



RTI Roundtable - Issue # 3

How Does IDEA 2004 Define a Specific Learning Disability?

IDEA 2004 continues to define specific learning disability as "a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken, or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, write, spell, or do mathematical calculations." The term includes "conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia." The term does not include "a learning problem that is primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage."

How Have Children Been Identified Under the Category of Specific Learning Disabilities?

The process for determining the presence of a specific learning disability has involved the use of an intelligence-achievement discrepancy criterion for many years. This method has been widely criticized as the "wait-to-fail" method since students rarely qualify for special education services until third or fourth grade. Intensive reading instruction is often delayed until well after typically developing readers have mastered the reading process. Furthermore, the discrepancy model does not necessarily distinguish between those students who fail due to inadequate reading instruction and those who possess disorders in one or more of the psychological processes involved in using language and manifested in the imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations.

What Events Led to Changes in LD Identification in IDEA 2004?

Through decades of educational practice, it has become generally accepted that a "severe discrepancy" is in fact a learning disability and/or a proxy for a learning disability and its underlying processing disorders. It is now widely acknowledged that there is not a scientific basis for the use of a measured IQ achievement discrepancy as either a defining characteristic of or a marker for LD. Though numerous authorities (Fletcher et al., 1998; Lyon et al., 2001; Stanovich, 2005) have identified problems with discrepancy models, it has persisted as the most widely used diagnostic concept. In the 1997 reauthorization process, the concern with discrepancy approaches reached a head and the U.S. Office of Special Education Programs

(OSEP) committed to a vigorous program of examining and summarizing evidence around LD identification. That effort resulted in the Learning Disabilities Summit, as well as subsequent roundtable meetings involving representatives of major professional organizations. While preparing for the 2004 IDEA reauthorization, OSEP conducted the 2002 Learning Disabilities Roundtable to generate a series of consensus statements about the field of learning disabilities. With respect to the use of discrepancy formulas, the members stated:

"Roundtable participants agree there is no evidence that ability-achievement discrepancy formulas can be applied in a consistent and educationally meaningful (i.e., reliable and valid) manner. They believe SLD eligibility should not be operationalized using ability-achievement discrepancy formulas."

Why Replace the Discrepancy Model with RTI?

Response to Intervention offers the promise of “building better readers” through the provision of differentiated instruction based on data from ongoing assessments for all students in the early grades. That is, all students receive scientifically research based reading instruction and, most importantly, struggling readers receive additional instructional time and research based reading interventions within the structure and context of the general education classroom. In essence, RTI replaces the practice of “waiting to fail” with deliberate early intervention and prevention.

What are Major Issues Related to the Use of the Concept of Achievement-Ability Discrepancy? Why Change?

Issue #1: Discrepancy models fail to differentiate between children who have LD and those who have academic achievement problems related to poor instruction, lack of experience, or other problems.

It is generally agreed that the model of achievement-ability discrepancy that has been employed was influenced by research conducted by Rutter and Yule (1975) (Reschly, 2003). This research found two groups of low achieving readers, one with discrepancies and one without. It was this finding that formed the basis for the idea that a discrepancy was meaningful for both classification and treatment purposes. Later analyses of this research, and attempts to replicate it, have failed to produce support for the “two group” model for either purpose. In fact, it is now accepted that reading occurs in a normal distribution and that students with dyslexia or severe reading problems represent the lower end of that distribution (Fletcher et al., 2002).

Issue #2: Discrepancy models discriminate against certain groups of students: students outside of “mainstream” culture and students who are in the upper and lower ranges of IQ.

Due to psychometric problems, discrepancy approaches tend to under-identify children at the lower end of the IQ range, and over-identify children at the upper end. This problem has been addressed by various formulas that correct for the regression to the mean that occurs when two correlated measures are used. However, using regression formulas does not address issues such as language and cultural bias in IQ tests, nor does it improve the classification function of a discrepancy model (Stuebing et al., 2002).

Issue #3: Discrepancy models do not effectively predict which students will benefit from or respond differentially to instruction.

The research around this issue has examined both progress and absolute outcomes for children with and without discrepancy, and has not supported the notion the two groups will respond differentially to instruction. (Stanovich, 2005) Poor readers with discrepancies and poor readers without discrepancies perform similarly on skills considered to be important to the development of reading skills (Gresham, 2002).

Issue #4: The use of discrepancy models requires children to fail for a substantial period of time—usually years—before they are far enough behind to exhibit a discrepancy.

In order for children to exhibit a discrepancy, two tests need to be administered—an IQ test, such as the Wechsler Intelligence Scale for Children, and an achievement test, such as a Woodcock Johnson Tests of Achievement. Because of limitations of achievement and IQ testing, discrepancies often do not “appear” until late second, third, or even fourth grade. Educators and parents have experienced the frustration of knowing a child’s skills are not adequate and not typical of the child’s overall functioning, and being told to “wait a year” to re-refer the child. While waiting for a discrepancy to appear, other persistent problems associated with school failure develop such as poor self concept, compromised motivation, vocabulary deficits, and deficits associated with limited access to written content.

Why was RTI Considered in the Process of SLD Determination?

RTI is being strongly considered as part of the SLD identification process because it has the potential to address areas of the SLD definition and construct that are not adequately assessed with current approaches. If the features of RTI are implemented correctly:

- There is some assurance that students are being exposed to high quality instruction in the general education classroom by stipulating that schools use evidence-based instructional practices and routinely monitor the progress of all students.
- There is an emphasis on underachievement through its focus on discrepancy models that examine whether a student is failing to respond to instruction through both low overall achievement and inability to make adequate progress.
- They encourage access to early intervention because, with the regular monitoring of progress, at-risk students are identified early, and an infrastructure for the appropriate delivery of services already is established.
- They are designed to address many students with achievement problems, so the label of learning disability is applied only for those students who fail to respond to multiple levels of intervention efforts.
- They are meant to be applied as multiple measures of child performance rather than limiting determination to a single point in time.

Today, What Role Should RTI Play in the Identification of Children with a Specific Learning Disability?

When considering adopting a RTI approach for identifying students with specific learning disabilities (SLD), school districts should keep in mind a number of provisions of IDEA 2004. Under IDEA 2004 schools districts may, but are no longer required to consider whether a student has a severe discrepancy between achievement and intellectual ability. At the same time, IDEA 2004 gives school districts the flexibility to determine that a student has SLD using RTI data. Proponents point out that identifying SLD through RTI shifts the focus of the evaluation process from emphasizing the documentation of the student's disability to emphasizing the student's instructional needs. RTI emphasizes this shift of focus through documentation of a student's persistent failure to progress even after receiving intense and sound scientific-research based interventions in the general education curriculum.

IDEA 2004 is silent about the exact criteria school districts may use in establishing a SLD. It is expected that when final federal regulations are published, specific criteria will be established and states will be provided clarifying guidance regarding these procedures. Until that time, district's implementing RTI are strongly encouraged to use established approaches for using RTI data to identify SLD. The following is recommended:

After appropriate CBM probes have been applied, and after attempts have been made to implement at least two Tier III interventions with fidelity, a student should be considered non-responsive when the student's level of academic achievement has: (a) been determined to be significantly lower than that of his or her peers and (b) the gap between the student's achievement and that of his or her peers increases (or does not significantly decrease). Absent other information to explain the lack of achievement, students who are non-responsive at Tier III should be suspected of having a disability.

Once a referral for 504 or special education is initiated the school district must determine whether or not an initial comprehensive evaluation is required to determine the presence of a disability. Unless mitigating information exists to explain why the student was nonresponsive at Tier III, it is anticipated that an initial evaluation will be completed. Before conducting an initial evaluation, the school district must obtain written consent from a parent or guardian. A comprehensive evaluation may or may not require additional testing. A comprehensive evaluation should include a formal observation of the student by a team member unless a recent observation was completed by a team member prior to the evaluation. If the student's evaluation team is able to determine that the existing data developed through the RTI process is sufficient to complete the evaluation report in all suspected areas of disability, additional information does not need to be obtained. If the existing data does not establish the need for special education services, further assessment may be needed to rule out the possibility of a qualifying disability, including a disability in a category other than SLD.

Can RTI Be Used as the Sole Determinant for SLD Classification?

While RTI addresses some significant shortcomings in current approaches to SLD identification and other concerns about early identification of students at risk for reading problems, RTI should be considered as merely one important element within the larger context of the SLD determination process.

Implementing RTI allows schools to have more confidence that they are providing appropriate learning experiences to all students while identifying and targeting early those students who may be at risk for reading or math problems but who do not necessarily have a learning disability. Although IDEA 2004 provides flexibility to LEAs in determining SLD identification procedures, the following recommendations by the National Joint Committee on Learning Disabilities should help guide the development of these procedures (NJCLD, 2005):

Decisions regarding eligibility for special education services must draw from information collected from a comprehensive individual evaluation using multiple methods including clinical judgment and other sources of relevant information. Students must be evaluated on an individual basis and assessed for intra-individual differences in the seven domains that comprise the definition of SLD in the law — listening, thinking, speaking, reading, writing, spelling, and mathematical calculation. Eligibility decisions must be made through an interdisciplinary team, must be student-centered and informed by appropriate data, and must be based on student needs and strengths.

As schools begin to execute a process of decision- making that is more clinical than statistical in nature, ensuring through regulations that this team of qualified professionals represents all competencies necessary for accurate review of comprehensive assessment data will be critical.

One of the advantages of RTI is the timely identification of children who struggle with learning. While RTI is not intended as a stand-alone approach to determining specific learning disabilities, it can be a key component of a comprehensive approach to disability determination. In an RTI model, if a student does not respond to robust high-quality instruction and intervention that is progress monitored over time, he or she may indeed be determined to have a learning disability. The benefit of RTI for these at-risk students is that it provides a wealth of meaningful instructional data that can be used in creating well-targeted individualized instructional programs and evidence-based instructional interventions. In addition RTI sets in place a student progress monitoring process that facilitates communication and promotes ongoing meaningful dialogue between home and school.

Are There Other Indicators of LD That are More Valid and Reliable?

Generally, attempts to reliably define and measure psychological processing difficulties have yielded limited results that render them without practical application. However, related to this research, certain skills have been identified as robust predictors of academic performance. These skills may be characterized as “critical indicators” or “marker variables.” When embracing this approach, one accepts that the indicator may represent both constitutional and learned skills, and that the variable represents an important capability. Using this approach, researchers have identified measures of phonological awareness and early literacy knowledge such as letter sound relationships as powerful early predictors of later reading performance.(Good and Kaminski, 2002)

Similarly, fluent reading of connected text continues to be highly correlated with growth in both word reading and comprehension, and represents meaningful ways to screen and progress monitor in reading. (Fuchs and Fuchs, 1998) Using this approach provides a method of screening to identify students with potentially persistent academic problems, and assessing them further.

Fortunately, these variables have been identified for the most prevalent of school identified learning disabilities, those in the area of reading. Similar measures for domains such as math reasoning, calculation, and written language have not been as thoroughly investigated.

Use of these indicators is a key practice that underlies the response to intervention (RTI) approach. Since they are valid measures of current performance and good predictors of later performance, they can be used to prevent the most serious of problems with discrepancy models—the problem of waiting for children to fail before they receive help.

If Authorities Believe Underlying Processing Disorders are the Cause of Learning Disabilities, Why Doesn't IDEA 2004 Include a Model Based on Measuring Processing Problems?

It is a relatively common practice for LD assessment to include descriptions of “processing” or “patterns of cognitive ability.” Frequently, the conclusions that are made are based on a student’s performance on subtests of intelligence measures, memory tests, and language evaluations. While interesting results may sometimes be produced, drawing conclusions about the presence of a disability based on such results is not substantiated by research. (Torgeson, 2002; Fletcher et al., 1998).

Assessment of processing deficits in order to diagnose LD has a history even longer than that of discrepancy approaches. Indeed, frustration with the reliability and validity of processing assessment contributed to the proposal to use the severe discrepancy in LD criteria. (Hallahan and Mercer, 2002) The result was the inclusion of the concept of processing deficits in the federal definition of LD, but no criteria related to processing. There are clear advantages to this approach that make continued focus on processing variables attractive for both research and practice. Of particular importance is the concept that, if direct assessment of intrinsic processing was possible, so might be early and intensive preventative education that would avoid the associated pitfalls of school failure.

In other words, it is not possible to separate out all of the complicated factors that contribute to a child’s performance on tasks and make the assumption that an intrinsic cognitive process is being measured. While there may be promising research underway, a methodology for discrete diagnosis or classification based on processing differences is unavailable and certainly could not be included in LD criteria. At this time, it is probably appropriate to follow the advice of McGrady (2002) and continue a research program for assessment of intrinsic processes independent of school practice.

Processes for specific learning disability identification have changed and will continue to do so over time. Within that context, remembering that RTI is but one resource for use in the SLD determination process is important. More broadly speaking, RTI procedures have the distinction that when implemented with fidelity, they can identify and intervene for students early in the educational process, thereby reducing academic failure among all students.

In the Big Picture, How Does RTI Fit Into the Determination of LD Process?

Although RTI addresses some significant shortcomings in current approaches to SLD identification and other concerns about early identification of students at risk for reading problems, RTI should be considered to be one important element within the larger context of the SLD determination process. RTI as one component of SLD determination is insufficient as a sole criterion for accurately determining SLD. RTI provides the following information about a student:

1. Indication of the student's skill level relative to peers or a criterion benchmark
2. Success or lack of success of particular interventions
3. Sense of the intensity of instructional supports that will be necessary for the student to achieve

Incorporating this information into SLD determination procedures has the potential to make important contributions to identifying students with SLD in schools. In addition to an RTI process that helps ensure appropriate learning experiences and early intervention, identification of SLD should include a student-centered, comprehensive evaluation that ensures students who have a learning disability are accurately identified.

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- Decisions regarding eligibility for special education services must draw from information collected from a comprehensive individual evaluation using multiple methods, including clinical judgment and other sources of relevant information.
- Students must be evaluated on an individual basis and assessed for intra-individual differences in the seven domains that comprise the definition of SLD in the law: listening, thinking, speaking, reading, writing, spelling, and mathematical calculation.
- Eligibility decisions must be made through an interdisciplinary team, must be student centered and informed by appropriate data, and must be based on student needs and strengths.
- As schools begin to execute a process of decision making that is more clinical than statistical in nature, ensuring through regulations that this team of qualified professionals represents all competencies necessary for accurate review of comprehensive assessment data will be critical.

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Summary of Issue # 3

The use of RTI for determining eligibility for special education and related services has generated controversy, both on practical and conceptual grounds. These concerns focus on systematic errors and accuracy in identifying students with LD.

A particular concern is whether RTI is prone to systematic errors in identifying students with LD. For example, the underachievement criterion may exclude some high-ability students with LD from special education. These students, by compensating with their intellectual strengths and making good use of support services, often manage to achieve within the normal range and, therefore, are unlikely to receive the early individualized instruction that would enable them to make academic progress consistent with their abilities. As another example, there are students who are underachievers and do not respond to intervention who may be inappropriately identified as having a learning disability. This includes environmentally disadvantaged, minority, and English language learners who are overrepresented within the population of underachieving students and students who are at risk and in need of specialized supports and instruction for other reasons (e.g., lack of motivation, emotional stress).

Although RTI alone is not sufficient to identify a learning disability, RTI data could serve as an important component of a comprehensive evaluation for the identification of a learning disability and the determination of eligibility for special education and related services. Thus, RTI can establish a pool of at-risk students who may be in need of the multifaceted evaluation required by IDEA 2004 to determine if the student has a learning disability. However, research on large-scale implementation of RTI will be necessary to determine the efficacy of RTI for differentiating students with LD from those with other disabilities and from students without disabilities.