

Ovid-Elsie Area Schools Procedures for Determination of a Specific Learning Disability

Consistent with the Individuals with Disabilities Act of 2004 (IDEA) regulation at 34 CFR § 300.309, the Michigan Criteria for Determining the Existence of a Specific Learning Disability (SLD), May 2010 (http://www.oe.k12.mi.us/pdf/10_criteria_determining_SLD.pdf) and all other applicable federal and state regulatory requirements, policies and procedures, each school district is required to publicly post the process used in the determination of a Specific Learning Disability. Consistent with this requirement, Ovid-Elsie Area Schools uses the following process in the determination of a Specific Learning Disability:

A *Response to Scientific, Research-Based Intervention* process has been implemented in all district elementary schools in the area of Basic Reading, Reading Comprehension, and Reading Fluency*. The data collected will be used as a component of an SLD evaluation. As a component of the evaluation process, the following must be included in the evaluation and eligibility determination:

1. 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; and
2. 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 interventions.

The district uses a *Pattern of Strengths and Weaknesses* process for the determine of a Specific Learning Disability (SLD) in all district elementary and secondary buildings K-12 in the areas of oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving*. As a component of the evaluation process the following must be included in the evaluation and eligibility determination:

1. 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; and
2. 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 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.

Under the Pattern of Strengths and Weakness approach, progress monitoring data collected as a part of Response to Intervention (RTI) will be utilized as a component of this evaluation.

*The USDOE notes that appropriate instruction has the following characteristics: Scientifically research based, provided by qualified personnel, student progress data is systematically collected and analyzed.

For more detailed information about the SLD evaluation process, please visit the CCRESA website for a copy of the SLD guidelines.

Specific Learning Disability Defined:

A specific learning disability is “a disorder in one 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 do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia that adversely affects a student's educational performance. A SLD does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; mental retardation; emotional disturbance; or of environmental, cultural, or economic disadvantage. (34 CRF §300.8(c)(10)).

Sources of Evaluation Information:

The determination of a SLD will be based upon a variety of sources of information including parent input and background information; classroom teacher input; individually administered tests of academic achievement and aptitude; classroom observations in all areas of suspected disability; student performance on State-approved grade-level standards; the student's physical condition, social or cultural background, and adaptive behavior; and other sources of information required by law or deemed pertinent by the evaluation team. Information obtained must be documented and carefully considered by the MET.

Multidisciplinary Evaluation Team:

A multidisciplinary evaluation team (MET) includes a certified teacher, a certified school psychologist, and other diagnostic or educational staff as needed. These individuals will complete the evaluation and prepare a written report documenting its analysis of the data gathered and its recommendation regarding SLD eligibility consistent with the SLD Determination process.

A student *may not be determined SLD eligible* if the determinant factor is based on:

- (1) a lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act – including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency and oral reading skills, and reading comprehension strategies;
- (2) lack of appropriate instruction in math; or reading
- (3) limited English proficiency.

The MET must review information to rule out factors that may impact a student's academic achievement. Such factors include:

- Cultural, environmental or economic disadvantage
- Inconsistent school attendance, frequent school changes which may result in a lack of appropriate instruction due to inconsistent instruction or gaps in learning,
- Family stressors, including pressures from family situations or poverty causing interruption or interference in learning.
- Cultural or ethnic background different from the norm or majority which may cause interference in learning or perceptions of the child.
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- are additional factors that may impact a student's access to appropriate instruction and must be taken into consideration by the MET. Addition to documented evidence that appropriate instruction in all area(s) of concern have been provided, including fidelity of instruction and implementation of appropriate targeted interventions.

Right to Request an Evaluation:

A *parent* has a right to initiate a referral and request an evaluation at any time and may not delay or deny an otherwise appropriate referral or request for an evaluation based on a district's use of a response to scientific, research-based intervention process. If *school personnel* suspects that a student has a disability they may initiate a referral by contacting the building principal and sharing student performance information/data with the building's Instructional Support Team.

The procedures outlined in this notice will be implemented in a manner consistent with all applicable Federal regulations, State rules, and procedures as defined by Clinton County RESA regarding the evaluation and identification of a Specific Learning Disability. Additional information about the SLD Evaluation and Determination process can be accessed by visiting the Clinton County RESA website at www.ccrea.org.