



# Guidance for the Comprehensive Evaluation of Specific Learning Disabilities



JANUARY 2025

**TABLE OF CONTENTS**

**Guidance Document Terms, Key, and Revisions:** .....4  
     Key ..... 4  
**Introduction and Purpose** ..... 5  
**Child Find** .....6  
**Required Documentation to Be Provided to Parents** .....7  
     Notification of Intervention ..... 7  
     Notice of Procedural Safeguards..... 8  
     Overview of Special Education for Parents ..... 8  
**Full and Individual Initial Evaluation (FIE) Procedures**.....9  
**Principles for an Appropriate and Comprehensive SLD Evaluation**..... 12  
**Specific Learning Disability Identification** ..... 14  
     Federal and State Definition..... 14  
     Key Elements of Texas SLD Identification..... 14  
**Multidisciplinary Team (MDT)** ..... 15  
     Federal and State Requirements for MDT Members ..... 15  
     Specific Documentation for the Written Report ..... 17  
     Best Practices for MDT for SLD Identification ..... 17  
**Observation in the student’s learning environment in the area(s) of Difficulty**..... 18  
     Example Observation Forms..... 19  
**Inadequate Achievement** .....20  
     Eight Areas of Inadequate Achievement ..... 20  
     Multiple Measures to Determine Achievement..... 21  
     Examples of Multiple Measures for the Eight Areas of Inadequate Achievement ..... 23  
     Why is the use of multiple measures so important?..... 31  
**Appropriate Instruction in Reading and Math** .....33  
     Student Attendance..... 34  
     Disruptions to Instruction ..... 34  
**Exclusionary Factors in SLD Identification** .....34  
     A Visual, Hearing, or Motor Disability ..... 34  
     Intellectual Disability ..... 35  
     Emotional Disability..... 35  
     Environmental, Cultural, or Economic Disadvantage..... 36  
     Language Proficiency ..... 36

**Response to Intervention (RTI) or a Pattern of Strengths and Weaknesses (PSW) methods .....37**  
 Response to Scientific, Research-Based Intervention (RTI) Method..... 38  
 Pattern of Strengths and Weaknesses (PSW) Method ..... 40

**Dyslexia and Dysgraphia .....44**  
 Dyslexia..... 44  
 Dysgraphia..... 46

**Specific Documentation for the Identification Determination of SLD.....48**

**Impact on Access and Progress in the General Curriculum .....49**  
 Impact Statements within the FIE..... 49  
 Need Statements within the FIE ..... 50

**Recommendations.....50**  
 Evidence-based Interventions..... 51  
 Key Takeaways:..... 52

**Reevaluation When SLD is Suspected .....52**  
 Review of Existing Evaluation Data (REED) ..... 52  
 Reevaluation..... 53  
 Other Circumstances Indicating a Need for a Reevaluation ..... 53  
 Key Takeaways ..... 54  
 REED and Reevaluation Resources..... 55  
 Dismissal from Special Education..... 55

**Conclusion .....55**

**References .....56**

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The Texas Education Agency has developed this document to provide technical assistance to local educational agencies (LEAs). The intention of this document is to provide helpful, general information. It does not constitute legal advice nor is it a substitute for consulting with a licensed attorney. The information should not be relied upon as a comprehensive or definitive response to all specific legal situations. This document may not include a complete rendition of federal or state law.

## GUIDANCE DOCUMENT TERMS, KEY, AND REVISIONS:

Throughout this guide when the term “**parent or parents**” is used, the term includes the definition aligned to [34 CFR § 300.30](#). That definition includes biological or adoptive parent, foster parent, guardian, an individual acting in the place of a biological parent with whom the child lives or is legally responsible for the child’s welfare, or a surrogate parent as defined in [34 CFR § 300.519](#).

The term “**emergent bilingual**” will be used because the federal language used to describe students as Limited English Proficient or English language learner differs from Texas regulations and language.

When the term **full and individual evaluation (FIE)** is used, it may also apply to a full and individual initial evaluation (FIIE) or a reevaluation.

The IDEA and Texas Administrative Code (TAC) reference **response to intervention (RTI)** in the federal and state requirements for SLD evaluation and identification. However, throughout this course, a **multi-tiered system of supports (MTSS)** is used, which includes RTI. However, if federal or state law is quoted or referenced, we will use the language of the law (RTI).

Also note that the term **local educational agency (LEA)** will be used and applies to both public school districts and open-enrollment charter schools.

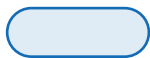
For a glossary of special education terms and common acronyms, please see [The Texas Legal Framework for the Child-Centered Special Education Process](#).

### Key

Included in the guide are requirements, links to resources, best practice tips, examples, and more. The following information will help you navigate the technical assistance guides:



- ▶ **NOTE:** “Notes” point out important reminders or considerations.



- ▶ **Best Practice Tips:** are highlighted with blue rectangle.



- ▶ **Changes/Updates:** Information that has been changed or updated since the last release.



- ▶ **New/Added:** Information that is new or has been added since the last release.

[links](#)

- ▶ **Informational Links:** Links that are in lowercase will take you to a related website, resource, or document that supports the information which you are reading.

[LINKS](#)

- ▶ **Legal Citation Links:** Links that use all capital letters will take you to a legal citation and definition.

**INTRODUCTION AND PURPOSE**

The Individuals with Disabilities Education Act (IDEA) identifies thirteen educational disability conditions for which a student may be considered eligible to receive special education and related services. A specific learning disability (SLD) is one of the most identified educational disability conditions. A multidisciplinary team (MDT) conducts an evaluation and completes a written report that identifies the presence or absence of a disability condition, while the admission, review, and dismissal (ARD) committee determines the student’s eligibility for special education and related services.

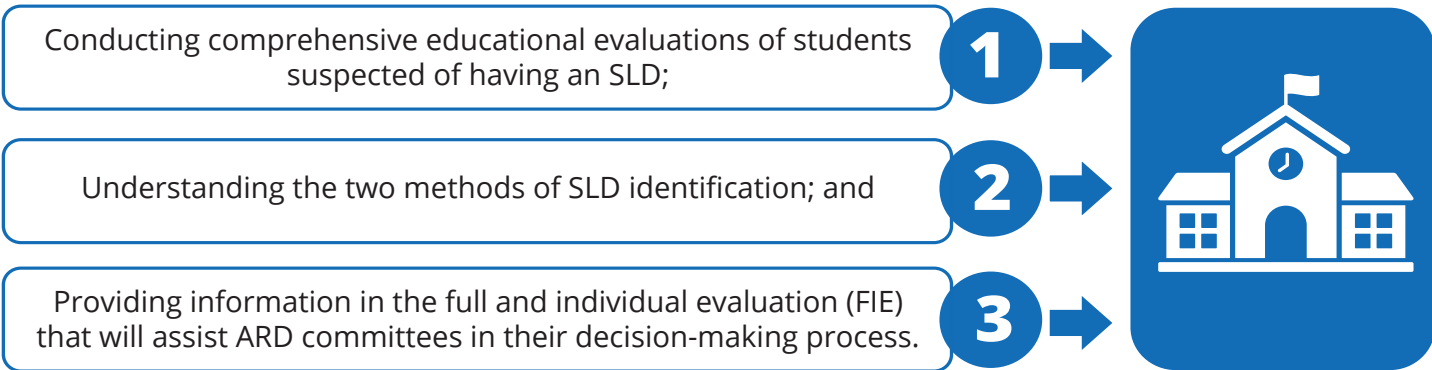
Specific learning disabilities typically make up **one-third** of students served through special education in Texas.

**To be eligible for special education as a student with an SLD, a student must:**

- ◆ meet the criteria for the condition of SLD; and
- ◆ demonstrate an educational need for special education and related services because of the disability.

This guidance document serves as a resource for local educational agencies (LEAs) and MDTs as they work collaboratively to evaluate students suspected of having an SLD, including dyslexia and dysgraphia. An overview of relevant regulations, educational disability condition elements, best practices, and special considerations related to the identification of an SLD is provided. This resource is best used in conjunction with the [TEA Technical Assistance Guide: Child Find & Evaluation](#).

**The primary goals of this document are to assist LEAs in:**



A section specific to dyslexia and dysgraphia is included.

There are designated representatives at each regional education service center (ESC) available to assist LEAs with procedures for evaluation.



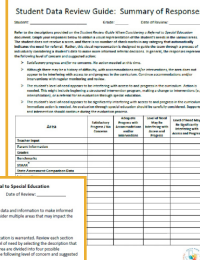
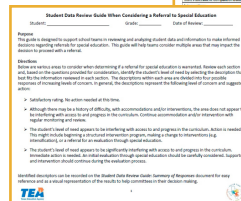
## Child Find Duty- Everyone's Responsibility

Self-Paced Online Course



## Student Data Review Guide When Considering a Referral to Special Education

Student Data Review Guide Tools



## REQUIRED DOCUMENTATION TO BE PROVIDED TO PARENTS

Let us take a moment to review some of the required documentation that must be provided to parents upon intervention, suspicion of a disability, and/or a proposal to evaluate.

### Notification of Intervention

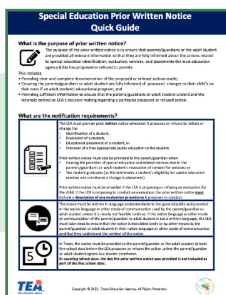
The [LEA](#) must provide parents with notice whenever their child begins to receive interventions. The notice must contain specific requirements. TEA has a [student handbook statement](#) that outlines these requirements.



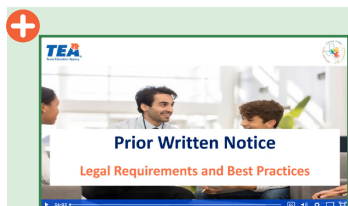
### Prior Written Notice

The LEA must provide the student's parents with [prior written notice](#) if it proposes to evaluate the student for possible special education eligibility and services or reevaluate the student to determine the continuation of special education services and supports.

For additional guidance on the legal requirements and best practices for completing a prior written notice, click on the links to access a quick guide and video.



[The Prior Written Notice Quick Guide](#) highlights the key points for LEAs to notify parents with prior written notice. The quick guide overviews notification requirements, required contents, best practices, and legal and state resources.



[The Prior Written Notice-Legal Requirements and Best Practices](#) video reviews the legal requirements of a prior written notice as required by the IDEA, including language and timeframe, circumstances that trigger a notice, and content components that must be addressed, and shares best practices for completing an appropriate prior written notice.

## Notice of Procedural Safeguards

- ◆ Parents must also be provided the Notice of Procedural Safeguards: Rights of Parents of Students with Disabilities in their native language or other mode of communication unless it is not feasible.
- ◆ The Notice of Procedural Safeguards explains the parent's specific rights and responsibilities under the IDEA.
- ◆ The Special Education Information Center (SPEDTex) website also has the Notice of Procedural Safeguards available in many languages other than English.



[Notice of Procedural Safeguards](#)

## Overview of Special Education for Parents

Special education is available because of the IDEA, which provides students with disabilities and their parents special legal rights to receive these individualized learning opportunities. This [form](#) summarizes rights that must be given to parents after a referral. Whenever a disability is suspected, the LEA must distribute this form and a copy of the Notice of Procedural Safeguards when the LEA provides a parent with prior written notice of its proposal or refusal to conduct an evaluation, the LEA initiates a referral for an FIIE, or a parent submits a written request for an FIIE. Parents must have the opportunity to consent to the evaluation.



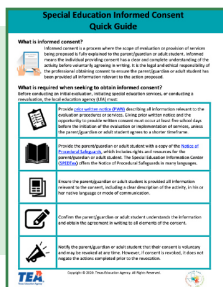
[Overview of Special Education for Parents](#)

- ◆ While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs.
- ◆ Parents must be asked to acknowledge receipt of the form by signing and dating the last page. Each LEA will need to retain evidence of the parent's signature or documentation that the parent refused to provide a signature.

## Informed Consent

- ◆ The LEA must obtain informed consent in writing from the parent before conducting an initial evaluation or reevaluation.
- ◆ Informed consent is more than obtaining a parent's or adult student's signature.
- ◆ Informed consent means the parent or adult student fully understands what they are providing consent for, including potential outcomes.
- ◆ It is important to check for understanding during the process.

For additional guidance on the legal requirements and best practices for obtaining informed consent, click on the links to access a quick guide and video.



[Special Education Informed Consent Quick Guide](#) provides key points and important resources for LEAs to consider when obtaining informed consent for special education evaluations and services. The quick guide provides an overview of procedures and requirements for obtaining informed consent and legal and state resources.





[The Special Education Informed Consent Legal Requirements and Best Practices](#) video covers the legal requirements and best practices for LEAs to follow when obtaining informed consent for conducting FIEs, reevaluations when additional data is necessary, and initiating special education and related services. It covers the required elements of informed consent, the legal requirements for obtaining informed consent for special education evaluation and services, and the benefits of having a clear, dedicated informed consent process.

## FULL AND INDIVIDUAL INITIAL EVALUATION (FIE) PROCEDURES

The evaluation conducted for any suspected disability will assist in determining the following:

- ◆ Whether the student is a student with a disability in need of special education and related services,
- ◆ The impact of the disability on the student’s access to and progress in the general curriculum, and
- ◆ The content of the student’s IEP, including information related to enabling the student to be involved in and progress in the general education curriculum.

Use a **variety** of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent

**Not** use any **single measure or assessment** as the sole criterion

Utilize **technically sound** instruments

Ensure the student is **assessed in all areas** related to the suspected disability

Let us review some of the legal standards for evaluation procedures under the IDEA. These standards apply to all FIEs, not just those conducted for SLDs.

### When conducting a comprehensive evaluation, IDEA requires the MDT to:

The assessments and other evaluation materials must be:

- ◆ **Nondiscriminatory** based on race or culture;
- ◆ Administered in the student's **native language** or mode of communication;
- ◆ Likely to yield accurate data on what the student knows and can do **academically, developmentally, and functionally**;
- ◆ Used for the purposes for which they are **valid** and **reliable**;
- ◆ Administered by **trained** and **knowledgeable** personnel;
- ◆ Administered according to **instrument instructions**;
- ◆ Aligned to specific areas of **educational need**; and
- ◆ Reflective of the student's **aptitude** and **achievement**.

The evaluation must be adequately comprehensive to identify all the student’s special education and related service needs, regardless of whether those needs are commonly linked to the disability or not ([34 CFR §300.304](#)).

## Review of Existing Evaluation Data (REED)

The first step in any FIE evaluation is the [review of existing evaluation data](#) (REED). A REED is the process of looking at a student’s existing data to determine what, if any, additional data are needed.

The MDT needs to collaborate during a planning meeting to conduct a REED and identify additional data that needs to be collected. This helps to focus the evaluation and determine which achievement areas (e.g., basic reading, math calculations, oral expression) will require additional data to determine if the student is achieving adequately or not.



[Review of Existing Evaluation Data \(REED\) Resources](#)

### Examples of Existing Evaluation Data:



Previous school evaluation(s)



Existing outside evaluations and other information provided by parents



Teacher information, report cards, and comments from previous school years



Curriculum based, local benchmark and screenings, and state assessments



### REMEMBER

If a student is referred for an initial evaluation, all procedures prior to initiating the evaluation must be followed including prior written notice and distribution of the [Notice of Procedural Safeguards](#), [Overview of Special Education for Parents](#), and the opportunity to sign informed consent provided to the parents/guardians or adult student.

For an initial evaluation, the LEA must have received informed consent from the parent for the evaluation to proceed. Since the REED would be a part of the initial evaluation, informed consent serves as the consent for the REED.

For a reevaluation, while it is common for the LEA members of the ARD committee to conduct a REED and draft existing and needed additional data, a parent needs to be informed of the REED process as the REED must include updated parent information as part of the process. Sometimes a REED can occur in an ARD committee meeting; however, the LEA must keep in mind the due date of the student's reevaluation when conducting a REED.

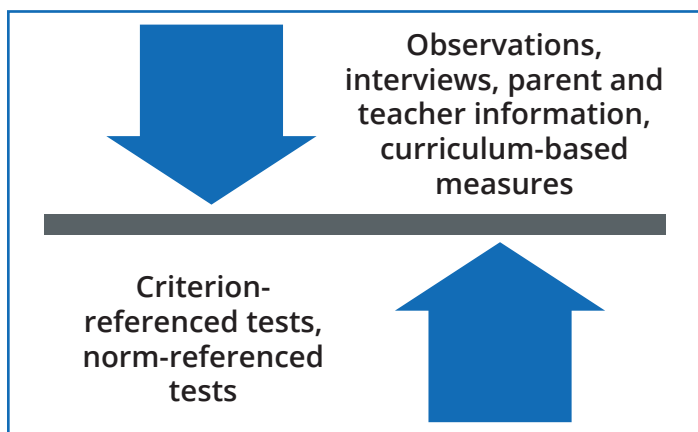
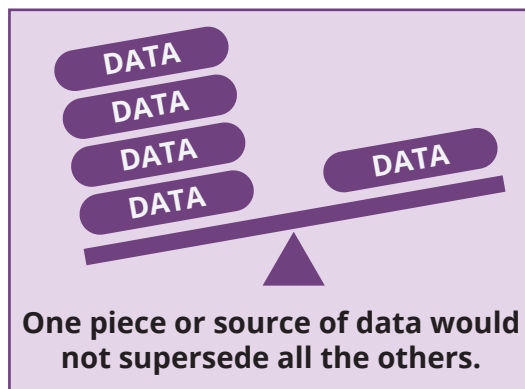
### Additional Sources of Data

Once the MDT has reviewed existing data, they begin collecting new data to help identify if the student is not achieving adequately and potential causes.

It is important to gather information and data from several sources to ensure the evaluation is comprehensive and to provide evidence to support conclusions. Identifying if the student is underachieving in one or more areas is based on **the preponderance of data** rather than a single score or piece of information.

**+** What exactly does ‘preponderance of data’ mean? In legal terms, preponderance refers to a fact that is proven more probable than not. ([Merriam-Webster.com](http://Merriam-Webster.com)). In the case of SLD identification, does the preponderance (or majority) of evidence indicate that an SLD is more probable than not?

Data from standardized, norm-referenced instruments that are valid and reliable can be helpful in the identification of SLD and provide valuable data that assist with understanding the student’s learning and performance. However, the MDT must consider standardized scores in light of other data, the student’s behavior and affect during the testing session, the normative population, and any other variables that may have influenced scores obtained during an isolated assessment.



Here is another way to think about the data review process. This graphic shows that equal weight, or consideration, is given to informal information (e.g., observations, interviews, parent and teacher information), curriculum-based tools and assessment measures, and information from criterion-referenced tests and norm-referenced tests.

Evaluation data must be balanced! When we have a balanced review of results, the preponderance of evidence is much more apparent than when we try to base our interpretations on one type of data. The MDT members should carefully consider each data source

and its convergence (or divergence) from other data sources and provide detailed explanations of how each data source relates to the other sources in the FIE.

When there is inconsistency between data sources, the MDT should take a diagnostic approach to identify reasons for the differing data sets. Error analysis of the student’s performance should be conducted, and the construct of the task compared to the student’s curriculum should be examined.

**The MDT should not rely on interpretative models or processes that exclude evidence of a disability based on predetermined score profiles or cut-off scores.**

## PRINCIPLES FOR AN APPROPRIATE AND COMPREHENSIVE SLD EVALUATION

To set the stage for an appropriate and comprehensive evaluation for a suspected SLD, the National Center for Learning Disabilities, in collaboration with other organizations, outlined eight joint principles.

National Center for Learning Disabilities, [Eligibility for Special Education Under a Specific Learning Disability Classification](#). Washington, D.C.: September 30, 2019.

### Principle 1

All students should have access to general education that includes rigorous, differentiated, universally designed core instruction, as well as supplemental, evidence-based interventions designed to respond to students' individual needs.

- » This principle speaks in part to the reference in Chapter 89 (19 TAC §89.1040 (c)(9)(C)), that the MDT must ensure that the student's underachievement is not due to lack of appropriate instruction in reading and math. The focus of the evaluation should remain on the student's access to and progress within the general curriculum. Evaluations that over-emphasize the results of formal, standardized test instruments administered in isolation from the classroom risk losing the intent of an SLD evaluation: how the student's strengths and needs manifest in the classroom setting and what instructional services and supports will be needed to ensure the student's access to and progress within the general curriculum.

### Principle 2

Education professionals - working as a team - should have the preparation, ongoing training, and resources required to: collect and use universal screening information; select and administer assessments to measure student learning and monitor progress; and provide evidence-based instruction and interventions to support students in accessing the core general education curriculum.

- » This principle references professionals working as a team, which we know as the MDT. All members of the MDT bring valuable expertise. No single professional is fully versed in all available data and assessment tools. Only by working collaboratively as a team can we ensure that an evaluation is appropriate and sufficiently comprehensive to identify the student's strengths and needs.

### Principle 3

Teams of education professionals should establish and maintain clear lines of communication with families to gain valuable input related to a student's strengths as well as academic, social, behavioral, and health needs to ensure that families, students, and service providers can participate in collaborative decision making about future instruction.

- » This principle also refers to the MDT but emphasizes the importance of including families in the evaluation process. Parents and other family members have unique insight into the student's academic, social, behavioral, and health needs. Evaluation professionals also must ensure that families clearly understand how and when the evaluation will be conducted. Families must also be provided the opportunity to communicate freely with the members of the MDT and receive all relevant information in a timely manner so they can fully participate in the decision-making process.



## Principle 4

An evaluation must lead to a clear, unbiased, and timely decision regarding special education eligibility and inform future instruction, whether the student requires special education or not.

- » Eligibility decisions are critical, and the MDT's charge is to make recommendations regarding eligibility for special education and related services. However, evaluation professionals must not lose sight of the importance of including targeted, actionable instructional recommendations in their SLD evaluation reports.

## Principle 5

Policies for determining student eligibility for special education services under the SLD classification should require the use of valid and reliable measures and ensure consistency across LEAs.

- » This principle speaks to requirements from the IDEA, including using various assessment tools and strategies to gather relevant functional, developmental, and academic information. No single measure or assessment is used as a sole criterion for eligibility decisions. Any instruments utilized are technically sound. The student is assessed in all areas related to the suspected disability. The evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs. LEAs should ensure that their special education operating procedures are updated and comply with federal and state regulations.

## Principle 6

Comprehensive evaluations for special education eligibility under the SLD category must include data from targeted, valid, and reliable measures that are tailored to the unique learning and behavioral profile of each student. The selection of measures and an eligibility determination must consider both best practice and professional judgment.

- » As the MDT decides which testing instruments will be most appropriate for an SLD evaluation; they should keep in mind that there is no legal requirement to administer standardized norm-referenced tests. MDTs may determine that standardized norm-referenced tests are necessary for the evaluation, but eligibility recommendations must be based on various assessment measures and data sources.

## Principle 7

Assessments that measure aspects of cognitive functioning may be used to rule out intellectual disabilities or to inform educational decisions by documenting areas in which the student is struggling or excelling.

- » Formal cognitive testing is not a requirement for an SLD evaluation. The MDT may include cognitive assessments as part of the overall evaluation to help determine strengths and weaknesses. Cognitive scores should not be used in isolation from other data sources to make eligibility recommendations.
- » The presence of a significant variance among specific areas of cognitive function or between specific areas of cognitive function and academic achievement is not required when determining whether a student has a significant learning disability.

## Principle 8

Teams of education professionals should use the data collected on how a student responds to evidence-based interventions as an essential part of the evaluation. School personnel must not use RTI procedures to delay a comprehensive evaluation and the determination of eligibility for special education services.

- » This information is directly referenced in our 19 TAC 89.1011(a). While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs. Any progress monitoring data collected should be included as one of the sources of information in the evaluation report.

## SPECIFIC LEARNING DISABILITY IDENTIFICATION



### Federal and State Definition

An SLD is a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance or disability, or of environmental, cultural, or economic disadvantage.

[34 CFR 300.8\(c\)\(10\)](#) and [19 TAC 89.1040\(c\)\(9\)\(A\)](#)



**NOTE:** Dyslexia is an example of and meets the definition of an SLD under the IDEA. [19 TEC §29.0031](#)

### Key Elements of Texas SLD Identification

This graphic summarizes the required elements in identifying the criteria for the condition of SLD as specified in [19 TAC 89.1040\(c\)\(9\)](#). Each of the required elements will be described in greater detail on the following pages of this document.

- 1 Determination by an **MDT**
- 2 **Observation** in the student's learning environment in the areas of difficulty
- 3 Documentation of **inadequate achievement** based on multiple sources of data
- 4 Verification of **appropriate instruction** in reading and math
- 5 Examination of **exclusionary factors**
- 6 Confirmation of insufficient progress based on **response** to scientific, **research-based intervention OR a pattern of strengths and weaknesses**

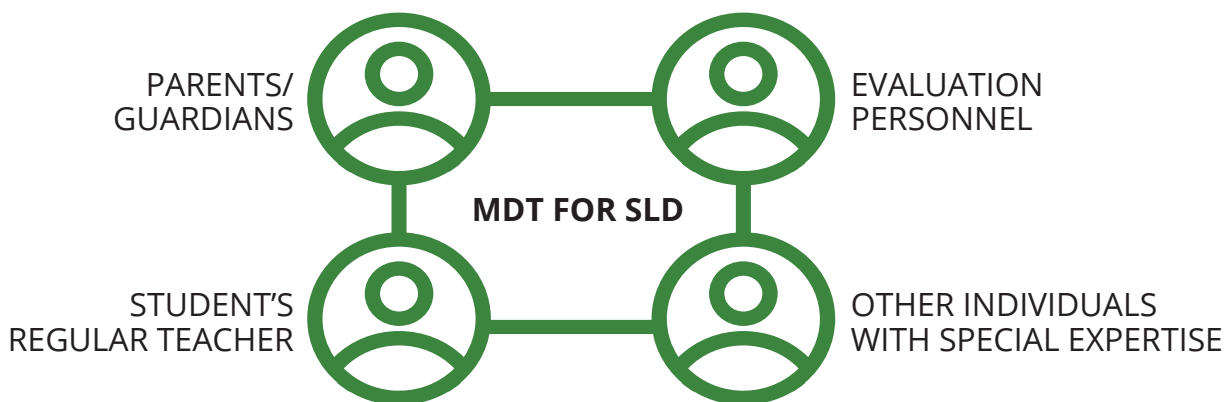
# 1 MULTIDISCIPLINARY TEAM (MDT)

Once consent to evaluate the student is received from the parent, an MDT is formed, and this team assumes the responsibility of following all evaluation procedures.

The MDT members may vary due to suspected areas of disability and the need for specific evaluator skill sets.

The Texas SLD eligibility criteria ([19 TAC 89.1040\(c\)\(9\)\(F\)](#)) states that the determination of whether a student suspected of having an SLD is a student with a disability must be made by:

- ◆ The student's parents;
- ◆ A team of qualified professionals (including a school psychologist, an educational diagnostician, a speech-language pathologist, or a remedial reading teacher). When evaluating for dyslexia, the team must include at least one person who has specific knowledge of dyslexia and related disorders, the reading process, and dyslexia instruction; and
- ◆ The student's general education teacher. If the student does not have a general education teacher, then a general education classroom teacher qualified to teach a student of his or her age or, for a student of less than school age, an individual qualified by the Texas Education Agency (TEA) to teach a student of his or her age must be included.



**+** A single professional does not conduct evaluations. MDT members are responsible for ensuring all legal standards required for conducting an FIE are followed.

## **+** Federal and State Requirements for MDT Members

### Federal - IDEA

[34 CFR, §300.308 Additional Group Members](#)

[Additional Procedures for Identifying Children with Specific Learning Disabilities]

(a) The determination of whether a child suspected of having a specific learning disability is a child with a disability as defined in §300.8, must be made by the child's parents and a team of qualified

professionals, which must include -

- (1) The child's regular teacher; or
- (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age; or
- (3) For a child of less than school age, an individual qualified by the state education agency to teach a child of his or her age; and

(b) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

## State - Texas Administrative Code (TAC)

### [19 TAC §89.1040](#)

(b) Eligibility determination. The determination of whether a student is eligible for special education and related services is made by the student's admission, review, and dismissal committee. Any evaluation or re-evaluation of a student must be conducted in accordance with 34 CFR, §§300.301-300.306 and 300.122. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility must include, but is not limited to, the following:

- (1) a licensed specialist in school psychology (LSSP) /school psychologist, an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in the area of the disability; or
- (2) a licensed or certified professional for a specific eligibility category defined in subsection (c) of this section.

(c)(9)(F) The determination of whether a student suspected of having a specific learning disability is a child with a disability as defined in 34 CFR, §300.8, must be made by the student's parents and a team of qualified professionals, which must include at least one person qualified to conduct individual diagnostic examinations of children such as a licensed specialist in school psychology /school psychologist, an educational diagnostician, a speech-language pathologist, or a remedial reading teacher and one of the following:

- (i) the student's general education teacher;
- (ii) if the student does not have a general education teacher, a general education classroom teacher qualified to teach a student of his or her age; or
- (iii) for a student of less than school age, an individual qualified by the Texas Education Agency to teach a student of his or her age.

(G) Suspicion, and the identification, of dyslexia or dysgraphia, in addition to the requirements of subparagraphs (A)-(F) of this paragraph, must include consideration of the following:

- (i) when the specific learning disability of dyslexia is suspected, or characteristics of dyslexia have been observed from a reading instrument administered under TEC, §28.006[,] or a dyslexia screener under TEC, §38.003, the team established under subsections (b) and (c)(9)(F) of this section must include a professional who meets the requirements under TEC, §29.0031(b), and §74.28 of this title (relating to Students with Dyslexia and Related Disorders), including any handbook adopted in the rule.



## State - Texas Education Code

TEC §29.0031

If dyslexia is suspected, then

(b) The multidisciplinary evaluation team and any subsequent team convened to determine a student's eligibility for special education and related services must include at least one member with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction. The member must:

- (1) hold a licensed dyslexia therapist license under [Chapter 403, Occupations Code](#)
- (2) hold the most advanced dyslexia-related certification issued by an association recognized by the State Board of Education (SBOE) and identified in, or substantially similar to an association identified in, the program and rules adopted under [Sections 7.102](#) and [38.003](#); or
- (3) if a person qualified under Subdivision (1) or (2) is not available, meet the applicable training requirements adopted by the SBOE pursuant to Sections 7.102 and 38.003.

Each LEA should analyze the current credentials and qualifications of existing staff and determine who is most appropriately trained to meet the specific knowledge required by the bill.

### + Specific Documentation for the Written Report

Each MDT member must certify in writing whether the report reflects the member's conclusion. If it does not reflect the member's conclusion, the member must submit a separate statement presenting the member's conclusions. [34 CFR, 300.311\(b\)](#).



**NOTE:** It is not defined in federal or state law to whom the separate statement should be submitted.

It could be implied that if the report does not reflect the member's conclusion and the member writes a statement of disagreement, then the statement would be attached to the evaluation report.

#### Best practice:

- If there is contradictory data within the report that could lead to a statement of disagreement, then the MDT should explore the contradictory information and pursue an explanation before the finalization of the report. A copy of the written evaluation report must be provided to the student's parents as soon as possible after completion of the report but no later than five school days prior to the initial ARD committee meeting ([see 19 TAC §89.1011\(h\)](#) for an exception to this timeline).

### 🔄 Best Practices for MDT for SLD Identification

- ◆ Include individuals with knowledge of the student, instructional practices, and instructional options.
  - ◇ This is likely the student's general education teacher but may also include other individuals such as parents, specialized instructional support personnel (someone with expertise in the areas where the child is struggling or excelling), curriculum specialists, and/or outside personnel (tutor/interventionist, therapist, medical personnel, etc.).
- ◆ Include the interventionist(s) as part of the team, if the student receives intervention.
  - ◇ The interventionist should be able to provide progress monitoring data as well as information regarding the student's rate of learning compared to the other students receiving the

intervention. The interventionist should also provide the details of the intervention (e.g., target skills), how long the student has received the intervention, if any accommodations are provided, and the frequency and duration of the intervention.

- ◇ Also, inquire with parents if the student is receiving intervention/tutoring from an outside provider. This person may have essential information regarding the student's progress and learning.
- ◆ Work to ensure active contributions and integration of information and data from all team members.
  - ◇ During the evaluation planning, MDT members should decide who is gathering and analyzing which sources of data. MDT members should not simply write "their section" without collaboration with the other members. The evaluation should be comprehensive to clearly identify the student's strengths and needs and should not be a "combined report of separate sections."
- ◆ Collaborate frequently as the evaluation progresses, as new assessment results may uncover additional suspected areas of disability.
  - ◇ Time is a critical component. Throughout the evaluation, the MDT members should schedule quick, frequent meetings (virtually or face-to-face) to discuss the data and determine if additional data are needed.
- ◆ Work together to review the multiple sources of data to identify consistent and inconsistent findings and draw conclusions about strengths and needs.
  - ◇ The MDT should meet to finalize the report and ensure the data is consistent and describes the student's academic, developmental, and functional skills. If inconsistent data are discovered, it should be explained, or additional data should be gathered to provide a comprehensive conclusion.
- ◆ Develop recommendations that address the student's individual needs.
  - ◇ The MDT members should ensure that recommendations do not conflict. Additionally, the recommendations should not be based on disability condition, but should be based on the student's unique data and needs.



## 2 OBSERVATION IN THE STUDENT'S LEARNING ENVIRONMENT IN THE AREA(S) OF DIFFICULTY

The LEA must ensure the student is observed in the student's learning environment, including the general education classroom setting, to document the student's academic performance and behavior in the areas of difficulty.

In determining whether a student has an SLD, the MDT must decide to either use information from:

- ◆ An observation in routine classroom instruction and monitoring of the student's performance that was conducted before the student was referred for an evaluation, or



- ◆ An observation, by a member of the MDT, of the student's academic performance in the general education classroom after the student has been referred for an evaluation and the school district has obtained parental consent.

In the case of a student of less than school age or out of school, a member of the MDT must observe the student in an environment appropriate for a student of that age.

## Best Practices for Observation

- Conduct observations prior to individual student assessment to reduce the impact of the evaluator's presence in the classroom on the student's behavior.
- Complete multiple observations of different tasks and activities related to the area of difficulty. Ask teachers if the observation that day represented the student's typical performance and behavior.
- Observe the student in a learning environment where the student exhibits strengths as well as needs.
- Consider observing the student during the implementation of an intervention that targets a skill being evaluated.
- Use information from the observations to inform the overall analysis of other sources of data and to inform recommendations.
- Include a description of the engagement and the student's behaviors while performing the tasks. How does the student's participation in the task compare to peers in the classroom?

## + Example Observation Forms

Here are two examples of observation forms. One is for observing the student during an intervention, and the other is for observing the student during general education instruction. The MDT may use these templates or revise them to create a form tailored to gather information.

### SLD Tier 1 Observation Form

Core Content Area/ Tier 1: Instructional Observation				
Observer	Referred Student	Date	Start time of observation	
Teacher	Grade	# of students	End time of observation	
<b>Content area(s):</b> Reading      Math      Grouping observed: Check all that apply. Circle priority for referred student.				
... Comprehension ... Fluency ... Vocabulary ... Writing		... Computation ... Word problem solving		... Partner ... Small Group ... One-to-One ... In a group ... Co-teaching
<b>Core Content:</b>				
Instructional objectives/ Lesson Activities/ Strategies			Student engagement/ Maximization of instructional time/ Pacing	
Differentiation instruction (materials, activities, student products)				
Features of effective instruction		Classroom management/ Intermittent/ Behavior redirections		
... Explicit instruction ... Modeling ... Guided practice ... Immediate corrective feedback ... Practice to automaticity ... Scaffolding for understanding ... Material matches student needs		... Corrective Feedback/ Accountability for student work		
Observation of referred student's participation				

### SLD Intervention Observation Forms

Intervention Observation				
Observer	Referred Student	Date	Start time of observation	
Interventionist	Grade	# of students	End time of observation	
<b>Content area(s):</b> Reading      Math      Grouping observed: Check all that apply.				
... Comprehension ... Fluency ... Vocabulary ... Writing		... Computation ... Word problem solving		... Partner ... Small Group ... One-to-One ... In a group
<b>Intervention program</b>				
Intervention objectives/ Lesson Activities/ Strategies			Student engagement/ Maximization of instructional time/ Pacing	
Differentiation that targeted needs of referred student				
Features of effective intervention		Opportunities for referred student to respond		
... Explicit instruction ... Modeling ... Guided practice ... Immediate corrective feedback ... Practice to automaticity ... Scaffolding for understanding ... Material matches student needs		... Opportunities for referred student to practice to automaticity		
Observation of referred student's participation				

## 3 INADEQUATE ACHIEVEMENT

In Texas, the criteria for SLD states a student with an SLD is one who, when provided with learning experiences and instruction appropriate for the student's age or state-approved grade-level standards as indicated by performance on multiple measures, does not achieve adequately for the student's age or does not meet state-approved grade-level standards in one or more of the eight areas of achievement described below.

The MDT must gather and review data to determine if the student is not achieving adequately when provided learning experiences and instruction appropriate for their age or grade-level standards. In other words, the student demonstrates inadequate achievement in one or more of the eight areas of achievement.

### Eight Areas of Inadequate Achievement

The eight specific areas of achievement that are considered for SLD are: oral expression; listening comprehension; written expression; basic reading skill; reading fluency skills; reading comprehension; mathematics calculation; and mathematics problem solving. While not specifically defined or described in statute or rule, below are generally understood descriptions for each area.

#### 1 Oral Expression

Oral expression is the ability to express wants, needs, thoughts, and ideas in a meaningful way. It includes how well someone can communicate ideas, describe his/her thinking, retell stories, compare and contrast concepts, and problem solve orally. Often, a speech-language pathologist is involved in helping to assess achievement in this area.

#### 2 Listening Comprehension

Listening comprehension is the ability to understand the meanings of words and sentences of spoken language. This includes following directions, comprehending questions, listening and understanding in order to learn, and making connections to previous learning. Often, a speech-language pathologist is involved in helping to assess achievement in this area.

#### 3 Written Expression, which may include Dysgraphia

Written expression is the ability to communicate thoughts and ideas through writing. Written expression includes the generation of ideas, the production of writing, including handwriting and spelling, application of grammar, text fluency, sentence construction and planning, and overall execution of the writing process. This is an area where students with dysgraphia typically demonstrate underachievement.

#### 4 Basic Reading, which may include Dyslexia

Basic reading is reflective of a student's ability to read at the word level. It includes skills such as phonemic awareness, phonics, word decoding, and word recognition. This is an area where students with dyslexia typically demonstrate underachievement.

#### 5 Reading Fluency, which may include Dyslexia

Reading fluency refers to the ability to read connected text accurately (accuracy), at an appropriate speed (rate), and with appropriate phrasing and expression (prosody). Reading fluency facilitates reading comprehension. This is an area where students with dyslexia typically demonstrate underachievement.

## 6 Reading Comprehension

Reading comprehension refers to the ability to understand and make meaning of written text. Reading comprehension is considerably impacted by basic reading skills and reading fluency, as well as by language skills (e.g., vocabulary knowledge).

## 7 Mathematics Calculation

Math calculation is the knowledge and retrieval of mathematical facts and the application of computation knowledge. Math calculation includes number sense or numerical knowledge (including counting, addition, subtraction, multiplication, and division), measurement, spatial sense and geometry, patterning and algebra, and data management & probability.

## 8 Mathematics Problem Solving

Math problem solving is the ability to use decision-making skills to apply mathematical concepts and understandings to real world situations. It is impacted by calculation skills, but also requires students to understand and apply problem solving steps and processes. It is the application of math knowledge and skills to solve problems.



**NOTE:** Dyslexia is a specific learning disability (SLD). [TEC §29.0031](#) states dyslexia is an example of and meets the definition of a SLD under IDEA. This is in conformity with IDEA's federal regulations at [34 CFR §300.8\(c\)\(10\)](#), which specifically lists dyslexia as an example of an SLD. TEA provides the following guidance associated with an evaluation for dyslexia:

The condition of dyslexia, if identified, must be documented and used in a student's evaluation and any resulting IEP. However, for purposes of the Public Education Information Management System (PEIMS), [34 CFR §300.311](#) requires specific documentation of a child's eligibility determination as a child with an SLD.

[OSERS's October 23, 2015 Dear Colleague letter](#) on dyslexia clarifies that there is nothing in the IDEA that would prohibit the use of the terms dyslexia, dyscalculia, and dysgraphia in IDEA evaluation, eligibility determinations, or IEP documents.

## Multiple Measures to Determine Achievement



Determining the student's achievement is accomplished by using multiple measures, such as in-class tests, grade average over time (e.g., six weeks or semester), norm- or criterion-referenced tests, and statewide assessments ([19 TAC 89.1040\(c\)\(9\)\(B\)\(ii\)](#)). Data collection and analysis from multiple sources, including informal, curriculum-based, criterion-referenced, and norm-referenced, is necessary to determine if the student fails to achieve in one or more areas connected to SLD. Using multiple measures involves looking at more than just scores. Qualitative data, such as observations, teacher input, and parent interviews, yields valuable information. The graphic below is not exhaustive but provides examples of different data sources.

## INFORMAL

- Referral Data
- Records Review
- Vision/Hearing Screening
- Work Samples
- Parent Information/Interview
- Teacher Information/Interview
- Observations - School/Home

## CURRICULUM-BASED

- Teacher-made/Textbook Quiz
- District Benchmarks
- Curriculum Based Measurement (CBM)
- Running Records
- Progress Monitoring
- Universal Screeners

## NORM-REFERENCED

- Standardized Measures:
  - Achievement Tests
  - Cognitive Tests
- Developmental Measures
- Specialized Measures

## CRITERION-REFERENCED

- State of Texas Assessments of Academic Readiness (STAAR®) and STAAR Alternate (ALT) 2
- Universal Screeners
- Iowa Test of Basic Skills (ITBS)
- Brigance Test
- Texas English Language Proficiency Assessment System (TELPAS) and TELPAS ALT
- Advanced Placement (AP) Tests
- Scholastic Aptitude Test (SAT) and American College Test (ACT)



The decision to include standardized measures, particularly cognitive assessments, in the evaluation process for an SLD should be made on a case-by-case basis. In some cases, sufficient information may be available from sources such as academic performance data, behavioral observations, and input from parents and teachers to make an informed decision about identification without the need for standardized measures. This might be especially true when ruling out factors like intellectual disability, where other indicators may be more salient. Although there is no federal or state requirement to include norm-referenced achievement or cognitive functioning in an evaluation and identification of SLD, there are instances where standardized measures can provide valuable insights into a student's achievement and processes that may not be apparent through other means. These measures can help identify strengths and weaknesses in different achievement and cognitive domains, informing instructional planning and support strategies. Therefore, the MDT needs to consider the specific circumstances of each case and weigh the potential benefits of including standardized measures, such as cognitive assessments, against the practicalities. Additionally, MDT members have the discretion to determine if a full cognitive profile to measure intellectual functioning is necessary to rule out an intellectual disability before identifying a student with an SLD. In other instances, MDT members should determine if limited assessments that measure specific areas of cognitive functioning or processes are valuable to inform the evaluation and better understand the student as a learner.

**Informal data** identifies the student's strengths and needs without norms. **Curriculum-based data** identifies the student's performance level within the taught curriculum. **Criterion-referenced data** identifies the student's performance level in relation to specific tasks or expectations. **Norm-referenced data** identifies the student's strengths and weaknesses compared to groups of students their same age or grade.



Remember, “assess” does not mean only “formally test.”  
 “Assess” means gathering data from multiple sources.

MDT members should consider all data, including qualitative data which indicates how the student behaves during testing situations, how hard they try, and their motivation. Then, compare this information to performance in school. The MDT should also identify how these skills manifest within the school environment, particularly if it is found to be an area of deficit.

### + Examples of Multiple Measures for the Eight Areas of Inadequate Achievement

Next, let’s explore some potential examples of multiple measures for each of the eight achievement areas we reviewed earlier. **Please note these lists are not exhaustive.** You may have additional data sources to incorporate in your data-gathering process.

#### Oral Expression

Oral expression can include the ability to convey wants, needs, thoughts, and ideas meaningfully. Specific oral expression skills may include using newly acquired vocabulary, expressing ideas, explaining thinking and problem-solving, retelling stories, describing categories, and comparing/contrasting concepts or ideas.

#### POTENTIAL DATA SOURCES

<p style="text-align: center;"><b>INFORMAL</b></p> <ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> </ul>	<p style="text-align: center;"><b>CURRICULUM-BASED</b></p> <ul style="list-style-type: none"> <li>• Speech-language pathologist (SLP)/ teacher presents a topic and measures student’s oral responses.</li> </ul>	<p style="text-align: center;"><b>CRITERION-REFERENCED</b></p> <ul style="list-style-type: none"> <li>• Texas English Language Proficiency Assessment System (TELPAS) speaking assessment</li> <li>• Oral proficiency test</li> </ul>	<p style="text-align: center;"><b>NORM-REFERENCED, IF NECESSARY</b></p> <p style="text-align: center;"><i>Standardized measures of expressive language</i></p>
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The [MDT](#) may also want to look for the following:

- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.
- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.

These are skills that the MDT may want to look for in the classroom. It is important to not look at skills in isolation but at how they relate to one another and manifest in the classroom settings.

## Listening Comprehension

Listening comprehension is the ability to understand and make sense of spoken language. Some of the specific skills for listening comprehension include:

- ◆ Recognizing meaning: the ability to understand information stated explicitly (facts, details, etc.)
- ◆ Vocabulary: understanding the meaning of words
- ◆ Inferencing: the ability to form a conclusion based on known facts or evidence
- ◆ Main Idea: the ability to understand or identify the central or most important idea in a paragraph, passage, or story.



### POTENTIAL DATA SOURCES

INFORMAL	CURRICULUM-BASED	CRITERION-REFERENCED	NORM-REFERENCED, IF NECESSARY
<ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> </ul>	<ul style="list-style-type: none"> <li>• Teacher-made quizzes where the teacher reads a short story aloud and student orally answers comprehension questions.</li> </ul>	<ul style="list-style-type: none"> <li>• TELPAS Listening</li> <li>• Oral proficiency test</li> </ul>	<p><i>Standardized measures of receptive language</i></p>

The MDT may also want to look for the following:

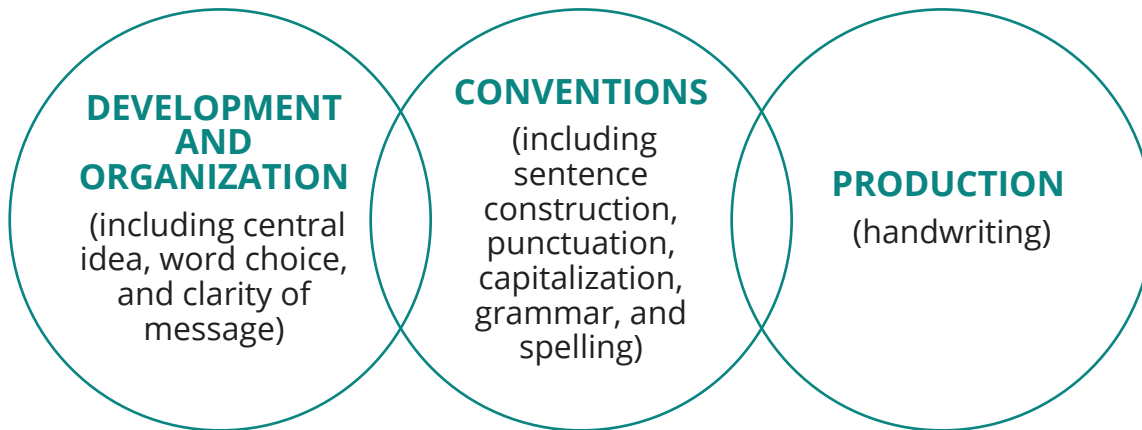
- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.
- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to perceive, analyze, and synthesize patterns from auditory input.

These are some of the skills that the MDT may want to look for when assessing listening comprehension skills. Members of the MDT will want to look for classroom activities such as follow-up questions after a read-aloud, where the teacher reads a selected text to the class, or think-aloud activities where the student is allowed to model aloud how they came to a particular answer or conclusion. Observing these listening comprehension skills in action in the classroom will enable the MDT to see the student utilizing skills in a more authentic setting than the often one-on-one environment required for standardized test administration.



**Written Expression - Which May Include Dysgraphia**

Writing is one of the most complex tasks students will be asked to engage in. The knowledge and skills related to written expression include:



**POTENTIAL DATA SOURCES**

<b>INFORMAL</b>	<b>CURRICULUM-BASED</b>	<b>CRITERION-REFERENCED</b>	<b>NORM-REFERENCED, IF NECESSARY</b>
<ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Work samples – handwriting and various types of writing (journals, dictation, descriptive, narrative, expository, persuasive)</li> </ul>	<ul style="list-style-type: none"> <li>• Intervention progress monitoring</li> <li>• CBM – story starter + total words written, words spelled correctly, correct writing sequences, total correct punctuation (available via <a href="#">Intervention Central</a>)</li> <li>• Comparison to enrolled grade-level standards</li> <li>• Teacher made spelling tests</li> </ul>	<ul style="list-style-type: none"> <li>• Writing universal screeners</li> <li>• District writing benchmarks</li> <li>• STAAR® assessment (writing portion of Reading Language Arts (RLA), English I, and English II)</li> <li>• TELPAS writing assessment</li> </ul>	<p><i>Standardized measures of writing: letter formation, handwriting, word and sentence dictation (timed and untimed), copying, spelling, writing fluency, organization, ideas, grammar, punctuation, structure</i></p>

The MDT may also want to consider:

- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.
- ◆ The ability to navigate unfamiliar tasks; problem-solving.
- ◆ The ability to perform tasks automatically, effectively, and efficiently.
- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.

## Dysgraphia

Dysgraphia is a written language disorder in the serial production of strokes to form a handwritten letter. This involves motor skills and language skills—finding, retrieving, and producing letters, which is a subword-level language skill. The impaired handwriting may interfere with spelling and/or composing, but individuals with only dysgraphia do not have difficulty with reading (Berninger, Richards, & Abbott, 2015).



A review of recent evidence indicates that dysgraphia is best defined as a neurodevelopmental disorder manifested by **illegible and/or inefficient handwriting** due to difficulty with letter formation. This difficulty is the result of deficits in graphomotor function (hand movements used for writing) and/or storing and retrieving orthographic codes (letter forms) (Berninger, 2015). Secondary consequences may include problems with spelling and written expression. The difficulty is not solely due to a lack of instruction and is not associated with other developmental or neurological conditions that involve motor impairment.

Evaluation of written expression/dysgraphia should include data gathering and measures related to the student's educational needs in:

- ◆ Letter formation
- ◆ Handwriting
- ◆ Word/sentence dictation (timed and untimed)
- ◆ Copying of text
- ◆ Written expression (including volume of output)
- ◆ Spelling
- ◆ Writing fluency (both accuracy and fluency)

The MDT may need to evaluate the following related cognitive processes to gain further understanding of the student's educational needs:

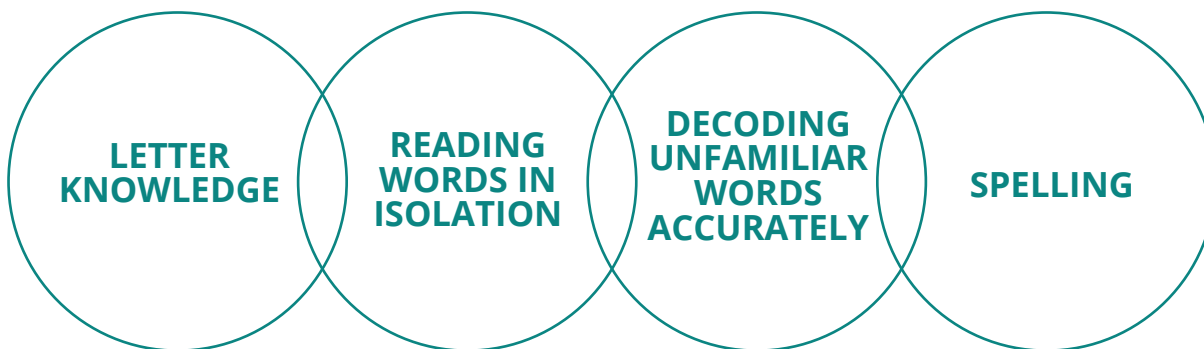
- ◆ Memory for letter or symbol sequences (orthographic processing)

The process of handwriting requires the student to rely on memory for letters or symbol sequences, also known as orthographic processing. Memory for letter patterns, letter sequences, and the letters in whole words may be selectively impaired or coexist with phonological processing weaknesses. When spelling, a student must not only process both phonological and orthographic information but also apply their knowledge of morphology and syntax (Berninger & Wolf, 2009).

The MDT **may** also need to evaluate graphomotor function to further understand the student's educational needs. Graphomotor function evaluation includes assessing the student's pencil grip, pressure during handwriting, and hand movements during handwriting. Evaluating graphomotor function may need to include an occupational therapist (OT) to address fine or gross motor concerns.

**Basic Reading Skill – Which May Include Dyslexia**

Evaluation of basic reading skills/dyslexia should include data gathering and measures related to the student’s educational needs in:



**POTENTIAL DATA SOURCES**

<p><b>INFORMAL</b></p> <ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Listening to the student read aloud</li> </ul>	<p><b>CURRICULUM-BASED</b></p> <ul style="list-style-type: none"> <li>• Dolch sight words</li> <li>• Running records</li> <li>• Intervention progress monitoring</li> <li>• CBM – letter naming/ sound fluency, word identification, decoding words (available via <a href="#">Dynamic Indicators of Basic Early Literacy Skills (DIBELS)</a> and <a href="#">Intervention Central</a>)</li> <li>• Comparison to enrolled grade-level curriculum</li> </ul>	<p><b>CRITERION-REFERENCED</b></p> <ul style="list-style-type: none"> <li>• Reading universal screeners</li> <li>• District reading benchmarks</li> <li>• STAAR® assessment (reading portion in RLA, English I, and English II)</li> <li>• TELPAS reading assessment</li> <li>• Dyslexia screeners</li> </ul>	<p><b>NORM-REFERENCED, IF NECESSARY</b></p> <p><i>Standardized measures of letter identification, reading words in isolation (timed and untimed), decoding unfamiliar words (timed and untimed)</i></p>
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When assessing decoding skills, the MDT should look at the student’s abilities with **single-word** reading and decoding, as well as reading and decoding **within text**.

Word reading and decoding skills should be automatic, efficient, and effective in enrolled grade-level text.

The MDT **may** need to evaluate the following related cognitive processes to gain further understanding of the student’s educational needs:

- ◆ Phonological/phonemic awareness
- ◆ Rapid naming of symbols or objects
- ◆ Memory for letter or symbol sequences (orthographic processing)

Difficulties in phonological and phonemic awareness are typically seen in students with dyslexia and impact a student’s ability to learn letters and the sounds associated with letters, learn the alphabetic principle, decode words, and spell accurately. Rapid naming skills may or may not be weak, but if deficient, they are often associated with difficulties in automatically naming letters, reading words fluently, and reading

connected text at an appropriate rate. Memory for letter patterns, letter sequences, and the letters in whole words (orthographic processing) may be selectively impaired or coexist with phonological processing weaknesses. Finally, various language processes, such as morpheme and syntax awareness, memory and retrieval of verbal labels, and the ability to formulate ideas into grammatical sentences, may also be factors affecting reading (Berninger & Wolf, 2009, pp. 134–135).

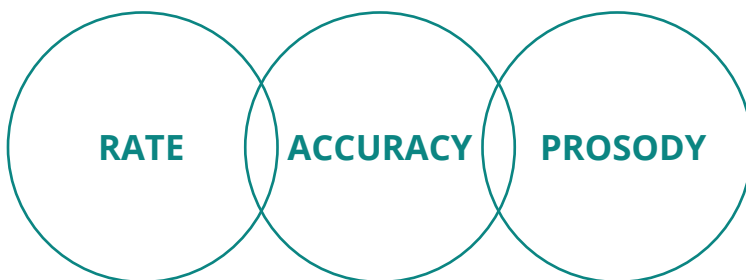
The MDT **may** also want to look for:

- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to perceive, analyze, and synthesize patterns from auditory input.
- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.

Based on the student’s academic difficulties, characteristics, and/or language acquisition, additional areas related to vocabulary, listening comprehension, oral language proficiency, written expression, and other academic and cognitive processes may need to be assessed. Please see [The Dyslexia Handbook](#) Chapter 3, Procedures for Evaluation and Identification of Students with Dyslexia, for more information.

## Reading Fluency skills – Which May Include Dyslexia

Evaluation of reading fluency skills/dyslexia should include data gathering and measures related to the student’s educational needs in:



### POTENTIAL DATA SOURCES

INFORMAL	CURRICULUM-BASED	CRITERION-REFERENCED	NORM-REFERENCED, IF NECESSARY
<ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Listening to the student read aloud</li> </ul>	<ul style="list-style-type: none"> <li>• Dolch sight words</li> <li>• Running records</li> <li>• Intervention progress monitoring</li> <li>• CBM – letter naming/ sound fluency, word identification, decoding words (available via <a href="#">Dynamic Indicators of Basic Early Literacy Skills (DIBELS)</a> and <a href="#">Intervention Central</a>)</li> <li>• Comparison to enrolled grade-level curriculum</li> </ul>	<ul style="list-style-type: none"> <li>• Reading universal screeners</li> <li>• District reading benchmarks</li> <li>• STAAR® assessment (reading portion in RLA, English I, and English II)</li> <li>• Dyslexia screeners</li> </ul>	<p><i>Standardized measures of letter identification, reading words in isolation (timed and untimed), decoding unfamiliar words (timed and untimed)</i></p>

The MDT **may** need to evaluate the following related cognitive processes to gain further understanding of the student’s educational needs:

- ◆ Phonological/phonemic awareness
- ◆ Rapid naming of symbols or objects
- ◆ Memory for letter or symbol sequences (orthographic processing)



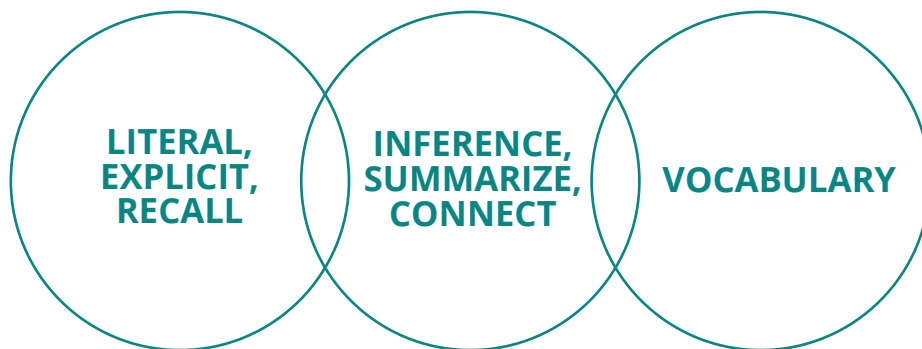
The MDT may also want to look for:

- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.
- ◆ The ability to perform tasks automatically, effectively, and efficiently.

Based on the student’s academic difficulties, characteristics, and/or language acquisition, additional areas related to vocabulary, listening comprehension, oral language proficiency, written expression, and other academic and cognitive processes may need to be assessed.

## Reading Comprehension

Evaluation of reading comprehension should include data gathering and measures related to:



### POTENTIAL DATA SOURCES

<b>INFORMAL</b> <ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Work samples</li> </ul>	<b>CURRICULUM-BASED</b> <ul style="list-style-type: none"> <li>• Intervention progress monitoring</li> <li>• CBM – comprehension (MAZE/CLOZE) (available via <a href="#">DIBELS</a> and <a href="#">Intervention Central</a>)</li> <li>• Comparison to enrolled grade-level standards</li> </ul>	<b>CRITERION-REFERENCED</b> <ul style="list-style-type: none"> <li>• Reading universal screeners</li> <li>• District reading benchmarks</li> <li>• STAAR® assessment (reading portion in RLA, English I, and English II)</li> <li>• TELPAS reading assessment</li> </ul>	<b>NORM-REFERENCED, IF NECESSARY</b> <p><i>Standardized reading comprehension measures include literal questions, inference questions, and vocabulary in fiction (drama) and non-fiction (informational) texts.</i></p>
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The MDT may also want to look for:

- ◆ The ability to navigate unfamiliar tasks; problem-solving.
- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.
- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.

The presence of dyslexia may impact a student's reading comprehension skills.

**Mathematics Calculation**

Math calculation includes the following core skills, beginning with one-to-one correspondence, number sense, measurement, spatial sense and geometry, patterning and algebra, data management and probability. In terms of student expectations, this gradually increases with the grade level working our way along this progression of skill attainment for math calculation.

One-to-One Correspondence	Number Sense	Measurement	Spatial Sense & Geometry	Patterning & Algebra	Data Management & Probability
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**POTENTIAL DATA SOURCES**

<p><b>INFORMAL</b></p> <ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Work samples - math journals, single-skill calculation tasks, mixed-skill calculation tasks, math fluency tasks</li> </ul>	<p><b>CURRICULUM-BASED</b></p> <ul style="list-style-type: none"> <li>• Teacher-made tests/ quizzes</li> <li>• Intervention progress monitoring</li> <li>• CBM – early numeracy, computation (available via <a href="#">Intervention Central</a>)</li> <li>• Comparison to enrolled grade-level standards</li> </ul>	<p><b>CRITERION-REFERENCED</b></p> <ul style="list-style-type: none"> <li>• Math universal screeners</li> <li>• District math benchmarks</li> <li>• STAAR® math assessment</li> </ul>	<p><b><i>NORM-REFERENCED, IF NECESSARY</i></b></p> <p><i>Standardized measures of math calculation (timed and untimed)</i></p>
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The MDT may also want to consider:

- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.
- ◆ The ability to navigate unfamiliar tasks; problem-solving.
- ◆ The ability to perform tasks automatically, effectively, and efficiently.
- ◆ The ability to think with visual patterns and visual stimuli.
- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.

**Mathematics Problem Solving**

Students must understand how to apply math calculation skills to solve various problems, from measurement to data analysis.

**POTENTIAL DATA SOURCES**

<p style="text-align: center;"><b>INFORMAL</b></p> <ul style="list-style-type: none"> <li>• Parent information/ interview</li> <li>• Teacher information/ interview</li> <li>• Observation</li> <li>• Student information/ interview</li> <li>• Work samples - math journals, word problems (orally presented), word problems (independent), graphs/ tables, measurement tasks, time and money concepts</li> </ul>	<p style="text-align: center;"><b>CURRICULUM-BASED</b></p> <ul style="list-style-type: none"> <li>• Teacher-made tests/ quizzes</li> <li>• Intervention progress monitoring</li> <li>• CBM – early numeracy, computation (available via <a href="#">Intervention Central</a>)</li> </ul>	<p style="text-align: center;"><b>CRITERION-REFERENCED</b></p> <ul style="list-style-type: none"> <li>• Math universal screeners</li> <li>• District math benchmarks</li> <li>• STAAR® math assessment</li> </ul>	<p style="text-align: center;"><b><i>NORM-REFERENCED, IF NECESSARY</i></b></p> <p style="text-align: center;"><i>Standardized measures of word problems (orally presented), graphs/ tables, measurement tasks, time and money concepts</i></p>
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The MDT may also want to consider the following:

- ◆ The ability to acquire and hold information in one’s mind and use it within seconds.
- ◆ The ability to take and store various information in one’s mind and later retrieve it quickly and easily.
- ◆ The ability to navigate unfamiliar tasks; problem-solving.
- ◆ The ability to perform tasks automatically, effectively, and efficiently.
- ◆ The ability to think with visual patterns and visual stimuli.
- ◆ The level of acquired knowledge, including knowledge obtained through life experiences.

**🔄 Why is the use of multiple measures so important?**

When making high stakes decisions multiple measures need to be considered to avoid using one cut off score.

**Reliability issues**

- ◆ All SLD identification methods have problems with reliability.
- ◆ If a formula or firm threshold is used, a student identified with one method may not be identified with SLD using another method or even another set of tests.
- ◆ Our ability to assess precisely where the student’s true score is relative to this firm threshold is not reliable.

## Fixed cut-point issues

- ◆ The issue of low agreement is a universal concern when identifying learning disabilities using psychometric tests with fixed cut points.
- ◆ It becomes difficult to assess exactly where an individual resides relative to a fixed cut point.
- ◆ Even with the same student, different tests or the same tests on different measurement occasions will generate a range of scores.

## Recommended practice

- ◆ A recommended practice is to express the test results within the standard error of measurement and specify the student's performance with a confidence interval so that a range of scores could indicate the presence of SLD.
- ◆ Another recommended practice is to incorporate other data that might inform the judgment of the ARD committee, such as previous academic and classroom performance, grades, observations of the child, and the parent's and teachers' perceptions of the student's performance.

### Best Practices for Assessing Achievement

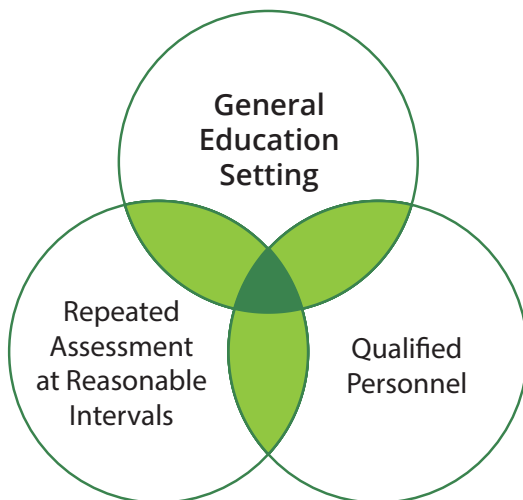
- Review existing data before administering new assessments to help focus areas where additional data is necessary.
- Focus time and energy on directly assessing areas of academic concern to help identify where a student's skills break down and inform potential interventions.
- Consider all data (e.g., criterion referenced, curriculum-based, norm referenced, informal) to identify areas of adequate and inadequate achievement.
- Collaborate with teachers and other curriculum specialists when interpreting the implications of a student's performance on curriculum-based measures, universal screeners, district benchmarks and other criterion-referenced assessments.
- Review data, both formal and informal, in the context of the student's performance in the classroom. When data indicates that the student's performance is atypical compared to peers, evaluators should investigate all possible underlying causes including disability-related factors.
- Include an OT on the MDT when there are suspicions about the student having deficits in graphomotor function.



**4 APPROPRIATE INSTRUCTION IN READING AND MATH**

+ To ensure a student’s underachievement is not due to lack of appropriate instruction in reading or math, the MDT must consider as part of the evaluation:

- ◆ Data that demonstrates the student was provided appropriate instruction in reading and/or math in the general education settings delivered by qualified personnel; and



- ◆ Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal evaluation of progress of the student during instruction, which was provided to the parent of the child. Data-based documentation of repeated assessments may include, but is not limited to, RtI progress monitoring results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program. ([19 TAC 89.1040\(c\)\(9\)\(D\)](#)).

**EXAMPLES OF EVALUATION DATA**



**SCHOOL RECORDS: REPEATED ASSESSMENTS**

- Intervention progress monitoring results and reports
- In-class tests on grade-level curriculum
- Other regularly administered assessments

**OTHER SCHOOL RECORDS**

- District, school, and grade-level benchmark, universal screening, and state assessment results compared to campus and district results
- Academic records
- Intervention access and progress
- School history
- Classroom observations
- Attendance records
- Student mobility information
- Discipline records
- Disruptions to instruction

**HOME INFORMATION**

- Parent/adult student interview about school history and access to reading/math instruction
- Participation in outside tutoring
- Other academic supports

## + Student Attendance

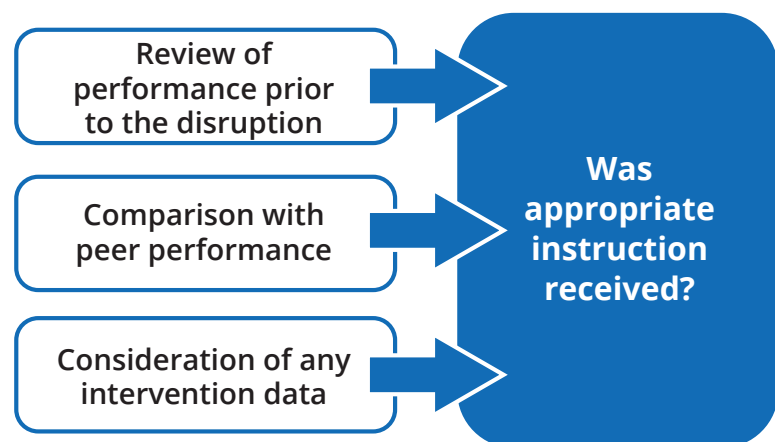
Student attendance is one of the most common predictors of academic achievement. Excessive absences or tardiness may affect a student’s educational performance. Are there any concerns with attendance, including tardiness?

- ◆ Is there a pattern of absences or tardiness?
- ◆ Are absences or tardiness affecting the student’s academic achievement?
- ◆ Are the absences or tardiness affecting the student’s behavior?



Suppose absences or tardiness affect the student's progress in the general curriculum. In that case, this data should be included in the student’s evaluation, and the MDT should determine if the absences or tardies are the **primary** reason for the student’s academic difficulties.

## Disruptions to Instruction



Students may have experienced extended school closures or other disruptions to instruction due to long-term illness, natural disasters, or other events. Unfortunately, learning loss is often the result. MDTs are challenged to distinguish between learning loss and learning disabilities. A careful review of performance before the disruption, comparisons with peer performance, and consideration of any intervention data will help teams determine if the student received appropriate instruction.

## 5 EXCLUSIONARY FACTORS IN SLD IDENTIFICATION

Students may display underachievement for various reasons. Not every student with inadequate achievement has an SLD. As part of the process of identifying a student with an SLD, the MDT must determine whether specific factors (listed below) are the **primary** reason for the student’s difficulties in learning and academic performance ([19 TAC 89.1040\(c\)\(9\)\(B\)\(iv\)](#)). Exclusionary factors include a visual hearing or motor disability, intellectual disability, emotional disability, environmental, cultural, or economic disadvantage, and language proficiency.

A visual, hearing or motor disability	Intellectual disability	Emotional disability	Environmental, cultural, or economic disadvantage	Language proficiency
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### A Visual, Hearing, or Motor Disability

Vision and hearing screenings are routinely conducted in Texas schools and are required by Texas regulations. Health records should be reviewed to determine if the screening results indicate a possible vision and/or hearing problem. If there are lingering concerns about vision and/or hearing, the student can

be re-screened. When screening results suggest a possible vision and/or hearing concern, a referral to an optometrist, ophthalmologist, otolaryngologist and/or audiologist may be necessary.

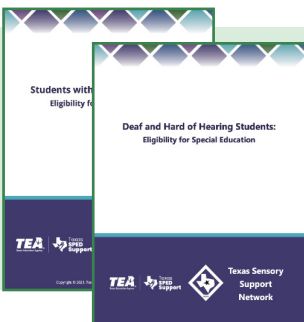
Assessment observations, interviews, and record reviews may reveal concerns with motor skills. The school nurse or other professionals (e.g., occupational or physical therapist) might conduct motor skill screenings. If there are concerns with motor skills, a referral to a physical or occupational therapist or a medical practitioner may be necessary.

If a student's vision, hearing, or motor disability is the primary cause of the student's academic underachievement, then the student is not identified as having an SLD. However, a common misconception is that the mere presence of a sensory or motor disability automatically rules out an SLD. This is not true. A sensory or motor impairment can coexist with an SLD. MDTs need to consider this possibility, particularly when students are not progressing as expected despite having appropriate supports and services in place to meet the needs that result from the sensory or motor impairment.

Looking at visual and hearing factors can be challenging. Here are a few additional resources that can help.



The guidance document from TEA, [Sensory Impairments and Specific Learning Disabilities](#), provides the eligibility definitions of sensory impairments and SLD; clarifies the meaning of “not primarily the result of;” and describes considerations when evaluating a student with a sensory impairment for a potential learning disability.



The two resources from TEA, [Students with Visual Impairments: Eligibility for Special Education](#) and [Eligibility for Special Education: Deaf and Hard of Hearing Students](#), provide information about determining the presence of the visual impairment or deaf or hard of hearing disability and the associated educational needs. Frequently asked questions and answers, as well as references, are also included.



**NOTE:** When the LEA discovers that additional evaluation by an outside provider is necessary (e.g., audiological or medical evaluation), the LEA is responsible for ensuring those evaluations occur at no cost to the family within the evaluation timeline.

## Intellectual Disability

If there are concerns about a student's overall intellectual and adaptive behavior functioning, the student's cognitive functioning and adaptive behavior should be formally assessed.

**If the student is determined to meet the criteria of a student with an intellectual disability, then the student is not identified as having an SLD.**

## Emotional Disability

Some students with academic difficulties may also display internalizing (e.g., worrying, sadness) or externalizing (e.g., verbally or physically aggressive) behaviors.

An assessment of how behaviors impact academic achievement and access to instruction is necessary for these students. For example, students who engage in challenging behavior may have missed significant instructional time.

Suppose an emotional disability is suspected or already identified. In that case, the team must gather and analyze data to determine if the **primary** reason for the student's academic difficulty is an emotional disability rather than an SLD. An SLD is not identified if an emotional disability is determined to be the **primary** cause of the student's academic difficulties. However, a student can have both an emotional disability and an SLD.

A comprehensive team evaluation that carefully considers the student's history, onset and development of academic and behavioral concerns, access to instruction and intervention, and behavior and academic needs across subjects, settings, and environments can help with proper identification.



**19 TAC §89.1040(c)(4) was amended to change the term “emotional disturbance” to “emotional disability.” The eligibility criteria has not changed.**

## Environmental, Cultural, or Economic Disadvantage

The evaluation team must also assess whether environmental, cultural, or economic disadvantage issues are the **primary** source of a student's academic difficulties rather than an SLD.

Situations such as homelessness, abuse, poor nutrition, and other factors may adversely affect a student's ability to acquire academic skills.

Students may also display academic difficulties related to their acculturation experience in the United States.

Thorough record reviews, interviews with the family and caregivers, and developmental histories are critical tools to assess these issues. If environmental, cultural, or economic factors are the **primary** cause of the student's academic underachievement, then SLD is not identified. MDTs must also remember that it is possible, for example, for a student to experience homelessness and have an SLD.

The central question comes down to whether the environmental, cultural, or economic disadvantage factor(s) are the primary cause(s) of the academic issues.

## Language Proficiency

Students should not be identified as eligible for special education when the cause of their academic difficulties is related to their level of English proficiency. All students must be screened to determine their primary home language. If the results indicate it is a language other than English, the student's proficiency in the English language (listening, speaking, reading, and writing) must be assessed by school personnel. Research has indicated that emergent bilingual students may take two years or more to acquire basic interpersonal communication skills (BICS) and five to seven years or more to acquire cognitive academic language proficiency (CALP), which is required to function effectively in content subjects. Students who are in the process of learning English may display academic deficits, especially if their education has been disrupted. However, MDTs must be careful not to automatically assume that students with a home language other than English cannot have learning disabilities. A student can be both emergent bilingual and have an SLD.

There are risks to both over and under-identification with this population of students. Special considerations are needed when evaluating students who are emergent bilingual. Professionals involved in the evaluation process need specialized training and knowledge in second language acquisition, cross-linguistic interpretation, and bilingual or English as a Second Language (ESL) program models. Collaboration between the MDT, the student's ESL or bilingual teachers, and the language proficiency assessment committee (LPAC) members is crucial. These professionals should share information and collaborate on interpreting data collected for students identified as emergent bilingual.



Language proficiency is a key component of the evaluation process for emergent bilingual students and should include data on social language skills and academic language proficiency. The MDT should remember that language proficiency is developed through both exposure and use, so detailed documentation should be gathered on the student’s history of language development and language(s) of instruction. Assessment instruments should be chosen based on the student’s language proficiency and the instructional programming they receive (e.g., ESL, dual language, bilingual). These same factors should also guide the interpretation of evaluation data. [The Dyslexia Handbook](#) includes guidance on evaluating emergent bilingual students when dyslexia is suspected. TEA’s [Bilingual and English as a Second Language Education Programs](#) webpage provides information on supports and services for emergent bilingual students.

### Best Practices for Considering Exclusionary Factors

- Consider the student’s progress in comparison to like peers whenever possible (e.g., other emergent bilingual students).
- Review and analyze student progress across time and content areas. For example, is the student only struggling in one subject area when multiple areas would likely be impacted by the exclusionary factor(s)?
- Review the student’s history to analyze how academic difficulties correspond to any changes with the students environmental, cultural, or economic experiences or events.
- Gather necessary data early in the evaluation process to ensure there is time for any follow up screenings or assessment to take place.

## 6 RESPONSE TO INTERVENTION (RTI) OR A PATTERN OF STRENGTHS AND WEAKNESSES (PSW) METHODS

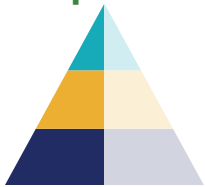
IDEA specifies that criteria adopted by a state for determining whether a child has an SLD must not require the use of severe discrepancy between intellectual ability and achievement; must permit the use of a process based on the child’s response to scientific, research-based intervention; and may permit the use of other alternative research-based procedures.

In Texas, the student **must** either demonstrate an insufficient response to scientific, research-based intervention or exhibit a pattern of strengths and weaknesses (PSW) as one of the components considered to determine whether the child meets the eligibility criteria of SLD. LEAs may use either method as part of evaluating and identifying an SLD. **The use of a severe discrepancy between IQ and achievement method may not be used to determine the presence of an SLD in Texas.**

### Regardless of the method used, the identification of an SLD should:

- » Utilize data sources within the context of the student’s performance in the classroom. If the data indicates that the student’s performance is atypical compared to peers, evaluators investigate all possible causes including disability-related factors.
- » Be based on multiple reliable and valid data sources that provide information about the learner and the learning environment across settings and over time.
- » Assist in understanding both why the student is having difficulties and how the school should intervene.

## Response to Scientific, Research-Based Intervention (RTI) Method



LEAs may choose to use an RTI method as part of the evidence for determining the presence of an SLD. An RTI method is used to determine whether the student “does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the eight academic achievement areas based on the student’s response to scientific, research-based intervention” ([19 TAC 89.1040\(c\)\(9\)\(B\)\(iii\)\(I\)](#)).

Research-based instruction and intervention are effective for most students. In the RTI method, research-based interventions are implemented with fidelity, progress is monitored, and interventions are adjusted. In this method, student data demonstrating a lack of response to scientifically research-based interventions is part of the evidence for identifying an SLD and the potential need for specially designed instruction. At its core, an RTI method analyzes data to determine how a student has responded to high-quality instruction and intervention over time. Students who fail to respond or demonstrate an inadequate response (i.e., the rate of improvement is insufficient to allow them to close gaps) may be identified as having an SLD (assuming they meet all other criteria).

Implementing an RTI framework requires several research-based assessments, including screening assessments and progress monitoring. Intervention history and data are essential components of the evaluation process. Regardless of the suspected eligibility condition(s), RTI data will be one of the multiple data sources that teams can use as part of the evaluation. RTI data will play a particularly significant role in evaluating an SLD.

“While the Department of Education does not subscribe to a particular RTI framework, the core characteristics that underpin all RTI models are: (1) students receive high quality research-based instruction in their general education setting; (2) continuous monitoring of student performance; (3) all students are screened for academic and behavioral problems; and (4) multiple levels (tiers) of instruction that are progressively more intense, based on the student’s response to instruction.”

([Office of Special Education Programs. Memo 11-07 A Response to Intervention \(RTI\) Process Cannot Be Used to Delay Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act \(IDEA\)](#))



### May an eligibility determination be made using only information collected through an MTSS process?

No. OSERS has clarified that “an RTI process does not replace the need for a comprehensive evaluation. A public agency must use a variety of data gathering tools and strategies even if an RTI process is used. The results of an RTI process may be one component of the information reviewed as part of the evaluation procedures required under 34 CFR §§300.304 and 300.305” ([OSERS Questions and Answers on RTI and Early Intervening Services \(EIS\), January 2007](#)).

“As required in 34 CFR §300.304(b), consistent with section 614(b)(2) of the Act, an evaluation **must include a variety of assessment tools and strategies. It cannot rely on any single procedure as the sole criterion for determining eligibility for special education and related services.**”

Office of Special Education Program, Department of Education: Questions and Answers on Response to Intervention (RTI) and Early Intervening Services (EIS), January 2007

One way to conceptualize the components of an evaluation that uses an RTI method is to engage in a data gathering and analysis process that ensures three criteria are met:

1. There are multiple sources of evidence that demonstrate low achievement in academic area(s) (i.e., one or more of the eight areas of academic underachievement).

2. There is documented evidence and data that demonstrates inadequate response to instruction and research-based intervention.
3. There is not another primary cause of academic underachievement or failure to respond (e.g., intellectual disability, sensory impairment, lack of instruction, social or cultural factors).

Low achievement is established using a variety of sources such as norm-referenced assessment, curriculum-based measures, and others, as discussed earlier in this document.

Determining an inadequate instructional response requires implementation of evidence-based interventions, delivered with fidelity, and reliable progress monitoring data collection processes to analyze the child's rate of improvement. Throughout the intervention period, the student is regularly administered progress monitoring assessments (e.g., curriculum-based measures for oral reading fluency) that are used to monitor growth in relation to student goals and expectations when compared to local or national norms and benchmarks (i.e., progress is measured against a criterion). The student's performance during and after intervention helps identify how the student has responded and where they currently stand in relation to grade level expectations. Federal and state regulations do not indicate how inadequate a rate of improvement must be to qualify for special education under the SLD designation. Rigid cut points or scores are not recommended. Instead, all the data is reviewed collectively to help identify if the student's response and rate of improvement is indicative of a learning disability. Analyzing the rate at which skill gaps are closing is critical. A key question is if the student will need specially designed instruction to access and progress in the general curriculum.



As with any method of SLD identification, the reason for the student's lack of achievement (or lack of response if using RTI method) may be due to factors other than a learning disability. Thorough assessment and consideration of other factors (e.g., intellectual disability, sensory impairment, social or cultural factors, lack of appropriate instruction) are critical in SLD evaluations.

TEA's Texas SPED Support site provides training and resources on [Tiered Interventions Using Evidence-Based Research](#) (TIER), and key components used in an RTI method, including screening, progress monitoring, and research-based interventions.



**NOTE:** LEAs may not have policies, procedures, or practices that require a student to receive or complete tiers of intervention prior to seeking consent for a special education evaluation. Students who are suspected of having a disability and needing special education must be referred for evaluation. If using an RTI method for identification, the evaluation and interventions may need to occur simultaneously. In cases where intervention has already started, they should continue during the evaluation process.

Also note that if a student has participated in a scientific, research-based intervention, then the evaluation must include documentation that the student's parents were notified about the student's participation, the instructional strategies utilized to increase the student's rate of learning, the data collected during progress monitoring, and the right to request an evaluation ([34 CFR §300.311\(a\)\(7\)](#)).



## **REMEMBER**

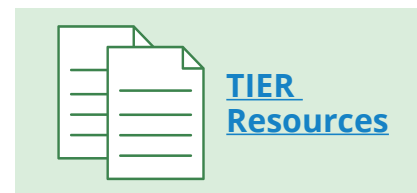
The MDT is still looking for atypicality in student performance with the MTSS method. In other words, is the student's achievement and response to scientific, research-based intervention atypical compared to peers and/or grade-level expectations? The MDT must be prepared to explain the answers to these questions in the evaluation report.

## MTSS Method Best Practices

- Communicate regularly with parents about the type and intensity of interventions needed for their child to succeed.
- Ensure that strong screening procedures are in place to identify students at risk early so that interventions can begin before there is suspicion of a disability and need for special education. Intervening early prevents skill gaps from widening and problems becoming intractable.
- Use strong evidence-based interventions implemented with fidelity, but also high-quality core curricular instruction. Intervention layers on top of already strong instruction. To learn more about high-quality instructional materials, including available TEA resources and the Texas Resource Review, please visit the [TEA Instructional Materials webpage](#).
- Ensure that implementation of interventions and data collection for progress monitoring continue throughout the evaluation process.
- Validate that staff have received training to implement instruction and intervention programs and that they have been implemented with fidelity.
- Strong RTI methods avoid the use of firm thresholds or cut-points for determining intervention response. Multiple sources of data are needed.

Please visit the Texas SPED Support website for more information about MTSS.

- [MTSS Overview](#)
- [Processes Within the Multi-Tiered System of Supports \(MTSS\) Framework](#)



## Pattern of Strengths and Weaknesses (PSW) Method



LEAs may choose to use a PSW method as part of the evidence for determining the presence of a specific learning disability. A PSW method is defined as “exhibiting 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 to be relevant to the identification of a specific learning disability, using appropriate assessments, consistent with 34 CFR 300.304 and 300.305” ([19 TAC 89.1040\(c\)\(9\)\(B\)\(iii\)\(II\)](#)).

A PSW method uses multiple sources of data comprised of both informal and formal assessment information. It is a way of organizing data across multiple areas, including academics, intellectual functioning, language/communication, and emotional/behavioral/social behaviors to complete a comprehensive evaluation.

Although Texas allows PSW as a method of SLD criteria and identification, it does not specify that a particular model for analyzing and interpreting data (i.e., pattern seeking) must be used. There are different ways that a PSW approach can be conceptualized. TEA does not endorse nor recommend a specific model of PSW.

**A pattern is a set of characteristics displayed repeatedly.**

This is why the MDT does not rely on just one data set for decision-making. The MDT will look for characteristics of disability displayed repeatedly, across data sets, and over time. And, just like the MTSS model, the PSW model is looking for atypicality.

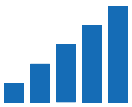


- ◆ Does the data present a PSW in performance, achievement, or both that is atypical compared to age, grade-level standards, or intellectual development? In other words, does the pattern appear more attributable to a disability?
- ◆ What does the preponderance of evidence indicate? And is that pattern relevant to the identification of SLD?

Evidence-based evaluation practices will always allow for professional judgment based on the individual circumstances of the student.


No requirements specify that a student demonstrates a specific number of strengths and weaknesses within their data. The MDT must consider all data collectively and ensure that one score or calculation does not supersede the preponderance of data gathered when determining if a PSW is relevant to identifying an SLD.

**As part of the evaluation, the presence of a significant variance among specific areas of cognitive function or between specific areas of cognitive function and academic achievement is NOT required when determining whether a student has an SLD.**  
[19 TAC 89.1040\(c\)\(9\)\(C\)](#)



Strengths in skills and abilities in areas of performance and/or achievement, including academics, intellectual functioning, behavior/social/emotional, and language/communication.

**AND**



Deficits in specific areas of achievement, performance or both relative to age or grade-level standards or intellectual development.



**NOTE:** The MDT must not rely on interpretative models or processes that exclude evidence of a disability based on predetermined score profiles or cutoff scores. Requiring a student to have a cognitive weakness that correlates with an academic weakness may result in a student not receiving special education and related services that they are entitled to receive.

## + Analysis and Interpretation

This is one way to organize data for interpretation and to confirm that the student exhibits a PSW.

There are rows to enter data for the different data sources (informal, criterion-referenced, curriculum-based, and norm-referenced, if necessary).

Data Source	Skill and/or ability area	Skill and/or ability area	Skill and/or ability area	Skill and/or ability area	Skill and/or ability area
<b>Informal</b>					
<b>Curriculum-based</b>					
<b>Criterion-referenced</b>					
<i>Norm-referenced, if necessary</i>					

Example of completed data source chart for a 4th-grade student suspected of SLD in the area of math problem-solving:

<b>Data Source</b>	<b>Skill and/or ability area:</b> Math problem solving	<b>Skill and/or ability area:</b> Math calculation
<b>Informal</b>	<p><b>Parent information:</b> PARENT shared that help is required for working through homework related to math word problems. STUDENT has more success using concrete models, such as objects or pictures.</p> <p><b>Teacher information:</b> STUDENT is meeting expectations for measurement and money and can verbalize analysis of graphs and charts, but has more difficulty breaking down problems into multiple steps to solve them and translating word problems into math calculations (e.g., abstract mathematical concepts)</p> <p><b>Observation:</b> STUDENT was observed during small group instruction with the teacher on algebraic reasoning, specifically representing multi-step problems involving the four operations with whole numbers. He exhibited frustration through multiple cross-outs/erasures and required direct teacher assistance. The teacher provided a checklist with steps and a keyword list with associated operations. The student demonstrated accuracy on 0 out of 5 problems presented. The other students were able to demonstrate accuracy on 4 to 5 out of 5 problems.</p> <p><b>Student information:</b> STUDENT shared that he becomes very anxious when presented with word problems, particularly multistep problems and knowing which operation to use to solve the problem. If provided models, keyword lists, and checklists for steps, he feels more confident but sometimes feels embarrassed to use those in front of his classmates.</p>	<p><b>Parent information:</b> PARENT indicated some difficulty learning numbers, rote counting, and one-to-one correspondence but quickly learned these skills in kindergarten.</p> <p><b>Teacher information:</b> STUDENT has adequate number fact knowledge and can complete simple calculations from memory, but does need reminders/ checklists for solving long division and simple algebraic problems.</p> <p><b>Observation:</b> STUDENT was provided a simple calculation problems worksheet and quickly solved each problem. STUDENT was the tenth student (out of 24 students) who completed the worksheet with 89% accuracy (class average = 86%). STUDENT demonstrated no anxiety or other behaviors while completing the worksheet and appeared at ease.</p> <p><b>Student information:</b> STUDENT shared he can solve calculation problems with no issues, including whole number computations, fractions, and decimals, and feels confident in those operations.</p>
<b>Curriculum-based</b>	<p><b>Tests/quizzes:</b> current grade average for math word problems = 65% [class average = 83%] This grade average has been consistent for STUDENT since 3rd grade.</p> <p><b>Intervention:</b> STUDENT is receiving TIER II math intervention from the campus math specialist focused on concepts and applications. Fidelity: 3 days per week, 30 minutes per session.</p> <p><b>M(math)-CAP(concepts and applications) CBM results/average [10 minutes time limit]:</b> 30% accuracy (3/10) problems [class average = 80%]</p>	<p><b>Tests/quizzes:</b> Current grade average for math computation = 93% [class average = 86%]</p> <p><b>M-COMP (computation – single operation) CBM results/average [3 minutes time limit]:</b> 96% accuracy (24/25) multiplication problems [class average = 92%]; 92% accuracy (23/25) division problems [class average = 84%]; 88% accuracy (22/25) fraction problems [class average = 88%]</p>

<b>Data Source</b>	<b>Skill and/or ability area:</b> Math problem solving	<b>Skill and/or ability area:</b> Math calculation
<b>Criterion-referenced</b>	<p><b>District math benchmarks:</b></p> <ul style="list-style-type: none"> <li>• 3rd grade average = 56% [grade-level average = 79%]</li> <li>• 4th grade average = 42% [grade-level average = 72%]</li> </ul> <p><b>STAAR math assessment:</b></p> <ul style="list-style-type: none"> <li>• 3rd grade: STUDENT received APPROACHES GRADE LEVEL = 18/37 questions, scale score = 1423 (state average = 1458) He can represent equivalent fractions using models, solve problems involving perimeter, classify two- and three-dimensional figures, and summarize a data set with multiple categories</li> <li>• 4th grade: STUDENT received DID NOT MEET GRADE LEVEL = 12/40 questions, scale score = 1405 (state average = 1556). He can identify points represented by decimals and fractions on a number line, represent decimals using expanded notation, use models to represent and solve problems involving multiplication and division of whole numbers, and identify lines of symmetry and types of angles</li> </ul>	<p><b>District math benchmarks:</b></p> <ul style="list-style-type: none"> <li>• 3rd grade average = 56% [grade-level average = 79%]</li> <li>• 4th grade average = 42% [grade-level average = 72%]</li> </ul> <p><b>STAAR math assessment:</b></p> <ul style="list-style-type: none"> <li>• 3rd grade: STUDENT received APPROACHES GRADE LEVEL = 18/37 questions, scale score = 1423 (state average = 1458) He can represent equivalent fractions using models, solve problems involving perimeter, classify two- and three-dimensional figures, and summarize a data set with multiple categories</li> <li>• 4th grade: STUDENT received DID NOT MEET GRADE LEVEL = 12/40 questions, scale score = 1405 (state average = 1556). He can identify points represented by decimals and fractions on a number line, represent decimals using expanded notation, use models to represent and solve problems involving multiplication and division of whole numbers, and identify lines of symmetry and types of angles</li> </ul>
<i>Norm-referenced, if necessary</i>	<p><b>WIAT-4 – Math Problem Solving</b> - The Math Problem Solving subtest measures a range of math problem-solving skill domains including basic concepts, everyday applications, geometry, and algebra. Examinees point to pictures or respond orally to items that require the application of mathematical principles to real-life situations.</p> <p>Standard score = 86 [confidence interval = 78-95]</p> <p>NOTE: Questions were read aloud to STUDENT. He used the empty space to draw pictures for the first few problems; however, approximately halfway through the problems, he appeared more frustrated and stopped using the empty space and began guessing.</p>	<p><b>WIAT-4 – Numerical Operations</b> - The Numerical Operations subtest measures math calculation skills. For early items, examinees respond orally to questions about number concepts and counting. For later items, examinees write answers to printed math problems ranging from basic operations with integers to geometry, algebra, and calculus problems.</p> <p>Standard score = 96 [confidence interval = 89-103]</p> <p>NOTE: STUDENT exhibited no difficulties with the problems presented and easily worked through the operations.</p>

This example illustrates the MDT must look at the preponderance of data and not consider only standard scores from norm-referenced tests.

Once the skill and/or ability area is analyzed and the data indicates the student's skills and/or abilities are weak, then the MDT should determine if the area of weakness is aligned with the suspected disability. Remember, you can also note here if the data indicates an area of strength not directly related to the suspected disability.

Finally, the MDT should note the implications of the data.



**NOTE:** This is a simplified version of a table or template to analyze data sources for a pattern of strengths and weaknesses. The MDT should analyze all skill areas related to the suspected area of SLD and related skills and abilities.

## PSW Method Best Practices

- The MDT should examine and categorize each piece of data (e.g., informal, curriculum-based, criterion-referenced, and norm-referenced, if necessary, when identifying a PSW).
- The MDT should use corroborating data and information to aid in score interpretation.
- Interpretations should be described in plain language, explaining the student's results accurately and clearly to the parents and the rest of the ARD committee.
- Cautiously use interpretations generated from computer scoring systems, as these may not consider other data or individual performance.

## DYSLEXIA AND DYSGRAPHIA

In this section we will discuss two conditions, dyslexia and dysgraphia, that may qualify a student as a student with an SLD under the IDEA. [TEC Sec. 29.0031\(a\)](#) states that dyslexia is an example of and meets the definition of an SLD under the IDEA. In addition, OSEP provided clarification and guidance on the use of these terms by MDTs.

In Texas, there are additional state rules and regulations specific to dyslexia and dysgraphia that help MDTs know when these terms apply. Therefore, these terms should be used throughout evaluation reports and IEPs as appropriate when describing these specific forms of learning disabilities.

Participants are encouraged to access [The Dyslexia Handbook](#) (including *The Dyslexia Handbook: Frequently Asked Questions (FAQs)* at the end of the Handbook) to improve evaluation and identification procedures for dyslexia and dysgraphia.

### Dyslexia

The [Texas Education Code \(TEC\) §38.003](#) defines dyslexia and related disorders in the following way: "Dyslexia means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity. 'Related disorders' include disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability."

There are specific evaluation domains and questions outlined in the [Dyslexia Handbook](#) that must be used when determining the presence of dyslexia. There is no single instrument, score, or formula that will automatically rule in or rule out dyslexia. **It is not required that a student demonstrate a specific**



**cognitive weakness on standardized assessments as demonstrated by achieving below a certain threshold to otherwise display a pattern of strengths and weakness relevant to the identification of dyslexia.** Dyslexia identification is based on the preponderance of evidence. To appropriately **understand** evaluation data, the MDT and the ARD committee must **interpret** evaluation test results in light of the student's educational history, linguistic background, environmental or socioeconomic factors, and any other pertinent factors that affect learning.

The team must first look for a pattern of evidence reflective of the primary characteristics of dyslexia, i.e., unexpectedly low performance in some or all of the following areas:

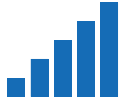
- ◆ reading words in isolation,
- ◆ decoding unfamiliar words accurately and automatically,
- ◆ reading fluency for connected text (rate and/or accuracy and/or prosody), and
- ◆ spelling (an isolated difficulty in spelling would not be sufficient to identify dyslexia).

Teams should keep in mind that a deficit in one area of phonological awareness can limit reading progress and consider discreet skills (vs. composite scores), when drawing conclusions. Teams should also keep in mind that the presence of a sensory impairment, such as visual impairment, deaf-blindness, or being deaf or hard of hearing does not rule out the possibility of the presence of an SLD, including dyslexia. If the ARD committee determines that the student exhibits weaknesses in reading and spelling, the committee will then examine the student's data to determine whether these difficulties are unexpected in relation to the student's other abilities, sociocultural factors, language difference, irregular attendance, or lack of appropriate and effective instruction. It is not one single indicator but a preponderance of data (both informal and formal) that provides the committee with evidence for whether these difficulties are unexpected. In other words, the following questions must be considered when making a determination regarding dyslexia:

- ◆ Do the data show the following characteristics of dyslexia?
  - Difficulty with accurate and/or fluent word reading
  - Poor spelling skills
  - Poor decoding ability
- ◆ Do these difficulties (typically) result from a deficit in the phonological component of language? (Be mindful that average phonological scores alone do not rule out dyslexia.)
- ◆ Are these difficulties unexpected for the student's age in relation to the student's other abilities and provision of effective classroom instruction?

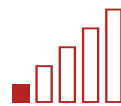
As documented in [The Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders](#):

"Difficulties in the areas of letter knowledge, word decoding, and fluency (rate, accuracy, and prosody) may be evident depending upon the student's age and stage of reading development. In addition, many students with dyslexia may have difficulty with reading comprehension and written composition. Difficulties in phonological and phonemic awareness are typically seen in students with dyslexia and impact a student's ability to learn letters and the sounds associated with letters, learn the alphabetic principle, decode words, and spell accurately. Rapid naming skills may or may not be weak, but if deficient, they are often associated with difficulties in automatically naming letters, reading words fluently, and reading connected text at an appropriate rate. Memory for letter patterns, letter sequences, and the letters in whole words (orthographic processing) may be selectively impaired or may coexist with phonological processing weaknesses."



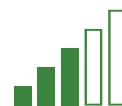
Strengths in skills and abilities in areas of performance and/or achievement, including academics, intellectual functioning, behavior/social/emotional, and language/communication.

AND



Deficits in reading words in isolation [basic reading], decoding unfamiliar words [basic reading], and/or reading fluency and spelling.

AND



**May have** deficits in phonemic/phonological awareness, rapid naming, and/or orthographic processing.

More information regarding definitions and characteristics of dyslexia, screening, procedures for the evaluation and identification of students with dyslexia, critical, evidence-based components of dyslexia instruction, and dysgraphia can be found in *The Dyslexia Handbook*.

In order to identify a student with dyslexia, the MDT will have assessment data in domains specific to dyslexia as required by the Dyslexia Handbook.

## Dysgraphia

*The Dyslexia Handbook* states that:

“Dysgraphia is best defined as a neurodevelopmental disorder manifested by illegible and/or inefficient handwriting due to difficulty with letter formation. This difficulty is the result of deficits in graphomotor function (hand movements used for writing) and/or storing and retrieving orthographic codes (letter forms) (Berninger, 2015).”

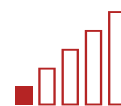
Similar to dyslexia, if dysgraphia impacts the student's progress in the general education curriculum in areas that require writing (spelling and/or composing - including rate, quality, and/or quantity of writing compared to nondisabled peers), then a student with dysgraphia could meet the criteria of SLD in written expression with the condition of dysgraphia.

A pattern of evidence would indicate unexpectedly low performance in handwriting, writing fluency, written expression, and/or spelling related to orthographic processing deficits in comparison to the student's other skills and abilities. It is important to note that a determination is based on a preponderance of data.




Strengths in skills and abilities in areas of performance and/or achievement, including academics, intellectual functioning, behavior/social/emotional, and language/communication.

AND



Deficits in handwriting + writing fluency, written expression and/or spelling.

AND



**May have** deficits in phonemic/phonological awareness, rapid naming, and/or orthographic processing.

As documented in *The Dyslexia Handbook*:

“Difficulties in the areas of letter formation, orthographic awareness, and general handwriting skills may be evident dependent on the student’s age and writing development. Additionally, many students with dysgraphia may have difficulty with spelling and written expression. Memory for letter patterns, letter sequences, and the letters in whole words may be selectively impaired or may coexist with phonological processing weaknesses. When spelling, a student must not only process both phonological and orthographic information, but also apply their knowledge of morphology and syntax (Berninger & Wolf, 2009).”

It is important to note that individuals demonstrate differences in degree of impairment and may not exhibit all the characteristics listed above.

As documented in *The Dyslexia Handbook*:

If, through the evaluation process, it is established that the student has the condition of dysgraphia, then the student meets the first prong of eligibility under the IDEA (identification of condition). In other words, the identification of dysgraphia meets the criterion for the condition of an SLD in written expression.

More information regarding definitions and characteristics of dysgraphia, screening, procedures for the evaluation and identification of students with dysgraphia, and critical, evidence-based components of dysgraphia instruction can be found in *The Dyslexia Handbook*.

To identify a student with dysgraphia, the MDT will have assessment data in domains specific to dysgraphia as required by *The Dyslexia Handbook*.

For more information, please visit the [TEA Dyslexia and Related Disorders](#) webpage.



## SPECIFIC DOCUMENTATION FOR THE IDENTIFICATION DETERMINATION OF SLD

IDEA requires specific documentation for a student suspected of having an SLD ([34 CFR §300.311\(a\)](#)).

**The documentation of the identification of SLD must contain a statement of:**



Whether the child has an SLD.



The basis for making the determination is drawn upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and ensures that information obtained from all these sources is documented and carefully considered.



The relevant behavior, if any noted during the observation of the child, and the relationship of that behavior to the child's academic functioning.



The educationally relevant medical findings, if any.



Whether the child does not achieve adequately for the child's age or to meet state-approved grade-level standards.



Whether the child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, state-approved grade-level standards, or intellectual development.



The determination of the team concerning the effects of a visual, hearing, or motor disability; an intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level.



If the child has participated in a process that assesses the child's response to scientific, research-based intervention -

- ◆ The instructional strategies used and the student-centered data collected; and
- ◆ The documentation that the child's parents were notified about -
  - The state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
  - Strategies for increasing the child's rate of learning; and
  - The parents' right to request an evaluation.

This information should be included in the written FIE report. A separate form for identifying an SLD is not required and is not best practice.



## IMPACT ON ACCESS AND PROGRESS IN THE GENERAL CURRICULUM

The purpose of the FIE extends beyond identification of an SLD. There should be clear evidence within the FIE of **how the disability affects the student's access to and progress in the general curriculum**. The ARD committee needs this information to use in determining if the student is eligible for special education and, when eligible, for developing the IEP. The FIE should also include helpful data and information that is used to develop the present levels of academic achievement and functional performance (PLAAFP) and annual goals for the student, if they are determined eligible for special education and related services.



**NOTE:** A statement of how the student's disability impacts the student's access and progress in the general curriculum is required as part of the IEP. Including descriptions of how the disability impacts access to and progress within the general curriculum within the FIE will help ensure that the ARD committee has the necessary information to meet this IEP requirement.

For more information, see the [Writing Effective Impact and Need Statements in the Full and Individual Evaluation](#) recorded webinar.

### + Impact Statements within the FIE

Impact and need statements within the FIE are critical for developing the student's initial IEP. An impact statement is specific to the individual student. Each disability condition needs an impact and need statement that includes baseline data. Impact and needs statements should drive the IEP development process, and the MDT should assist teachers in drafting initial PLAAFP statements based on the information included in the FIE.

The MDT should also keep in mind the impact an SLD has on additional content areas, such as science and social studies. In addition, the student's SLD may affect communication, such as communicating thoughts or comprehending conversations.

The student's SLD may also impact their social/emotional/behavioral skills, such as forming and maintaining peer relationships. Additionally, we have to keep in mind postsecondary needs (education and/or employment). Is the student's SLD impacting their independent living skills?

#### Additional Information About Each of These Impacts

##### Impacts on Learning

- » Reading, writing, math + other content areas

##### Impacts on Language and Communication

- » Communicating thoughts or comprehending conversations

##### Impacts on Social, Emotional, Behavior

- » Forming and maintaining peer relationships










##### Impacts on Independent Living

- » Planning, organizing, initiating, and prioritizing tasks
- » Follow multi-step directions
- » Self-advocacy skills

## + Need Statements within the FIE

A specific statement of needed services and supports for accessing and progressing in the general curriculum is based on the individualized and unique needs of the student. The needs statements should align with information within the FIE and the most recent data (i.e. classroom observations, curriculum based measurements, etc.). This means a description of skills, not just scores.

Here are just a few potential needs of students with specific learning disabilities. Remember that this is not an exhaustive list; not all items will apply to ALL students with an SLD.

 Strategies to promote active engagement	 Small group instruction for new	 Assistive and instructional
 Additional time to learn and practice	 Visual, auditory, and/or tactile opportunities	 Creation of organizational
 Simple, clear directions and	 Explicit and systematic instruction	 Reinforcement for positive behaviors

Keep in mind, if the student is not found eligible for special education and related services, they will still need a plan for support. The FIE information is relevant for developing an intervention or other support plan in general education.

**Within the FIE, baseline data should be provided to identify where the student is functioning and where he/she should be in relation to the grade/age-level standards. The FIE should describe how the disability impacts the student’s access to and progress in the general curriculum and include recommendations for evidence-based interventions.**

## RECOMMENDATIONS

After completing a comprehensive evaluation, the MDT should have much information and a strong understanding of the student’s skills and needs. Regardless of whether a student meets federal and state criteria for an SLD, recommendations about the types of evidence-based interventions and other supports (e.g., accommodations, modifications) to assist the student are critical.



+ Recommendations address any needed content, methodology, and/or delivery adaptations. The rationale for these recommendations clearly aligns with the specific impact of the disability. Any needed accommodations, modifications, or prerequisite skills are linked to the student’s unique and individualized needs, and there is an explanation/rationale for why they would be necessary for the student to access the general education curriculum.



## Evidence-based Interventions

The [Every Student Succeeds Act](#) (ESSA) emphasizes the use of evidence-based activities, strategies, and interventions. ESSA defines ‘evidence-based’ as an intervention that demonstrates a statistically significant effect on improving, or high-quality research findings likely to improve, student outcomes ([ESSA Definition of Evidence-Based](#)).

### Best Practice:

The MDT should make recommendations in the FIE that address the student's need for evidence-based interventions. These recommendations will be based on data obtained after administering curriculum-based measurements in reading, math, and/or writing. The FIE should also recommend how these interventions will be progress monitored.



TEA’s Texas SPED Support site provides resources on evidence-based interventions.

- [MTSS Introduction Module | Texas SPED Support](#)
- [Behavior Module | Texas SPED Support](#)

Teachers and other professionals can receive training on intervention best practices from the [statewide MTSS contacts](#).

Additional evidence-based intervention resources can be accessed through the [What Works Clearinghouse](#). The Practice Guides cover a variety of content and grade levels. Select each of the tabs to expand the list of resources.

## Evidence-based Intervention Resources

### Reading



- [Foundational Skills to Support Reading for Understanding in Kindergarten through 3rd Grade](#)
- [Improving Reading Comprehension in Kindergarten through 3rd Grade](#)
- [Improving Adolescent Literacy: Effective Classroom and Intervention Practices](#)
- [Providing Reading Interventions for Students in Grades 4 – 9](#)

### Writing



- [Teaching Elementary School Students to Be Effective Writers](#)
- [Teaching Secondary Students to Write Effectively](#)

### Math



- [Assisting Students Struggling with Mathematics: Intervention in the Elementary Grades](#)
- [Improving Mathematical Problem Solving in Grades 4 Through 8](#)
- [Teaching Strategies for Improving Algebra Knowledge in Middle and High School Students](#)
- [Assisting Students Struggling with Mathematics: Response to Intervention \(RTI\) for Elementary and Middle Schools](#)

## + Key Takeaways:

- ◆ The FIE should also include helpful data and information used to develop the PLAAFP statement and draft measurable annual goals for the student if they are determined eligible for special education and related services.
- ◆ Impact and need statements within the FIE are critical for developing the student’s IEP and should consider impacts on learning, language and communication, social/emotional/behavioral, and independent living.
- ◆ A specific statement of needed services and supports for accessing and progressing in the general curriculum is based on the individualized and unique needs of the student. Keep in mind that if the student is not found eligible for special education and related services, they will still need a plan for support. The FIE information is relevant for developing an intervention or other support plan in general education.

## REEVALUATION WHEN SLD IS SUSPECTED

### 🕒 Review of Existing Evaluation Data (REED)

A REED for an FIE focuses on the initial identification for special education services, while a REED for an FIE focuses on reevaluating and updating the educational needs and services for a student already receiving special education.



The ARD committee and other qualified professionals, as appropriate, review the student’s existing evaluation data. The ARD committee members conduct a REED as the first step in a reevaluation. It must include the parent or adult student, LEA representative, general education teacher, special education teacher, person who can interpret instructional implications of evaluation results, and other qualified personnel, as appropriate. In addition to the ARD committee members and other qualified personnel, any student eligible as a student with a visual impairment (VI) in Texas requires an appropriately Certified Orientation and Mobility Specialist (COMS) to be included in a REED. If a student has a visual impairment (VI), is deaf or hard of hearing (DHH), or is deafblind (DB), then the teacher of the visually impaired (TVI) and a teacher of the deaf or hard of hearing (TODHH) must be included in the REED as well.

When dyslexia is suspected, [TEC §29.0031](#) requires a person with specific knowledge of the reading process, dyslexia and related disorders, and dyslexia instruction to serve on the LEA’s MDT and any ARD committee that is convened to determine eligibility for special education and related services. Additionally, this member must be a part of an ARD committee meeting at which a change in and/or continued eligibility is discussed, as in conducting a REED as part of a reevaluation.

The involvement of both education professionals and parents in the reevaluation process is essential. Education professionals can provide insights into the student’s academic progress, behavior, and response to interventions within the school setting. On the other hand, parents offer valuable perspectives on the student’s development and functioning outside of school and any changes they may have observed at home.

## What should be included in the REED data?

The IDEA states that it should, at minimum, include:

- ◆ Evaluations and information provided by parents,
- ◆ Current informal, curriculum-based, and criterion-referenced data, including state and district assessments, and
- ◆ Observations in the classroom and other educational settings by teachers and related service providers.



### + The REED should summarize a historical review of the student's previous FIEs and progress on annual goals.

Based upon that review, the ARD committee identifies what additional data, if any, are needed to make an informed decision regarding the identification of an SLD, including dyslexia and/or dysgraphia. If additional data is necessary, the LEA provides the parent with prior written notice of the reevaluation and Notice of Procedural Safeguards and requests written parent consent according to the IDEA requirements. A timeline for completing the evaluation will be determined by the ARD committee (unless it is the three-year reevaluation due date), and all evaluation procedures should be followed.

## 🔄 Reevaluation

A reevaluation is a **written report** of current functioning and identifies the student's educational (academic and functional) needs.



### When must you conduct a reevaluation?

A reevaluation must be conducted **not more often than once a year**, unless the parent and LEA agree otherwise.

A student must be reevaluated **at least once every three years** unless the parent and district agree through the REED process that a reevaluation is not needed. In this case, the date of the REED becomes the date of the reevaluation.

The reevaluation must be conducted if the LEA determines that a reevaluation is warranted based on the student's educational or related services needs, or if the child's parent or teacher requests one.



### Who can request a reevaluation?

Reevaluations may be requested by any member of the ARD committee, including parents and teachers, prior to the triennial due date.



### What is a reevaluation process?

A reevaluation includes a REED, as well as current input from a child's parents and teachers so that a decision can be made regarding continued eligibility or need for further assessments.

## + Other Circumstances Indicating a Need for a Reevaluation

### Change in Disability Condition

The first circumstance that may warrant a reevaluation is if the team of qualified professionals, including the parent, suspects that the student's disability condition has changed or that the student is suspected of an additional disability condition. This situation also includes if the student is currently a student with a disability, such as speech impairment, and now the team suspects the student has dyslexia. The ARD committee and other qualified professionals, as appropriate, must review existing evaluation data about the student and based on that review and input from the student's parents, identify what additional data, if

any, are needed to make an informed decision regarding the identification of a different disability condition or an additional disability condition.

## Change in Needs

Other situations in which reevaluation may be warranted include if the student's needs have changed. Here are some examples of "red flags" to consider, but keep in mind that this is not an exhaustive list as there may be other circumstances.

A substantial or significant:

- ◆ change in the student's academic performance
- ◆ escalation in the student's behavior and/or the student's behavior is impeding his/her learning or the learning of others
- ◆ inconsistency between the description of the student's strengths and needs in the IEP and the student's actual performance

Students are constantly changing and growing and making progress. However, there are times when a student's IEP is developed based on their current strengths and needs, but later, it is realized that the student's performance with the special education and related services does not match what was anticipated. This change in student performance – academically, developmentally, and functionally – may necessitate a reevaluation.



### NOTE:

The emphasis in a reevaluation may not be the continued identification of a disability condition. The focus may shift to a detailed description of how the student's disability continues to impact his access to and progress in the general curriculum. There should be a summary of IEP progress since the last evaluation, including the effectiveness of interventions, accommodations, and/or modifications.

Multiple data sources can provide valuable information about a student's functioning, informing decisions about their interventions and services. It is essential to recognize that standardized measures are just one piece of the puzzle and should be used with other data and observations.

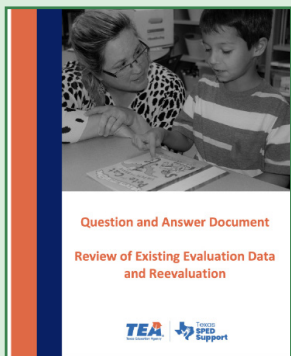
Ultimately, a reevaluation aims to ensure that the student's IEP accurately reflects their current strengths, needs, and abilities.

## + Key Takeaways

- ◆ The ARD committee and other qualified professionals, as appropriate, review existing evaluation data for the student.
- ◆ Based upon that review, including input from the student's parents, the ARD committee identifies what additional data, if any, are needed to make an informed decision regarding the identification of an SLD, including dyslexia and/or dysgraphia.
- ◆ If additional data is necessary, the LEA provides the parent PWN of reevaluation and requests written parent consent according to the IDEA requirements.
- ◆ A timeline for completing the evaluation will be determined by the ARD committee (unless it is the three-year reevaluation due date), and all evaluation procedures should be followed.
- ◆ When dyslexia is suspected, a person with specific knowledge in the reading process, dyslexia and related disorders, and dyslexia instruction must serve on the LEA's multidisciplinary team and any ARD committee that is convened to determine eligibility for special education and related services.

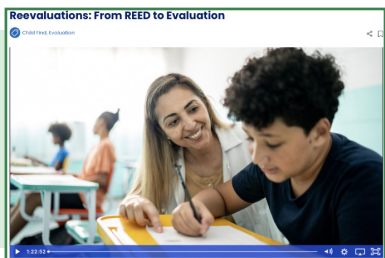
## + REED and Reevaluation Resources

Please visit the Texas SPED Support website for additional guidance on the legal requirements and best practices for reevaluations.



### [Review of Existing Evaluation Data and Reevaluation: Question and Answer Document](#)

As part of the reevaluation, the ARD committee and other qualified personnel, as appropriate, must complete a REED to help determine what additional data, if any, are needed to determine whether the student continues to require special education and related services and whether changes are needed to the services being provided. This question-and-answer document is intended to provide guidance and best practices to LEAs regarding the REED and reevaluation processes.



### [Reevaluations: From REED to Evaluation](#)

Participants will examine regulations related to reevaluations, review the process for conducting a REED, and determine best practices for a comprehensive reevaluation in this webinar.

## + Dismissal from Special Education

The LEA shall reevaluate a child with a disability before determining that the child is no longer a child with a disability. As part of the reevaluation, the REED data should reveal what additional data is necessary, if any, to determine if the student continues to have a disability, and the student's educational needs as a result of the disability, or if the student continues to need special education and related services. If the ARD committee members and other qualified professionals, as appropriate, determine no additional data is necessary, then the data/information gathered for the REED could be formulated into a written report identifying the student as no longer a student with a disability. In this instance, the LEA must notify the parent of the determination that no additional data is needed and the reasons for the determination, as well as the right of the parents to request an assessment to determine whether the student continues to be a student with a disability.

## CONCLUSION

As noted by the National Association of School Psychologists (NASP), "SLDs are among the most challenging developmental disorders to identify, as evidenced by the continuing debate in the literature regarding best practices in this area."

SLD identification is an evolving area. Hopefully this guide will inspire others to continue to learn more. Practitioners are encouraged to continue reviewing the literature and seeking relevant professional development in the pursuit of continuous improvement.

There are [designated representatives](#) at each regional education service center (ESC) available to assist LEAs with procedures for evaluation.

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### Texas Special Education Educator Resources:



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[spedsupport.tea.texas.gov](https://spedsupport.tea.texas.gov)