

MERRITT ACADEMY

**Process for determining the
existence of a specific learning disability.**

SEPTEMBER 1, 2010

Requirement to Make Public School District Processes for
Determining the Existence of a Specific Learning Disability.

Consistent with the Individuals with Disabilities Act of 2004 (IDEA) regulation § 300.307(a), the Office of Special Education and Early Intervention Services has established the criteria that must be followed to determine the existence of a Specific Learning Disability (SLD). Furthermore, on or before September 1, 2010, each local educational agency (LEA) and public school academy (PSA) must publicly post on their web site, or make public through other means, the process or combination of processes which will be used by the LEA or PSA to determine the existence of a SLD. (§ 300.307(b) and § 300.600(d)(2)).

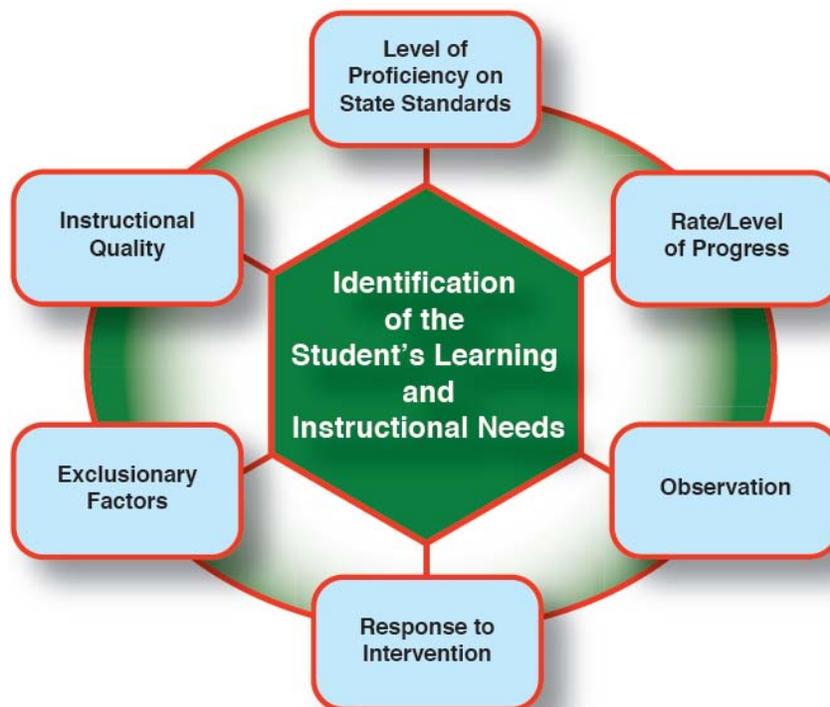
Each local district and public school academy in Michigan is required to publicly post the process used to determine the existence of a Specific Learning Disability (SLD). The goal of this document is to outline Merritt Academy's process for determining the existence of a specific learning disability. In 2008, the State of Michigan modified the definition of a learning disability to (1) no longer require the use of a severe discrepancy between intellectual ability and achievement, (2) permit the use of a process based on the student's response to scientific, research-based intervention, and (3) to permit the use of other alternative research-based procedures. The core of the definition remained:

Specific learning disability" means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the 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. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of cognitive impairment, of emotional impairment, of autism spectrum disorder, or of environmental, cultural, or economic disadvantage.

This model follows the Michigan Department of Education guidance and federal regulations for the identification of Specific Learning Disabilities (SLD) emphasizes the comprehensive, full and individual evaluation as a process of data collection that includes multiple methods of assessing student performance with input from parents, teachers, teacher consultants, speech language pathologists, school psychologists and other pertinent staff. The purpose of the evaluation is to gather the best and most comprehensive information possible to make valid and appropriate recommendations as to the student's eligibility for special education and, more importantly, provide educationally relevant recommendations for instructional strategies, supports and services.

The following factors should be considered as part of an evaluation for specific learning disabilities at Merritt Academy: Instructional Quality, Level of Proficiency on State Standards, Rate/Level of Progress, Observation, Response to Intervention, and Exclusionary Factors.

Figure 1. Factors to be considered in the Identification of Students Learning and Instructional Needs.



Instructional Quality: Federal law requires schools to ensure that students were provided with appropriate, evidence-based instruction that is delivered by a highly qualified teacher as defined by federal criteria.

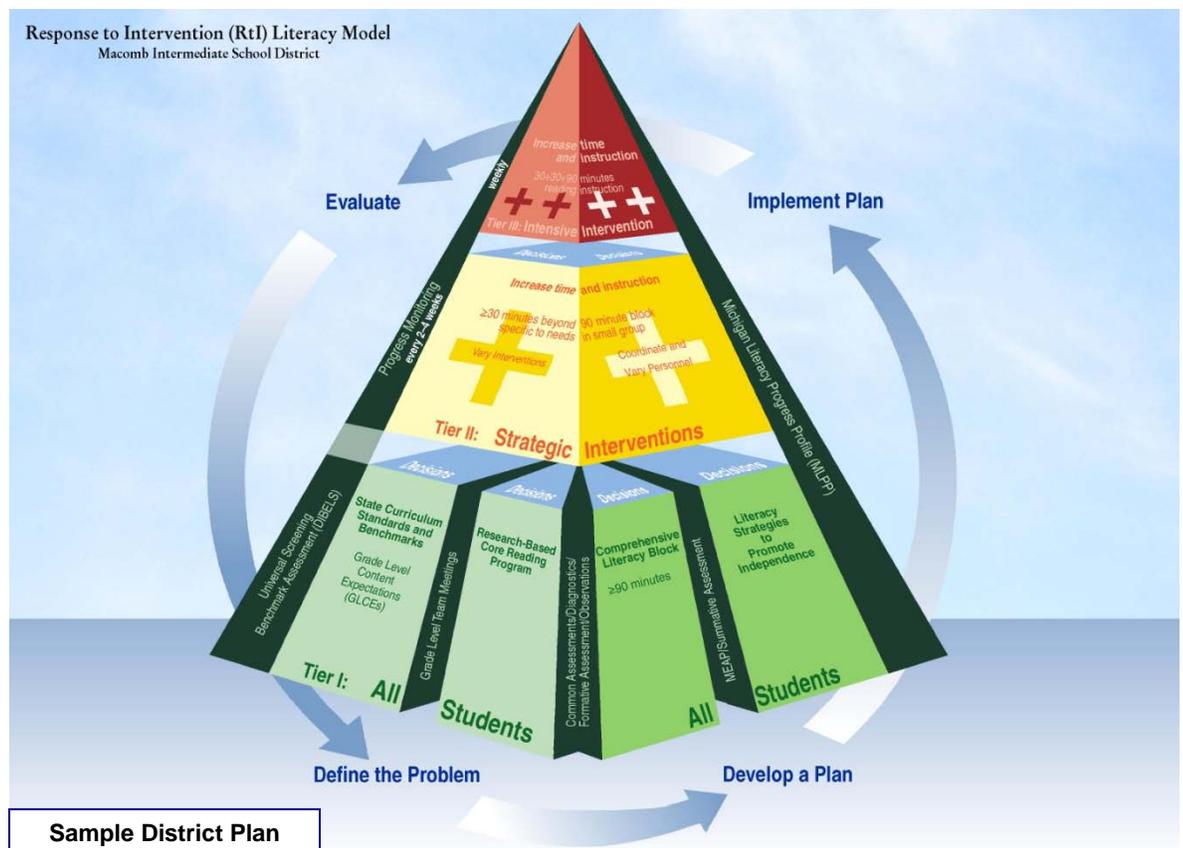
Level of Proficiency State Standards: Student progress in learning state standards is a fundamental consideration for instructional planning and for understanding student educational performance levels. The team considers the student's level of proficiency with state standards, as measured by state assessments and/or district benchmarking assessments.

Rate/Level of Progress: Data representing repeated measures of student performance are analyzed to determine the probability of a specific learning disability. Repeated measures of student rate/level of progress may include progress monitoring data, benchmark assessments, classroom assessments, or other measures that occur at reasonable intervals.

Observation: An observation of the student of concern must address academic performance and behavior in the specific areas of difficulty. The observation must be conducted in the student's learning environment as determined by the evaluation team.

Response to Intervention: Academic interventions, whether formalized in school procedures or through teacher efforts to provide supplementary instruction, must be documented with attention to the fidelity of the efforts to impact student achievement. A lack of sufficient progress in response to increasingly intensive research based interventions may indicate the need to consider further evaluation for specific learning disabilities.

Figure 2. Merritt Academy's RtI Model Sample District Plan



Exclusionary Factors: Before making attributions of disability within the student, the team must consider all other factors that could explain the performance patterns and the lack of student response to instruction. The team must consider the student's progress in the context of his/her opportunity, past experiences, sensory, health, language, culture, school attendance and developmental challenges.

Evaluation Plan: The districts will insure that a multisource, multi-method full and individual evaluation consistent with the Individuals with Disabilities Education Act (IDEA) evaluation procedures and additional requirements for evaluations and reevaluations is conducted.

The evaluation planning process will incorporate the gathering of information from the variety of sources.. The evaluation plan follows from a review of the existing and relevant educational data. Following data gathering, the multidisciplinary evaluation teams will determine the students' eligibility by reviewing the student's **pattern of strengths and weaknesses** and **response to intervention**. The multidisciplinary evaluation teams will include instructional recommendations as part of the evaluation process.

Summary

In summary, this document outlines the Merritt Academy's process for determining the existence of a specific learning disability. The integration of the aforementioned areas as part of the comprehensive evaluation leads to the development of educationally relevant recommendations for the student, whether determined eligible as a student with a Specific Learning Disability or not. A comprehensive evaluation should carefully review all evidence from multiple sources over time to make a thoughtful, ethical, and valid determination of eligibility.

Definitions:

Response to Scientific, Research-Based Intervention: is a process to determine if a student has a SLD. This process involves the collection of data to determine the following:

- The student does not achieve adequately for the student's age or to meet State approved grade-level standards in one or more of the areas identified at 34 CFR §300.309(a)(1)(i) when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards.
- The student does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified at 34 CFR §300.309(a)(1)(i) when using a process based on the student's response to scientific, research-based intervention.

Pattern of Strengths and Weaknesses: a process that is used to determine if a student has a SLD. This process involves the collection of data to determine the following:

- The student does not achieve adequately for the student's age or to meet State approved grade-level standards in one or more of the areas identified at 34 CFR §300.309(a)(1)(i) when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards.
- The student 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 Multi-disciplinary Evaluation Team (MET) to be relevant to the identification of a SLD, using appropriate assessments, consistent with the IDEA Evaluation Procedures and Additional Requirements for Evaluations and Reevaluations.

Source: Michigan Department of Education Office of Special Education and Early Intervention Services (2010). *Michigan criteria for determining the existence of a specific learning disability*. Lansing, MI: Author.