

[Local Plan to Implement Michigan Criteria for Determination of Specific Learning Disability](#)

MDE Requirement for Local Plan of SLD Determination

In May 2010, the Michigan Office of Special Education and Early Intervention Services under the Michigan Department of Education (MDE) published “Michigan Criteria for Determining the Existence of a Specific Learning Disability” (hereafter referred to as MDE Criteria Document for SLD). This document issued the following requirement of local school districts.

On or before September 1, 2010, each local educational agency (LEA) and public school academy (PSA) must publicly post on their web site, or make public through other means, the process or combination of processes which will be used by the LEA or PSA to determine the existence of a SLD. (§ 300.307(b) and § 300.600(d)(2)).

This requirement greatly reduces the previous reliance on use of “severe discrepancy” formulas and requires consideration of a Response to Intervention (RtI) model for identifying students with specific learning disabilities as an alternative to the discrepancy model.

In part, federal regulation § 300.307(a) of IDEA states:

(a) A State must adopt ... criteria for determining whether a child has a SLD . . . In addition, the criteria adopted by the State –

(1) Must not require the use of severe discrepancy between intellectual ability and achievement for determining whether a child has a SLD . . .

(2) Must permit the use of a process based on the child’s response to scientific, research-based intervention; . . .

LOCAL STATEMENT OF PLAN ADOPTION

The constituent local education agency (LEA) superintendents of the SRESRD have adopted the following shared guidelines for determination of SLD as currently most appropriate for their individual districts. (See Appendix A for definition of SLD.) Public school agencies (PSA)s will likewise adopt this plan. It is understood that there will be on-going developments in our understanding of how to best discover and address the unique needs of diverse learners. Whenever significant changes in the process of how students with SLD are identified, this plan will be up-dated to best reflect the change. If methods and processes develop to the point of becoming truly unique within any LEA or PSA, these differences will be clearly stated so as to provide the most useful, current information possible for families and instructional staff of that district.

LOCAL PLAN FOR MAKING FEDERAL AND STATE CRITERIA OPERATIONAL

The primary goal in evaluation of students is to assist provision of the best possible interventions to resolve learning difficulties rather than simply to classify the learning problem. So, to the extent possible, differentiated instruction guided by a RtI approach to problem solving will be used at every phase of intervening on behalf of students. (See the companion document “RtI Implementation Model – Academic” for additional information on RtI.) Although classification for access to special education services is necessary for students with a certifiable SLD, schools in the Shiawassee county area are not yet ready for exclusive reliance on the RtI process for this purpose. ***The choice of SRESRD constituent LEAs and PSAs at the present time is to use a Patterns of Strengths and Weaknesses as the primary decision process for determination of SLD.***

Use of the RtI process is the default option when the LEA/PSA school culture sufficiently supports the use of RtI as an intervention approach. A SLD determination process based on a pattern of strengths and weaknesses approach will continue under the following conditions:

- When a school does not have the capacity to implement RtI with fidelity at the Tier 3 intervention level.
- In learning disability areas in which the school does not have a three-tier intervention process. For example, a school may use the three-tier intervention process for reading and math, but not for writing, oral expression or listening comprehension.
- In grades in which the school does not use a three-tier intervention process. For example, a school may use the three-tier process in grades K – 6, but not in grades 7 – 12.
- The parent requests a special education evaluation and will not extend timelines to accommodate recommended implementation of tier interventions and timelines.

More information can be located at the Shiawassee Regional Education School District.

www.sresrd.org

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