

SPECIFIC LEARNING DISABILITY

24:05:24.01:18. Specific learning disability defined. Specific learning disability is a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written language that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not apply to students who have learning problems that are primarily the result of visual, hearing, or motor disabilities; cognitive disability; emotional disturbance; or environmental, cultural, or economic disadvantage.

24:05:24.01:19. Criteria for specific learning disability. A group of qualified professionals and the parent of the child may determine that a child has a specific learning disability if:

(1) The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards in one or more of the following areas, if provided with learning experiences and instruction appropriate for the child's age or state-approved grade-level standards:

- (a) Oral expression;
- (b) Listening comprehension;
- (c) Written expression;
- (d) Basic reading skill;
- (e) Reading fluency skills;
- (f) Reading comprehension;
- (g) Mathematics calculation; and
- (h) Mathematics problem solving;

(2)(a) The child does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified in this section when using a process based on the child's response to scientific, research-based intervention; or

(b) The child exhibits 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 group to be relevant to the identification of a specific learning disability, using appropriate assessments, consistent with this article; and

(3) The group determines that its findings under this section are not primarily the result of:

- (a) A visual, hearing, or motor disability;
- (b) A cognitive disability;
- (c) Emotional disturbance;
- (d) Cultural factors;
- (e) Environmental or economic disadvantage; or
- (f) Limited English proficiency.

To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in this article, data that demonstrate 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, and 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.

The school district must promptly request parental consent to evaluate the child to determine whether the child needs special education and related services, and must adhere to the timeframes described in this article unless extended by mutual written agreement of the child's parents and a group of qualified professionals. The district must request such consent if, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described in this section, and whenever a child is referred for an evaluation.

24:05:25:07. Additional procedures for evaluating specific learning disabilities. In order for a school district to certify a child as learning disabled for purposes of the federal child count, requirements in §§ [24:05:24.01:19](#) and [24:05:25:08](#) to [24:05:25:13](#), inclusive, must be met and documented in a child's record.

24:05:25:08. Additional group members for specific learning disabilities. The determination of whether a child suspected of having a specific learning disability is a child with a disability shall be made by the child's parents and a team of qualified professionals, which shall include:

- (1) The child's regular teacher;
- (2) If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of that age;
- (3) If the child is less than school age, an individual certified by the department to teach a child of that age; and
- (4) At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, remedial reading teacher, or special education teacher.

24:05:25:11. Observation for specific learning disabilities. The school district shall ensure that the child is observed in the child's learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty.

The group described in this section, in determining whether a child has a specific learning disability, shall:

- (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation, as in a response to intervention model; or
- (2) Have at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with this chapter, is obtained, as in a discrepancy model.

If a child is less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

24:05:25:12. Documentation of eligibility for specific learning disabilities. For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall contain a statement of:

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination, including an assurance that the determination has been made in accordance with this section;
- (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
- (4) The educationally relevant medical findings, if any;
- (5) Whether:
 - (a) The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards; and
 - (b) he child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;
- (6) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level;
- (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention:
 - (a) The instructional strategies used and the student-centered data collected; and
 - (b) The documentation that the child's parents were notified about:
 - (i) The state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - (ii) Strategies for increasing the child's rate of learning; and
 - (iii) The parent's right to request an evaluation;
- (8) If using the discrepancy model, the group finds that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas, the group shall consider regression to the mean in determining the discrepancy; and
- (9) If using the response to intervention model for eligibility determination, the group shall demonstrate that the child's performance is below the mean relative to age or state approved grade level standards.

24:05:25:13. Group members to certify report in writing. Each group member shall certify in writing whether the report reflects the group member's conclusion. If it does not reflect the group member's conclusion, the group member must submit the conclusion in a separate statement.

24:05:25:13.01. Response to intervention model. School districts that elect to use a response to intervention model as part of the evaluation process for specific learning disabilities shall submit to the state for approval a formal proposal that at a minimum addresses the provisions in § [24:05:25:12](#).

RESPONSE TO INTERVENTION

An LEA has the option of utilizing a response to scientific, research- based intervention model (RtI) or a severe discrepancy model in determining a specific learning disability. See Response to Intervention: The South Dakota Model for RtI Implementation guidelines. *Response to Intervention: The South Dakota Model*.

Eligibility using RtI will be determined through a comprehensive individual evaluation process which will include:
<ul style="list-style-type: none">• Academic achievement (1.5 standard deviation from the mean);• Evaluation of student growth relative to benchmark utilizing CBM data taking into account both level and rate of learning.;• Observation to assess student performance in the regular classroom;• If the team decided there are other areas of suspected disability, evaluations must be given including, if appropriate, speech/language, social skills etc.
Reminder: <ul style="list-style-type: none">• Transition evaluation must be conducted for students of transition age.• Evaluations must be based upon the child’s suspected areas of disability as determined by the evaluation team. The purpose of conducting evaluation is to generate information to determine eligibility, develop an IEP which provides educational benefit and to determine placement.

The following criteria must be used to determine SLD using RtI:

The IEP team must be able to answer YES to the following questions:

A) Did the student receive at least two phases of intensive Tier III interventions in the general education curriculum with fidelity, which did not affect the student’s achievement? Is there evidence of the student’s non-responsiveness at Tier III reflect that he or she is learning at a rate significantly less than his or her peers?

If NO, the district has not gathered sufficient documentation to determine eligibility using the RtI model.

B) If yes to A, is there evidence of the student’s under achievement based on RTI and other existing data that meets **at least two of the following three** criteria?

- CBM scores are significantly lower than the scores of the child’s peers (e.g., Level of CBM score is in the lower 10% of the child’s peer group) and the student’s progress (rate of growth) is not closing the achievement gap toward the aim line;
- Individual academic achievement testing (1.5 standard deviation from the mean
- The student’s performance level is two or more grade levels or two or more developmental levels below the current age level or grade level placement compared to state age/grade level standards.

Definitions:

--**Trend Line:** a trend line is a line used to represent the movement of student progress. A trend line is formed when a student's performance decreases and then rebounds at a **data point** that aligns with at least two previous data points. In addition, a trend line is formed when a student performance increases and then rebounds at a data point that aligns with at least two previous data points.

--**Aim Line:** a graphic representation depicting the desired rate of progress a student needs to reach the goal from the current baseline.

DISCREPANCY MODEL

Eligibility using the discrepancy model will be determined through a comprehensive individual evaluation process which will include:
<ul style="list-style-type: none">▪ Ability▪ Academic achievement▪ Observation▪ If the team decides there are other areas of suspected disability, other evaluations must be given including, if appropriate, speech or language, social skills, etc.
Reminder: <ul style="list-style-type: none">• Transition evaluation must be conducted for students of transition age.• Evaluations must be based upon the child's suspected areas of disability as determined by the evaluation team. The purpose of conducting evaluation is to generate information to determine eligibility, develop an IEP which provides educational benefit and to determine placement.

The following criteria must be used to determine SLD using the discrepancy model:

If using the discrepancy model, the group finds that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas.

The group must consider regression to the mean in determining the discrepancy.

When using a measure of intellectual functioning which has verbal and performance subscales, the total score must be used unless there is a difference of more than one standard deviation between the two scores as outlined by the evaluation instrument. If there is a difference of more than one standard deviation between the two subscales, the higher scale must be used.

**REGRESSED SCORES FOR DETERMINING A DISCREPANCY
BETWEEN ABILITY (IQ) AND ACHIEVEMENT**

For use with scores that have a mean of 100 and a standard deviation of 15.

Obtained IQ score	Achievement Standard Score 1.5 sd	Obtained IQ score	Achievement Standard Score 1.5 sd
130	95 or below	102	81 or below
129	95 or below	101	81 or below
128	94 or below	100	80 or below
127	94 or below	99	80 or below
126	93 or below	98	79 or below
125	93 or below	97	79 or below
124	92 or below	96	79 or below
123	92 or below	95	79 or below
122	91 or below	94	77 or below
121	91 or below	93	77 or below
120	90 or below	92	76 or below
119	90 or below	91	76 or below
118	89 or below	90	75 or below
117	89 or below	89	75 or below
116	88 or below	88	74 or below
115	88 or below	87	74 or below
114	87 or below	86	73 or below
113	87 or below	85	73 or below
112	86 or below	84	72 or below
111	86 or below	83	72 or below
110	85 or below	82	71 or below
109	85 or below	81	71 or below
108	84 or below	80	70 or below
107	84 or below	79	70 or below
106	83 or below	78	69 or below
105	83 or below	77	69 or below
104	82 or below	76	68 or below
103	82 or below	75	68 or below
		74	67 or below
		73	67 or below
		72	66 or below

Recommended Form

The following recommended form contains all of the required content necessary for the IEP team to determine if a child is a child with a specific learning disability. The shaded boxes within the document provide additional information regarding how to complete each section. The form directs the team to complete the required information when using RtI or the discrepancy model for determining eligibility under the category of specific learning disability.

Page one of the form provides a summary of the evaluation results that the IEP team will use as a basis for determining eligibility and the impact of the disability on the child's educational performance. This document may also be used as the eligibility document for all disability categories. The "IEP Process Technical Assistance Guide" contains the additional pages required to address all 13 disability categories. This document in its entirety can be acquired in the appendix of this guide at:
<http://doe.sd.gov/oess/specialed/IEP/docs/IEPPProcessTAGuide.pdf>

DETERMINATION OF ELIGIBILITY/CONTINUED ELIGIBILITY

Students Name: _____ Date: _____

Summary of Evaluation Reports

(Basis for making the determination is drawn from a variety of sources, including aptitude and achievement tests, parent input and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior)

<u>Name of Test</u>	<u>Date Administered</u>	<u>Test Scores/Results</u>
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<p>List the name (acronym), date the test was given to the child, and the standard scores/ability scores (when applicable) for each test administered or to be used by the team to determine if the child is an eligible child.</p>		
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<p>Determining if a student has a specific learning disability, like any other disability determination under IDEA, cannot be based on any single criterion – meaning a single test, assessment, observation or report. An evaluation of a student suspected of having SLD must include a variety of assessment tools and strategies. The evaluation must include input from the student's parents as well as observation of the student's academic performance and behavior in the general education classroom. Once all agreed upon assessments and evaluation measures have been completed and the student's parents have received copies of the evaluation along with full explanations of the finding, the IEP team can meet to make its determinations.</p>		
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List the academic, developmental, and functional needs of the student resulting in an adverse effect on the child's educational performance.

<p>For each area affected, describe the specific functional and/or developmental skills displayed by the child. A comparison may be documented between the student's current skills and those they should be displaying at their age or grade level.</p>	
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REQUIRED DOCUMENTATION FOR SPECIFIC LEARNING DISABILITIES

Check the appropriate box:

RtI criteria will be used to determine eligibility.

OR

_____ Discrepancy criteria will be used to determine eligibility.

If the child has participated in a process that assesses the child's response to scientific, research-based intervention document the following:

The instructional strategies used in the RtI process that assesses the child's response to scientific, research-based intervention:

List each of the specific strategies implemented during the RtI process. Interventions generally take place prior to referring a student for a complete evaluation.

Tier 1:

Tier 2:

Tier 3:

Student-centered RtI data collected:

List the resulting data collected for each of the strategy implemented during the RtI process. This documentation of progress is generally done using curriculum-based measurements (CBM).

(Required for RtI and Discrepancy)

The child does not achieve adequately for the child's age or to meet state-approved grade-level standards in one of more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or state- approved grade-level standards:

- _____ Oral Expression
- _____ Listening Comprehension
- _____ Written Expression
- _____ Basic Reading Skills
- _____ Reading Fluency Skills
- _____ Reading Comprehension
- _____ Mathematic Calculation
- _____ Mathematics Problem Solving

Based upon the above data, check each area of potential disability. This information must be provided whether determining eligibility using RtI or the discrepancy model.

This determination will be based on the student's mastery of grade level content appropriate for the student's age, including performance against the state's academic content standards in reading and math. For a student who has been retained in a grade or is otherwise not in the grade typical for his age, achievement against the state's grade-level academic standards for the students enrolled grade might be used to determine underachievement.

_____ Based upon the data gathered the evaluation team determines the child has not made sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified above when using a process based on the child's response to scientific, research-based interventions.

OR

_____ The child exhibits 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 team to be relevant to the identification of a specific learning disability in one or more of the areas identified above when using appropriate assessments.

(Required for RtI and Discrepancy)

Document data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings by qualified personnel:

This information must be provided whether determining eligibility using RtI or the discrepancy model.

Students whose lack of achievement can be attributed to a lack of appropriate instruction in reading or math should not be determined to have an SLD. Such students should be provided with appropriate instruction in general education as well as scientific, research-based interventions. Appropriate instruction in reading must include explicit and systematic instruction in:

- Phonemic awareness;
- Phonics;
- Vocabulary development;
- Reading fluency, including oral reading skills;
- Reading comprehension strategies;
- Mathematic Calculation; and
- Mathematics Problem Solving.

AND

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:

This information must be provided whether determining eligibility using RtI or the discrepancy model.

A student's progress should be documented by using an objective and systemic process administered at reasonable intervals. In other words, **information such as teacher reports and teacher made tests, while helpful, are not adequate for this determination.** Data should be used to determine the effectiveness of a particular instructional strategy or program and should be provided to parents in order to keep them informed of their child's progress, so that they can support instruction and learning at home.

If the group charged with determining whether a student has a SLD decides that this documentation is not adequate, a decision may be made to delay making a final determination and continue to collect additional information about the student. In order to extend the time by which the evaluation will be completed, parents must consent to the time extension. The evaluation process must be completed within 25 school days from the districts receipt of parent consent.

Each member participating in the determination must provide written certification that the documentation reflects the member's conclusion. If any member(s) disagree with the conclusion, a statement of that member(s) conclusion must also be included in the documentation.

Parents must be given a copy of the evaluation report and the documentation of determination at no cost. If parents disagree with the determination, they may seek resolution through the dispute resolution provisions of IDEA. These provisions are part of the Notice of Procedural Safeguards that must be provided to parents prior to the evaluation of a student suspected of having a disability.

Based upon the above data, the evaluation team must determine that the underachievement in the child suspected of having a specific learning disability:

_____ is due to the lack of appropriate instruction in reading or math; **OR**

_____ is **not** due to the lack of appropriate instruction in reading or math.

Possible sources for review:

- Attendance records;
- Enrollment gaps;
- Instruction by highly qualified teacher;
- Other _____.

(Required for RtI and Discrepancy)

Observation: Relevant behaviors, if any, noted during the observation of the child and relationship of those behaviors to academic functioning. The observation must occur in the child's learning environment (including regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty. In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

Observer _____ Dates of Observation _____

_____ Information from an observation in routine classroom instruction and monitoring of the child's performance was done before the child was referred for an evaluation:

OR

_____ Observation of the child's performance in the regular classroom was done after the child has been referred for an evaluation:

This information must be provided whether determining eligibility using RtI or the discrepancy model

The school district shall ensure the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.

In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.

The information should include:

- The name of the observer;
- The dates of observation;
- The location of the observation;
- The summary of relevant behaviors, if any, noted during the observation of the child and relationship of the behaviors to academic functioning.

The observation may be conducted during the RtI process or as part of the comprehensive evaluation.

(Required for RtI and Discrepancy)

Educationally relevant medical findings, if any (attach medical report if needed):

The team must document any medical information including any medical diagnoses, health conditions or medications that may impact the child's education.

Frequently Asked Questions

1. **When determining if a student has a severe discrepancy of 1.5 standard deviations between ability and achievement, can grade or age equivalent scores be used?**

No, grade or age equivalent scores cannot be used to establish a severe discrepancy.

Standard scores based on age norms must be used to establish the discrepancy between ability and achievement. An exception to this is when a child has been retained more than once. In this case, the team should consider using grade norms rather than age norms when examining the child's performance on an achievement test. If one were to use the age norms, it would artificially create a discrepancy, as the child would not have one or more years of academic instruction that his or her age peers would typically have.

2. **The WISC-IV has four index scores and a Full Scale IQ. Which one should be used when compared to the achievement score?**

*When using a measure of intellectual ability, the total score must be used unless there is an unusually large discrepancy between IQ, Index, or Factor scores. To warrant this course of action, each IQ, Index, or Factor score must be comprised of at least **three** subtests and the magnitude of the discrepancy is found to be in the ten percent or less base rate of the normative sample. If there is such a discrepancy, the higher score must be used. For example, when a child obtains a Verbal Comprehension Index of 80 and a Perceptual Reasoning Index of 98 on the WISC-IV, the difference of 18 points between the two indexes constitutes an unusually large discrepancy (base rate = less than 10%). In this case, you must use the Perceptual Reasoning Index of 98 for eligibility determination. However, the WISC-IV Working Memory and Processing Speed Index scores cannot be used for discrepancy comparisons, as each of the indexes consists of only two subtests.*

3. **When is it appropriate to compute a General Ability Index?**

*When using the WISC-IV, a General Ability Index (GAI) may be considered in lieu of a Full Scale IQ if **both** of the following conditions are met:*

- 1) *Considering the four WISC-IV Indexes, there is an unusually large discrepancy between the lowest Index and the highest Index (base rate 10% or less).*
- 2) *There is no unusually large discrepancy between the Verbal Comprehension Index and the Perceptual Reasoning Index (base rate more than 10%).*

The formula for computing the GAI is as follows:

*$GAI = .555x - 11$, where x = sum of Verbal Comprehension Index and Perceptual Reasoning Index (Round the resulting GAI to the nearest whole number).
GAI conversion tables are provided by the publisher and in the WISC-IV Technical Report (2005).*

It should be underscored that the GAI should not be computed on a routine basis, unless the specified conditions above are met. If there is an unusually large discrepancy between the Verbal Comprehension Index and the Perceptual Reasoning Index (base rate 10% or less), the higher of the two must be considered for documentation of an ability-achievement discrepancy.

4. **What is meant by high quality "research based instruction"?**

Scientifically based research means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

- (1) *Employs systematic, empirical methods that draw on observation or experiment;*

- (2) *Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;*
- (3) *Relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;*
- (4) *Is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;*
- (5) *Endures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at minimum, offer the opportunity to build systematically on their findings;*
- (6) *Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review. The new IDEA requirements emphasize the importance of using high-quality, research-based instruction in regular education settings (consistent with requirements of NCLB). In addition there must be evidence that progress was measured by on-going (repeated) assessments and this information was provided to parents. If a child is not making progress, the information should include any additional interventions that were provided for this child. This would be considered to be part of any high quality, research-based instruction.*

5. Can spelling be used for eligibility under a specific learning disability?

Although the ability to spell is contained in the definition of SLD, spelling alone is not specifically listed in the eight specific areas. It would be contained in the area of written expression.

6. Does a child with a diagnosed disability (e.g. dyslexia, FAS, FAE, and NVLD etc.) qualify for special education services under the category of a specific learning disability?

Any student, regardless of his identified disability, must meet a two prong test to be considered eligible for special education in South Dakota.

- *First, the student must have an identified disability which meets the criteria outlined in administrative rule.*
- *Second, the disability must adversely affect educational performance which results in the need for special education or special education and related services.*

Therefore, it is possible that a student could meet the eligibility criteria and have an identified disability; however, evaluation shows that the student's disability does not adversely affect educational performance that required individualized instruction (IEP). Therefore, that student would not be considered in need of special education under South Dakota Administrative Rule.

7. If a student moves into a district with an IEP is he/she eligible?

If a child with a disability (who had an IEP from the same state) transfers to a new public agency in the same state, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP) until the new public agency either adopts the child's IEP from the previous agency, or develops, adopts and implements a new IEP.

If a child with a disability (who had an IEP that was in effect in a previous public agency in another state) transfers to a public agency in a new state, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency conducts an evaluation and writes a new IEP.

8. Can I use a Reading Fluency subtest score within a discrepancy analysis to determine if a learning disability exists in that area?

If the reliability of the Reading Fluency subtest is .80 or greater, it can be used within a discrepancy analysis.

9. When determining if a significant discrepancy exists between IQ and Achievement, should I use the subtest scores or the composite scores of the Achievement Test?

Most test development companies have designed their achievement tests to measure the learning disability areas defined within IDEA (i.e., reading comprehension, basic reading, reading fluency, written expression, math calculations, math problem solving, oral expression, listening comprehension). As such, it is recommended these subtests be used in the discrepancy analysis if their reliability is .80 or greater across all age levels. Composite scores may also be utilized unless there is an unusually large difference (base rate = 10% or less) between two or more of the subtests that make up the composite score. If an unusually large difference exists, the composite score is invalid and should not be used in the discrepancy analysis.

10. Can an LEA choose to use a computer program in place of the regression formula provided?

An LEA may choose to use one of the commercial available computer programs for their regression formula. However, only one method may be used for LD determination for all students in that LEA. If the student transfers to another public agency, refer to question number 7 for eligibility.