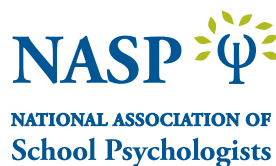


Principles for SLD Eligibility: Practice & Policy Considerations for States and School Districts

*Selective Use of Data on Cognitive Assessments
Within a Special Education Evaluation for a
Child Suspected to Have a Specific Learning Disability*



This document describes school-level practices and policy considerations for states and school districts to encourage selective use of data from cognitive assessments in the evaluation for special education due to a suspected specific learning disability.

Cognitive assessments conducted by qualified, trained evaluators can provide reliable and valid information regarding a child’s intellectual functioning and cognitive abilities. The assessments offer insight on the child’s strengths and weaknesses relative to cognitive functioning.¹ Some research shows that information about cognitive function may help identify or better understand a child’s suspected disabilities,² while other research points to the fact that these assessments fail to provide information that can effectively drive instructional decisions.³

Additionally, assessments on cognitive function are costly and time consuming.⁴ Administering too many or unnecessary assessments can remove children from important instruction and overburden evaluators who administer such assessments.

Also, like all assessments, assessments on cognitive processes can have differential validity for groups from different cultural or linguistic backgrounds.⁵ This can put underserved populations at a disadvantage and be problematic if teams of education professionals use data from these assessments to inform high-stakes decisions.

Given these dynamics, Principle 7 provides guidance for decisions about the use of cognitive data in an evaluation for special education when a specific learning disability (SLD) is suspected.

1 Learning Disabilities Association of America (2010). *Learning Disabilities Association of America’s white paper on evaluation, identification, and eligibility criteria for students with specific learning disabilities* [White paper]. Available at <https://ldaamerica.org/wp-content/uploads/2013/10/LDA-White-Paper-on-IDEA-Evaluation-Criteria-for-SLD.pdf>

2 Flanagan, D. P., Ortiz, S. O., Alfonso, V. C., & Dynda, A. M. (2006). Integration of response to intervention and norm-referenced tests in learning disability identification: Learning from the Tower of Babel. *Psychology in the Schools, 43*(7), 807–825; Fiorello, C. A., Hale, J. B., & Snyder, L. E. (2006). Cognitive hypothesis testing and response to intervention for children with reading problems. *Psychology in the Schools, 43*(8), 835–853.

3 McGill, R., Dombrowski, S., & Canivez, G. (2018). Cognitive profile analysis in school psychology: History, issues, and continued concerns. *Journal of School Psychology, 71* (2018), 108–121.

4 William, J., & Miciak, J. (2018). Adoption costs associated with processing strengths and weaknesses methods for learning disabilities identification. *School Psychology Forum: Research and Practice, 12*(1), 17–29.

5 Council of National Psychological Associations for the Advancement of Ethnic Minority Interests. (2016) *Testing and Assessment with Persons & Communities of Color*, Washington, DC: American Psychological Association. Available at <https://www.apa.org/pi/oema/resources/testing-assessment-monograph.pdf>

Principle 7:

Assessments that measure aspects of cognitive functioning may be used to rule out intellectual disabilities or to document areas in which the student is struggling or excelling.*

* For the full statement of principles, see: *Eligibility for Special Education Under a Specific Learning Disability Classification*. (2019). Available at: <https://www.nclد.org/archives/reports-and-studies/sld-eligibility-under-idea-resources-to-improve-practice-policy>

For the purposes of this document, these are defined as follows:

- **Cognitive assessments:** Assessments that identify or evaluate a variety of cognitive processes, including but not limited to general intellectual functioning, executive function, memory, and processing skills.
- **Teams of education professionals:** The groups of education professionals who review data and consider eligibility for special education. These may include many types of individuals responsible for evaluating and monitoring progress, administering or overseeing programs, and providing specialized instruction or related educational services and support. These may or may not be the same teams that develop an Individualized Education Program if children qualify for special education.
- **Parent:** A parent or guardian.
- **Evaluator:** A qualified professional who is appropriately trained to administer, score, and interpret a given cognitive assessment. In schools, this is typically a school psychologist.

The sections below describe school-level practices to incorporate data from assessments of cognitive processes in the evaluation for special education due to a specific learning disability (SLD), as well as policy considerations for states and school districts to consider that will set a strong systemic foundation for the school-level practices.

School-Level Practice Considerations

Determine the need for data from cognitive assessments on a case-by-case basis. Teams of education professionals along with parents are best equipped to consider current empirical research about cognitive assessments and determine whether data from assessments of cognitive processes would be necessary to adequately address the reason for referral.

For instance, in order to determine that a child is eligible for special education due to SLD, teams of education professionals must rule out other factors, including an intellectual disability. In many instances, an evaluator may be able to eliminate an intellectual disability based on other relevant information, including academic performance data, notes from observation, and anecdotal data provided by caregivers and teachers, rather than data from cognitive assessments. In other instances, data from cognitive assessments may provide meaningful information about a child's cognitive processes.

Consider the need to administer assessments of cognitive processes in a child's reevaluation. A reevaluation for special education is used to determine if a child continues to demonstrate a need for services, to consider new areas of eligibility, to remove areas of eligibility, and/or to exit from special education services.⁶ If there are questions about whether data from a child's most recent evaluation no longer accurately reflect current status due to changes in their instructional response, teams of education professionals along with the parents are best equipped to consider if data from cognitive assessments would help inform a reevaluation.

Develop a deep understanding of how to use data from assessments of cognitive processes in a manner consistent with current research. Data from assessments of cognitive processes may help supplement other available information about a child's academic performance and cognitive strengths and weaknesses specific to their cognitive processes. However, there is limited evidence demonstrating that data from cognitive measures have utility beyond identifying overall cognitive ability.⁷ An evaluator will understand how to interpret data about cognitive processes in a manner that is legally and psychometrically defensible.

Consider possible test bias when selecting and interpreting assessment data. Evaluators best serve the needs of children when they select assessments of cognitive processes that are appropriate for a child's linguistic and cultural background and minimize possible test bias. Teams of education professionals along with parents should also consider test bias when analyzing data from cognitive assessments in order to reduce the likelihood that skewed data informs high-stakes decisions.

6 Individuals with Disabilities Education Act, 20 U.S.C. § 1401 (2004); Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities, 34 CFR § 300.311(a)(6) (2006)

7 Schneider, W. J., & Kaufman, A. S. (2017). Let's not do away with comprehensive cognitive assessments just yet. *Archives of Clinical Neuropsychology*, 32(1), 8–20.

Engage parents and teachers to gather meaningful context and collect the relevant data to inform and support the assessments. If an evaluator plans to administer cognitive assessments, the evaluator should talk to parents and teachers prior to administering the assessment to determine if situational factors exist that may add meaningful context to when and how the evaluator schedules the assessments or how the evaluator interprets the validity of the data. Important factors may include but are not limited to:

- Whether the child is medicated while the assessments are administered
- Whether the child has experienced a recent trauma
- If the child slept poorly the night before the assessment

The evaluator should, of course, also share the results of the cognitive assessments with the child's parents and teachers to discuss the findings and their implications.

Policy Considerations

States and school districts play important and differentiated roles in helping teams of education professionals implement school-level special education practices for children with SLDs. State regulations are important because they set consistent requirements. This can help prevent discrepancies in eligibility determinations between schools and school districts within the same state. In addition, states can create infrastructure, develop guidance, and provide technical assistance to help schools implement these practices with fidelity. Because many states allow school districts to use their own discretion to develop policies and procedures for the evaluation of children suspected to have an SLD, many of these policies may be useful within school districts as well.

We recommend that states and school districts take the following actions to encourage education professionals to follow Principle 7. Some of these considerations may be more appropriate at the state level, and others within school districts.

- **Allow but do not require the use of assessments of cognitive processes in an evaluation.** Ensure that teams of education professionals with input from parents have the flexibility to determine if assessments of cognitive processes are necessary in the evaluation of a child for special education on a case-by-case basis. Teams of education professionals should have discretion to determine if a full cognitive profile to measure intellectual functioning is necessary to rule out an intellectual disability prior to determining that a child is eligible for special education under the SLD category. In other instances, teams of education professionals should work with an evaluator to determine if limited assessments that measure specific areas of cognitive functioning or processes are valuable to inform the evaluation and better understand the child as a learner.

- **Provide resources to ensure districts have sufficient qualified personnel to evaluate the need for data from cognitive assessments as well as administer and interpret the assessments.** This is critical to ensure that team decisions about whether data from assessments of cognitive processes is needed are made based on the child’s individual needs, rather than based on the available resources or capacity of the school.

There are many types of specialized instructional support personnel that are critical to the eligibility determination process, including but not limited to school psychologists, special education teachers, speech-language pathologists, and administrators of special education. It is essential that state and local policies prioritize the capacity of these professionals and ensure adequate resources in each district. National organizations recommend appropriate workloads for some of these professions.⁸ Therefore, administrators and other decision makers can look to the standards developed by national associations that represented particular educational professionals, as well as to the resources and standards that may have been developed by a state or school board.

- **Provide ongoing training and guidance to evaluators, as appropriate, to increase understanding of current empirical research regarding the utility and limitations of data from assessments of cognitive processes in the identification of learning disabilities.** Training and guidance that include information on how to minimize test bias and select assessments is important to ensure that cognitive assessments do not disadvantage children from different cultural and linguistic backgrounds.
- **Reinforce the federal requirement that information collected for an evaluation be used to determine eligibility and inform the future education program.** Section 614(b)(2)(A) states that in the evaluation, assessments should be used to gather information “that may assist in determining (i) whether the child is a child with a disability and (ii) the content of the child’s individualized education program, including information related to enabling the child to be involved in and progress in the general education curriculum....”⁹

While the research is mixed on the value of data from assessments of cognitive processes to inform the future education program,¹⁰ if these assessments are administered, it is important for evaluators’ recommendations to be made available to all education professionals who interact with the child and the parent. Importantly, guidance or technical assistance should clarify that data from assessments of cognitive processes should be considered with caution and never be used to lower academic expectations.

8 For instance, the National Association of School Psychologists recommends school districts have at least one school psychologist for every 500–700 children within the student population. This is different from recommended caseload. (See Anastasia Kalamaros Skalski et al. National Association of School Psychologists Practice Model Implementation Guide, 2015). Ratios refer to the number of professionals for the entire population and caseload refers to the number of children that the professionals are actively serving.

9 Individuals with Disabilities Education Act, 20 USC § 1414 (2004).

10 Schneider & Kaufman. (2017).

Resources

Fletcher, J., & Miciak, J. (2017). Comprehensive cognitive assessments are not necessary for the identification and treatment of learning disabilities. *Archives of Clinical Neuropsychology*, 32(1), 2–7. Available at: <https://www.ncbi.nlm.nih.gov/pubmed/27932345>

Learning Disabilities Association of America (2010). *Learning Disabilities Association of America's white paper on evaluation, identification, and eligibility criteria for students with specific learning disabilities* [White paper]. Available at: <https://ldaamerica.org/wp-content/uploads/2013/10/LDA-White-Paper-on-IDEA-Evaluation-Criteria-for-SLD.pdf>

McGill, R., Dombrowski, S., & Canivez, G. (2018). Cognitive profile analysis in school psychology: History, issues, and continued concerns. *Journal of School Psychology*, 71 (2018), 108–121. Available at: <https://www.sciencedirect.com/science/article/pii/S0022440518301092>

Schneider, W. J., & Kaufman, A. S. (2017). Let's not do away with comprehensive cognitive assessments just yet. *Archives of Clinical Neuropsychology*, 32(1), 8–20. Available at: <https://www.ncbi.nlm.nih.gov/pubmed/27993770>