



Interventions and Specific Learning Disability

Interventions Prior to Referral

- The Individuals with Disabilities Education Act (IDEA) requires that children who are suspected of being a child with a disability and in need of special education are identified, located, and evaluated. 34 C.F.R. § 300.111.
- IDEA and our State Child Find Rule **do not require** that a child receive scientific, research, or evidence-based interventions before being **referred** for consideration for eligibility for special education and related services. See 34 C.F.R. § 300.111; State Board Rule 160-4-7-.03 (updated March 23, 2023).

Interventions Prior to Referral

- If a parent or teacher requests an evaluation and interventions have not been provided prior to the referral, interventions may be provided **while the child is being evaluated** (within the 60-day timeline requirement).
- Although a child's receipt of interventions can provide a critical piece of information in helping to determine eligibility for special education, the lack of interventions **must not** be a reason for determining that a child is not eligible for special education services (except for Specific Learning Disability (SLD)).

Excerpt from Specific Learning Disability (SLD) Rule 160-4-7-.05

- (2) The child with a specific learning disability has one or more serious academic deficiencies and does not achieve adequately according to age to meet State-approved grade level standards. These achievement deficiencies must be **directly related** to a pervasive processing deficit and **to the child's response to scientific, research-based interventions**.

Excerpt from Specific Learning Disability (SLD) Rule 160-4-7-.05

- The nature of the deficit(s) is such that classroom performance is not correctable without specialized techniques that are fundamentally different from those provided by general education teachers, basic remedial/tutorial approaches, or other compensatory programs. **This is clearly documented by the child's response to instruction** as demonstrated by a review of the progress monitoring available in general education and Student Support Team (SST) intervention plans as supported by work samples and classroom observations. The child's need for academic support alone is not sufficient for eligibility and does not override the other established requirements for determining eligibility.

Excerpt from Specific Learning Disability (SLD) Rule 160-4-7-.05

- Required Data Collection
 - (1) In order to determine the existence of Specific Learning Disability, the group must summarize the multiple sources of evidence to conclude that the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards and intellectual development.
- Ultimately, specific learning disability is determined through professional judgment using multiple supporting evidences that must include:
 - (a) Data are collected that include:

Excerpt from Specific Learning Disability (SLD) Rule 160-4-7.05

- (iii) Results from supplementary instruction that **has been or is being provided**: (a) that uses scientific, research or evidence based interventions selected to correct or reduce the problem(s) the student is having and was in the identified areas of concern; (b) **such instruction has been implemented as designed for the period of time indicated by the instructional strategy(ies)**. If the instructional strategies do not indicate a period of time the strategies should be implemented, the instructional strategies shall be implemented for a minimum of 12 weeks to show the instructional strategies' effect or lack of effect that demonstrates the child is not making sufficient progress to meet age or State-approved grade level standards within a reasonable time frame;