

Q: I have a question regarding the change in the current LD guidelines. Since it is no longer best practice to use discrepancy as the determining factor for qualification under the label LD, is it still considered good practice to use cognitive assessment as a school psychologist to help in showing a pattern of strengths and weaknesses and the progress of intellectual development? There has been some interpretation that not using the discrepancy model means not using cognitive assessment for students suspected of having a learning disability. Is that interpretation is accurate?

A: For each referral of an individual student, the evaluation team must decide (1) which tests are appropriate to use given the referral question, and (2) what type of assessment will answer questions about an individual student's need for intervention and support. Eliminating the use of IQ-achievement discrepancy for eligibility determination does not mean eliminating the appropriate use of IQ and achievement tests. However, the automatic administration of any intelligence or achievement test for evaluating all students is not appropriate practice. For the category of specific learning disabilities, it might be helpful for the evaluation team to think about what the research literature says regarding which types of abilities have relationships to academic skills. For reading, this would include things such as phonological awareness, oral language and vocabulary, working memory, processing speed, and other abilities, depending on the age of the child. Exactly which abilities you need to evaluate will depend somewhat on information collected from the General Education Intervention process. An intelligence test might be used to collect information about some of these abilities, but the evaluation team might decide to assess these abilities using other tests which have technical validity and provide useful information. It is the responsibility of the evaluation team to decide which abilities and skills need to be measured and how the members of the evaluation team will collect the needed information. The team must make sure they address all issues related to the referral concern for an individual student. If there are concerns about behavior, attention, or motor skills, for example, then additional information about the student's functioning in those domains will need to be collected and analyzed as well. The Revised Eligibility Indicators Document can help the evaluation team identify information that is needed for meeting the two-prong test of eligibility, including consideration of the exclusionary criteria for each category of exceptionality. That document is available at the KSDE website (www.ksde.org) within the Special Education Services section. In general, eligibility decisions should focus on student achievement within the context of age and/or grade-level standards, and not on within-child deficits.

Q: What starts the 60 school day timeline for evaluation?

A: The date the parent signs the Prior Written Notice for Evaluation and Request for Consent.

Q: What ends the 60 school day timeline for evaluation?

A: If the student is eligible, provision of initial services as described on the IEP must begin within the 60 school day evaluation timeline. If the student is not eligible, provision of the Evaluation/Eligibility Determination Report and Prior Written Notice to the parents that it is determined that a child is not eligible for special education or related services must occur within the 60 school day timeline.

Q: Can the 60 school day timeline be extended?

A: The 60 school day timeline may be extended only if the school has obtained written parental consent to an extension of time OR the parent of the child who is to be evaluated repeatedly fails or refuses to produce the child for the evaluation OR the child enrolls in a different school before the evaluation is completed, and the parent and new school agree to a specific date by which the evaluation will be completed.