BEST FOR ALL

We will set all students on a path to success.
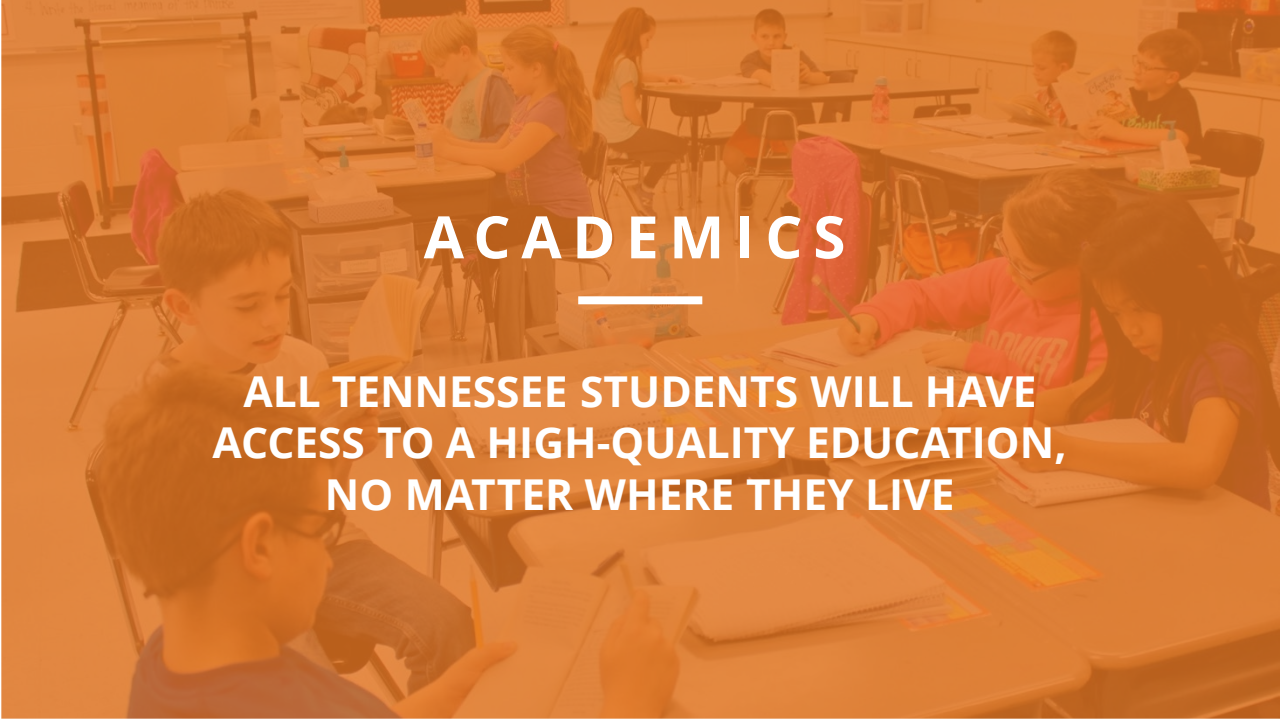
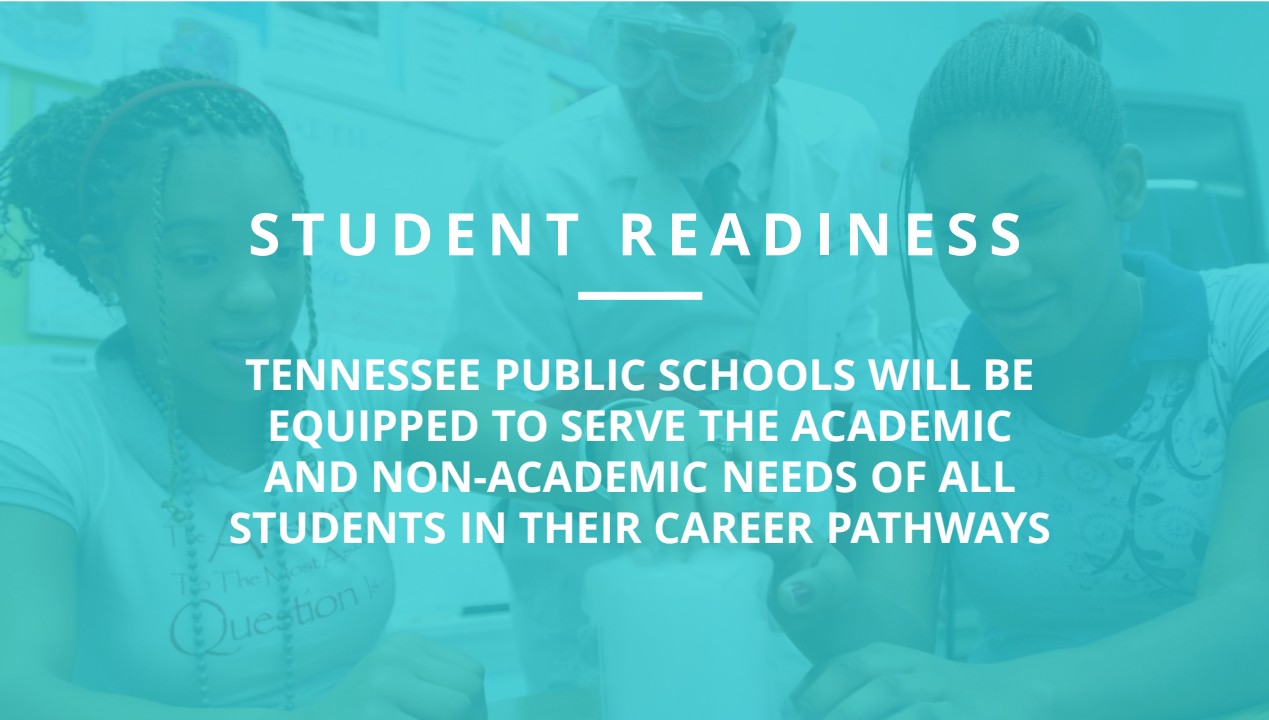## ACADEMICS

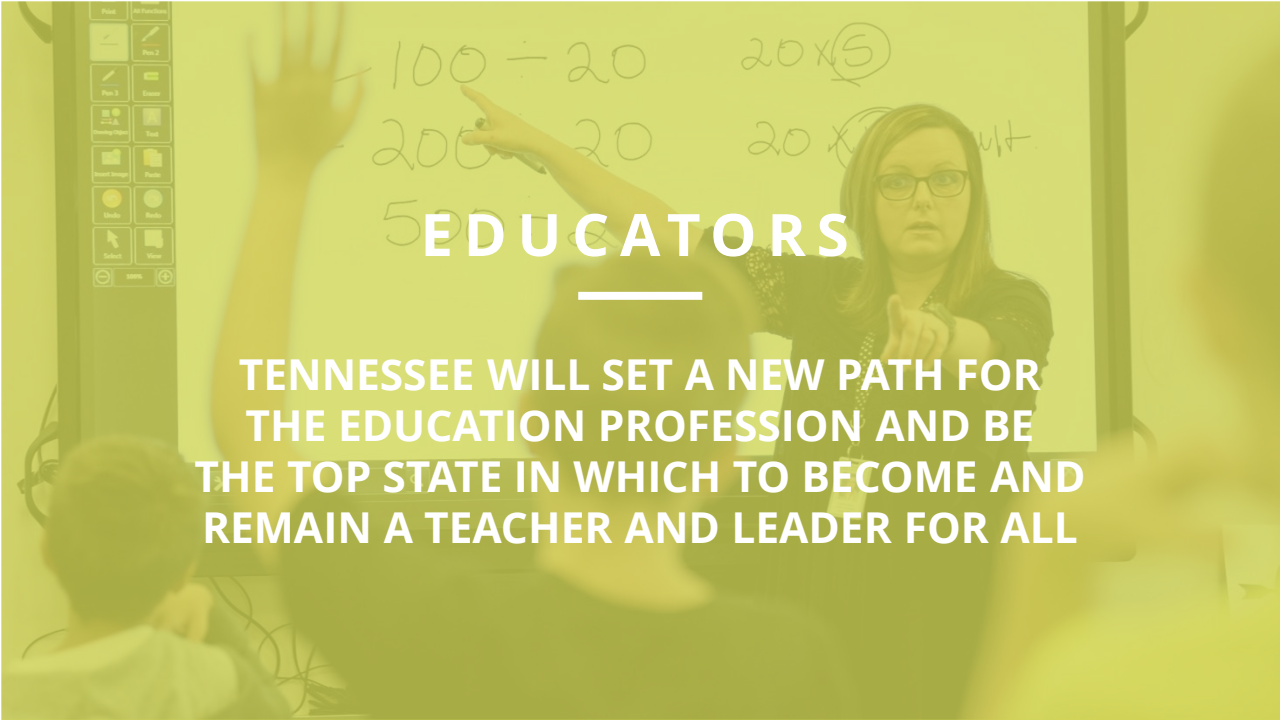ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE

STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS

EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL
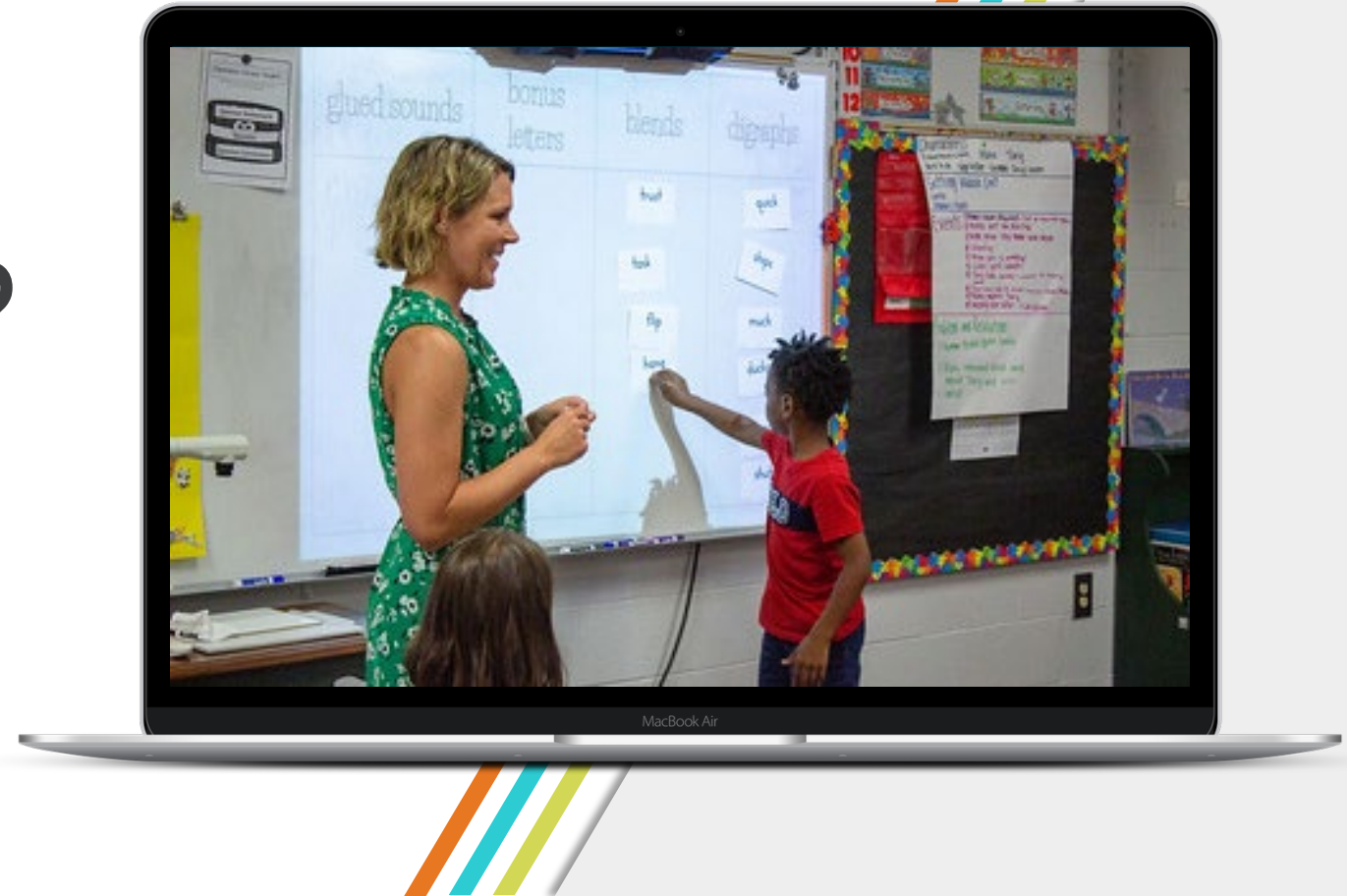
Agenda

- Introductions
- State and Federal Law Requirements
- Specific Learning Disability Definition
- Evaluation Requirements
- Evaluation Considerations
- Above Average Cognition
- Exclusionary Factors
- Preventing Procedural Violations
- Closing

Is Response to Intervention (RTI) working?

National Percent of Students with Specific Learning Disability

National Percent of Students with SLD

Legend:
- Nat'l % of School Age SWDs
- Nat'l % of All Students

Year	Nat'l % of School Age SWDs
2010-11	41.47%
2011-12	40.72%
2012-13	40.15%
2013-14	39.52%
2014-15	39.17%
2015-16	38.82%
2016-17	38.63%
2017-18	38.17%
2018-19	37.65%
2019-20	36.26%
2020-21	34.56%
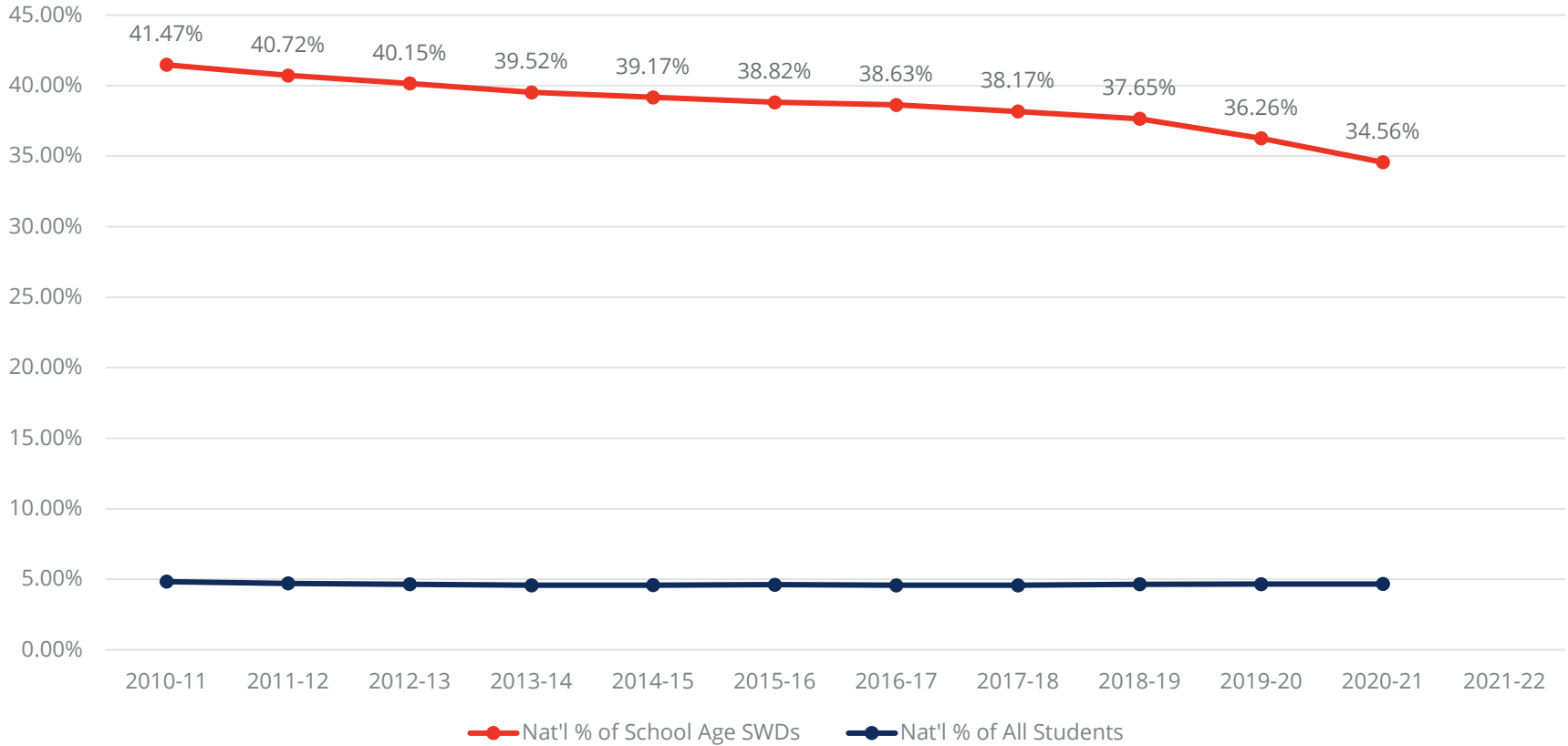
Impact of Response to Intervention

Tennessee Percent of Students with SLD

- 2010-11: 40.52%
- 2011-12: 40.58%
- 2012-13: 41.14%
- 2013-14: 41.43%
- 2014-15: 40.70%
- 2015-16: 38.27%
- 2016-17: 36.33%
- 2017-18: 34.21%
- 2018-19: 32.54%
- 2019-20: 31.16%
- 2020-21: 28.77%
- 2021-22: 27.82%

Legend: TN % of School Age SWDs — TN % of All Students
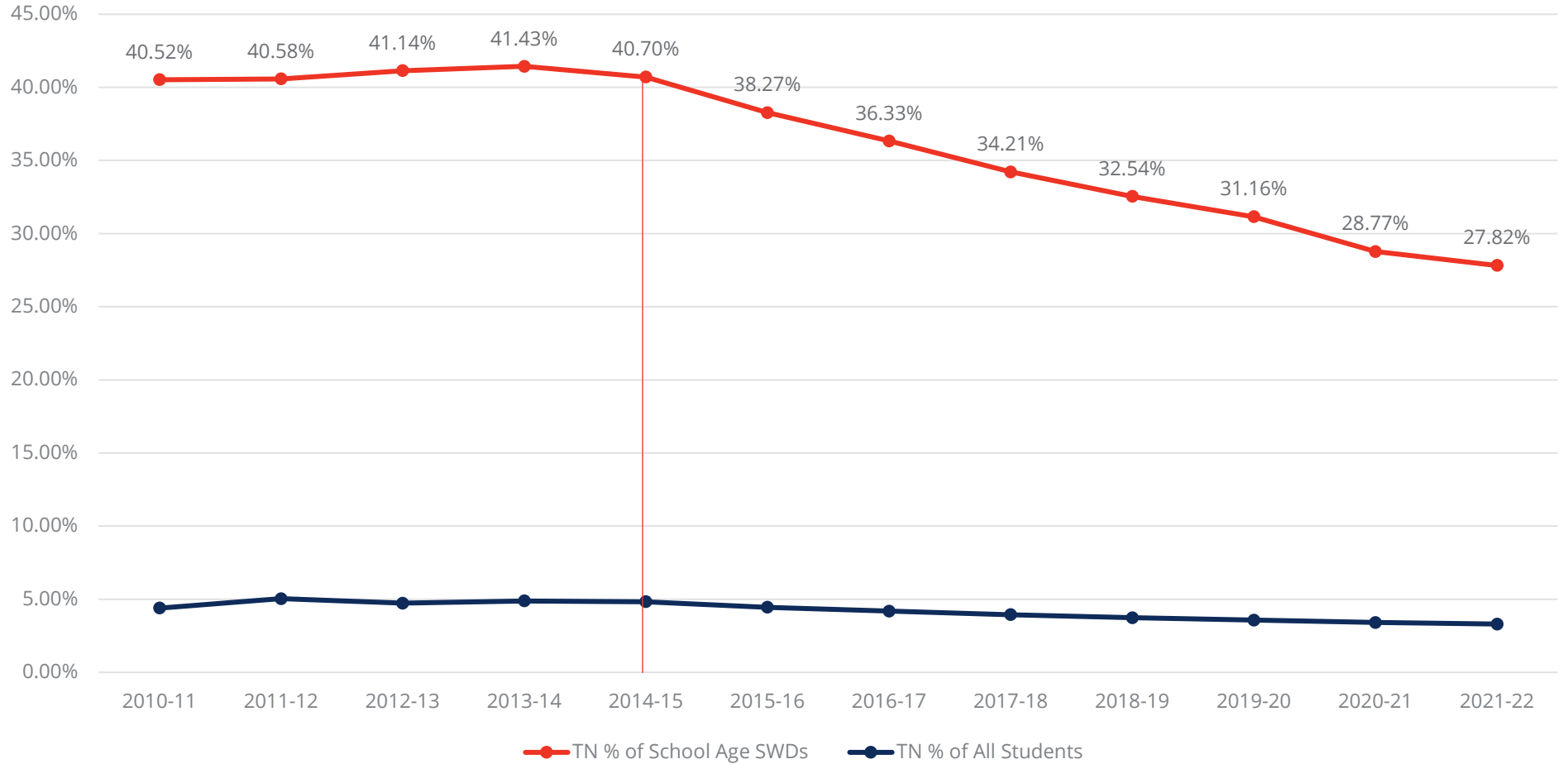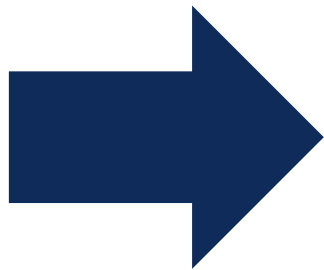
Specific Learning Disability (SLD) Data

9 districts have no SLD math → 50 districts have ≤10 SLD math
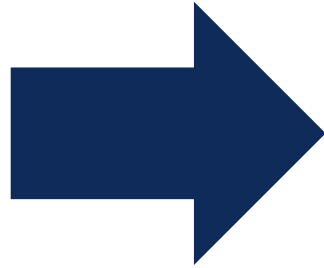
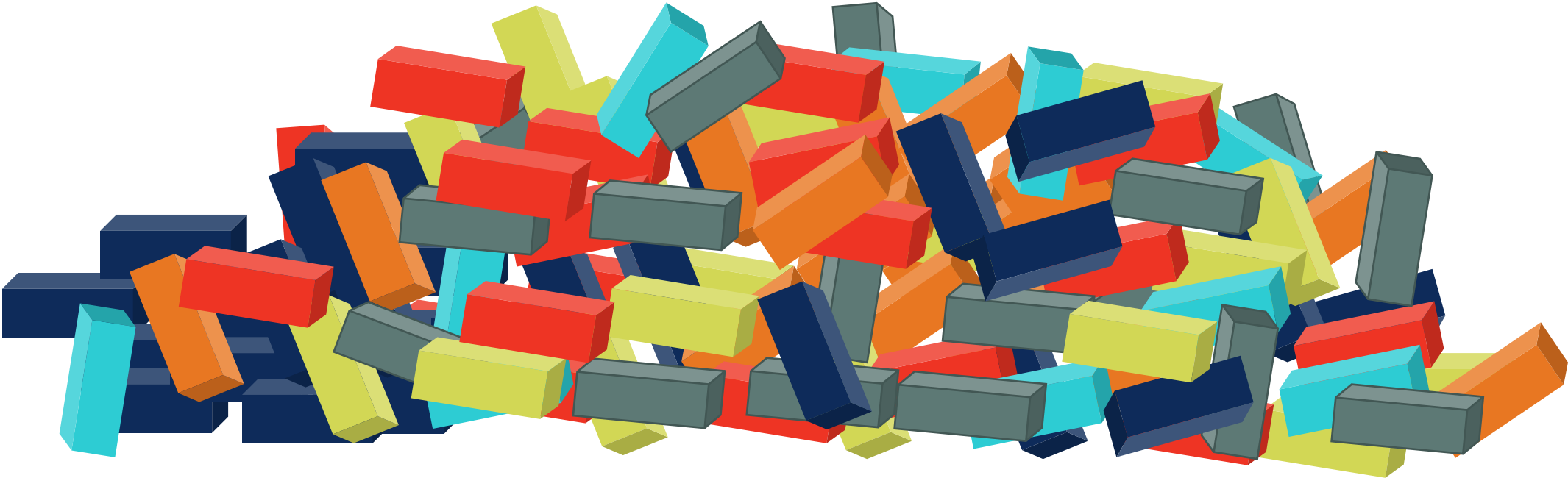34 districts have no SLD written expression → 121 districts have ≤10 written expression

Assessment Specialist Responsibility

Raw Data

Sorted Data
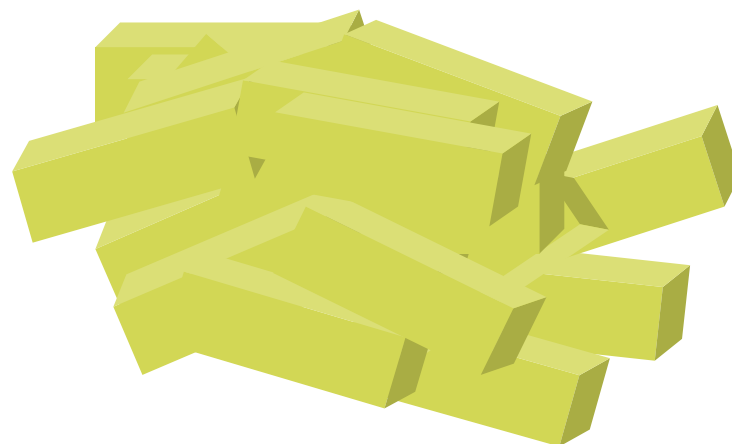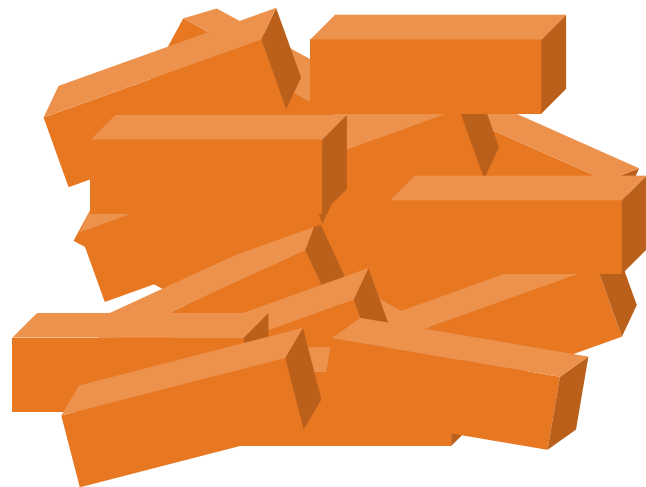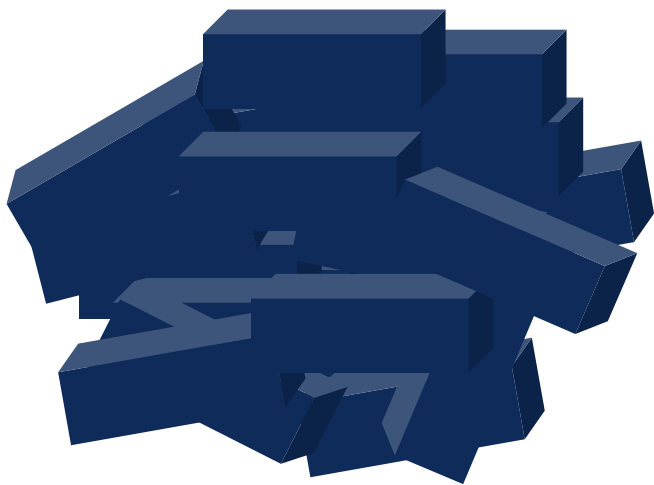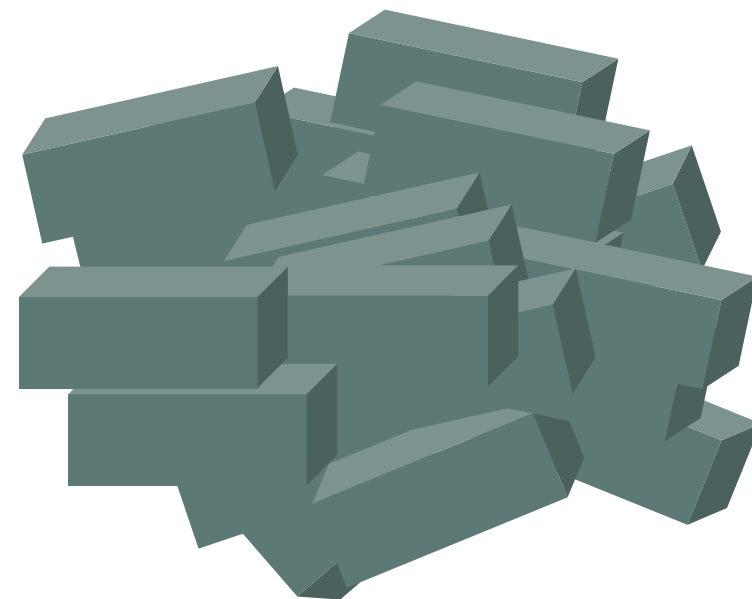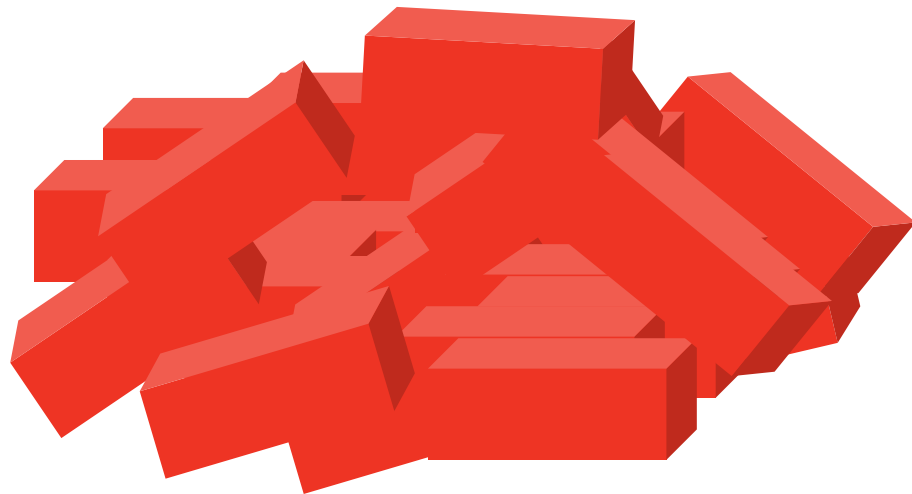
Arranged Data
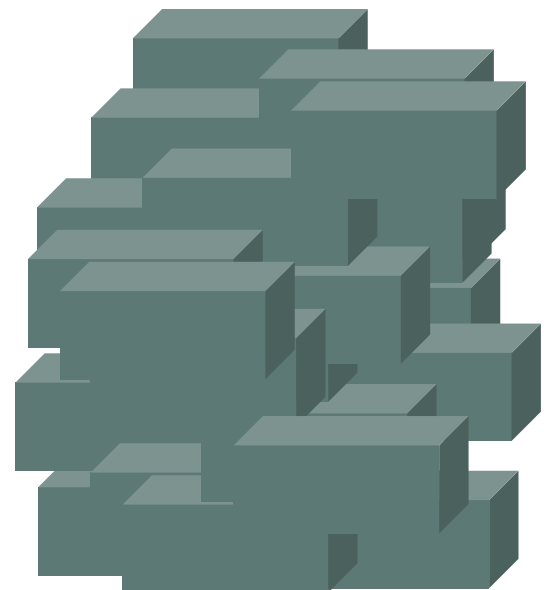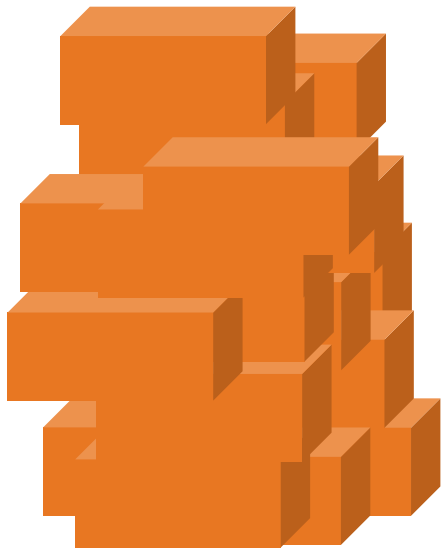
Visually Presented Data
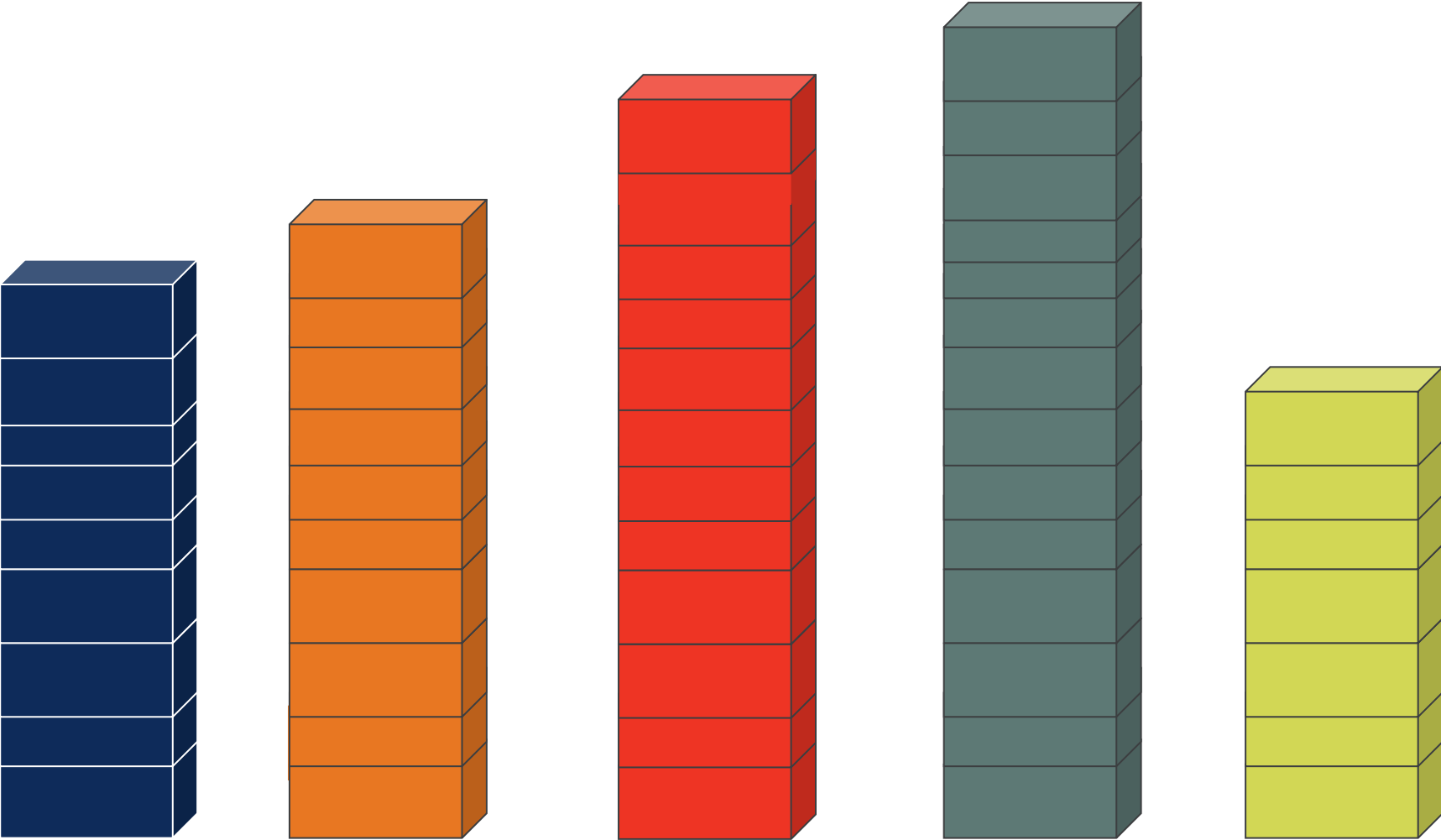
Data Story
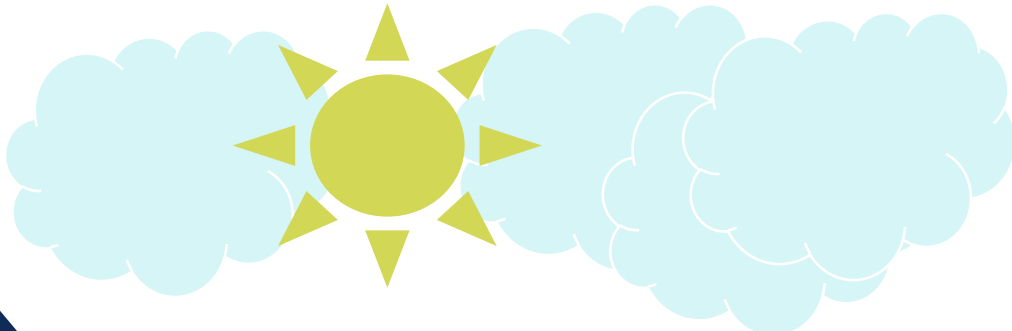
Specific Learning Disability Standards

Evaluation
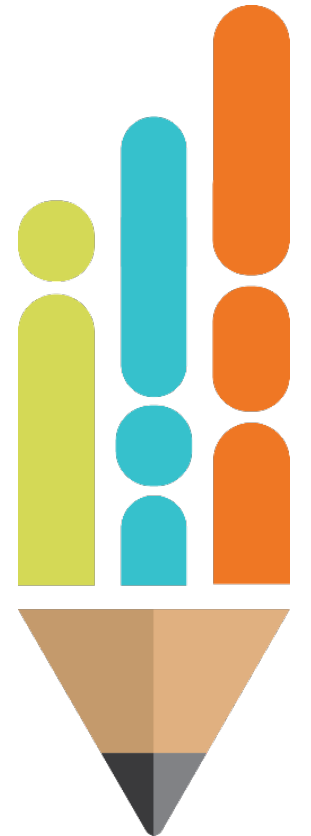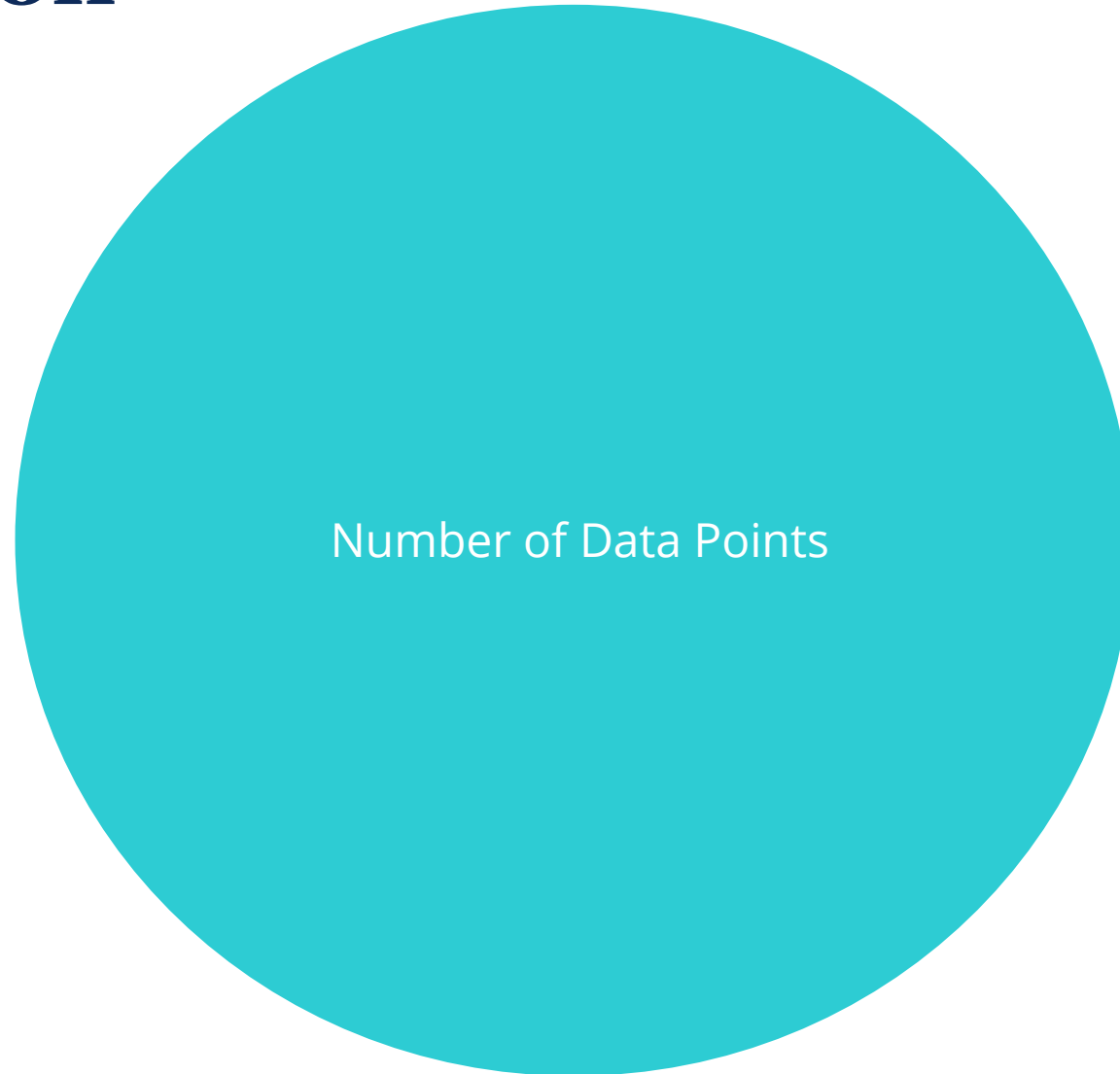
Number of Data Points

Evaluation Standard

Data that demonstrate that prior to, or as a part of, the referral process, the student was provided appropriate instruction (i.e., empirically research-based instruction that is rigorous and systematic throughout all Tiers of instruction/intervention) in regular education settings, delivered by qualified and appropriately trained personnel.

Evaluation Standard

Data that demonstrate that prior to, or as a part of, the referral process, the student was provided appropriate instruction (i.e., empirically research-based instruction that is rigorous and systematic throughout all Tiers of instruction/intervention) in regular education settings, delivered by qualified and appropriately trained personnel.

Importance of Tier I Core Instruction

Teachers lay a foundation in reading and math like that of a master mason laying structural bricks.

Importance of Tier I Core Instruction

What are the missing bricks?

What is systematic?

Sequenced
- Instruction is strategic.
- Lessons move from simple to complex.

Hierarchical
- Lessons build on previously taught information.
- Clear, concise objectives with ongoing assessment.

Practice
- Meaningful opportunities to engage in practice.
- Modeling is embedded throughout instruction with time for feedback.

Evaluating Systematic Instruction and Intervention

- How would you verify instruction was systematic?
- What evidence would you collect?
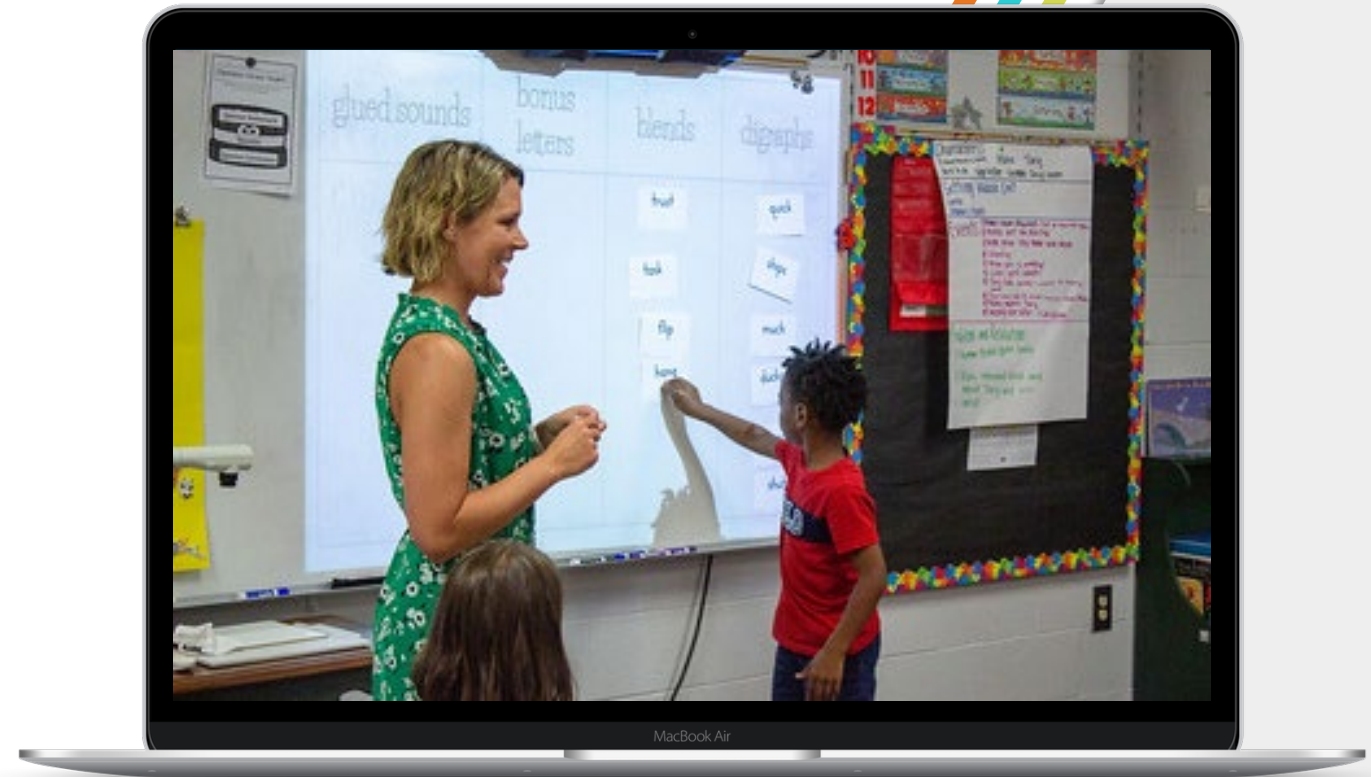
Focus on the Instruction

Review of weekly lessons or units

- Do lessons build on each other?
- Do lessons pre-teach academic vocabulary?
- Evidence of modeling, independent practice, and feedback?
- Formative assessment embedded frequently?

Observations

- Does teaching align to lesson objectives and anticipated outcomes?
- Does the teaching align to grade level standards or specific skill deficits?
- Evidence of manipulatives or sensory-based strategies?
- Evidence of access points, scaffolds, or accommodations when appropriate?

Collaboration with other stakeholders

- Did you confer with administration?
- Has a reading or mathematics coach provided any guidance or assistance to the faculty member? And if so, how has that changed their practice?
- Evidence of general and special education collaboration?

Evaluation Standard

Data-based documentation of ==repeated== assessments of achievement, reflecting formative assessment of student progress during intervention, which was provided to the student's parents at a minimum of once every four and one-half (4.5) weeks.

Skill Deficit → Intervention → Progress Monitoring → Monitoring by data team →
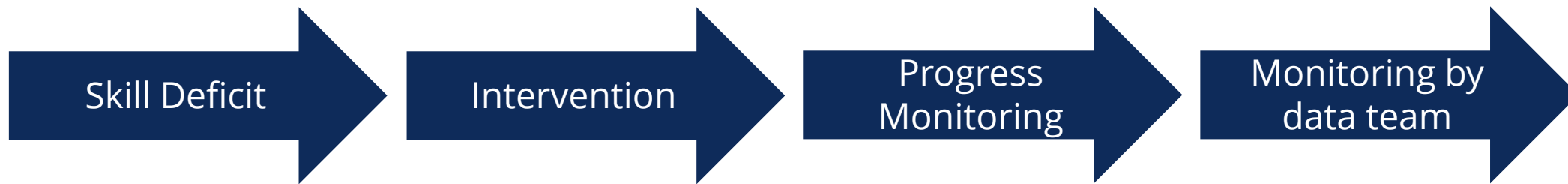
Areas of Deficit for Intervention

- Basic reading skills (alphabet knowledge, phonics, encoding, decoding, rapid naming, phonemic awareness, phonological awareness)
- Reading comprehension (recalling, summarizing, inferencing, extending)
- Reading fluency (oral reading fluency, silent reading fluency, word reading fluency)
- Written expression (transcription and composition)
- Math calculation (column addition, basic facts, complex computation, decimals, fractions, conversions, percentages, etc.)
- Math problem solving (number and operations, base ten, place value, measurement and length, fractions, geometry, algebra, expressions, linear equations etc.)

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Alignment
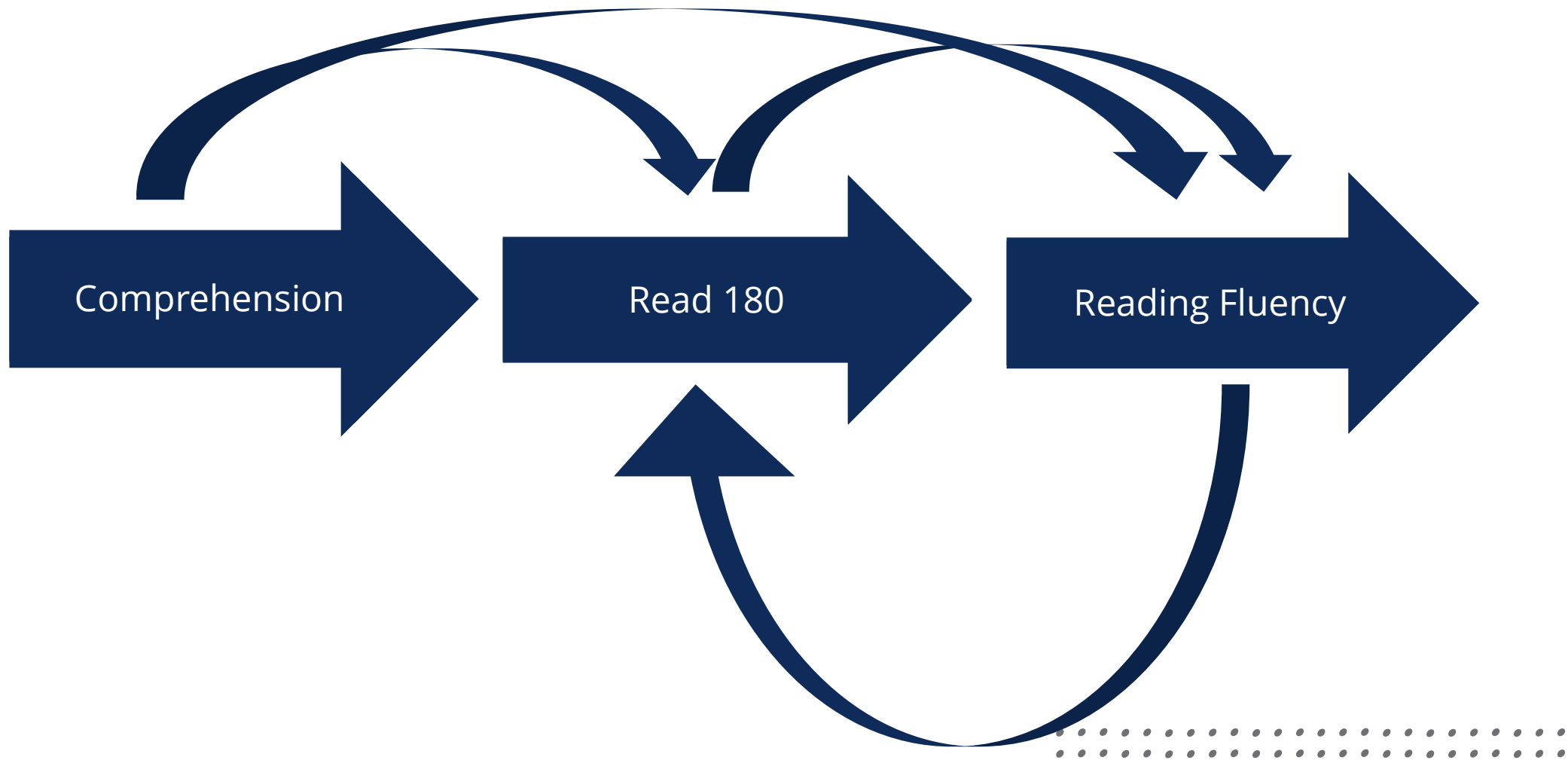
How tall is your temperature?
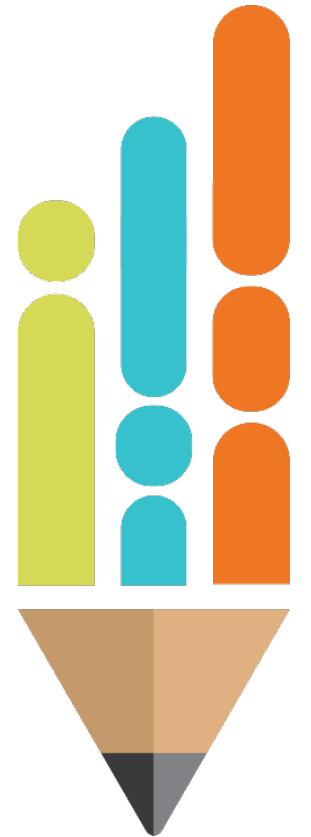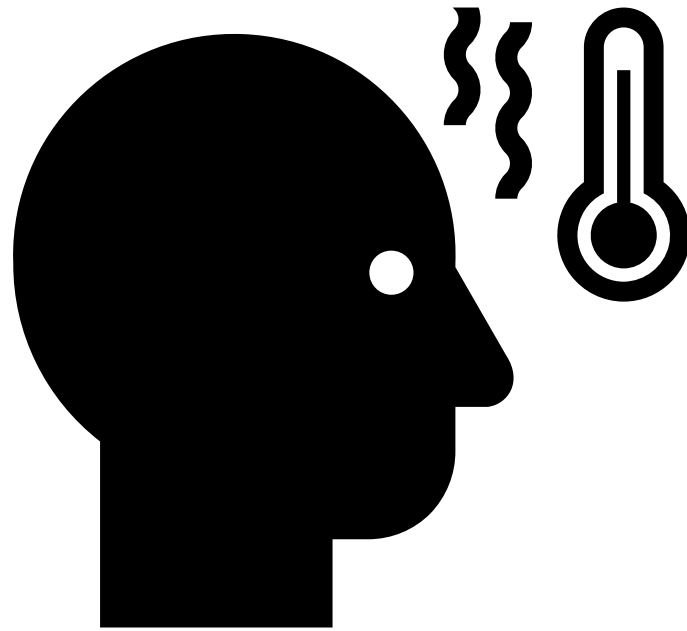
Interview the interventionist!

- What skills are they covering during intervention?
- What assessment did they use to determine what skill(s) to target?
- Is the selected progress monitoring probe sensitive to change based on the skill deficit?
- Is the progress monitoring probe assessing the skill deficit?
- How does the student compare to other students in the same intervention group?

Is progress monitoring sensitive to change?

Decoding Skill	Real Words	Nonsense Words	Multisyllable Words	TOTALS	
				Pre	Post
Closed-Syllable Words With Short Vowels and Single Consonants	5 /6	6 /6	6 /6	17 /18	___/18
Closed Syllables With Digraphs, Doubles, and Blends	10 /12	4 /6	4 /6	18 /24	___/24
Long Vowel VCe Words and Syllables	4 /6	3 /6	4 /6	10 /18	___/18
Vowel-r Syllables	5 /6	4 /6	6 /6	15 /18	___/18
Vowel Team Syllables	4 /6	3 /6	6 /6	13 /18	___/18
Complex Consonant Patterns	5 /6	4 /6		9 /12	___/12
Mixed Syllables With Consonant–le	6 /10			6 /10	___/10
Base Words With Inflections and Suffixes	7 /10			7 /10	___/10
Compound Words: Varied Syllables	12 /12			12 /12	___/12
Derivational Prefixes, Suffixes, and Roots	6 //6			6 /6	___/6
Extension: Encoding				25 /26	___/26
				10 /12	___/12

What happened?

Goal Line

100

80

60

Student
Performance

40 41 45 43 47 45 42 41 43 40 44 42 46 44 37 39 44

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36
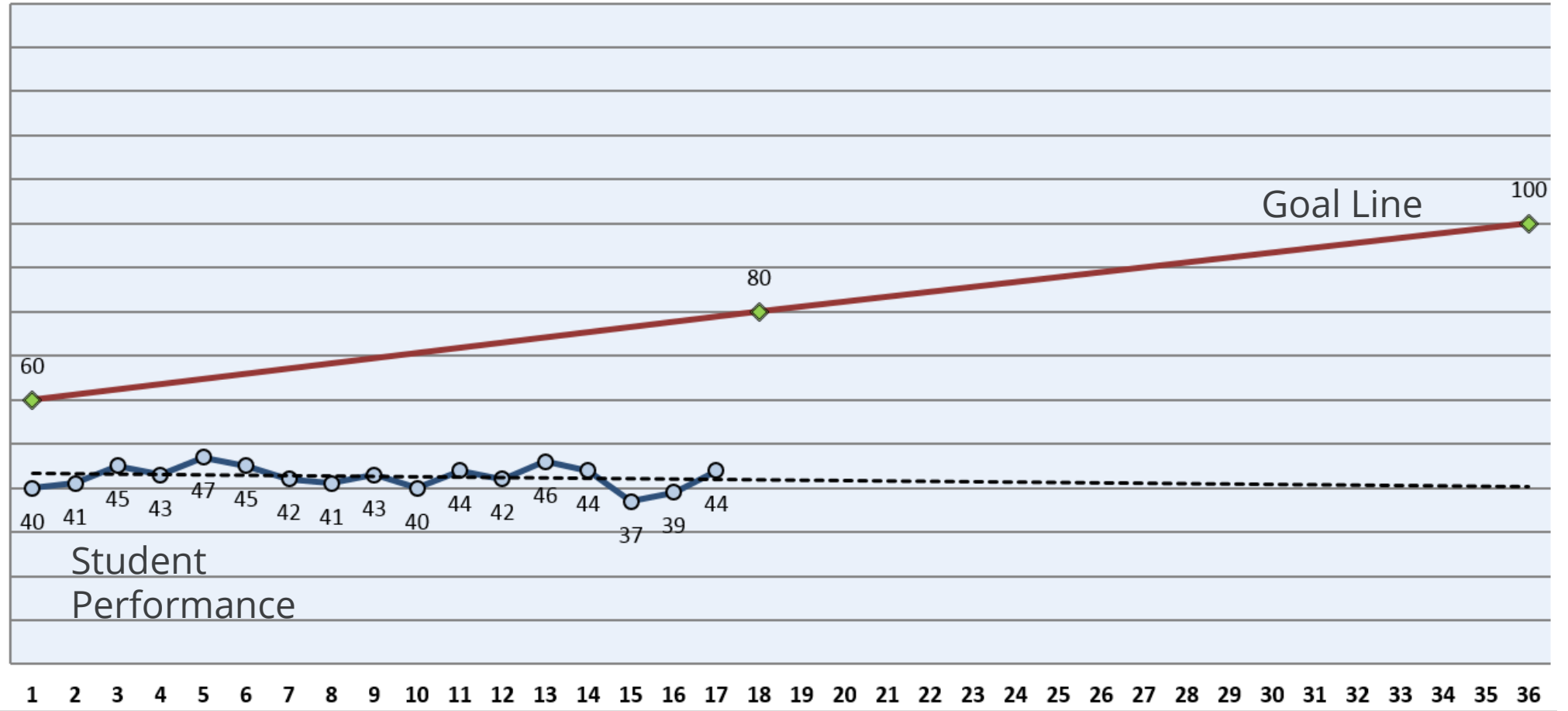
Evaluation Standard

The Tennessee SLD criteria identifies two decision rules to inform the IEP team analysis of progress monitoring data from intensive, scientific research-based or evidence-based intervention. A student's rate of progress during intensive intervention is insufficient if either of the following apply:

- the ROI is less than that of his/her same-age peers, or
- the ROI is greater than his/her same-age peers but will not result in reaching the average range of achievement in a reasonable period of time.

Calculating Rate of Improvement

Michael, 2 Reading Fluency Tier III

Calculating Rate of Improvement

Michael, 2 Reading Fluency Tier III

Student Data

Norm Data (25th Percentile)

Trend for Student Data (Linear)

Data points: 31, 35, 43, 48, 37, 45, 42, 29, 48, 55, 53, 60, 63, 66, 45

Norm Data points: 51, 72, 86

.97
1.16
.90

Sept   Oct   Nov   Dec   Jan   Feb   March   Apr   May
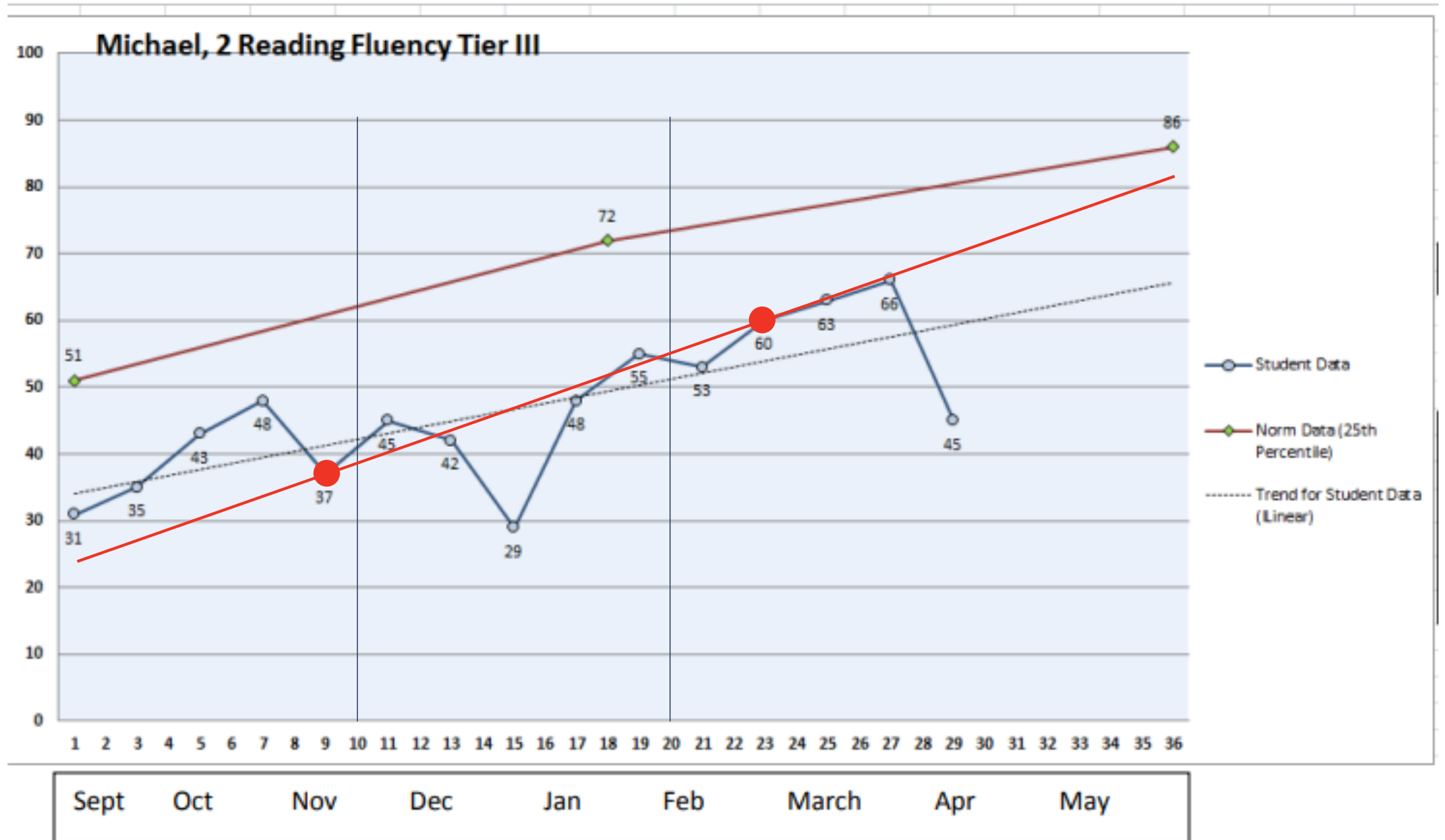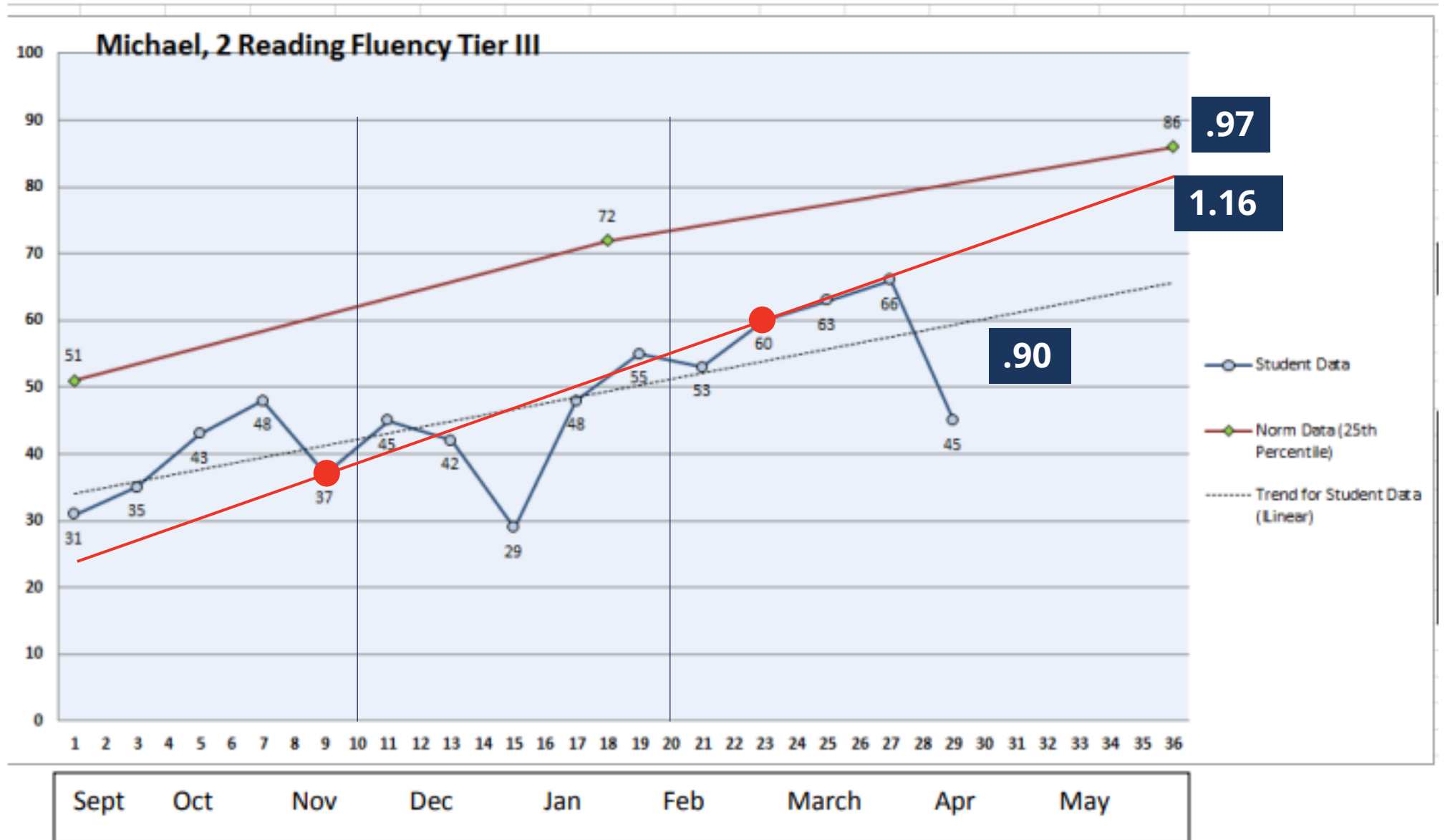
Typical Distribution

80-85 percent of students will receive Tier I instruction.

Traditionally, we would identify students at or below the 25th percentile.

10-15 percent of student will receive Tier II interventions.

Traditionally, we would identify students at or below the 10th percentile.

3-5 percent of students will receive Tier III interventions.

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What would you do in this scenario?

20-30 percent of students will need only Tier I instruction.

40-50 percent of student will need Tier II interventions.

20-40 percent of students will need Tier III interventions.

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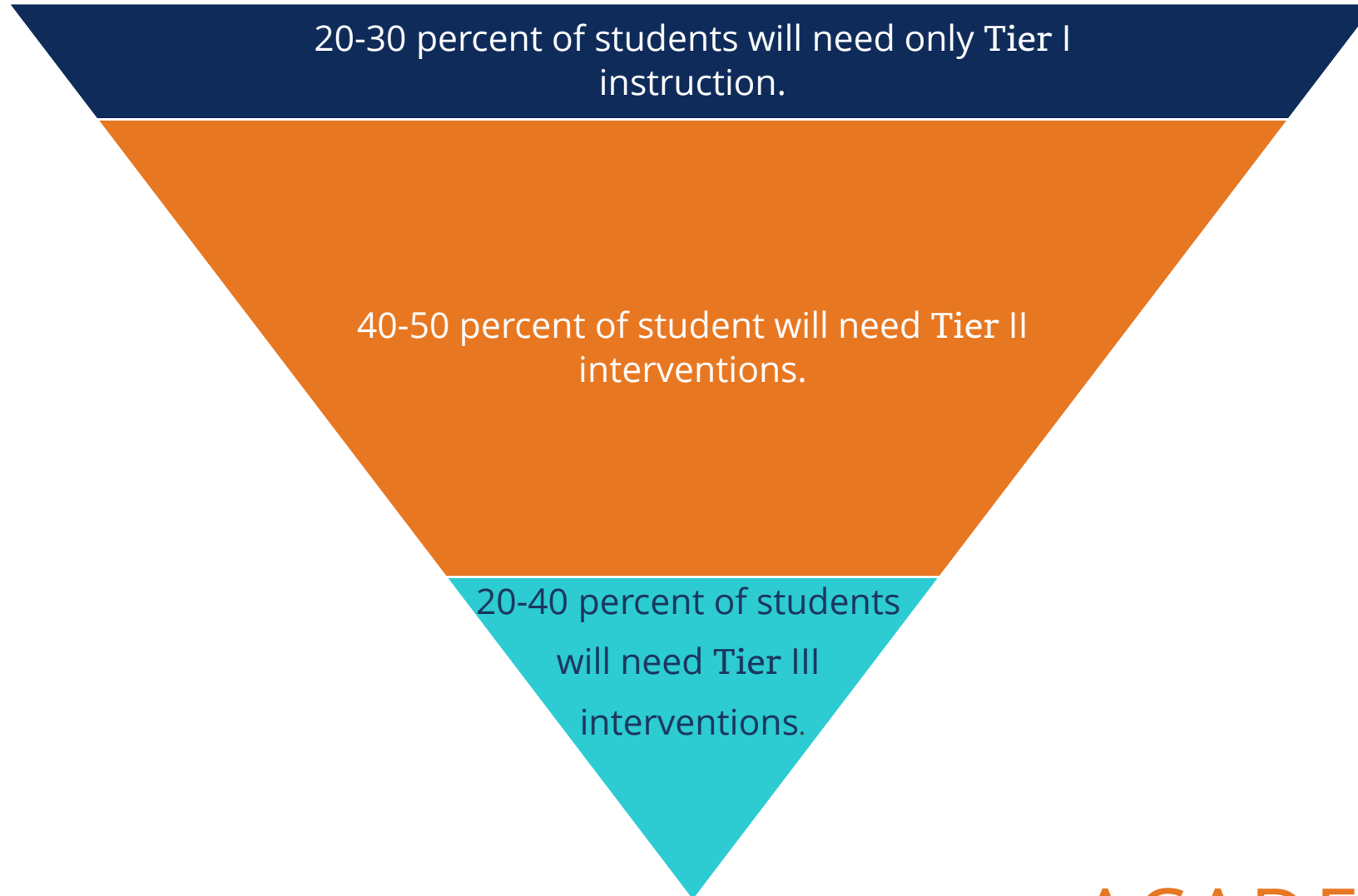
ACADEMICS

What would you do in this scenario?

90-95 percent of students will need only Tier I instruction.

3-8 percent will need Tier II intervention.

1-2 percent will need Tier III intervention.

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Profile: Reading

Reading Low Risk ■		Nat'l %ile		
		F	**W**	**S**
Composite		61 ■	5 ■	69 ■
VOC		2 ■	10 ■	2 ■
SRF		99 ■	8 ■	99 ■
RC		23 ■	9 ■	30 ■
ORF		10 ■	12 ■	7 ■

Discuss this profile in the chat or with a partner. Do you believe these data to be valid and reliable? What questions do you have? What follow-up assessment would you recommend?

Key:
VOC: Vocabulary
SRF: Silent Reading Fluency
RC: Reading Comprehension
ORF: Oral Reading Fluency

Profile: Math

Math *Medium Risk*	Nat'l %ile		
	F	W	S
Composite	2	2	20
NSF	9	11	29
NCF-T	28	6	29
MCF	3	26	34
CA	2	5	16

Discuss this profile in the chat or with a partner. Do you believe these data to be valid and reliable? What questions do you have? What follow-up assessment would you recommend?

Evaluation Standard

The LEA must ensure that the child is observed in the student's learning environment (including the regular classroom setting) to document the student's academic performance and behavior in the areas of difficulty. The student's performance shall be documented by two systematic observations in the area of suspected disability (one must be conducted by the certifying specialist, and one may be conducted by the special education teacher).

Systematic Observations

Example: "Student was observed on 3/10/22. He was in a small group. The teacher was working with the students on XYZ program. He was in a group of 6 students and 2 teachers. He answered questions, stayed on task, and appeared engaged. He read aloud slowly and tried hard. He helped others in the group. He was able to tap out sounds. He knew answers even when it appeared he wasn't listening."

What is missing? What additional questions would you ask the observer?
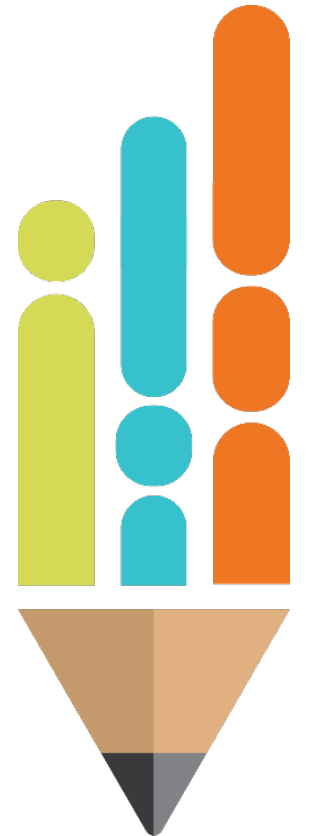
Systematic Observations

Knowing this information, where would you go next? What additional data would support your observations?

Evaluation Standard

An individual, standardized, and norm-referenced measure of academic achievement must be administered in the area(s) of suspected disability (i.e., Basic Reading Skills, Reading Fluency, Reading Comprehension, Written Expression, Mathematics Calculation, and Mathematics Problem Solving).

What happens when the data does not align?

"The rate of improv[...]rade level has
been compared to [...]uency. In terms of
the grade level pro[...]rcentile. When this
score is compared [...]ghtly above the
25th percentile exp[...]rowth a student
would need to dem[...]e, the current gap
indicated was signi[...]ded to close the
gap with peers is 1[...] close the gap
would also not be [...]

COMPOSITE/SUBTEST	STANDARD SCORE	PERCENTILE RANK	DESCRIPTIVE RANGE
READING COMPOSITE	91	27	Average
Letter & Word Recognition - Depending on the student's age or grade, he or she identifies letters, letter sounds, or reads from a list of words.	91	27	Average
Reading Comprehension - The student reads sentences and short passages and then answers questions about the passages.	93	32	Average
READING DECODING COMPOSITE	96	39	Average
Letter & Word Recognition - Depending on the student's age or grade, he or she identifies letters, letter sounds, or reads from a list of words.	91	27	Average
Nonsense Word Decoding – The student identifies made up words from a list of words.	103	58	Average
READING FLUENCY COMPOSITE	-	-	-
Silent Reading Fluency- The student has two minutes to silently read simple questions, and circle yes or no to each one.	86	18	Low Average
Word Recognition Fluency- The student reads as many words as possible within a time limit.	92	30	Average
Decoding Fluency- The student reads as many made-up words as possible within a time limit.	-	-	-
MATHEMATIC COMPOSITE	98	45	Average
Math Concepts & Applications - The student solves a word or stated problem requiring single or multiple steps.	93	32	Average
Math Computation - The student solves written math problems requiring addition, subtraction, multiplication, and division.	103	58	Average

IDEA Requirement

It is important to note that in determining whether a child has a disability -- whether an SLD or any of the other disability categories identified in federal or state law-- the IDEA requires the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, and prohibits the use of any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

34 C.F.R. § 300.304(b)(1) and (2)

Other Assessment Considerations

Additional Evaluation Recommendations

1 Work sample analyses

2 Additional observations

3 Additional academic assessment

4 Cognitive assessment

Writing Samples

Context: The fourth-grade student is working one on one with her general education teacher. The student is working on sequencing a series of events as well as correct punctuation when writing a letter.

Based on this writing sample, what other assessment data would you collect?

Writing Samples

Context: An interventionist was leading a lesson in comparing and contrasting. The second-grade student was asked to compare and contrast a cat and a dog.
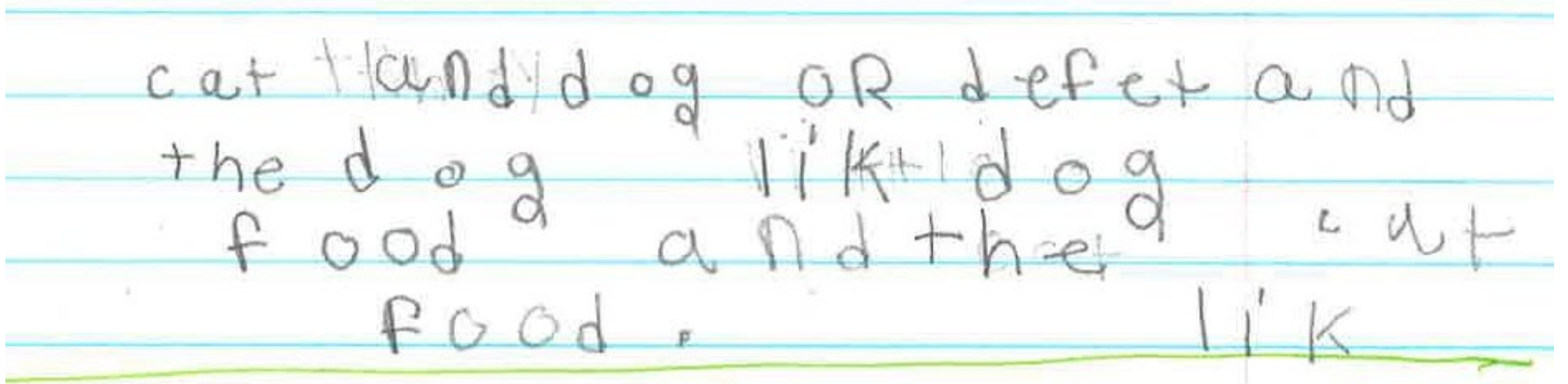
Based on this writing sample, what other assessment data would you collect?

Additional Assessments

How would these additional assessments assist your team in determining eligibility and adverse impact?

Kaufman Test of Educational Achievement, Third Edition
Administered to ██████ on 02/23/3022

Subtest/**Composite**	Standard Score	Percentile Rank	Score Descriptor
Letter & Word Recognition	75	5	Low
Reading Comprehension	78	7	Low
Spelling	77	6	Low
Nonsense Word Decoding	81	10	Low Average
(Letter & Word Recognition + Reading Comp.) **Reading**	**76**	**5**	**Low**
(Letter & Word Recognition + Nonsense Word Decod.) **Decoding**	**76**	**6**	**Low**

Comprehensive Test of Phonological Processing, Second Edition CTOPP-2
Administered to ████ on 03/01/2022

Subtest/**Composite**	Scaled/**Standard** Score	Percentile Rank	Score Descriptor
Elision	6	9	Low Average
Blending Words	9	37	Average
Phoneme Isolation	9	6	Average
Phonological Awareness	**82**	**12**	**Low Average**
Memory for Digits	6	9	Low Average
Nonword Repetition	10	50	Average
Phonological Memory	**88**	**21**	**Low Average**
Rapid Digit Naming	8	25	Low Average
Rapid Letter Naming	7	16	Low Average
Rapid Symbolic Naming	**85**	**16**	**Low Average**

Comprehensive Assessment of Spoken Language- Second Edition (CASL-2)

Subtest/Composite	Standard Score	Percentile Rank	Interpretation
Receptive Vocabulary	83	13	Below Average
Expressive Vocabulary	76	5	Borderline
Sentence Expression	73	4	Low
Sentence Comprehension	87	19	Low Average
Pragmatic Language	78	7	Borderline
General Language Ability Index	**73**	**4**	**Low**

Informal Reading Assessments
Administered to ████ on 03/01/2022

Uppercase letter names	Lowercase letter names	Letter sounds	Decoding	Dolch Sight Word Lists
26/26 All recognized; no errors	27/28 Single error q/p	29/31 Errors on soft c, soft g, /y/ for /u/	• 60% of CVC words • 10% blend words • 0% r-controlled vowels • 0% final -e words • 10% of words with vowel teams	• 28/40 pre-kindergarten words (errors: away, down, find, run, for, said, funny, three, here, two, where, little) • 25/52 kindergarten words (errors: pretty, ran, ate, ride, be, saw, brown, came, soon, do, there, eat, they, four, this, under want ,into, went, must, what, new, white, who, no)

Cognitive Assessment

- Not required for SLD eligibility
- Assists in ruling out intellectual disability
- Assists team in determining potential accommodations

Wechsler Intelligence Scale for Children, Fifth Edition Administered to ▮▮▮ on 01/21/2022			
Subtest/Composite	Standard Score/ Scaled Score	Percentile Rank	Description
Verbal Comprehension Index	**84**	**14**	**Low Average**
Similarities*	6	9	
Vocabulary*	8	25	
Visual Spatial Index	**111**	**77**	**High Average**
Block Design*	12	75	
Visual Puzzles	12	75	
Fluid Reasoning	**91**	**27**	**Average**
Matrix Reasoning*	7	16	
Figure Weights*	10	50	
Working Memory	**76**	**5**	**Low**
Digit Span*	7	16	
Picture Span	5	5	
Processing Speed	**86**	**18**	**Low Average**
Coding*	8	25	
Symbol Search	7	16	
Full Scale IQ	**87**	**19**	**Low Average**
Nonverbal IQ	**92**	**30**	**Average**

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Above Average Cognition and SLD

Above Average Cognition

- IDEA does not specifically address twice exceptional or "2E".

- "Therefore, it would be inconsistent with the IDEA for a child, regardless of whether the child is gifted, to be found ineligible for special education and related services under the SLD category solely because the child scored above a particular cut score established by State policy."

  -U.S. Dep't of Educ., *Letter to Delisle* (Apr. 17, 2015)
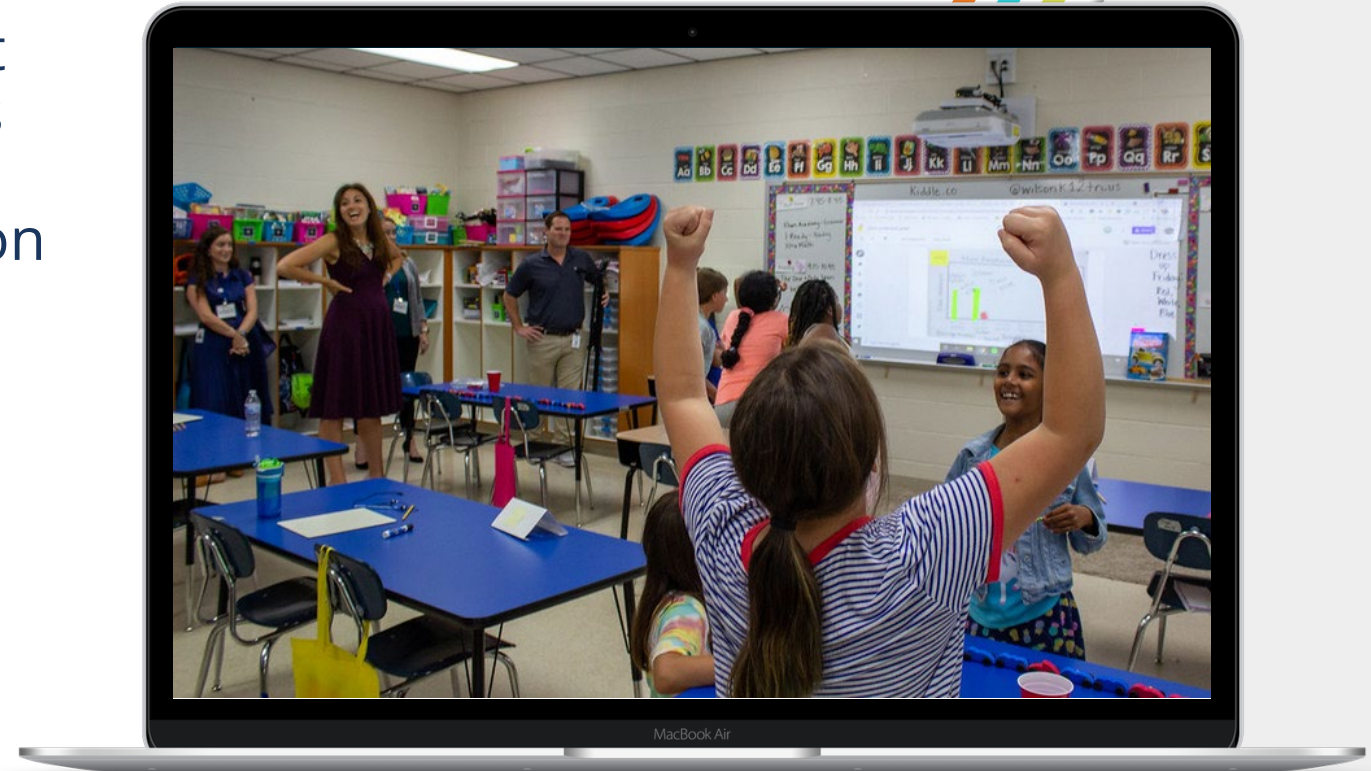
Consider this profile!

Context: This second-grade male student was referred for a specific learning disability in basic reading skills.

Student entered tier II intervention in Kindergarten and subsequently entered tier III intervention in first grade.

The second-grade teacher reported concerns with phoneme deletion, segmenting, vocabulary, and word discrimination.

Subtests	Scaled Score	Descriptive Classification
Verbal Comprehension Subtests		
Similarities (SI)	7	Low Average
Vocabulary (VC)	6	Low Average
Visual Spatial Subtests		
Block Design (BD)	15	High
Visual Puzzles (VP)	13	High Average
Fluid Reasoning Subtests		
Matrix Reasoning (MR)	15	High
Figure Weights (FW)	14	High
Working Memory Subtests		
Digit Span (DS)	15	High
Picture Span (PS)	14	High
Processing Speed Subtests		
Coding (CO)	13	High Average
Symbol Search (SS)	13	High Average

Composite Indexes	Standard Scores	Percentile Ranks	Descriptive Classification
Verbal Comprehension Index (VCI)	81	10th	Low Average
Visual Spatial Index (VSI)	121	92nd	Superior
Fluid Reasoning Index (FRI)	126	96th	Superior
Working Memory (WM)	127	97th	Superior
Processing Speed (PS)	116	86th	High Average
Full Scale IQ (FSIQ)	118	88th	High Average
Nonverbal Index (NVI)	124	95th	Superior

Academic Data

Reading
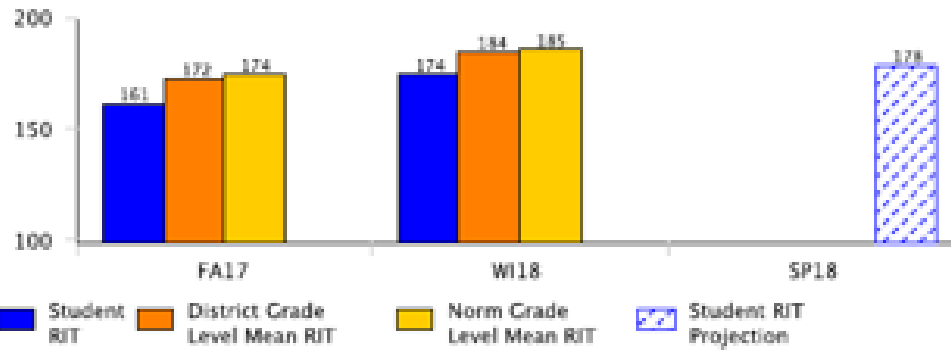
Term/ Year	Grade	RIT (+/- Std Err)	RIT Growth	Growth Projection	Percentile Range
WI18	2	171-174-177			17-23-30
FA17	2	158-161-164			15-20-27

Legend: Student RIT / District Grade Level Mean RIT / Norm Grade Level Mean RIT / Student RIT Projection

Reading Goals Performance - Spring 2017-2018
There were no test events found for the selected term.

CBMreading English Progress Monitoring Report
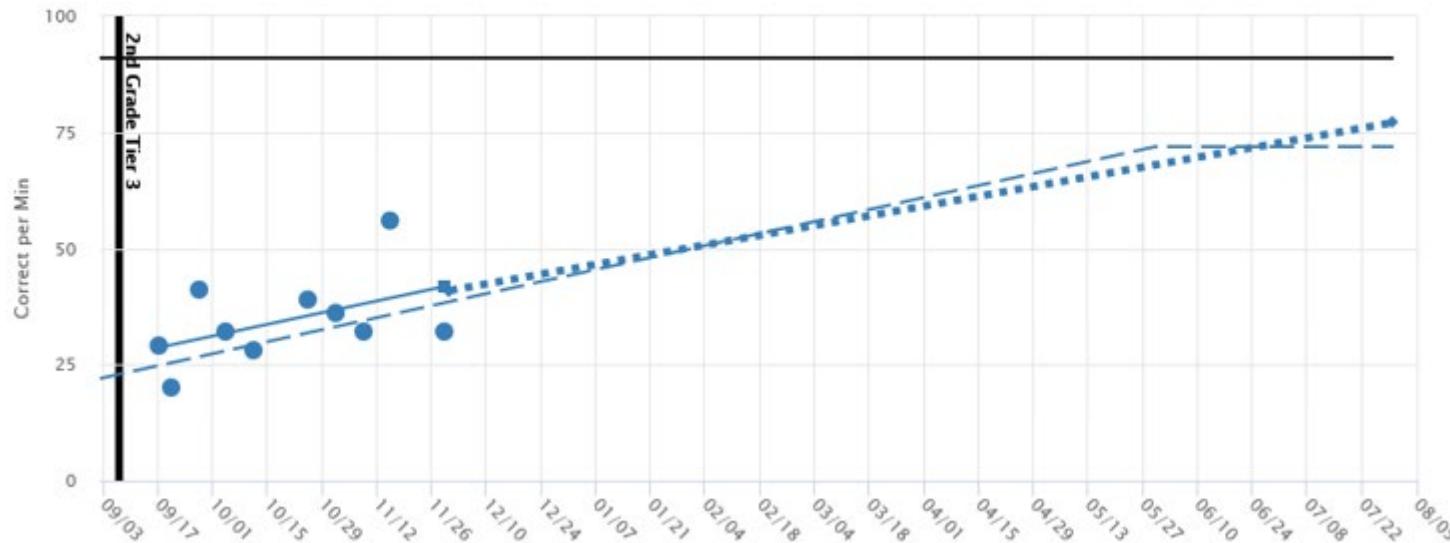
40th percentile goal line

Achievement Data

Kaufman Test of Educational Achievement, Third Edition

| Composite/Subtests	Standard Score	Percentile	Descriptive Category
Sound-Symbol Composite	**70**	2nd	**Below Average**
Phonological Processing	72	3rd	Below Average
Nonsense Word Decoding	75	5th	Below Average
Decoding Composite	**79**	8th	**Below Average**
Letter & Word Recognition	86	18th	Average
Nonsense Word Decoding	75	5th	Below Average
Comprehension Composite	**102**	55th	**Average**
Listening Comprehension	125	95th	Superior
Reading Comprehension	90	25th	Average
Other Subtests			
Silent Reading Fluency	84	14th	Below Average
Object Naming Facility	72	3rd	Below Average
Spelling	88	21st	Average
Letter Naming Facility	89	23rd	Average

Woodcock Johnson Tests of Achievement, Fourth Edition

WJ-IV Achievement Subtests	Standard Scores	Percentile Ranks	Classification
Mathematics	**121**	92nd	**Superior**
Calculation	120	91st	High Average
Applied Problems	125	95th	Superior
Written Language	**94**	34th	**Average**
Spelling	84	14th	Below Average
Writing Samples	113	80th	High Average
Science	**123**	94th	**Superior**
Social Studies	**120**	91st	**High Average**
Humanities	**113**	80th	**High Average**

Pulling it altogether

- Use a variety of screening and evaluation tools.
- Employ targeted assessments to understand cognitive, academic, and social-emotional strengths as well as deficits.
- Conduct multi-disciplinary evaluations designed to identify students' unique patterns of intellectual and academic abilities.
- Be careful to assume ability based on limited information.
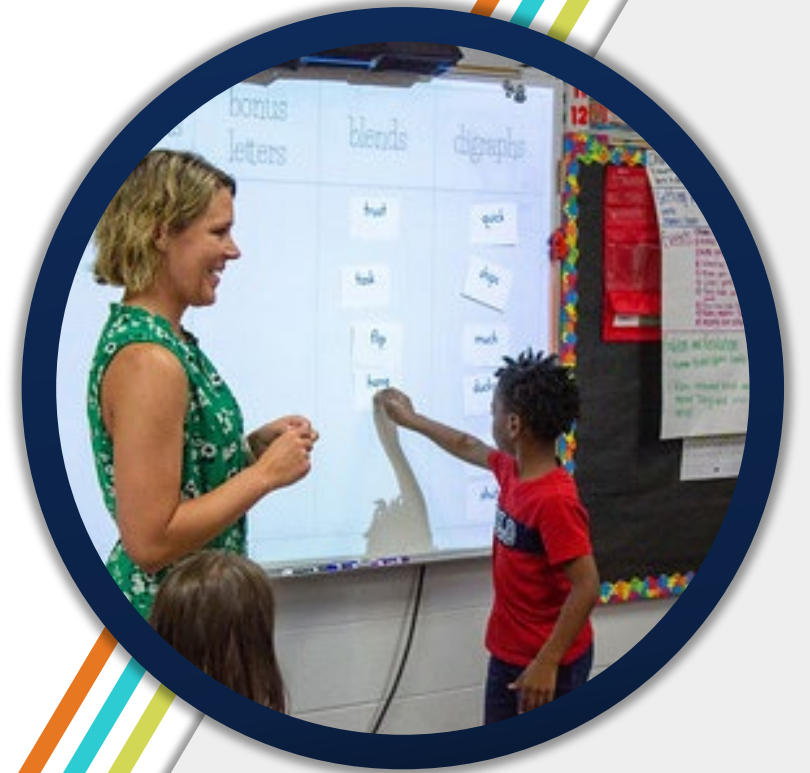
Exclusionary Factors

Exclusionary Factors

How do you rule out visual, hearing, and orthopedic impairments?
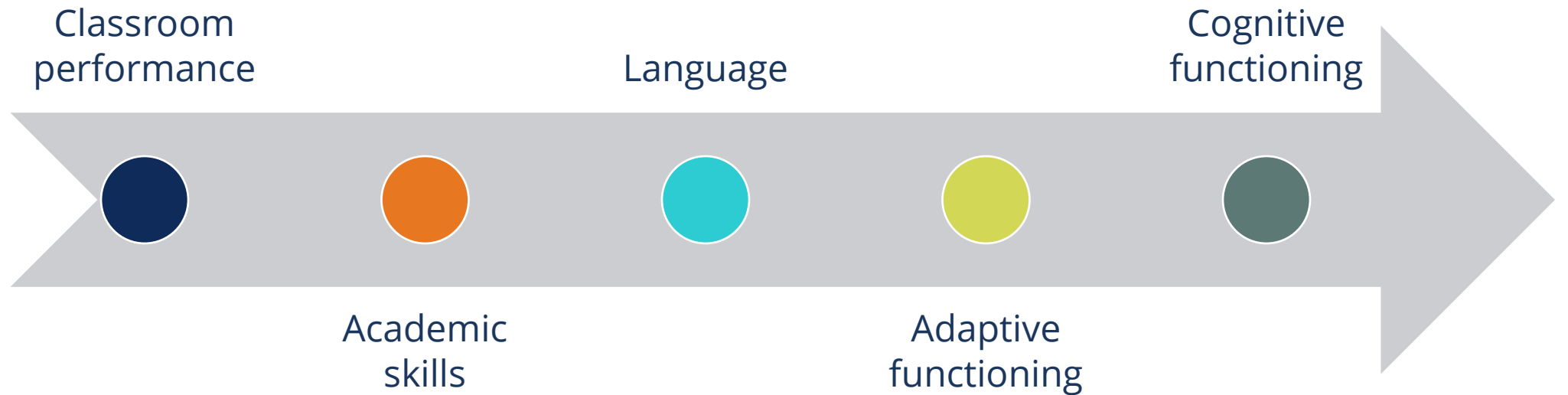
Sensory screening

Observations
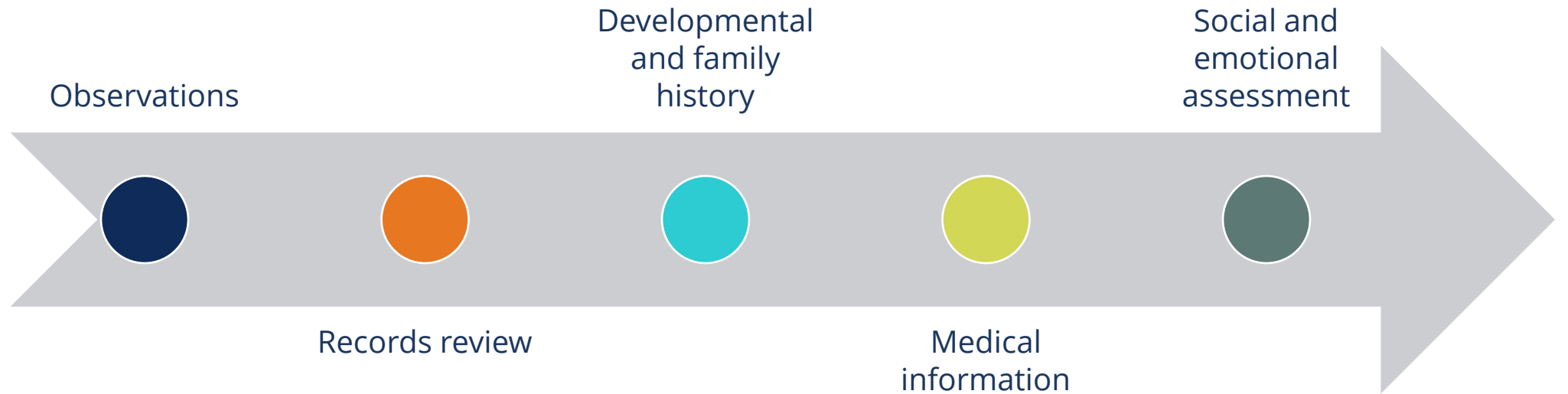
Medical records

Vision and hearing screening

Exclusionary Factors
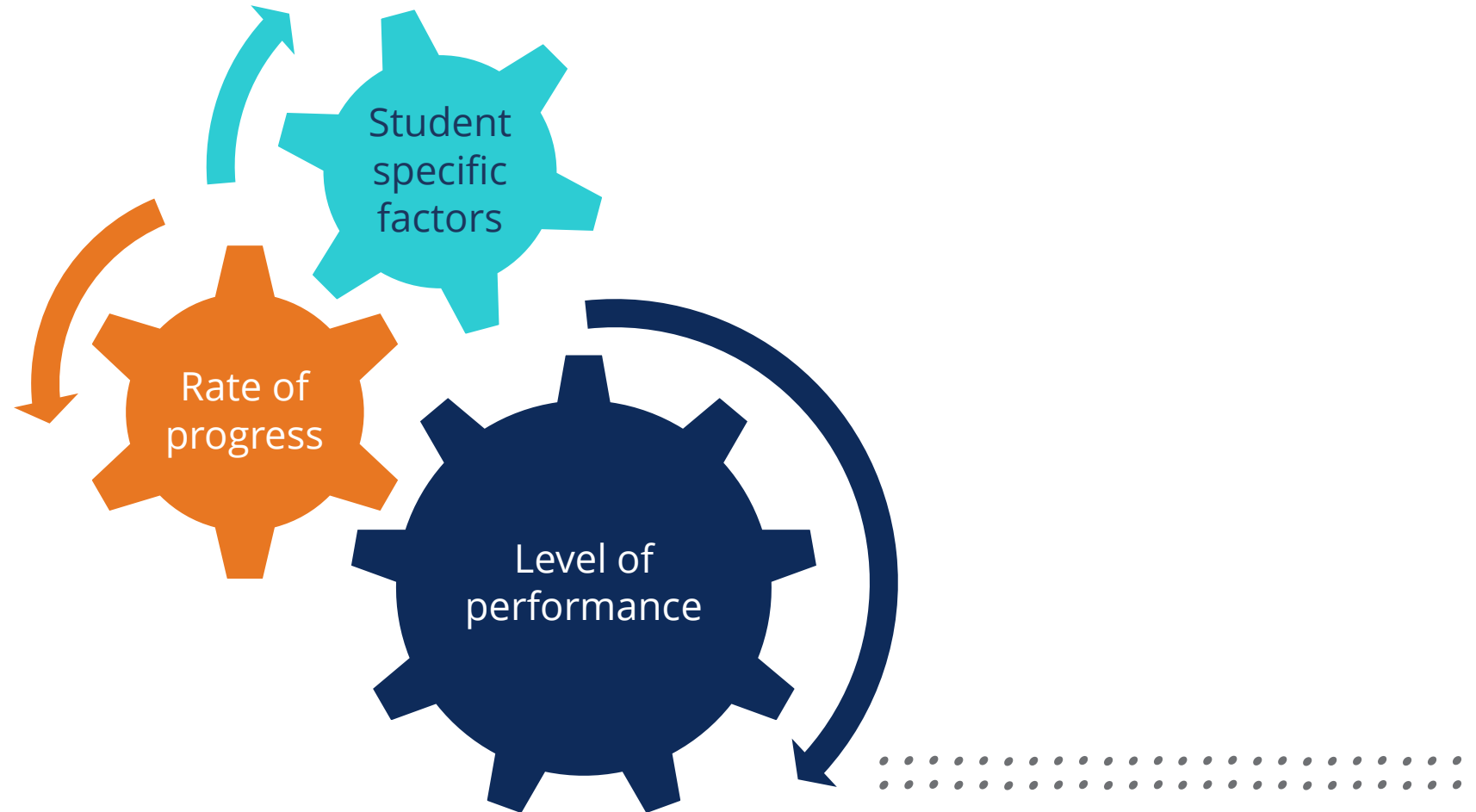
How do you rule out intellectual disability?

Classroom performance

Academic skills

Language

Adaptive functioning

Cognitive functioning

Exclusionary Factors

How do you rule out emotional disturbance?

Observations

Developmental and family history

Social and emotional assessment

Records review

Medical information

Exclusionary Factors

How do you rule out limited English proficiency?

Language acquisition assessment

Level of performance with comparative sample

Language proficiency assessment

Rate of progress with comparative sample

Exclusionary Factors

How do you rule out excessive absenteeism?

Attendance records

Late arrivals and early dismissals

Number of schools attended within last three years

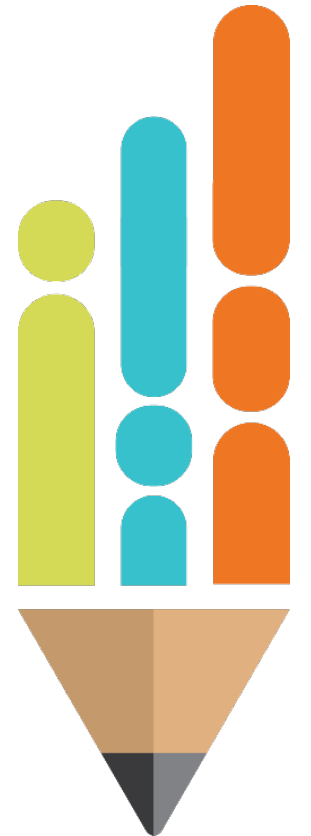Absent for more than 23 percent of instruction or intervention

What IDEA Does NOT Say!

- IDEA does not say that a child must be failing at school to qualify for an evaluation.

- IDEA does not say that a child must in the bottom 10th percent or 25th percent of the class to qualify for an evaluation.

- IDEA does not say that a child must have completed general education interventions to qualify for an evaluation.

Tips to Avoid Procedural Violations

- Focus on the data, not the process.
- Respond to the data
- Respond appropriately to requests for evaluation
  - Avoid language: "We don't have enough data points," or "The student must go through RTI^2 first."
- Avoid pre-determination
  - Avoid language: "The student hasn't been in RTI^2 long enough. If I test the student now, we won't be able to make the student eligible."
  - All decisions are made by IEP team
- Refer if a disability is suspected: The evaluation and continued progress monitoring can occur concurrently.
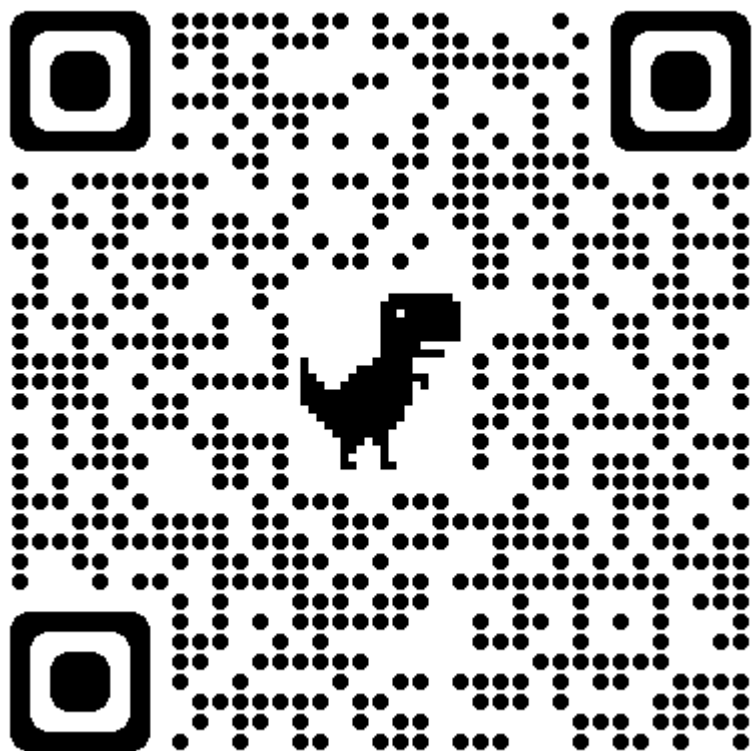
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Department of
Education