



Wyoming School Psychology Association

Position Statement on Determination of Specific Learning Disabilities

Background

The determination that a child has a specific learning disability (SLD) and needs special education involves a multi-step process that follows a set of carefully designed rules. The goal is for each child to receive the instruction, support and services needed to succeed in school. The definition of a learning disability and the way it has been identified has changed over the years. There is not agreement on the role cognitive assessment has in eligibility determination. Some evaluators feel that the cognitive strengths and weaknesses must directly correlate with the cognitive processes associated with the academic task and the observed deficit, a method called a pattern of strengths and weaknesses (PSW) (Miciah et al., 2015). Others continue to work under the belief that there must be a significant discrepancy between a person's intelligence quotient (IQ) score or ability/potential and their academic achievement. Still others argue that the students lack of response to a targeted academic intervention (RTI/MTSS) is evidence enough that a person has a SLD (Whittaker & Burns, 2019).

The Wyoming School Psychology Association (WSPA) recognizes the need to change our current discrepancy model criteria for identifying students with a specific learning disability to a practice that is both fair and scientifically sound. This position statement addresses key issues and concerns regarding determination of SLD that have been expressed nationwide by educators and parents.

One of the key issues that needs to be addressed is the eligibility of the low performing students who have a below average cognitive ability. These students have the greatest needs and limited avenues of support.

The Diagnostic and Statistical Manual (DSM-5) considers SLD to be a type of Neurodevelopmental Disorder that impedes the ability to learn or use specific academic skills (reading, writing, or arithmetic), which are the basis for other academic learning. The learning difficulties are 'unexpected' in that other aspects of development seem to be fine. The DSM-5 SLD criteria included two major changes (Tannock 2014). First, it categorized the three major academic domains (reading, writing, and math) into one specific learning disability category, thus eliminating the need to define the subtype. This change may be beneficial in understanding that a student's Individual Education Plan (IEP) is written based on a student's need and not their disability classification. The second major change eliminated the IQ-achievement discrepancy requirement and replaced it with the need to meet all four of the following basic criteria:

1. Learning difficulties are present for at least six months despite receiving targeted interventions.
2. The academic skills are significantly below same age or grade students and cause impairment in academic, occupational, or everyday activities. The skill deficits are confirmed by a comprehensive clinical assessment.
3. The onset of problems began during school-aged years.
4. Other factors such as hearing, vision, intellectual disability, language proficiency, and lack of instruction must be ruled out as the cause of the skill deficit (American Psychiatric Association, 2013).

Evaluators have long considered IQ tests a critical piece in determining SLD. This practice has statistical and conceptual flaws (Stuebing et al., 2002; Stuebing et al., 2009; Simos et al., 2014; Tanaka et al., 2011), so the DMS-5 eliminated it as a requirement for the diagnosis of SLD except for the purpose of ruling out an Intellectual Disability, if necessary. However, cognitive assessment may still be useful to help develop an intervention plan by finding the student's learning strengths and weaknesses (Selective Use of Data on Cognitive Assessments, n.d.). This change suggests educators can now provide special education services to students who have lower cognitive skills (above 70 but below average) under the SLD umbrella. In the state of Wyoming we have been able to identify students as SLD who have cognitive abilities of 70 or above based on Chapter 7, Table A (if there is a discrepancy). The ability score goes down to 70 (on the regression conversion table).

SLD Identification Process

Without the need for a formal IQ test, the comprehensive evaluation would need to have a greater focus on formal and informal educational data, as well as parent and teacher input (University of Texas System/Texas Education Agency, 2019). This focus will help determine if the academic deficit causes significant impairment in the student's life. As the first step in the evaluation process, the general education staff provides evidence that the student received appropriate instruction.

When needed, a comprehensive evaluation should be completed for the purpose of finding the best educational programs and classroom accommodations for students. All evaluation components should have a purpose in determining special education eligibility and designing the educational programs.

When it comes to determining SLD eligibility, evaluation teams should have a streamlined approach. The team should include an IQ assessment in the evaluation plan if determined necessary to rule out intellectual disability as the cause of underachievement. WSPA believes a comprehensive evaluation must not include the use of a severe discrepancy between intellectual ability and achievement, as there is extensive evidence of conceptual and statistical flaws in this approach (Gresham & Vellutino, 2010). Furthermore, the Individuals with Disabilities Education Act (IDEA) encourages using methods other than severe discrepancy for SLD identification (IDEA, 2004). The most obvious flaw in the severe discrepancy model is the increased difficulty of students with below average IQ to qualify for special education (SPED) even though they are more likely in need of SPED. The following are also areas of concern:

- Students with low average or below average IQ scores do not meet criteria as easily.
- The specialized instruction is designed for lower academic skill improvement regardless of IQ.
- Assessing cognitive ability to meet arbitrary and outdated standards is a waste of student and staff time (does not benefit the student unless the information is used to drive interventions).
- IQ and achievement tests are not mutually exclusive; they often measure the same skills.
- Environmental factors influence both IQ and achievement.

- Students who come from families with limited language usage have lower verbal IQ scores.
- Students perform differently in different schools, classrooms, and communities based on school climate, student motivation, family support, and/or teacher abilities. Some students with low academic skills would perform average when compared to their classmates in low performing schools and not need SPED (Whittaker & Burns, 2019).

An assessment of selected cognitive processes may be part of a comprehensive evaluation; however, in many cases the IQ tests only add to the testing time and effort and do not play a role in intervention plans. A comprehensive evaluation should include only those measures determined by the team to be needed to address specific unanswered questions. WSPA believes the decision to probe specific areas of cognitive processing should be driven by a purpose and not an assessment checklist.

When teams compare students' academic skills with average student's skills (normative score of 100) rather than their own IQ score, their needs will be the focus of the evaluation and will lead to clearer identification of interventions rather than focusing on the cognitive processing weakness that is difficult or impossible to change with a special education intervention. Based on a review of the student's records, along with the additional information that is produced through a comprehensive evaluation, a determination of whether the student achieves adequately to meet state standards can be made. After ruling out exclusionary factors, the evaluation would determine if the academic deficit is so great that engagement with general education materials is difficult (significantly impedes learning to the extent the student needs specialized instruction outside the general education setting) and it should be considered a disability.

Response to Intervention or Multi-Tiered Systems of Supports (RTI/MTSS/MTSS) are useful ways to gather the necessary pre-referral data for determining SLD eligibility. RTI/MTSS is a general education program that is designed to identify students who struggle with specific academic skills and provide intensive research-based interventions to address the known deficits for a sufficient period of time to judge the impact. Data based on regular progress monitoring can indicate whether the child (a) achieves adequately for age or grade level when provided with research-based interventions, and (b) makes sufficient progress to meet age or grade level standards (Whittaker & Burns, 2019).

Evidence that the student improved when participating in general education, research-based interventions is a good indication that they do not need special education services. Parents should be given information on the range of general education, research-based interventions, participate in discussions of options and timelines, receive regular data driven progress monitoring of the student's response to the intervention(s) and intervention fidelity, and be part of the review of progress and determination of future action. When the parents are actively involved in the problem-solving and decision-making process, they will be better partners and team members if their student has a disability and needs special education services (Staples & Diliberto, 2010).

Conclusion

In an effort to improve student outcomes for children with disabilities in Wyoming, WSPA wants to address concerns with the state's current SPED SLD eligibility criteria. The current criteria were last reviewed in 2010 as part of the Chapter 7 rules and regulations and do not reflect the ongoing research and change in thinking of many professionals in the fields of psychology and school psychology. The WSPA proposes to eliminate the use of the severe discrepancy model for SLD identification and replace the eligibility criteria with a more comprehensive evaluation approach that looks at a convergence of

evidence to determine whether a student has a severe academic deficit and a need for specialized instruction. As a school psychology profession, our ethics state that we use current assessment techniques and should not rely on a single test score or method of measurement when coming to a diagnostic conclusion.

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