

## **Specific Learning Disabilities (SLD) Eligibility Criteria**

The Individuals with Disabilities Education Act of 2004 (IDEA) requires states to adopt criteria for determining whether a child qualifies for special education and related services as a child with a Specific Learning Disability. The Rhode Island Regulations Governing the Education of Students with Disabilities July 1, 2008 regulations, requires all Local Education Agencies to use the State criteria when considering and/or determining whether or not a child is eligible for special education services under the SLD category. In addition to the eligibility criteria described below, each Local Education Agency must follow all other State regulations governing the referral process through disability determination.

### **Eligibility Options**

Local Education Agencies (LEAs) shall use a process based on the student's response to scientific, research-based intervention (RtI) as described in these criteria in accordance with each school's specific grade level configuration and the time lines listed below:

- Elementary Schools                      September 1, 2010
- Middle Schools                              September 1, 2011
- High Schools                                  September 1, 2011

LEAs may use the severe discrepancy model as described in these criteria until the timelines listed below become effective according to each schools specific grade level configuration:

- Elementary Schools                      August 31, 2010
- Middle Schools                              August 31, 2011
- High Schools                                  August 31, 2011

The Commissioner of Elementary and Secondary Education may grant a waiver to delay required use of RtI to determine Specific Learning Disabilities for up to one year. LEAs must submit a completed RI RtI Implementation Checklist along with their request to be approved by the Commissioner.

## **Rtl Process Basis: Criteria for Determination of Specific Learning Disability:**

(1) In one or more of the eight areas below the student's performance meets the description under Achievement Gap **and** Educational Progress

a. **Achievement Gap** Evidence from multiple reliable and valid sources indicate that the student's current achievement\* of State-approved Grade Level/Span Expectations and English Language Proficiency Standards is significantly different than his/her peers relative to national normative data with consideration of state and local data when provided with learning experiences and instruction appropriate for the child's age or state approved grade level/span expectations. English Language Learners shall additionally be provided with instruction appropriate for their English language proficiency. (\*after provision of appropriate general education learning experiences including at least two periods of intensive interventions implemented with fidelity).

b. **Educational Progress** The student does not make sufficient progress to meet age or State-approved Grade Level/Span Expectations and English Language Proficiency Standards, based on child's limited responsiveness to intensive scientific, research-based interventions which have been implemented with fidelity.

Insufficient progress is determined using multiple reliable and valid measures. The process of determining insufficient progress considers the student's rate of improvement towards meeting age or State-approved Grade Level/Span Expectations and English Language Proficiency Standards during intensive intervention, student's past rate of improvement, and a normative rate based on the response of his/her local age peers with consideration of national data.

- Oral expression
- Listening comprehension
- Written expression
- Basic reading skill
- Reading fluency skills
- Reading comprehension
- Mathematics calculation
- Mathematics problem solving

### **(2) Other considerations**

Student performance in areas indicated above is not primarily the result of:

- A visual, hearing, or motor disability;
- Mental retardation;
- Emotional disturbance;
- Cultural factors;
- Environmental or economic disadvantage; or
- Limited English Proficiency

The determinant factor of the findings is not any of the following

- Student has lacked appropriate instruction in literacy
- Student has lacked appropriate instruction in math
- Student has had extended absences
- Student has had repeated change of schools
- Student has had an inconsistent or inappropriate educational program

### **(3) Determinations**

On the basis of the findings regarding this student's response to intervention (Achievement and Educational Progress) and the above considerations, a determination has been made that

This student has a specific learning disability  
**and**

Needs special education and related services

## **Severe Discrepancy Model Basis: Criteria for Determination of Learning Disability:**

(1) In one or more of the eight areas below the student's performance meets the description under Achievement Gap **and** Pattern of Strengths and Weaknesses

a. **Achievement Gap** Evidence from multiple reliable and valid sources indicate that the student's current achievement\* of State-approved Grade Level/Span Expectations and English Language Proficiency Standards is significantly different than his/her peers relative to national normative data with consideration of state and local data when provided with learning experiences and instruction appropriate for the child's age or state approved grade level/span expectations. English Language Learners shall additionally be provided with instruction appropriate for their English language proficiency. (\*after provision of appropriate general education learning experiences including at least two periods of intensive interventions implemented with fidelity).

a. **Pattern of Strengths and Weaknesses:** The student exhibits a significant pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards, or intellectual development

- Oral expression
- Listening comprehension
- Written expression
- Basic reading skill
- Reading fluency skills
- Reading comprehension
- Mathematics calculation
- Mathematics problem solving

### **(2) Other considerations**

Student performance in areas indicated above is not primarily the result of:

- A visual, hearing, or motor disability;
- Mental retardation;
- Emotional disturbance;
- Cultural factors;
- Environmental or economic disadvantage; or
- Limited English Proficiency

The determinant factor of the findings is not any of the following

- Student has lacked appropriate instruction in literacy
- Student has had repeated change of schools
- Student has lacked appropriate instruction in math
- Student has had an inconsistent or inappropriate educational program
- Student has had extended absences

### **(3) Determinations**

On the basis of the findings regarding this student's achievement and severe discrepancy and the above considerations, the determination is

This student has a specific learning disability

**and**

Needs special education and related services