

Challenges With SLD Identification: What is the SLD Problem?

Evelyn Johnson
Daryl F. Mellard
Sara E. Byrd

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Abstract

The IDEIA 2004 presents opportunities for change in our methods for improving the process of Specific Learning Disabilities (SLD) identification. While common approaches to improvement often focus on the assessment tools alone, consideration of stakeholder values and resource constraints are equally important to develop effective solutions that mitigate the challenges with SLD identification. In this article, we summarize the factors that exacerbate the SLD problem and present a tool that teams may find helpful as they work towards improved SLD identification methods.

Keywords

learning disabilities, LD identification

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“The significant problems we face cannot be solved at the same level of thinking with which we created them” – Albert Einstein.

The emphasis in the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) on changing procedures for Specific Learning Disabilities (SLD) determination presents both a welcome opportunity and a significant challenge to schools. Some of the specific ways that the IDEIA 2004 is approaching this issue is through the following provisions:

1. Maintaining authoritative definitions of SLD.
2. Encouraging opportunities to change eligibility and evaluation procedures, to include a response-to-intervention (RTI) approach.
3. Including provisions for Early Intervening Services (EIS).

Taken in concert, these three provisions suggest several things about the current practice of SLD identification. First, maintaining authoritative definitions of SLD reflects the idea that although there are problems with operationalizing our understandings of SLD, there is general consensus that SLD is a within child disorder that results in unexpected low academic achievement. The next provision, encouraging changes in evaluation procedures, speaks directly to the field’s historical problems with operationalizing conceptual definitions of SLD. Problems with current evaluation procedures include:

- a. Too many students are identified as having an SLD.
- b. Minority groups are overrepresented.
- c. Discrepancy approaches result in a “wait to fail” model.

- d. Variability in eligibility criteria and their application may result in the wrong students being identified.

RTI represents a promising alternative to current approaches, but is not currently mandated in the statute because numerous questions about its use as an SLD eligibility method remain. The third provision, the use of funds for early intervening services for students at risk reflects the research that indicates early identification and intervention significantly increase the likelihood of student success, and prevent difficulties associated with the “wait to fail” problem attributed to discrepancy approaches.

While the changes in IDEIA 2004 present a welcome opportunity to focus the field’s collective attention on improved evaluation procedures for SLD determination, ample research evidence has shown classification decisions are often based on a variety of factors not directly linked to regulations, procedures, or definitions (Gerber, 1988, 2005; Hallahan & Mercer, 2002; MacMillan & Siperstein, 2002; Ysseldyke, Algozzine, Richey, & Graden, 1982). This suggests that changes in legislation and evaluation methods are a necessary but insufficient way in which to improve current practice. Identifying and understanding the contextual factors that influence local decision-making can help the multi-disciplinary team (MDT) work towards implementation of improved SLD determination methods that avoid some of the challenges associated with past procedures. Without a complete representation of the many factors that contribute to inaccurate SLD determination decisions, improvements in accuracy rates are not likely to occur.

The factors identified in the research as contributing to the problems with SLD identification fall into three main categories:

resources, assessment procedures, and stakeholder values. Each of these categories is discussed below, and we conclude with a checklist that can help MDTs improve their implementation of SLD identification practices.

Resources

Constraints on resources have a significant impact on SLD eligibility decisions. These constraints occur at the school and classroom level. At the school level, low-achieving students may be identified as having an SLD because the resources to provide services to other categories of struggling learners are not available (MacMillan, Gresham, & Bocian, 1998). A number of studies confirm that large percentages of students whose low-achievement levels are not unexpected have been inaccurately identified as having an SLD (Gottlieb & Weinberg, 1999; MacMillan et al., 1998; McLeskey & Waldron, 1990). Special education is used in these cases as a catchall for any learner who is struggling.

At the classroom level, resource constraints are primarily related to a teacher's ability to adequately meet the needs of all the students in the classroom. A teacher without a broad range of instructional strategies will be less likely to be successful in reaching all students, and therefore, more students within that class may be identified as having an SLD (Gerber, 2005). Additionally, given the reality of limited resources at the school level, teachers may decide that not all low readers need to be referred, but instead refer only those who also have some associated problems that fall outside the teacher's tolerance level (Shinn, Tindall, & Spira, 1987).

Resource constraints at the classroom and building levels have a significant impact on SLD determination decisions in important ways. The allocation of funds for early inter-

vening services may help increase the number and kinds of resources available for struggling learners, yet all resource constraints cannot be addressed through IDEIA 2004 legislation alone. Other policy initiatives such as NCLB may also work towards reducing these constraints through the emphasis on high-quality teachers and the use of evidenced-based instructional practices and materials. However, an MDT will need to be aware of the specific resource constraints that operate within the context of their setting and influence the decision-making process. When resource constraints are articulated, their impact on decision-making can be better understood and appropriate solutions considered.

Assessment Procedures

Although states vary in their evaluation procedures for SLD determination, a general framework prescribed by federal regulations includes a process that has four stages: prereferral, referral, evaluation, and eligibility determination. Within each of these stages, an MDT is expected to collect, document, and analyze evidence against prescribed criteria. Research has shown that problems exist across these four stages, and that these problems result in inaccurate identification of students with learning disabilities.

At the prereferral stage, a common problem is the lack of prescribed procedures in describing the student's learning problem, implementing appropriate interventions, collecting evidence to determine the effectiveness of the intervention, and following up at subsequent team meetings. Although prereferral is emphasized as a critical part of the evaluation process, many practitioners use unvalidated or incomplete prereferral processes (Fuchs, Mock, Morgan, & Young, 2003). The focus on RTI and EIS in the IDEIA 2004 is on one level, an attempt to

bring more standardization to the process of prereferral interventions through the focus of evidence-based instruction and interventions and the use of ongoing progress monitoring. Improving the prereferral process could limit the number of students referred for SLD evaluation, and ultimately improve the accuracy with which decisions are made and instructional interventions designed. Limiting the number of referrals is important, because evidence has shown that once a student is referred, they are likely to be found eligible for services (Ysseldyke et al., 1982).

At the evaluation stage, Hallahan and Mock (2003) note that foremost among the many problems within the field of SLD is the utility of the discrepancy formula in identifying students. A review of state SLD classification criteria by Reschly and Hosp (2004) shows that although most states include; (a) a focus on low achievement in a specified academic area, (b) a severe discrepancy requirement, and (c) exclusionary clauses (to include ruling out of poor instruction; other disabilities; and economic, ethnic, and cultural factors), there is enormous variation in the way in which these criteria are defined and applied. Much of this variation is due to differences in discrepancy criteria across states, to include the way in which a discrepancy is calculated, as well as the magnitude of the discrepancy required to constitute “severe”.

Another concern with discrepancy approaches is that because they are thought to be objective measures of the SLD construct, and because of the ease with which a discrepancy can be calculated (i.e. administer two tests, apply a formula to the resulting scores), discrepancy often becomes the sole criterion for SLD identification (Kavale, 2001). Ultimately, the reliance on discrepancy (or any other factor) as the sole criterion reduces the accuracy with which we identify students as

having an SLD. Underachievement, of which discrepancy provides a measure, can be an indicator of multiple learning issues, only one of which could be an SLD, thus it should only be considered a necessary, but insufficient, SLD marker.

Most of the changes in IDEIA related to SLD stem from the problems associated with our current methods of evaluation. RTI is emerging as one possible alternative, but many researchers caution that its use as an SLD determination model could potentially result in many of the same issues we face now (Fletcher, Morris, & Lyon, 2003; Gerber, 2005; Hallahan, 2006).

Stakeholder Values

Focus group studies conducted by the National Research Center for Learning Disabilities underscore the fact that a variety of factors strongly influence identification decision making. Variables such as the degree of parental involvement, familiarity of parents with school personnel, availability of other services for at-risk students, perceived competence of site teachers, and the degree to which teachers feel a personal sense of responsibility for the academic progress of at-risk learners all emerged as factors influencing how various stakeholders think about and make decisions regarding struggling learners (Mellard, Deshler, & Barth, 2004).

Different stakeholders may have a variety of reasons for wanting a student to be classified as having an SLD. Those reasons reflect a value system that prioritizes school achievement and devalues low performance and explanations reflecting institutional inadequacies. Parents, for example, may be concerned that without the label, their child will be denied services that he or she needs. Conversely, a parent may want to avoid the classification for fear of its long-term impli-

cations. A teacher may feel ill-equipped to teach a struggling reader and reason that a student would be better served receiving special education services. To help the one student would mean neglecting the needs of the other students in the classroom. An administrator may feel that there are no other alternatives for struggling learners, or may feel pressured by other stakeholders, or a desire to avoid potential due process procedures.

When confronted with the two part test for disability determination presented in federal and state guidelines (e.g. Does the student have a disability? and Does the student need special education services?), the latter part of the test receives much more focus than the former (Mellard et al., 2004). Hence, addressing classroom needs appears to play a major role in the decision-making process, often overriding concerns about following state or district guidelines relative to SLD determination. Although meeting the needs of low-achieving students is a priority in education, addressing their needs through the use of a system designed to support those students with disabilities represents an improper use of federal funding and denies those with actual disabilities a chance to progress by virtue of the federal protections and civil rights that have been granted to them. The designation of SLD as one of the special education categories provides unique status for students meeting the categorical model and particular responsibilities for those persons making the student designation. Understanding the contextual variables that shape and influence how decisions are made is critical in working toward improved identification methods for accurate SLD identification. For example, responding to the issues raised here, a partial remedy would be an appropriate service intervention for low and underachieving students that may be similarly constructed

but not encompassed under the same umbrella as special education services (Kavale & Forness, 2003). Such solutions cannot be realized if the conditions that help to create the problem are not articulated.

Similar appeals to values are made when considering other problems with SLD identification. For example, when working with English language learners, Salend and Salinas (2003) recommend that team members engage in activities to examine their own cultural perspectives and consider how their cultural beliefs and behaviors may differ from those held by students and their families.

SLD identification is a team decision. In other words, assessment results alone cannot be used to determine eligibility. As assessment team members come to the process with different values about SLD determination and service delivery, they shape the decision-making process in ways that may hinder accurate identification. The team's adherence to standards that provide data that are accurate, consistent, sufficient, and objective is important. However, these types of data are not always provided or collected by the team, and team members may be motivated by other factors that influence the individual and subsequently, collective judgments of the team. If accuracy is to improve, the decision rules for classification must be explicit. Such rules also should specify the role that clinical judgment has in the decision. For example, whose judgment will be considered for which classification decisions?

Limiting the Challenges

One way that teams can work to limit the impact these challenges have on their SLD identification procedures is to consider the following question as part of the evaluation process: In your setting, what factors

prevent accuracy in SLD identification decisions?

To assist in this process, we [our center] have developed a checklist organized by the three issues discussed in this article (resources, methodology, and stakeholder values) that teams can work through to consider some of the factors that might prevent accurate SLD identification. Accurate identification is the most important outcome in improving SLD determination, because of the immediate and long-term consequences for the student and his or her family. These consequences are also significant for other students with disabilities, general education students, and teachers. Mitigating factors often exist that can bias student-level decisions, and though they are well intended, result in lowered accuracy rates of SLD identification.

The checklist in figure 1 represents a framework for teams to consider the many issues raised in this article. To complete the checklist, have each member of your team respond to the statements included. Each team member will bring a unique perspective to this exercise. For each section determine totals for a) the number of “yes” answers, b) the number of “no” answers, and c) the number of yes and no answers, and then calculate percentages by dividing the results by the total number of responses. This activity will help you consider some of the practices that might contribute to the challenge of accurate SLD identification in your setting. Once you have identified areas that are problematic in your setting, you can then work on crafting appropriate solutions to address these concerns.

Conclusion/Summary

Historically, researchers, policymakers, and practitioners have sought improved solutions to the issues associated with specific learning disability (SLD) identification deci-

sions. Since the passage of P.L. 94-142, numerous identification methods have been proposed, implemented, and studied. While each new method has been successful, at least partially, in addressing some of the limitations of earlier methods, each new identification model is saddled with its own set of shortcomings. We believe that these shortcomings can be substantially reduced when stakeholders engage in the types of reflective activities outlined in this article. Specifically, we encourage teams to work through the structured activities presented in this paper for the purpose of better understanding a) the challenges to current SLD identification processes as perceived by stakeholders, b) how those challenges impact decision-making related to SLD determination, and c) beginning steps for developing appropriate solutions that will result in an improved SLD identification model within your school.

Figure 1. Checklist for addressing challenges with SLD identification

1. Resources	Yes	No
a. We provide highly effective remedial services for students with low-achievement (not special education).		
b. We use evidence-based instructional practices in reading.		
c. We use evidence-based instructional practices in writing.		
d. We use evidence-based instructional practices in math.		
e. Within the classroom, individual students receive specific, scientifically based interventions and their progress is monitored.		
f. We offer a variety of services for struggling learners.		
g. General education teachers receive support from specialists on providing effective interventions for students with low-achievement.		
h. We have highly qualified teachers on staff.		
i. We have effective services for students who are English language learners.		
j. We have screening and early intervening services programs for at-risk students.		
2. Assessment Procedures	Yes	No
a. We implement classroom interventions and collect data on their effectiveness.		
b. We require documentation of these assessments in eligibility decisions.		
c. When a discrepancy is found, we implement further procedures to determine the suspected reasons for the discrepancy.		
d. We follow well-documented procedures for exclusionary criteria.		
e. We require assessment of multiple factors for SLD determination.		
f. Students are evaluated to rule-out limited English proficiency (where warranted).		
3. Stakeholder Values		
a. We require an evaluation team discussion when making SLD determination decisions.		
b. We use a number of methods (i.e. letters, telephone calls, one-on-one meetings, team meetings) to engage parents in the discussion process when making SLD determination decisions.		
c. We have a clearly defined decision-making process for SLD identification.		
d. The evaluation team (including the parent) is required to collect a variety of specific data on which to base eligibility decisions.		
e. Our decision-making process clearly defines the role of each team member.		
f. We have discussed as a team what distinguishes low achievement from SLD.		
g. We have data on SLD identification by ethnicity and race (by years, and by grades).		
h. Identification and placement rates are consistent with state, district, and school demographics.		

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About the Authors:

Evelyn Johnson is a Research Associate, National Research Center for Learning Disabilities, University of Kansas.

Daryl F. Mellard is the Co-Principal Investigator, National Research Center for Learning Disabilities, Center for Research and Learning, University of Kansas.

Sara E. Byrd is a Research Consultant, National Research Center for Learning Disabilities, University of Kansas.