

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

The Idaho State Department of Education, Division of Federal Programs - Special Education is providing the following guidance to support the field's work related to Specific Learning Disability (SLD) eligibility determination. This document includes and is to be used in conjunction with federal and state laws and regulations, including the Idaho Special Education Manual 2015, the Individuals with Disabilities Education Act (IDEA) and the Idaho Administrative Procedures Act (IDAPA).

We want to acknowledge the contributions of the many creators and reviewers of this document including:

Clara Allred, Twin Falls School District

Dani Blackwell, Mountain View School District

Mary Campbell, Boise School District

Teresa Fritsch, West Ada School District

Joetta Fulgenzi, Canyon-Owyhee School Service Agency

Cindy Garner, Coeur d'Alene School District

Dr. Evelyn Johnson, Boise State University/Lee Pesky Center

Nichole Kristensen, Boise State University, Special Education Support and Technical Assistance (SESTA)

Tammy LaBonne, Nampa School District

Nichole Lakey, Vallivue School District

Shannan Mayer, Twin Falls School District

Susan Selle-Shelton, Idaho State Department of Education/University of Idaho

Dr. Charlie Silva, Idaho Department of Education

Andrea Tabb, Vallivue School District

Linda Taylor, Gooding School District

Carol Treat, Post Falls School District

Fran Wolfe, Vallivue School District



Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
A. Academic Area(s) of Concern	<ul style="list-style-type: none"> • Be sure to check only identified areas of academic concern. • Documentation of interventions and norm-referenced progress monitoring data must be provided in each area of concern. 	<ul style="list-style-type: none"> • Check all areas of identified concern addressed on current IEP. • If there is a new area of concern, documentation of interventions and norm-referenced progress monitoring data must be provided. 	<p>Federal: 34 CFR 300.309 (a) (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 following areas, when provided with learning experiences and instruction appropriate for the student’s age or State-approved grade-level standards:</p> <ul style="list-style-type: none"> (i) Oral Expression. (ii) Listening Comprehension. (iii) Written Expression. (iv) Basic Reading Skill. (v) Reading Fluency Skills. (vi) Reading Comprehension. (vii) Mathematics Calculation. (viii) Mathematics Problem Solving. <p>State: Idaho Special Education Manual 2016 Chapter 4</p> <ul style="list-style-type: none"> 1) Oral expression; 2) Listening comprehension; 3) Written expression; 4) Basic reading skills; 5) Reading comprehension; 6) Reading fluency 7) Mathematics calculation; or 8) Mathematics problem solving. <p>Chapter 4 The student demonstrates low achievement in the area(s) of suspected disability listed above as evidenced by a norm-referenced, standardized achievement assessment. For culturally and linguistically diverse students, the preponderance of evidence must indicate low achievement.</p>
B. Parent Input	<ul style="list-style-type: none"> • Note the statement from parents regarding their student’s strengths and needs. 		<p>Federal: 34 CFR 300.304(b) (1) Use a variety of assessment tools and strategies to gather relevant</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>functional, developmental, and academic information about the student, including information provided by the parent.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 The parent/adult student is a member of the evaluation team and shall be provided an opportunity to provide input and participate in making team decisions.</p>
C. Background Information	<ul style="list-style-type: none"> Relevant background information may include hearing/vision screening results, the number of schools attended, progress made, record of attendance, behavioral history, cultural background, who the student has lived with, any outside provider information, and any other relevant information. 	<ul style="list-style-type: none"> Update any new relevant background information. Information from independent or outside evaluations that are part of the student’s current record should be represented here. 	<p>Federal: 34 CFR 300.305(a) (1)</p> <ul style="list-style-type: none"> (i) Review existing evaluation data on the student, including- (ii) Evaluations and information provided by the parents of the student; (iii) Current classroom-based, local, or State assessments, and classroom-based observations; and (iv) Observations by teachers and related services providers. <p>Federal: 34 CFR 300.306 (c) (1) (i) Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student’s physical condition, social or cultural background, and adaptive behavior.</p> <p>Federal: 34 CFR 300.304(c) (4) The student is assessed in all areas related to the suspected disability including, if appropriate, health, vision, hearing, social/emotional status, general intelligence,</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>academic performance, communicative status, and motor abilities.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 Gather relevant functional, developmental, and academic information about the student, including information provided by the parent.</p>
D. Core Curriculum is Effective	<ol style="list-style-type: none"> 1) Assessment may include ISAT, IRI, grade level curriculum- based measures. <ul style="list-style-type: none"> • The Performance Benchmark column is the proficient score for that assessment. • Determine the percentage of those grade- level peers who have met the proficient score. • Report the Student’s score. 2) Disaggregated Group Data: For eligibility purposes, compare the student to the most specific disaggregated group possible. For example EL, ethnic, economic disadvantaged, etc. <ul style="list-style-type: none"> • Use data provided by ISAT and EL Federal programs. This information may be graphed and included with a written narrative. 		<p>Federal: 34 CFR 300.306 (b)(i-iii) A student must not be determined to have a disability if the determinant factor is:</p> <ol style="list-style-type: none"> (i) Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the ESEA); (ii) Lack of appropriate instruction in math; or (iii) Limited English proficiency; <p>State: Idaho Special Education Manual 2016 Chapter 4 A student cannot be identified as a student with a disability if the primary reason for such a decision is:</p> <ol style="list-style-type: none"> a. lack of appropriate instruction in reading, including the essential components of reading instruction as defined by the Every Student Succeeds Act—phonemic awareness, phonics, vocabulary development, reading fluency, including oral reading skills and reading comprehension strategies; b. lack of appropriate instruction in math; or c. Limited English Proficiency.

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>Chapter 4 Data that helps establish that the core curriculum is effective for most students. The most recent whole grade performance data to verify appropriate instruction in the area(s) of concern may include results from the standards-based assessment system. If the referred student belongs to a population of students whose performance is regularly disaggregated, whole grade data for the disaggregated group should be reviewed and considered.</p>
E. Access to Core Instruction/ Curriculum	<ul style="list-style-type: none"> • Report the research-based instruction the student has had in reading and math and note any progress made by the student. • Verify core (universal) instruction was provided regularly. • Note student’s attendance. • Verify core instruction was delivered according to design and methodology by qualified personnel. • Verify that differentiated instruction was provided. 		<p>Federal: 34 CFR 300.306 (b) (1) (i)-(iii) A student must not be determined to have a disability if the determinant factor is: (i) Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the ESEA); (ii) Lack of appropriate instruction in math; (iii) Limited English proficiency;</p> <p>State: Idaho Special Education Manual 2016 Chapter4 A student cannot be identified as a student with a disability if the primary reason for such a decision is: a) Lack of appropriate instruction in reading, including the essential components of reading instruction as defined by the Every Student Succeeds Act- phonemic awareness, phonics, vocabulary development, reading fluency, including oral reading skills and reading comprehension</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>strategies;</p> <p>b) Lack of appropriate instruction in math; or</p> <p>c) Limited English Proficiency.</p> <p>Chapter 4 Information documenting that before, or as part of, the referral process, the student was provided appropriate instruction in general education settings. Appropriate instruction includes consideration of both student specific information and whole group performance data. Student specific data regarding appropriate instruction may include: (1) verification that core (universal) instruction was provided regularly; (2) data indicating that the student attended school regularly to receive instruction; (3) verification that core instruction was delivered according to its design and methodology by qualified personnel; and (4) verification that differentiated instruction in the core curriculum was provided.</p>
F. Intervention Provided	<ul style="list-style-type: none"> Identify interventions implemented, as well as duration, frequency, and intensity of those interventions. 	<ul style="list-style-type: none"> Special education interventions should be noted. 	<p>Federal: 34 CFR 300.309 (a) (2) (i) The student does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified in paragraph (a)(1) of this section [oral expression; listening comprehension; written expression; basic reading skill; reading fluency skills; reading comprehension; mathematics calculation; and mathematics problem solving] when using a process based on the student's response to scientific, research-based interventions.</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>State: Idaho Special Education Manual 2016 Chapter 4 Evidence of insufficient progress in response to effective, evidence-based instruction and intervention indicates the student’s performance level, and rate of improvement are significantly below that of grade level peers.</p>
G. Progress Monitoring Data	<ul style="list-style-type: none"> • This information must be graphed or have a visual representation and include a written narrative, which must include all of the following information: aimline, trendline, decision points, student’s rate of improvement, and national or local norms for grade level peers. • For students who are culturally diverse or English Learners, progress must be compared against their subgroup’s progress. • Include progress monitoring data from targeted interventions in the area(s) of concern (benchmark assessment only is not sufficient). 	<ul style="list-style-type: none"> • This information must be graphed and include a written narrative, which must include all of the following information: aimline, trendline, decision points, student’s rate of improvement, and national or local norms for grade level peers. • For students who are culturally diverse or English Learners, progress must be compared against their subgroup’s progress. • Include progress monitoring data from IEP goals. 	<p>Federal: 34 CFR 300.309 (a) (2) (i) The student does not make sufficient progress to meet age or State-approved grade-level standards when using a process based on the student’s response to scientific researched-based intervention.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 Required information must include data-based documentation of student progress during instruction and intervention using standardized, norm-referenced progress monitoring measures in the area of disability.</p> <p>Chapter 4 For culturally and linguistically diverse students, the preponderance of evidence must indicate low achievement.</p>
H. Observation of Academic Performance	<ul style="list-style-type: none"> • Observe the student in the general education classroom in the subject(s) related to the area(s) of concern. • Describe how the academic area(s) of concern impact the student’s performance 	<ul style="list-style-type: none"> • The student must be observed in each academic area of concern. This may include an observation in the special education classroom, but it must include an observation 	<p>Federal: 34 CFR 300.310 (b)(1) Use information from an observation in routine classroom instruction and monitoring of the student’s performance that was done before the student was referred for an evaluation; or</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 1: Insufficient Progress	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
	<p>in the classroom.</p> <ul style="list-style-type: none"> Note specific behaviors related to the academic areas of concern including the student’s reactions to learning and feedback from the general education teacher. Document the name and title of the observer and the site, date, and duration of the observation. 	<p>of the identified area of concern in the general education classroom.</p> <ul style="list-style-type: none"> Reading and math may be observed in the general education science class or reading in another general education classroom. Schedule the observation with the general education teacher. Document the name and title of the observer and the site, date, and duration of the observation. 	<p>State: Idaho Special Education Manual 2016 Chapter 4 A record of an observation of the student’s academic performance and behavior in the student’s learning environment (including the general classroom setting) has been conducted by an evaluation team member other than the student’s general education teacher. The purpose of the observation is to document how the area(s) of concern impact the student’s performance in the classroom.</p>
SLD Eligibility Report Section 2: Evidence of Low Achievement	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
Evidence of Low Achievement	<ul style="list-style-type: none"> Be sure to check identified areas of academic concerns. 	<ul style="list-style-type: none"> Check all areas addressed on current IEP. If there is a new area of concern, documentation needs to be provided. 	<p>Federal: 34 CFR 300.309 (a) (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 following areas, when provided with learning experiences and instruction appropriate for the student’s age or State-approved grade-level standards:</p> <ul style="list-style-type: none"> (i) Oral Expression (ii) Listening Comprehension (iii) Written Expression (iv) Basic Reading Skills (v) Reading Fluency (vi) Reading Comprehension (vii) Mathematics Calculation (viii) Math Problem-Solving

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 2: Evidence of Low Achievement	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>State: Idaho Special Education Manual 2016 Chapter 4 The student does not make sufficient progress in response to effective, evidence-based instruction and intervention in one or more of the following areas:</p> <ol style="list-style-type: none"> 1) Oral expression; 2) Listening comprehension; 3) Written expression; 4) Basic reading skills; 5) Reading comprehension; 6) Reading fluency; 7) Mathematics calculation; or 8) Mathematics problem solving.
<p>Name of Assessment</p> <p>Validity Statement and Testing Observations</p> <p>Academic Areas of Concern</p>	<ul style="list-style-type: none"> • Provide a brief description of the assessment(s) along with the average range and standard deviation. • Include a statement indicating whether the examiner considers the assessment to be valid. Also, include testing observation information related to the student’s behavior during testing. • Students need to be assessed with two subtests in each academic area of concern on a norm-referenced, standardized achievement assessment. If subtest scores in a specific academic area are significantly discrepant, administer a third subtest in that area to explain the significant discrepancy. • Provide date of assessment, the name of assessment, subtest/composite name, standard score, percentile rank, and name and title of the examiner. 		<p>Federal: 34 FR 300.304 (b) In conducting the evaluation, the public agency must-</p> <ol style="list-style-type: none"> 1) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by the parent. 2) Not use any single measure or assessment as the sole criterion for determining an appropriate educational program for the student; and 3) Use technically sound instruments that may assess the relative contribution of the cognitive and behavioral factors, in addition to physical or developmental factors.
Interpretive Information	<ul style="list-style-type: none"> • Provide an interpretation of the test scores. Note if the student is below average, average, or above average with regard to the subtests administered. Also, include a narrative on how these scores impact the student’s performance in the classroom. 		<p>State: Idaho Special Education Manual 2016 Chapter 4 The evaluation team will draw upon information from a variety of sources, such as norm-referenced, standardized tests, parent/adult</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 2: Evidence of Low Achievement	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>student input, teacher input, physical condition, social or cultural background, adaptive behavior, and functional assessments to interpret evaluation data and determine eligibility.</p> <p>Chapter 4 This evidence must indicate performance that is significantly below the mean on a cluster, composite, or two (2) or more subtest scores of a norm-referenced, standardized achievement assessment in the specific academic area(s) of suspected disability.</p>
SLD Eligibility Report Section 3: Psychological Processing Skills	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
<p>Name of Assessment</p> <p>Validity Statement and Testing Observations</p> <p>Processing Area and Scores</p> <p>Interpretive Information</p>	<ul style="list-style-type: none"> • Provide a brief description of the assessment(s) along with the average range and standard deviation. • Include a statement indicating whether the examiner considers the assessment to be valid. Also, include testing observation information related to the student’s behavior during testing. • Report the psychological processing areas assessed, the name of assessment(s), date administered, subtest/composite, standard score, percentile rank, and name and title of the examiner. • Deficits in basic psychological processing typically include problems in attending, discrimination/perception, executive skills, short-term memory, working memory, long-term storage and retrieval, conceptualization/reasoning, processing speed, and phonological deficits. • An assessment of psychological processing skills is linked to the failure to achieve adequately in the academic area(s) of suspected disability and must rely on standardized assessments. • The student’s performance on a psychological 		<p>Federal: 34 CFR 300.309 (a)(2)(ii) 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 group to be relevant to the identification of a specific learning disability, using appropriate assessments.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 The student demonstrates a pattern of strengths and weaknesses in psychological processing skills that impact learning.</p> <p>Chapter 4 An assessment of psychological</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 3: Psychological Processing Skills	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
	<p>processing assessment demonstrates a pattern of strengths and weaknesses that help explain why and how the student’s learning difficulties occur.</p> <ul style="list-style-type: none"> Identify from the psychological processes assessed those that are strengths and weaknesses and report scores in the appropriate sections. Explain how the processing skill(s) is linked to the area(s) of academic concern. 		<p>processing skills is linked to the failure to achieve adequately in the academic area(s) of suspected disability and must rely on standardized assessments. These assessments must be conducted by a professional who is qualified to administer and interpret the assessment results. The student’s performance on a psychological processing assessment demonstrates a pattern of strengths and weaknesses that help explain why and how the student’s learning difficulties occur. Such tests may include measures of memory, phonological skills, processing speed as well as other measures which explicitly test psychological processing.</p>
SLD Eligibility Report Section 4: Supplemental Assessments	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
<p>Name of Assessment</p> <p>Validity Statement and Testing Observations</p> <p>Assessment Scores</p> <p>Interpretive</p>	<ul style="list-style-type: none"> Assessments may consist of behavior, language, speech, executive skills, attention, sensory profiles, fine/gross motor skills, depression or anxiety, etc. Provide a brief description of the assessment along with the average range and standard deviation. Include a statement indicating whether the examiner considers the assessment to be valid. Also, include testing observation information related to the student’s behavior during testing Report area assessed date administered, the name of assessment, scores, and name and title of the examiner. Provide an interpretation of the test scores. Note if the student is below average, average, or above average with regard to the subtests administered. Explain how the scores impact the student’s performance in the classroom. 		<p>Federal: 34 CFR 300.304 (c) (4) The student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;</p> <p>Federal: 34 CFR 300.305(a)(2) As part of an initial evaluation, if appropriate and as part of a reevaluation the team must review existing evaluation data, and based on that review, and input from the student’s parents, identify what additional data, if any, are needed.</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 4: Supplemental Assessments	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
Information			<p>State: Idaho Special Education Manual 2016 Chapter 4 Assessment is integral to the evaluation process and includes the formal and informal processes of systematically observing, gathering, and recording credible information to help answer evaluation questions and make decisions. A test is one method of obtaining credible information within the assessment process. Tests may be standardized or non-standardized, criterion-referenced (e.g., curriculum-based measures) or norm-referenced, and usually elicit responses from students to situations, questions, or problems to be solved. Assessment data may also include observations, interviews, medical reports, data regarding the effects of general education accommodations and interventions, and other formal or informal data.</p>
SLD Eligibility Report Section 5: Other Considerations	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
Considerations	<ul style="list-style-type: none"> • Indicate if the student’s learning difficulty in the area(s) of suspected disability is impacted by any of the areas listed. • Although we know that each of these factors can influence or be a part of each student’s life, the team needs to consider whether any factor checked is PRIMARILY the reason for the student’s academic difficulties. Summarize Team’s discussion related to any area checked. • If the team determines that one or more of these factors is PRIMARILY the reason for the student’s academic difficulties, the student may not be identified as SLD. 		<p>Federal: 34 CFR 300.309 (3)(i-vi) The group determines that its findings under paragraphs (a)(1) and (2) of this section are not primarily the result of</p> <ul style="list-style-type: none"> (i) a visual, hearing, or motor disability; (ii) an intellectual disability; (iii) Emotional disturbance; (iv) Cultural factors; (v) Environmental or economic disadvantage; or (vi) Limited English Proficiency. <p>Federal: 34 CFR 300.306 (b) (1) (i-iii) A student must not be determined to be a student with a disability if the</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 5: Other Considerations	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>determinant factor for that determination is:</p> <ul style="list-style-type: none"> (i) Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the ESEA); (ii) Lack of appropriate instruction in math; (iii) Limited English proficiency. <p>State: Idaho Special Education Manual 2016 Chapter 4</p> <p>The following criteria must be considered when evaluating the student's low achievement. The team must determine that the student's learning difficulty is <i>not</i> primarily the result of:</p> <ul style="list-style-type: none"> a) a visual, hearing, or motor impairment b) an Intellectual Disability c) an Emotional Disturbance d) Environmental or economic disadvantage e) Cultural factors f) Limited English Proficiency (LEP) <p>Chapter 4</p> <p>A student cannot be identified as a student with a disability if the primary reason for such a decision is:</p> <ul style="list-style-type: none"> a) lack of appropriate instruction in reading, including the essential components of reading instruction as defined by the Every Student Succeeds Act-phonemic awareness, phonics, vocabulary development, reading fluency, including oral reading skills and reading comprehension strategies; b) lack of appropriate instruction in math; or c) Limited English Proficiency.

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 6: English Learner (EL)	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
A. Assessment Documentation	<ul style="list-style-type: none"> Determination of the student's first language can be determined by using formal and informal assessments such as the Home Language Survey, WIDA Assessing Comprehension and Communication in English State-to-State (ACCESS), or Woodcock-Munoz etc. Interview the student, teacher, and/or parent, as appropriate, to determine the language the child speaks most fluently. Acquisition Rate: Compare and document the student's progress to that of similar peers, i.e., same-culture, near same age, with a similar history in American school, etc. (The evaluation team may need to access surrounding districts to find similar peers.) 		<p>Federal: 34 CFR 300.304 (c) (1)(i)-(iii) Assessments and other evaluation materials used to assess a student under this part-</p> <p>(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;</p> <p>(ii) Are provided and administered in the student's native language or another mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;</p> <p>(iii) Are used for the purposes for which the assessment or measures are valid and reliable.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 Materials used to assess a student with Limited English Proficiency shall be selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than solely measuring the student's English language skills.</p>
B. Impact of English Learning	<ul style="list-style-type: none"> Summarize assessment data in addition to a variety of information from various sources to provide information on the impact of English Learning on the student's academic functioning in the area(s) of concern. 		
SLD Eligibility Report Section 7: Summary of Evidence and Eligibility Determination	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
A. Evaluation Team Assessment Summary	<ul style="list-style-type: none"> Summarize the findings including the effectiveness of interventions, classroom observations, academic assessments and patterns of strengths and weaknesses as they relate to the area(s) of academic concern. 		<p>Federal: 34 CFR 300.306 (c) (1) (i)-(ii) (i) Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive</p>

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

SLD Eligibility Report Section 7: Summary of Evidence and Eligibility Determination	Initial Evaluation	Reassessment	Regulatory Language (Federal & State)
			<p>behavior; and</p> <p>(ii) Ensure that information obtained from all of these sources is documented and carefully considered.</p> <p>State: Idaho Special Education Manual 2016 Chapter 4 Upon completion of the student’s initial evaluation or reevaluation, the evaluation team will consider the findings and determine whether the student meets or continues to meet eligibility criteria found in Section 7 of this chapter. The evaluation team will draw upon information from a variety of sources, such as norm-referenced, standardized test, parent/adult student input teacher input, physical condition, social or cultural background, adaptive behavior, and functional assessments to interpret evaluation data and determine eligibility.</p>
B. Adverse Impact/Adverse Effect	<ul style="list-style-type: none"> Describe how the student’s progress is impeded by the suspected disability to the extent that the educational performance is significantly and consistently below the level of similar-aged peers preventing the student from benefitting from general education. 		<p>Federal: 34 CFR 300.8(a) Student with a disability- (A)In general, --The term ‘child with a disability’ means a child-</p> <p>(i) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this part as ‘emotional disturbance’), an orthopedic impairment autism, traumatic brain injury, other health impairments, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.</p>
C. Need for Specially Designed Instruction	<ul style="list-style-type: none"> Describe the instruction necessary for the student to be able to access and progress in the general education curriculum and meet grade-level achievement standards. 		

Idaho Specific Learning Disability (SLD) Eligibility

Guidance Document

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			<p>State: Idaho Special Education Manual 2016 Chapter 4 The disability adversely impacts the student’s educational performance, and the student requires specially designed instruction.</p>
D. Determination	<ul style="list-style-type: none"> • Mark one of the boxes indicating if the student does or does not meet the Idaho State criteria requirements under the category of Specific Learning Disability. • Indicate the area(s) the student is eligibility to receive special education services. • Each team member must indicate in writing whether the report reflects the member’s conclusion. If it does not reflect the member’s conclusion, the team member must submit a written statement presenting the member’s conclusions. • The team should use a preponderance of evidence standard in determining eligibility as this is rooted in a high level of professional expertise and experience; it emerges directly from examination and review of extensive data. Providing a preponderance of evidence, which supports the presence of a disability, states the adverse effect of the disability on the student’s academic or functional performance and describes the student’s need for specially designed instruction. 		<p>Federal: 34 CFR 300.311 (a) For a student suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in Sec. 300.306 (a) (2), must contain a statement of – (1) Whether the student has a specific learning disability;</p> <p>State: Idaho Special Education Manual 201 Chapter 4 The evaluation team will consider the findings and determine whether the student meets or continues to meet eligibility criteria.</p> <p>Chapter 4 In the case of Specific Learning Disability eligibility determination, certification in writing that the report reflects each member’s conclusions (agreement), and in the case of team member disagreement with the conclusions, a written statement shall be attached to the eligibility report presenting the dissenting team member’s conclusions.</p>