

DOVER SCHOOL DISTRICT	POLICY CODE: IHBAAA
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DETERMINING SPECIFIC LEARNING DISABILITY

In making determinations regarding whether a student has a specific learning disability under state and federal special education rules, the Dover School District shall use the “pattern of strengths and weaknesses” model, as set forth in state regulation Ed 1107.01(a) and in federal regulation 34 C.F.R. § 300.309, and shall evaluate for specific learning disabilities in a manner consistent with the procedures and standards included in the attached LD eligibility checklist, dated October 26, 2008, reflecting requirements set forth in NH Ed 1107.01 and .02 and 34 C.F.R. § 300.301 to .311 (as applicable).

Legal Reference:

Legal References: NH Ed 1107.01, .02 (2008); 34 C.F.R. § 300.307, .309 (2006).

DOVER SCHOOL DISTRICT
NH LEARNING DISABILITY ELIGIBILITY CHECKLIST

Student:		School/Grade:		Date:	
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Specific Learning Disability Definition:

The term means 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.

I. Eligibility Questions – Answer All Of Them

1. Is there a disorder in one or more of the basic psychological processes?	YES	NO
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Processing Disorder: A processing disorder is generally characterized by the following: (1) standard scores at or below one standard deviation from the test's mean in the area of processing deficit (i.e. standard score of 85 on tests with a mean of 100 and standard deviation of 15); and (2) on a measure of cognitive functioning, at least one composite standardized score within the broad "average range" defined here as no lower than one standard deviation below the mean (i.e. standard score of 85 on tests with a mean of 100 and standard deviation of 15). Scores listed here are guidelines. The clinical judgment of the team determines if there is a processing disorder.

Indicate area(s) of processing deficit

<p>_____ Verbal/Crystallized Ability</p> <p>_____ Nonverbal/Fluid Reasoning</p> <p>_____ Visual-Spatial Processing</p> <p>_____ Short-Term Memory</p> <p>_____ Long-Term Memory</p> <p>_____ Other - specify</p>	<p>_____ Processing Speed</p> <p>_____ Phonological Processing</p> <p>_____ Executive Functions</p> <p>_____ Orthographic Processing</p> <p>_____ Auditory Processing</p> <p>_____ Other - specify</p>
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Verification: [Include here composite standard scores on measures of psychological processes and cognitive functioning]

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To be eligible, the answer to Question 1 must be YES. Proceed to next question. If NO, go to II. Eligibility conclusions

	YES	NO
2. When provided with learning experiences and instruction appropriate for the student's age or grade level, the student is failing to achieve adequately for his/her age or to meet State approved grade level standards?		
<p>If yes, identify the area(s):</p> <p> <input type="checkbox"/> oral expression <input type="checkbox"/> listening comprehension <input type="checkbox"/> written expression <input type="checkbox"/> basic reading skill <input type="checkbox"/> reading comprehension <input type="checkbox"/> reading fluency skills <input type="checkbox"/> mathematics calculation <input type="checkbox"/> mathematics problem solving </p> <p>Verify: [Include here standardized scores on tests of academic achievement, scores on district and state assessments of achievement on grade level standards, and/or documentation of appropriate learning experiences and instruction]</p>		

To be eligible, the answer to Question 2 must be YES. Proceed to next question. If NO, go to II. Eligibility conclusions.

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	YES	NO	N/A
3. Does the student exhibit 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 by the IEP team to be relevant to the identification of a specific learning disability, using appropriate assessments?			
Verification: [Include here description of pattern of strengths and weaknesses and description of the impact of the processing deficit on the area of academic deficit indicated in Question 2.]			

To be eligible, the answer to Question 3 must be YES. Proceed to next question. If NO, go to II. Eligibility conclusions.

	YES	NO
4. Is the underachievement due to the lack of appropriate instruction in reading or math?		
<i>In making this determination, the Team must consider:</i>		
<i>a) Data that demonstrates that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; <u>and</u></i>		
<i>b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.</i>		

To be eligible, the answer to Question 4 must be NO. Proceed to next question. If YES, go to II. Eligibility conclusions.

5. Is the student's lack of achievement primarily the result of:		
a. Visual, Hearing or Motor Disability	YES	NO
Verification:		
b. Mental Retardation	YES	NO
Verification:		

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c. Emotional Disturbance	YES	NO
Verification:		
d. Environmental, Cultural or Economic Disadvantage and/or Limited English proficiency?	YES	NO
Verification:		

To be eligible, the answer to all of Question 5 must be NO. Proceed to next question.

6. Relevant behavior noted during the observation(s) and its relationship to academic functioning:
<i>The child must be observed in learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.</i>

7. Educationally relevant medical findings:	YES	NO
If yes, specify:		

8. Are evaluations utilized valid and reliable assessments and performed by qualified individuals, consistent with Ed 1107.04, Table 1100.1?	YES	NO
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II. Eligibility Conclusions:

1. Does a learning disability exist? <i>To be eligible, answers to questions 1, 2, and 3 must each be "Yes," and the answers to questions 4 and 5 must each be "No."</i>	YES	NO
Summarize basis for decision: 		

To be eligible, the answer to Question 1 must be yes. Proceed to Question 2.

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2. If there is a learning disability, does the child require special education and related services because of that disability?	YES	NO
Verification:		

If the answers to questions 1 and 2 are “yes,” the student qualifies as a child with a specific learning disability. If the answer to either question is “no,” then the student is ineligible under this coding. Team members should certify their agreement or disagreement by signing below.

I certify that this report reflects my conclusions:

NAME and TITLE:	NAME and TITLE:

Dissenting members shall submit a separate statement.

As parents of a student with a disability you have protections under the procedural safeguards, which are enclosed, of the New Hampshire Special Education Rules. Sources for parents to contact to obtain assistance in understanding the provisions of these regulations call: (603) 516-6722 Dover Special Education Office or email: s.crosson@dover.k12.nh.us or contact New Hampshire Dep’t of Education, Bureau of Special Education, State Office Park South, 101 Pleasant St. Concord, NH, 03301 (603) 271-2299, Fax: (603) 271-1953. Web: www.ed.state.nh.us/education/doe/organization/instruction/bose.htm