

Instructional Support Team
Technical Assistance Prior to Referral for Special Education Evaluation
Specific Learning Disability (SLD)

Requirement

Before referring a student for special education evaluation with a suspected disability of SLD, the Instructional Support Team should be able to answer two questions.

- A. To ensure that underachievement in the area of concern is not due to lack of appropriate instruction in reading or math has the student has been provided appropriate instruction in the general education setting and has that instruction been delivered by qualified personnel?
- B. Has there been data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student's progress and has this documentation been provided to the student's parents?

Why is this a requirement?

The passage of IDEA 2004 brought about significant changes related to specific learning disabilities. While the definition of SLD has not changed, the new regulations require a component of general education responsibility as well as changes in the determination of special education eligibility process.

Before a student can be found eligible for special education with a Specific Learning Disability, there must be assurances that the student has been given appropriate opportunities to learn in a general education environment from a qualified professional. During this time of general education instruction, data-based documentation of repeated assessments of achievement must be collected to reflect the student's progress. The law requires this documentation to be provided to the student's parents.

If the school does not have the necessary information to show that the student has had adequate educational opportunities, then the special education referral request is not ready to proceed until that information is available. Circumstances that could contribute to not having enough information include:

- the student is new to the U.S. educational system and past records have not come with him/her, or
- the student has a history of moving from state to state and records have become lost in the moves.

Without knowing how the student responds to a general education environment, the school will not be able to determine if the student has a Specific Learning Disability because by nature of the definition, the student must have been given the chance to learn before it can be determined that he/she has a disability that interferes with learning.