

The purpose of this document is to provide members of the Multidisciplinary Evaluation Teams (MET) with a framework for determining eligibility for special education under Specific Learning Disability (SLD). These guidelines are in effect beginning with the 2011-2012 school year and will be applied to all evaluations *initiated* during this school year.

What is a Specific Learning Disability?

In 1969 the Children with Specific Learning Disabilities Act was enacted for the first time mandating support services for students with learning disabilities. When the Education for All Handicapped Children Act (EAHCA), later renamed Individuals with Disabilities Education Act (IDEA), was passed by Congress in 1975, specific learning disability became an eligibility category under special education, ensuring a “free, appropriate public education” for all students. The Act (EAHCA) provided the following definition of a specific learning disability:

The term “specific learning disability” means a disorder in one or more basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, speak, read, write, spell, or do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning disabilities which are primarily the result of visual, hearing, or motor handicaps, or mental retardation, or emotional disturbance, or of environmental, cultural, or economic disadvantage.

While the federal definition of a SLD, provided a description of what a learning disability is, and is not, it failed to address how Local Educational Agencies (LEA’s) were to identify students as learning disabled. To address this issue, the U.S. Department of Education issued regulations in 1977 intended to operationalize the identification of SLD’s:

...the team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas: (i) Oral expression; (ii) listening comprehension; (iii) written expression; (iv) basic reading skills; (v) reading comprehension; (vi) mathematics calculation; or (vii) mathematics reasoning.

While the severe discrepancy model has been used to identify students with a learning disability, the lack of research that exists to validate the ability-achievement discrepancy model has been a concern. Other issues associated with the discrepancy model include the following:

- The discrepancy model creates a “wait to fail” practice, as students often must fail for years before they are far enough behind to exhibit a discrepancy.
- Unless considered individually, psychological processes associated with SLD may impact performance on general measures of cognitive ability, thereby reducing ability-achievement differences.
- Any number of different formulas can be used in the calculation of a discrepancy, each of which will produce different results.
- The discrepancy approach does not reliably differentiate disabled and non-disabled struggling readers, or predict which students will benefit from or respond differently to scientific, research-based instruction.

- Sole reliance upon the discrepancy formula fails to differentiate between students who have a SLD and those whose underachievement may be related to poor instruction, lack of experience, or other factors.

*Information adapted from Lichtenstein (2008)
Wayne County Committee for Specific Learning Disabilities (2009)
Vellutino, Scanlon, and Lyon (2000)*

In a report addressing the most recent reauthorization of IDEA in 2004, the Senate commented that:

The committee believes that the IQ-achievement discrepancy formula, which considers whether a child has a severe discrepancy between achievement and intellectual ability, should not be a requirement for determining eligibility under the IDEA. There is no evidence that the IQ-achievement discrepancy formula can be applied in a consistent and educationally meaningful (i.e., reliable and valid) manner.

In addition, this approach has been found to be particularly problematic for students living in poverty or culturally and linguistically different backgrounds, who may be erroneously viewed as having intrinsic intellectual limitations when their difficulties on such tests really reflect lack of experience or educational opportunity.

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In response to the 2006 IDEA regulations, the Michigan Department of Education revised its administrative rules regarding SLD determination. These revisions were further clarified in a letter from Jacquelyn J. Thompson, Director of the Office of Special Education and Early Intervening Services on January 22, 2009. In addition, the *Michigan Criteria for Determining the Existence of a Specific Learning Disability* document was developed and has been revised (Michigan, 2010). The guidance in this document includes:

- The determination of SLD requires a full and individual evaluation consistent with federal regulations.
- Districts may use a pattern of strengths and weaknesses in determining SLD, though the Department does not mandate any specific process to determine such a pattern. A pattern of strengths and weaknesses is not the same as severe discrepancy.
- Districts may use a process based on a student's response to scientific, research-based interventions, but the Department does not mandate any specific process.
- A severe discrepancy must never be used alone to determine SLD, and must not be used within a response to scientific, research-based intervention process.