

Guidelines for Identifying Children with Learning Disabilities

Questions and Answers

November 12, 2009

Q 1. On the NEW Multidisciplinary Evaluation Report Form (ED 629), what information does a Local Education Agency (LEA) need to provide for the Statement of Assurances “I” where it says: “Student’s parents were notified about state policies for performance, strategies for increasing the student’s rate of learning and parent’s right to request an evaluation”?

A 1. In terms of the **Statement of Assurances “I”** that says that “Student’s parents were notified about state policies for performance, strategies for increasing the student’s rate of learning, and parents right to request an evaluation,” CSDE has information on the website that can be used to address each of these areas and therefore is not developing a specific document or form for districts to use in providing this information to parents. CSDE will address, section by section, what information is available to meet each of these requirements below. However if any district or organization creates a form, document, or publication that could be used or adapted for this purpose, CSDE would be happy to review it and make it available as a possible resource for other LEAs to use.

A. Information regarding a “parent’s right to request an evaluation” would be available in the Procedural Safeguards that you would provide to a parent anytime a referral is made (see Procedural Safeguards under Publications/Legal:
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&Q=320730#publications>).

B. On page 12 in the LD GL Executive Summary we indicate: “In determining if a student has a specific learning disability, districts are required under IDEA 2004 to document that families were provided with information about the district’s SRBI process, including general education services, intervention strategies, and the amount and nature of student performance data that is to be collected (34 CFR § 300.311(7)(ii)).” Thus information regarding “state policies for performance . . .” which describes general education services that are available in part through a district’s SRBI process, can be found in several places on the CSDE website:

1.) The complete SRBI Framework document that describes the state’s perspective on Scientific Research-Based Interventions (SRBI) (<http://www.sde.ct.gov/sde/cwp/view.asp?a=2604&Q=321716>) as well as the SRBI Framework Executive Summary are both on the Bureau of Special Education’s website under Resources/Publications/Resources-Best Practices:
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&Q=320730#publications>.

11/12/2009

Bureau of Special Education

CT State Department of Education

1

Bureau Bulletin November/December 2009

- 2.) Under Resources for Parents and Families, there is also a publication developed by the Parent Information Resource Center (PIRC) called: *A Family Guide: Connecticut's Framework to RTI* that would also be appropriate to address the “state policies for performance.”
- 3.) Additional information can be found on the CSDE website in terms of curriculum standards and CMT/CAPT grade-level goals:
- a.) http://www.sde.ct.gov/sde/lib/sde/pdf/Curriculum/Curriculum_Development_Guide_2009.pdf
- Curriculum Development Guide
 - b.) <http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=320866> - English Language Arts Curriculum Framework Pre-K-12; Pre-K-8 Curriculum Standards and Grade Level Expectations; and Grades 3-8 Comprehension Pacing Guide
 - c.) <http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&Q=322136> - A Model for Mathematics Curriculum Pre-K-8
 - d.) <http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&q=320850m> - Connecticut’s Blueprint for Reading Achievement, Grade K-3
 - e.) <http://www.sde.ct.gov/sde/cwp/view.asp?a=2618&Q=321834> - Connecticut’s Beyond the Blueprint: Literacy in Grades 4-12 and Across the Content Areas
- 4.) As soon as districts have an SRBI process in place, print information describing the specifics of that process could also be made available to parents.
- 5.) **“Strategies for increasing the student’s rate of learning . . .”** As students go through the SRBI process, information regarding the scientific research-based interventions that will be used for a particular student to increase his/her learning in general education as well as how and when the student’s progress will be measured and how and when results will be reported to the parent(s) should also be available to families. Districts are encouraged to provide this information in any format that is deemed appropriate by the local school administration.

C. Additional resources are available on the Bureau’s website under the “Application for Extension: RE: LD Criteria - (<http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&Q=320730#Application>). Professional development resources that either are already available or could be made available through the SERC/RESC Alliance will also be identified to assist districts with the implementation of the LD Guidelines and incorporating SRBI data into the LD identification and eligibility process.

Q 2. If a parent makes a referral for a special education evaluation, how should a district proceed – particularly if the LEA is still working on developing a [SRBI/RTI] process to provide quality data to document that a child’s difficulty is not due to “lack of appropriate instruction”?

11/12/2009

Bureau of Special Education

CT State Department of Education

Bureau Bulletin November/December 2009

A 2. Based on the language that is in the *Executive Summary of the Guidelines on Identifying Children with Learning Disabilities* (2009) on pages 9 & 11-12:

“Regardless of when in the SRBI process the interventions occur, once a referral is received, the district must convene a PPT to review the referral and decide if a special education evaluation is warranted. The PPT may determine that a special education evaluation is not needed and the parent would then have the right to challenge that refusal through due process. . . . To help ensure that an evaluation is comprehensive, the PPT must first gather input from multiple sources (e.g., families, general classroom, curriculum-based measures, standardized assessments, student records, observations) and include a review of existing evaluation data to determine what additional data, if any, are needed to identify a disability, a student’s need for special education and write an IEP. Included in this review must be any evaluative data gathered during the SRBI process. It is possible that, based on a review of existing data, the PPT will have sufficient information to determine if the student has a disability and to determine her or his educational needs. This review of existing data may qualify as the comprehensive evaluation required for identification and writing the IEP. . . . If a review of existing data is not sufficient to identify whether a student has a disability, school personnel must provide notice to parents that describes any proposed evaluation procedures (34 CFR § 300.304(a)) and conduct an evaluation consistent with the requirements of IDEA 2004 . . .”

“As specified in IDEA 2004, families and school personnel always have the right to refer a student for consideration of eligibility for special education services by requesting an evaluation at **any time**, including *prior* to completion of an SRBI process. The PPT must respond to all referrals by holding a PPT meeting to determine whether a comprehensive evaluation is warranted. **From the date of the referral to the completion of the evaluation, identification, eligibility determination and writing and implementing an IEP, the timeline is 45 school days (exclusive of the time necessary to secure parental consent) under Section 10-76d-13 of the State Regulations unless the PPT and the family extend that time frame by mutual written agreement (34 CFR § 300.309(c)).** However, a PPT may conclude, through analysis of data that document a student’s progress through the use of appropriate, technically adequate assessments, that a student is making sufficient, adequate progress through SRBI, and that further evaluation, therefore, is currently unnecessary. Families then would have the right to challenge that conclusion through a complaint resolution or due process hearing if they choose, and may use mediation if agreed to by the district. A PPT also may determine that a trial diagnostic placement (i.e., structured placement of not more than eight weeks’ duration) is appropriate to assess the needs of a student for whom an IEP may be needed but for

11/12/2009

Bureau of Special Education

CT State Department of Education

Bureau Bulletin November/December 2009

whom the evaluation is either inconclusive or the data insufficient to determine the student's IEP (Connecticut Regulations § 10-76d-14(b)). A diagnostic placement is an evaluation.” (page 12) [emphasis added]

[Return to Bulletin](#)

11/12/2009

Bureau of Special Education

CT State Department of Education