievement in response to usual classroom instruction. The performance measures used to verify the finding must be representative of the student’s curriculum and useful for developing instructional goals and objectives. The following assessment procedures are required at the minimum to verify this finding:

- (1) Evidence of low achievement from sources such as cumulative record reviews, classwork samples, anecdotal teacher records, formal and informal tests, curriculum based assessment results.

- (2) At least one team member other than the student's general education teacher shall observe the student's academic performance in the general classroom setting. In the case of a student served through an Early Childhood Special Education program or who is out of school, a team member shall observe the student in an environment appropriate for a student of that age.

B. RESEARCH BASED ASSESSMENTS OF STRATEGIES

The student must demonstrate a severe discrepancy between general intellectual ability and achievement in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematical calculation, or mathematical reasoning. The demonstration of a severe discrepancy shall not be based solely on the use of standardized tests. The team shall consider these standardized test results as only **one** component of the eligibility criteria.

- (1) The instruments used to assess the student's general intellectual ability and achievement must be individually administered and interpreted by an appropriately licensed person using standardized procedures.
- (2) For initial placement, the severe discrepancy must be equal to or greater than 1.75 standard deviations below the mean of the distribution of difference scores for general population of individuals at the student's chronological age level.

C. FORMAL ASSESSMENT

- (1) The student has an information processing condition that is manifested by such behaviors as: inadequate or lack of organizational skills (such as in following directions, written and oral; spatial arrangements; correct use of developmental order in relating events; transfer of information onto paper), memory (visual and auditory), expression (verbal and nonverbal), and motor control for written tasks such as pencil and paper assignments, drawing, and copying.
- (2) The disabling effects of the student's information processing condition occur in a variety of settings.
- (3) The student's underachievement is not primarily the result of: vision, hearing, or motor impairment, mental impairment, emotional or behavioral disorders, or environmental, cultural, economic influences, or a history of an inconsistent education program.

D. EXCLUSIONARY FACTORS

The presence of the following factors and criteria would preclude the possibility of specific learning disability services under IDEA.

- I. ***Determinant Factors*** – The determinant factor for the student's suspected disability may not be:
 - (a) Lack of appropriate instruction in reading, including the essential components of reading instruction.
 - (b) Lack of appropriate instruction in math.

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:

1. Data that demonstrate, prior to the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel;
 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 parent(s)
 3. Limited English proficiency.
- II. ***Exclusionary Criteria*** – The following factors may not be the primary basis for the student's learning difficulties:
- (a) A visual, hearing, or motor disability;
 - (b) Intellectual disability;
 - (c) Emotional disability;
 - (d) Cultural disadvantage;
 - (e) Environmental or economic disadvantage.

EXIT CRITERIA

The termination of placement of a student from Specific Learning Disability services is based on the degree to which the disability interferes with the student's ability to learn in the regular classroom setting.

A team of qualified professionals shall conduct a meeting at which the parent(s) have been afforded a reasonable opportunity to attend and participate. The team shall consider the following essential elements when considering the termination of services:

- (a) Results of criterion-referenced, curriculum-based measurements, achievement of annual goals and short-term objectives within the proper scope and sequence of skills, and/or the student's response to scientific, research-based interventions
- (b) Adaptation of methods and materials used to meet the student's needs
- (c) Provision of specialized instruction and formal and informal evaluation
- (d) Monitoring of student progress and parent communication.

RESPONSE TO INTERVENTION (RTI)

Before students can be eligible for special education services, researched-based interventions must be utilized based on Individuals with Disabilities Education Act (IDEA). According to the National Joint Committee on Learning Disabilities (2005), Response to Intervention, or RTI, is the practice of:

- (1) Providing high-quality instruction/intervention matched to student needs
- (2) Using learning rate over time and level of performance to make important educational decisions although there is no single, widely-used "model" for Response to Intervention, it is generally defined as a three-tier model that uses research-based interventions designed to help a student become more successful, rather than focusing on his lack of success.

The whole idea of RTI is to prevent students from developing more serious academic and behavior problems. The earlier we catch potential problems, the better chance of students being successful.

A key element of an RTI approach is the provision of early intervention when students first experience academic difficulties, with the goal of improving the achievement of all students, including those who may have SLD. In addition to the preventive and remedial services this approach may provide to at-risk students, it shows promise for contributing data useful for identifying SLD. Thus, a student exhibiting:

- (1) Significantly low achievement.

AND

- (2) Insufficient RTI may be regarded as being at risk for SLD and, in turn, as possibly in need of special education and related services. The assumption behind this paradigm, which has been referred to as a dual discrepancy (L.S. Fuchs, Fuchs, & Speece, 2002), is that when provided with quality instruction and remedial services, a student without disabilities will make satisfactory progress.