

Determining the Eligibility of Students with Specific Learning Disabilities

A Technical Manual



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Determining the Eligibility of Students with Specific Learning Disabilities (SLD)

Introduction

Intended Audience

This manual is a technical guide for teams of SLD teachers, school psychologists, pre-service teachers, parents, administrators and others responsible for making special education eligibility determinations for students. It includes legal requirements, practical advice, and theory that will guide teams through this process

The SLD Manual is part of a larger training and educational effort to prepare teams to perform their jobs. Alone, the SLD Manual is not adequate preparation for performing the tasks required to determine eligibility. The SLD Manual assumes that readers hold a working knowledge of characteristics of specific learning disabilities, measurement and evaluation, and data-based decision-making.

To learn about all of the resources available to assist teams responsible for determining the eligibility of students with Specific Learning Disabilities for Special Education services, [visit the Minnesota Department of Education \(MDE\) Specific Learning Disabilities Webpage](http://education.state.mn.us/MDE/Learning_Support/Special_Education/Categorical_Disability_Information/Specific_Learning_Disabilities/index.html) (http://education.state.mn.us/MDE/Learning_Support/Special_Education/Categorical_Disability_Information/Specific_Learning_Disabilities/index.html).

Overview

The Determining the Eligibility of Students with Specific Learning Disabilities Technical Manual (SLD Manual) contains background information, processes and procedures, laws and rules, suggested quality practices, other information and tools to help users identify students suspected of having a specific learning disability (SLD). Educators, administrators, evaluators and other members of the field will find the resources they need to perform their part in the SLD identification process. The information contained herein will also prevent the misidentification of students with low achievement that may be more accurately attributed to factors other than those related to a specific learning disability.

In order to provide clarity, the order of the SLD Manual chapters follows the chronological phases in the SLD identification process. Readers will find that the overarching premise of the SLD Manual is that intervention is an integral and necessary part of a comprehensive assessment process that results in ecological validity and instructionally meaningful findings.

Chapters 1-2 provide foundational information to help readers understand the context of the SLD identification process. Chapters 3-7 contain the hands-on, practical steps and tasks in the identification process, from the earliest detection activities through request

for evaluation. Chapters 8-10 contain the sources of data and frequently asked questions that come up during the evaluation and eligibility determination process. Chapter 11 contains the steps in drafting the IEP and Chapter 12 has information relevant to identifying co-existing disorders.

Changes in federal regulations made during the 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) and state rules put forward two options for identifying a student as eligible for special education services under the category of Specific Learning Disability. The SLD Manual embeds criteria articulated in the Minnesota Special Education Rules. It also contains a sequenced chapter-by-chapter illustrative example to explain and describe the procedures and the data to be gathered in each phase and step of the process.

Important: The SLD Manual is not meant to prescribe to districts how to design and implement a system of *Scientific research-based interventions (SRBI)*. Rather, it is meant to help teams acquire data generated from a system of SRBI that is technically valid and reliable for making an eligibility determination to receive special education services. Learn about



Standard Sections

The following sections appear in every chapter.

Regulations and Rules: Federal laws and regulations as well as Minnesota statutes and rules that guide practice in eligibility determinations appear at the beginning of each chapter. They are included as a point of reference to help teams understand how the guidance specifically operationalizes the legal requirements as well as to provide a check for local districts to evaluate their own policies and procedures against legal requirements.

Process Figure: A figure displays in the titles of Chapters 3-10 to help orient the reader to the contents of the chapter, which covers a phase in the eligibility process. The figure also shows where the chapter fits into the overall process.

The figure below is an example and corresponds to Chapter 6: Modifying Interventions.



6. Modifying Interventions

Figure 0-1. Example of Chapter Title

Illustrative Examples: Illustrative examples show how theory was put into practice. They provide a scenario that shows how one team carried out their tasks related to the topic being discussed.

Case Study: A continuous case example progresses through the SLD identification process and likewise correlates to the contents of the chapter being read. The case study provides context for the activities and procedures that occur in the phase described in the chapter. The case studies have been carefully selected to reflect situations where making eligibility determinations are challenging.

The case studies explain the federal laws and regulations, state statutes and rules that establish minimum legal standards for compliance for each step and phase of the process.

Federal laws and regulations and state statutes and rules establish minimum legal standards and are clarified and enhanced through legal processes like those of continuous improvement.

Minimum legal standards do not always set out to become or align with research-based quality practices. Both legal standards and quality practices continue to evolve and no assurance can be made that quality practices will evolve into the minimum legal standard.

Quality Practice: Descriptions of research-based and valued practices provide readers with guidelines that, if followed, will yield valid and reliable information from which to make an eligibility determination. Readers should continually update their knowledge of statutes and quality practices.




Glossary: To establish common language and consistency with legal definitions, important glossary terms appear in an italicized font. A key symbol in the margin of the manual indicates the italicized terms can be found in the SLD Glossary.

Note: “Research-based procedures” and “*scientific research-based interventions (SRBI)*” are terms defined in Reauthorized Federal *Individuals with Disabilities Education Act (IDEA)* 2004 and the *No Child Left Behind Act (NCLB)*.



References: The last section in every chapter includes resources on topics of interest related to the chapter.

Icons: The following icons appear in the SLD Manual to help identify important information.

Icon	Explanation
	Federal laws and regulations, or state statutes and rules.
	Research-based quality practices that yield valid and reliable information useful in making eligibility determinations.
	Illustrative examples.

What's New

Users familiar with the previous version of the SLD Manual, called The Specific Learning Disabilities Companion Manual, will find a number of important revisions:

- Changes in the state specific learning disability criteria (Revised Minnesota Rule 3525.1341, September 2008) due to the Reauthorized Federal *IDEA* (2004) and the final regulations issued in August 2006. (The “learning disability” definition has not changed.)
- References to revised Minnesota state statutes that include the use of research-based interventions and instructional strategies prior to referring students for evaluation for special education.
- The latest research and quality practices on identifying and evaluating students for SLD.
- Updated list of revised or re-normed assessment tools.

