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Specific Learning Disability

April 2022

**1) Myth:** A student can be found eligible for SLD in the area of reading.

**Fact:** While a student may exhibit difficulties in the area of reading, it is required that the team drill down from a broad eligibility category such as SLD in reading, to a more specific subcategory or area of SLD eligibility, such as basic reading skills, reading fluency and/or reading comprehension. The specific area or subcategory of SLD must be identified in the eligibility determination section of the evaluation report and on the PWN for initial eligibility. The 8 identified areas of SLD subcategories are listed in the 1400 section of the MO Standards and Indicators.

1. Basic Reading Skill
2. Reading Comprehension
3. Reading Fluency Skills
4. Written Expression
5. Mathematics Calculation
6. Mathematics Problem Solving
7. Listening Comprehension
8. Oral Expression

In order to accurately determine which specific areas or subcategories a student may be eligible under, teams should thread referral concerns, information from the RED, and data from the evaluation to support the identification of SLD in the specific subcategories. If teams are uncertain as to which skills fall under each category, please refer to the [SLD Observation Guidance Chart](https://dese.mo.gov/media/pdf/specific-learning-disability-observation-guidance-chart).

2) **Myth:** Students can be found eligible for SLD only if they have a 22 point discrepancy between ability and achievement.

**Fact:** Missouri has 3 different methods by which an LEA could make an SLD eligibility determination. As noted in the Missouri Office of Special Education Compliance Standards and Indicators, 1400.20 outlines the three methods of SLD eligibility determination as follows:

1. Response to Scientific Research-Based Interventions Method (1400.20 a-c) or the RTI method. When using this method of SLD eligibility determination, the LEA must have clearly defined RTI policies and procedures, including a board approved policy that outlines how an RTI method will be used for eligibility purposes. LEA’s who chose this method of SLD eligibility determination must follow all requirements listed in [Missouri’s RTI Guidance](https://dese.mo.gov/media/pdf/rti-guidelines-12142021)
2. Discrepancy Method (1400.20 d-e) When using this method teams must document evidence showing that the student demonstrates a pattern of strengths and weaknesses in performance, achievement, or both relative to age, State approved grade level standards, or intellectual development. The evaluation report must contain evidence of a pattern of strengths **and** weaknesses and a discrepancy of 1.5 standard deviations between achievement and academic ability.
3. Professional Judgment (1400.20 f-g) When using this method teams must have evidence that, although the student did not meet the discrepancy of 1.5 standard deviations (as stated above), they exhibit a pattern of strengths and weaknesses **and** inadequate achievement or lack of progress based on a review of formal and informal assessment data. Professional judgment should only be used in cases in which the team has a considerable amount of convergent data that substantiates a SLD. Teams will need to note their use of professional judgment and thoroughly describe that decision within the evaluation report, including the data analysis they conducted to determine the student is eligible under SLD using the professional judgment method.

**3) Myth:** If a student has a 22 point discrepancy between achievement and IQ, then they automatically meet SLD eligibility.

**Fact:** In addition to meeting criteria by one of the methods mentioned above, teams still have to establish that there is an adverse educational impact and that the student demonstrates the need for special education and related services. That adverse impact and need for special education comes from the concerns noted at referral, the information shared at the review of existing data AND the testing information just gathered. All of those things must substantiate the need for specially designed instruction and must be outlined in the evaluation report. Merely meeting the 22 point discrepancy on an academic achievement test does not equate to SLD eligibility.

**Example:** Student met 22 point discrepancy based on the Written Language composite score of an achievement measure such as the WIAT 4 or KTEA 3. Team analyzed achievement measure data and determined it was the student’s performance on the spelling subtest that brought the written expression composite score down to discrepancy criterion level, not the more traditional writing skills portion of the assessment. While the student technically met the 22 point discrepancy on the composite score for written language, the team determined there was no adverse educational impact because there had been no concerns with the student’s spelling noted at any stage of the evaluation process (referral through evaluation) nor did the team have concerns that the student’s spelling was impacting his/her ability to achieve grade level standards in writing. Therefore the team could not establish adverse educational impact or the need for specially designed instruction in writing so the student was ineligible for special education.

5) **Myth:** When using the discrepancy method to establish SLD eligibility, a single subtest score can be used to establish a discrepancy between achievement and intellectual ability.

**Fact:** A single subtest score does not provide the reliability necessary to determine if a discrepancy exists between achievement and intellectual ability. Making eligibility determinations is a high stakes decision that should only be made using data that conforms to high levels of reliability and validity. The reliability and validity of individual subtests can vary greatly among achievement measures. Determining the existence of discrepancy between achievement and intellectual ability based on a single subtest score is a relatively unsound psychometric practice due to the inherent nature of a single subtest being low in reliability. To increase the reliability and validity of SLD eligibility determinations, teams should use scores such as cluster scores or composite scores, or multiple subtest scores when determining if a discrepancy between academic achievement and ability exists.

*Evaluators should be cognizant of test and cluster score reliabilities for any score that is used in making long-term decisions. The WJ IV test score reliabilities are sufficient to excellent for interpretation at the test level, for analysis of individual strengths and weaknesses, and for suggesting instructional recommendations.* ***However, a single test score is not considered sufficient for making a generalization about a disorder in a basic psychological process or a performance deficit in a broad area of achievement****. In most cases the related WJ IV cluster scores will provide higher reliability because they are composed of two or more tests. Because score reliability is a facet of validity, evaluators will want to ensure that any scores that are used to make broad generalizations or document the presence and severity of a disability possess a high degree of interpretive reliability.* (Riverside Insights, Woodcock Johnson Technical Assessment Bulletin, 2017)

To assist teams in understanding and determining which scores can be used to determine if a discrepancy exists, DESE has developed the SLD Discrepancy Score guidance. See the [Discrepancy Score Decision Making Chart](https://dese.mo.gov/media/file/discrepancy-score-decision-making-chart).

**5) Myth:** SLD determinations can be made using the data from one achievement measure.

**Fact:** IDEA (34 CFR 300.304) states that no single measure or assessment is used as the sole criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for a child. In addition, IDEA states that a variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the student.

Multiple pieces of data must be used to confirm or deny the existence of any disability. Data sources that the team could use to either rule in or rule out a SLD, include informal classroom assessments, benchmark data, formative and summative classroom and grade/course level assessments, MAP/EOC data, district assessments, dyslexia screener data, grades, formal observations, informal teacher performance summaries, and curriculum based measures. These multiple sources of data must be triangulated and converge in order to confirm the existence of a SLD. If the data sourcesdo notconverge or if they point to other responsible factors for the student’s difficulties in learning besides a specific learning disability (lack of instruction, excessive absences) then the student should not be found eligible using SLD eligibility criteria.

**6) Myth:** When determining cognitive ability for a student, teams may use any cognitive score (i.e. the Verbal Comprehension score, the Fluid Reasoning score, etc.) as long as it is a standardized cognitive test.

*(NOTE: Various cognitive measures use different terminology to refer to the full scale or global IQ score. Please refer to the manual for the specific measure to find the terminology associated with the scores obtained from the measure. For this question we are using full scale score to refer to a score of overall cognitive ability.)*

**Fact:** Generally, teams should use the full scale score as the cognitive score reference when using the discrepancy method for SLD eligibility. However, there are instances in which the full-scale score may not be the most appropriate representation of the student’s cognitive ability. When determining which score to use, teams should always follow the test publisher’s guidance *and* must fully explain in the evaluation report why the full scale score does not provide the most appropriate representation of the student’s cognitive ability. There must be a clinically compelling reason stated in the evaluation report, supported by the test publisher’s scoring guidance, justifying why the team chose to use a score other than the full scale IQ score. For instance, in some circumstances there may be a significant and unusual difference between specific index score pairings on the WISC V. When this occurs the score report for the WISC V will highlight the significant and unusual difference and specifically state if the cognitive score of the student would be better represented by using a score such as the GAI (Global Ability Index) or the CPI (Cognitive Processing Index) score. If the score report does not indicate a clinically compelling reason (per the publisher’s scoring guidelines) for a score other than the full scale score to be used to represent the student’s cognitive ability then the full scale score should be used. The decision to use a score other than the full scale IQ score must be supported by evidence from the test publisher’s scoring guidelines and clearly documented in the evaluation report before it can be used to represent the cognitive ability of the student. Teams cannot use a score other than the full scale IQ score without a clinically compelling reason that is supported by the test publisher’s scoring guidance.

A comprehensive intelligence test should be used to measure a student’s cognitive ability. Teams should not use a brief intelligence test, such as the K-BIT (Kauffman Brief Intelligence Test) for eligibility determinations. If a team determines a Non-verbal IQ test would best measure a student’s cognitive ability (i.e. the child is a student where English is a second language, the child is hearing impaired or the child has a significant language impairment) then explanation of the factors considered in making this determination should be clearly explained in the report.

**7) Myth:** When reviewing the data profile of a SLD student, there will not be any clear strengths or weaknesses.

**Fact:** One of the hallmark characteristics of a specific learning disability is the existence of a pattern of strengths and weaknesses in a student’s achievement profile. The criteria in the Missouri Compliance Standards and Indicators states that in order to find a child eligible as a student with a specific learning disability, when using either the discrepancy model or professional judgment, the child must exhibit a pattern of strengths and weaknesses in performance, achievement, or both relative to age, State approved grade-level standards, or intellectual development. Students identified with a specific learning disability exhibit unexpected patterns of learning. Their lack of learning is unexpected because their general ability level indicates they should be performing better than is currently being exhibited and that lack of learning cannot be attributed to any of the exclusionary factors noted in the MO Standards and Indicators.

Teams must clearly document patterns of strengths and weaknesses in the evaluation report as this helps to establish the adverse educational impact. When describing the strengths and weaknesses in the evaluation report, make sure the narrative is student specific and can be supported by data collected throughout the entire evaluation process (referral through evaluation).

**9) Myth:** Students with SLD have below average IQs**.**

**Fact:** Students with Specific learning disabilities typically have what is defined as “unexpected” difficulties with learning specific skills such as reading, writing, math, and language due to a neurodevelopmental disorder. The learning difficulties are “unexpected” in the sense that other aspects of development seem to be fine or within normal ranges. IDEA states specific exclusionary factors for teams to consider when determining if a student is eligible under the category of SLD. Teams must rule out an intellectual disability as the primary cause for the student’s learning difficulties. Students with significantly below average intellectual ability will experience learning difficulties that would be expected given their cognitive ability level. In addition, teams need to examine achievement profiles for defined strengths and weaknesses. Students with SLD will show patterns of strengths and weaknesses where typically a student with significantly subaverage cognitive ability will present with less variability within their achievement profiles.

**10) Myth:** If a student has an above average IQ or is gifted, they are not able to be found eligible for SLD.

**Fact:** Missouri SLD criteria (1400.20) states*: 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*. Ability and achievement referencing must be individualized and based upon the unique needs, weaknesses and strengths of the student. If the student has an above average IQ, that does not preclude them from being eligible for SLD. A student with an above average IQ may be making passing grades yet still demonstrate the need for special education based on the unexpected difficulties with learning that are in comparison to their unique ability level and intellectual development.

 *OSEP Letter to Lillie Felton (1995): There is no categorical exclusion for children with high IQ’s in Part B, therefore if a student with a high IQ is not achieving at his expected performance stand for reasons other than those specified in IDEA 300.309 (a)(3) (exclusionary factors) and otherwise meets the criteria for that disability, the child can be identified within the meaning of that disability. Each child who is evaluated for suspected SLD must be measured against his own expected performance, not against some arbitrary general standard.*

Keep in mind, though, that students must meet *all* of the criteria to be identified as a student with a specific learning disability, including the existence of adverse educational impact and the need for special education services, i.e. specially designed instruction. A student with an above average intellectual score may meet the 1.5 standard deviations criteria in an area, but may not demonstrate any adverse educational impact in the curriculum so the student may not need special education. These are team decisions based on individual students.

**11) Myth:** If a student does not meet the 22 point discrepancy threshold, we can “RTI” them into special education.

**Fact:** Missouri only recognizes the use of RTI methodology for the category of SLD. When using an RTI methodology approach to SLD determinations, it is important to remember that Missouri has RTI guidelines that must be in place prior to using this method for SLD eligibility determination. Districts must have a board approved RTI policy, and this policy must align with Missouri RTI guidelines. In addition, RTI must be used according to an approved set of procedures. As stated in Missouri’s RTI guidelines, RTI cannot be used on an individual, student by student basis or used when a student does not meet discrepancy criterion. Missouri has two RTI documents to assist schools in using RTI for SLD eligibility

[Missouri RTI Guidelines](https://dese.mo.gov/media/pdf/rti-guidelines-12142021)

[Missouri RTI Guidance](https://dese.mo.gov/media/pdf/response-intervention-guidance)

**12) Myth:** We don’t have to consider the impact the lack of instruction may have on a student before we determine the student is eligible under the category of SLD.

**Fact:** IDEA requires teams to rule out specific factors being the primary cause of learning difficulties for students who are suspected of having a specific learning disability. These specific factors are referred to as exclusionary factors.

*Exclusionary Factors are potential primary and contributory causes of academic skill weaknesses or deficits that are largely external to the individual, noncognitive in nature, or the result of a condition other than SLD (Flanagan, Ortiz, & Alfonso, 2013)*

Wording in the Missouri State Plan aligns directly with IDEA’s definition of SLD by incorporating the exclusionary factors that must be ruled out as the primary cause of the student’s learning problems within Missouri's definition of SLD.

T*he term (SLD) does not include learning problems that are primarily the result of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or, limited English proficiency. (Missouri State Plan for Special Education, pg. 28)*

In addition to the exclusionary factors mentioned above, teams must also rule out lack of appropriate instruction in reading, including the essential components of comprehensive literacy instruction (as defined in section 2221(b)(1) of the ESEA) and lack of appropriate instruction in math (Missouri State Plan in Special Education, pg. 28).

Teams should carefully examine the attendance and instructional history of each student who is being evaluated for a disability. In some cases, it can be difficult to tease out if a lack of instruction is the primary cause of the student’s underachievement. Teams need to examine various data sources related to curriculum effectiveness, attendance, and response to interventions. For example, teams should examine class-wide and building-wide benchmark data and screening data for signs that core instruction and curriculum may not be meeting the needs of the majority of students in the class or building. Teams should also examine attendance history to see if there are any gaps in instruction due to extended illnesses, homeschooling or multiple school transitions that may be impacting the continuity of instruction for the student.

For students who may have experienced disruptions to their education due to Covid, it is helpful for teams to compare pre-Covid achievement data to current levels of functioning in an attempt to gain an understanding of how the Covid related disruption may have impacted achievement.

For any instance in which a team may suspect that the lack of instruction in literacy and/ or math may be the primary cause for the student’s underachievement, collecting and analyzing intervention data is a crucial piece to determining if the student’s weaknesses are correlated to lack of instruction or a disability.

If the team notes that the primary cause for the student’s underachievement is lack of appropriate instruction in literacy or math, the student cannot be found eligible as a student with a disability.

Idaho has developed a workbook of questions teams can use to examine the possible impact of the exclusionary factors.

This workbook can be found here: [Consideration of Exclusionary Factors When Considering Specific Learning Disability (idaho.gov)](https://www.sde.idaho.gov/sped/sped-manual/files/chapters/chapter-4-evaluation-and-eligibility/Exclusionary-Factors-Worksheet.pdf)

Link to Idaho SLD exclusionary factor worksheets. [Consideration of Exclusionary Factors When Considering Specific Learning Disability](https://www.sde.idaho.gov/sped/sped-manual/files/chapters/chapter-4-evaluation-and-eligibility/Exclusionary-Factors-Worksheet.pdf)