A specific learning disability is a neurological processing deficit in the way the brain processes and accesses information. A diagnosis of specific learning disability significantly impacts a student's educational programming. Understanding the diagnosis process may help parents work with professional educators to develop comprehensive interventions.

SPECIFIC LEARNING DISABILITY

DESCRIPTION OF LEARNING DISABILITY

Lisa McNiven, MPA in consultation with Patrick Blevins, MA, BCBA and Gillian Nevarez, M.A. LED

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Author's Bios

Lisa McNiven, M.P.A. is currently a Disability Consultant with the N.M. Governor's Commission on Disability, where she has been employed for the past 12 years. She obtained her B.A. degree in Psychology from Gallaudet University and completed her Master of Public Administration Degree at the University of New Mexico in May of 2016.

Patrick Blevins, M.A., BCBA is a Board Certified Behavior Analyst with the Autism and Other Developmental Disabilities program at the Center for Development and Disability. He earned his Master's Degree in Special Education from the University of New Mexico in 2001 and a Graduate Certificate in Applied Behavior Analysis in 2016. He is currently working on a Doctoral Degree in Special Education.

Gillian Nevarez, M.A. is a Licensed Educational Diagnostician with the Albuquerque Public Schools. She obtained her Masters in Special Education from New Mexico State University in 2012, and was accepted into the Diagnostician Program at the University of New Mexico in 2016.

Introduction

Specific Learning Disability is a common neurological disability among children. The manifestation of a learning disability is found via academic achievement testing in either reading, writing, or math. Because learning disabilities primarily effect academic areas, they may be difficult to diagnose until children are already well into their elementary school years.

Traditionally, schools have used an IQ-Achievement Discrepancy model to identify learning disabilities in children and assess whether or not there exists a difference between general intelligence and academic performance.

Within the last decade, the IQ-Achievement Discrepancy model has received increasing criticism due to the fact that it takes time for a discrepancy to develop, and that waiting until a student fails wastes valuable opportunities to intervene earlier in their education. This model has been replaced by the Response to Intervention (RTI) model whereby students are evaluated based on their educational performance as a result of research-based instruction. RTI is delivered early in a student's academic career and is not based on IQ or achievement tests.

DSM Diagnosis vs. NM TEAM Eligibility Criteria

According to the DSM-5 (Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition) a learning disability is a neurologically rooted problem, which has specific subcategories such as reading disorders (dyslexia), disorder of written expression (dysgraphia), mathematics disorder (dyscalculia), and learning disabilities not otherwise specified (Learning Disabilities Navigator, n.d.). This is a functional diagnosis that has medical research to back it up according to the Learning Disability Navigator.

Individuals who are seen for an evaluation outside of the educational setting may be diagnosed with a learning disability using the DSM-5 criteria. When a child is diagnosed with a learning disability from a medical professional using the DSM-5 criteria, the criteria must then be reviewed by an evaluator, or team of evaluators, to determine if it meets the New Mexico Technical Evaluation Assessment Manual (NM TEAM) 2017 eligibility criteria. NM TEAM 2017 criteria must be met in order to be eligible for special education.

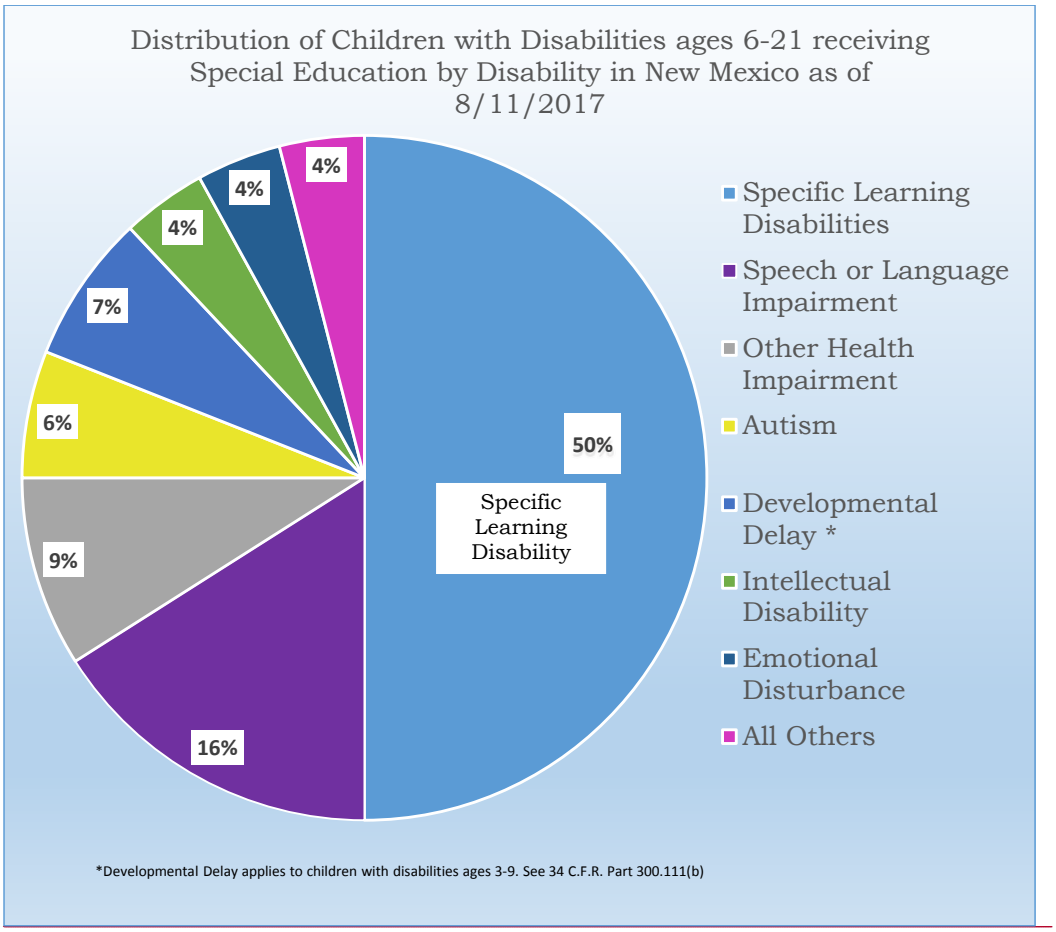
Information provided within the independent evaluation may be used, but other assessments may need to be conducted in order to meet NMTEAM 2017 criteria. While a medical diagnosis will not be disputed, the student must demonstrate an educational need and meet NM TEAM 2017 components. Additional information required may include: Tier 2 interventions in the area(s) of concern, classroom observations in the area(s) of concern, and/or additional diagnostic testing.

IDEA and School Based Interventions in New Mexico

IDEA 2004 (originally called the Education of Handicapped Children established in 1975) has a mandate to provide free and appropriate education (FAPE) in the least restrictive environment (LRE) to the 13 categories of disabilities who are eligible to receive an

Individualized Education Program (IEP). One area of eligibility is a specific learning disability.

The graph below will give a better picture of the status of the disability groupings in the state of New Mexico, under special education.



Produced from the NMPED SEB (2017) http://ped.state.nm.us/ped/SEB_data.html

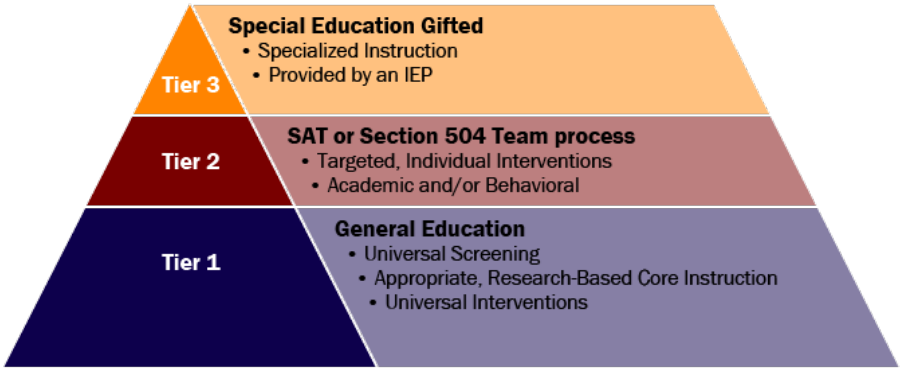
Specific Learning disability under IDEA (Individuals with Disabilities Education Act) is defined as "a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia." (IDEA 2004, 20 U.S.C. 1401 (3) A and B).

Response to Intervention Model

In New Mexico, school districts use Response to Intervention (RTI) to evaluate and address the needs of students. This system is comprised of three tiers within a Multi-Tiered System of Support (MTSS). This process is a "prevention model to limit or prevent academic failure for students who are having difficulty learning by providing scientific research-based interventions to bring students up to grade level achievement" (LDA Website, n.d., p. 1)

This tiered system is designed for all students in the general education system to receive Tier 1 supports as applicable. Subsequently, a progressive system of supports is developed for those students who need more extensive support (Tier 2). These interventions are more individualized than in Tier 1 and if unsuccessful, may indicate the need for further evaluation through a school's student assistance team.

If a student qualifies for special education services, they receive Tier 3 supports (In addition to Tier 1 and Tier 2) which are outlined in an annual Individualized Education Plan (IEP). Each tiered level is based on demonstrated need. The tiered system is used to show a process of "increasingly individualized instruction, continuous monitoring of progress to calculate gains, and a criteria for changing interventions and/or tiers through a team decision-making process" (LDA Website, n.d., p. 1)



Graph from NM Public Education Department (NMPED): NM Model of Student Intervention

- **"Tier 1**: all students are screened (universal screening) for deficits and receive appropriate, standards-based, core instruction including any classroom, grade-level, or school-wide interventions (universal interventions) for academics and behavior. Tier 1 universal interventions are provided in the general education classroom.

- **Tier 2**: students who have not responded significantly to Tier 1 support with universal interventions are referred to the school's Student Assistance Team (SAT) and may receive a targeted, individual intervention plan. This plan is then implemented and reviewed (after approximately six weeks) to determine if

the student is progressing. If a student has not achieved particular skill sets, then further testing may be needed to determine if there is a learning disability. This plan could include more intense instruction (individual or small group) and is provided in addition to the general education curriculum. Students with disabilities who do not qualify for special education services may also be served in Tier 2 through a Section 504 accommodations plan. The current SAT team in New Mexico also serves as the Section 504 planning team.

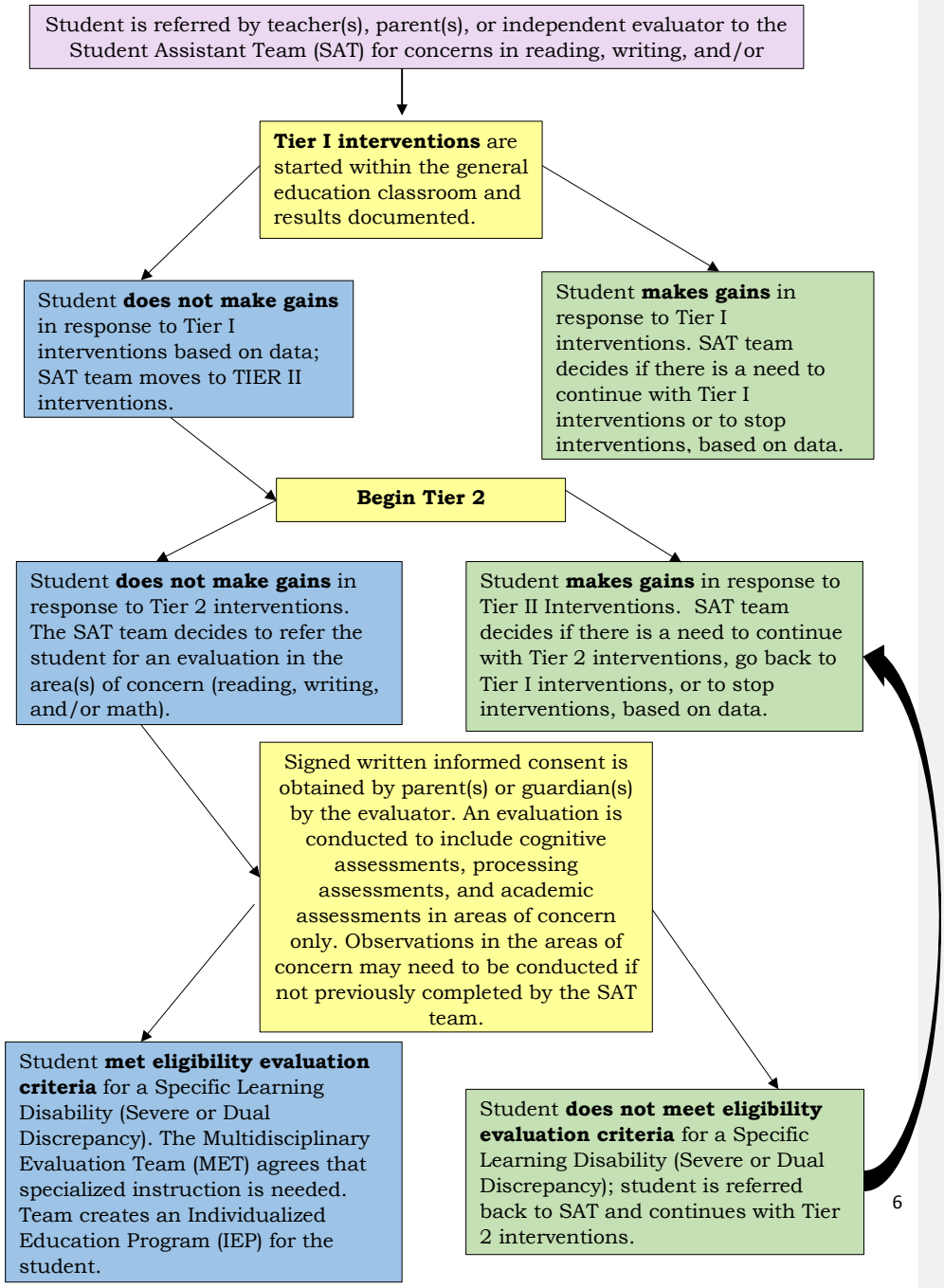
- **Tier 3**: a student qualifies for special education services or the state criteria of gifted, and receives specially-designed instruction and related services through an Individualized Education Program (IEP)." (NMPED: RTI, 2017)

Within each tier of support, a student's progress is monitored to see if the interventions are effective. If there is a noticeable decline or stagnation in a student's performance, it may mean that additional key program features such as curriculum, fidelity of instruction, and/or professional development need to be evaluated and adjusted. (NMPED: SAT, 2009)

The Student Assistance Team (SAT) Process

When a student is referred to the Student Assistance Team either by the child's teacher, parents, or an independent evaluator noting concerns in the areas of reading, writing and/or math, the team will begin to gather information required for an evaluation. The SAT process is outlined below:

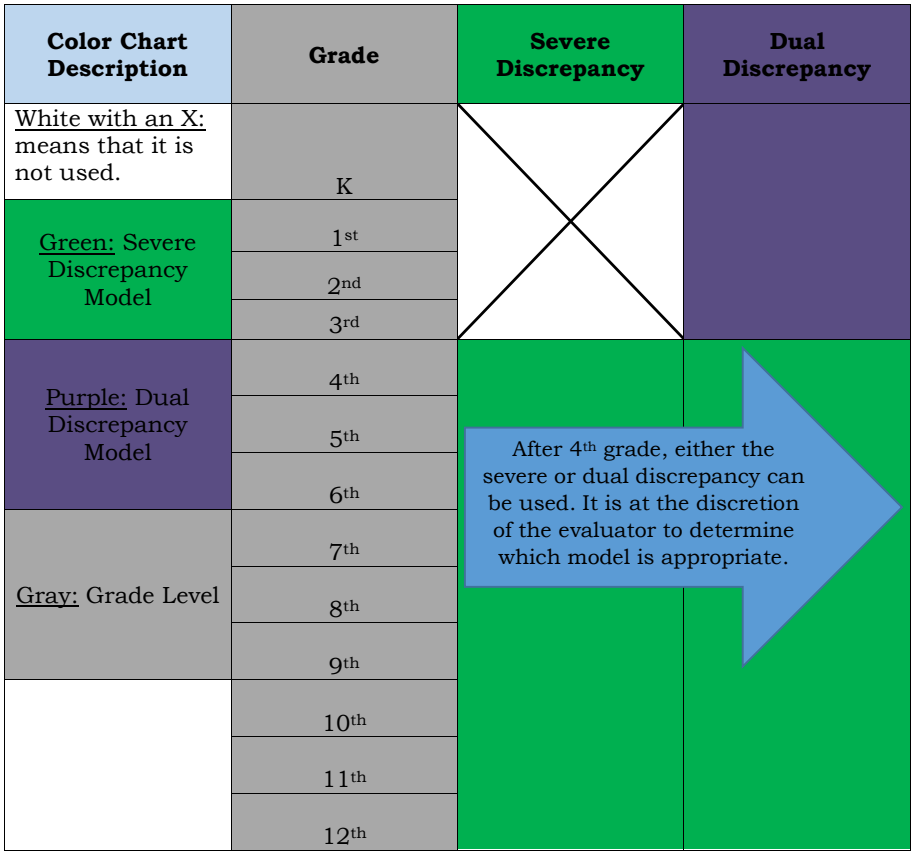
Referral and Evaluation Flow Chart



The **Student Assistance Team (SAT)** typically includes: Parents/Guardians, General Education Teacher, Administrator and SAT Chair. The **Multidisciplinary Evaluation Team (MET)** includes: Parents/Guardians, General Education Teacher, Special Education Teacher, Qualified Professional to Interpret Results of Evaluation,

Discrepancy Models

In New Mexico, the NM Public Education Department utilizes the Dual Discrepancy model for K – 3rd grades (optional for grades 4 -12). For students in grades 4th through 12th, the Severe Discrepancy Model is an option and is used at the discretion of the evaluator to determine which model is appropriate.



In the evaluation and eligibility determination process, professional judgment should be used for every decision from the formation of the eligibility determination team (EDT) through the formal eligibility determination decision, including selection of assessment materials, identification of evaluators, interpretation of test results, etc. Professional judgment provides the foundation for the entire eligibility determination process. (NMTEAM, 2017, p. 11)

As noted in NM TEAM 2017:

> The category of SLD may not be appropriate for children in preschool, kindergarten, or early in first grade. SLD manifests in academic underachievement following quality instruction and intervention. In the early years, instruction may not have been focused on the specific instruction and intervention necessary for academic achievement. Instead, early childhood curriculum is likely geared toward developmental gains and global educational curriculum. It is not until a child's educational instruction has been documented and their educational progress and performance has been quantified that SLD would be appropriate as a possible eligibility category (p 237).

When a student enters Kindergarten, the school begins to use short cycle assessments in order to obtain current data-based evidence of a student's progress (e.g. I-Ready, I- Station, DIBELS or Stepping Stones). These assessments may be used as indicators of the student's need for intervention in reading, writing or math.

Evidence of a discrepancy may include teacher report and assessment of the child's progress based on school work, school year data from tests, diagnostic testing, and/or an intervention report. "Children should not be identified as having a disability before concluding that their performance deficits are not the result of lack of appropriate instruction." (NMPED: SEB, 2010) The diagnosis of a Specific Learning Disability must meet the following conditions that may impact a student's education:

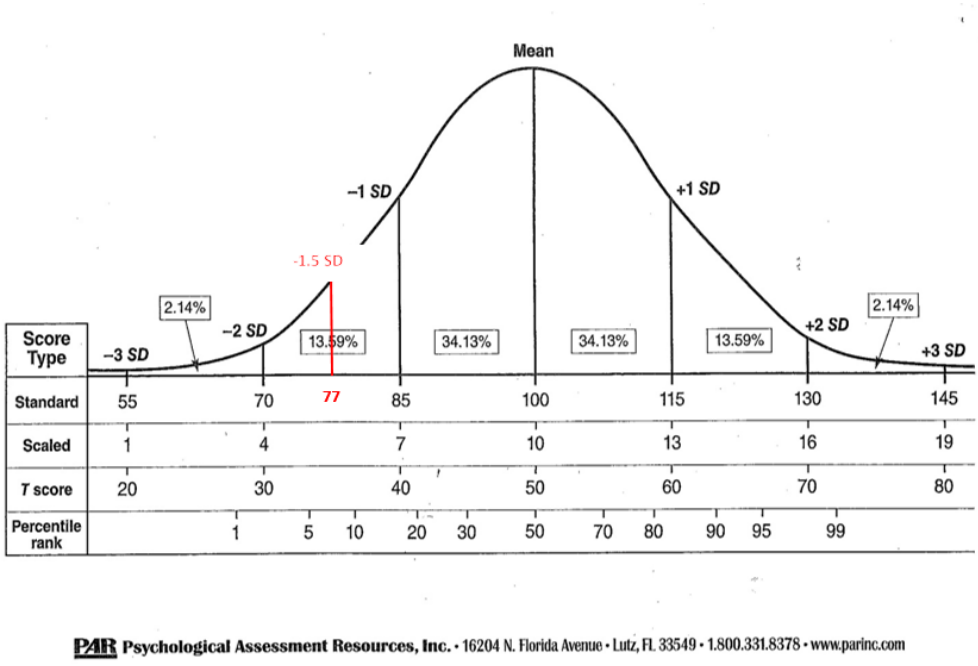
- A visual, hearing, or motor disability
- Intellectual Disability (Mental Retardation) NMPED: SEB, 2010
- Emotional Disturbance
- Cultural Factors
- Environmental or economic disadvantage
- Limited English proficiency
- Linguistic
- Lack of Instruction in Reading
- Lack of Instruction in Math

Dual Discrepancy

The Dual discrepancy model indicates that two factors must be met in order to meet eligibility criteria.

- **Factor 1- Level of Achievement**
  A child must demonstrate a pattern of performance that is (a) consistent with at least one of specified SLD areas and (b) documented by a 1.5 standard deviation difference between the child's achievement scores and that of his/her same age or grade level peers. (NM TEAM, 2017, p. 241) A 1.5 standard deviation would be any standard score of 77 and below on the evaluation assessments in any of the eight eligibility categories.

Interpretation of Evaluation Results



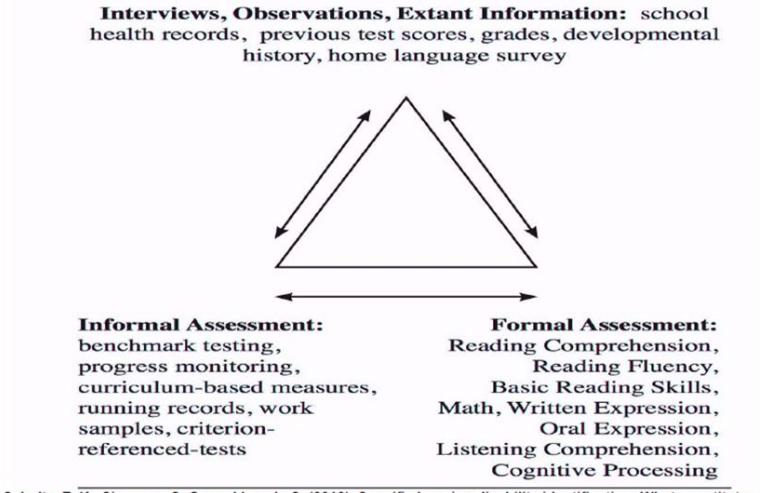
P4R Psychological Assessment Resources, Inc. • 16204 N. Florida Avenue • Lutz, FL 33549 • 1.800.331.8378 • www.parinc.com

- **<u>Factor 2- Rate of Improvement (Growth) or Patterns of Strengths and Weaknesses</u>**

  - **Rate of Improvement (Growth): Factor 2a**-Analyzing the child's rate of improvement data to determine if the child is making sufficient progress to meet age or State approved grade-level standards directly related to one or more of the specified SLD areas. Using the child's frequent (at least bi-weekly, but ideally weekly or semi-weekly) progress-monitoring assessment data, the determination of insufficient progress must be evidenced by one of two criteria: (a) a difference of 1.5 standard deviations between a child's progress-monitoring assessment growth (slope) and that of the rate of improvement of same grade peers within the LEA. *If the child does not meet Factor 2a or if the data are unavailable due to school and/or district procedures, the team may consider Factor 2b: Patterns of Strengths and Weaknesses.*

  - **Patterns of Strengths and Weaknesses: Factor 2b**- The student's educational team must identify a highly consistent pattern of strengths and weaknesses as evidenced by multiple data points from a variety of

sources to support the identification of an SLD in the area(s) of concern. This pattern may be present in the child's performance, achievement, and/or cognitive abilities relative to age or State-approved grade level standards. It is recommended that the team consider strengths and weaknesses in the following areas according the NM TEAM, 2017 (p 242):



Schultz, E. K., Simpson, C. G., and Lynch, S. (2012). Specific learning disability identification: What constitutes a pattern of strengths and weaknesses?, *Learning Disabilities, 18*(2), 87-97.

Severe Discrepancy

When considering whether a child qualifies under the eligibility of SLD using the severe discrepancy model, the following criteria must be met:

- The child must demonstrate a severe discrepancy between his/her predicted achievement level and actual achievement in the area(s) of concern based on standardized assessment scores. This means that the child's IQ is the determinant factor in identifying the discrepancy between cognitive ability and academic ability. The IQ/Achievement correlating scores are provided within the Regression Table within NM TEAM 2017.

Specific Learning Disability

In New Mexico, a Specific Learning Disability is defined as, "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. Specific Learning Disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance,

or of environmental, cultural, or economic disadvantage. (34 CFR Sec. 300.8 (c) (10)) (NM TEAM 2017, p. 241)

What does this mean?

This means that it may be difficult for a child to learn in one or more of the eight eligibility categories. The eligibility categories are:

Specific Learning Disability Category	Definition
Basic Reading Skills	Basic reading skills include phonemic awareness, sight word recognition, phonics, and word analysis. Essential skills include identification of individual sounds and the ability to manipulate them; identification of printed letters and sounds associated with letters; and decoding of written language.
Reading Fluency	Reading Fluency is the speed of reading, as well as the ability to read the material "smoothly, effortlessly, and automatically". It refers to the ability to read words accurately, using age appropriate chunking strategies and a repertoire of sight words, and with appropriate rate, phrasing and expression (prosody). Reading fluency facilitates reading comprehension.
Reading Comprehension	Reading Comprehension requires the activation and coordination of several skills and processes. A reader is required to identify words in a text, know the meaning of the word, connect the ideas to prior knowledge and hold it long enough to understand what is being read. It also includes the application of comprehension monitoring strategies and understanding of text structure including titles, paragraphing, illustrations and other details.
Math Calculation	Otherwise known as Basic Math Skills, Math Calculation, is the ability to know and understand number sense (what numbers mean and their relationships to other numbers), math facts (addition, subtraction, multiplication and division) and math fluency (the ability to solve math facts quickly and with ease)

Math Problem Solving	Individuals must be able to read and understand the problem, identify what information is missing, come up with a plan to solve the problem, perform the necessary computations and evaluate the answer for correctness.
Written Expression	The communication of ideas, thoughts, and feelings. Required skills include using oral language, thought, grammar, text fluency, sentence construction and planning to produce a written product. Spelling difficulties alone cannot be considered to represent a specific learning disability in written expression.
Oral Language	The ability to convey wants, needs, thoughts, and ideas in a meaningful way using appropriate syntactic, pragmatic, semantic, and phonological language structures. It relates to a student's ability to express ideas, explain thinking, retell stories, categorize, and compare and contrast concepts or ideas, make references and problem solve verbally.
Listening Comprehension	Refers to the understanding of the implications and explicit meanings of words and sentences of spoken language. This includes following directions, comprehending questions, and listening and comprehending in order to learn (auditory attention, auditory memory, and auditory perception). Listening comprehension also includes the ability to make connections to previous learning.

Additionally, difficulties in academic areas must be impacted by a correlating processing deficit to meet eligibility criteria for a Specific Learning Disability.

What is a neurological processing deficit?

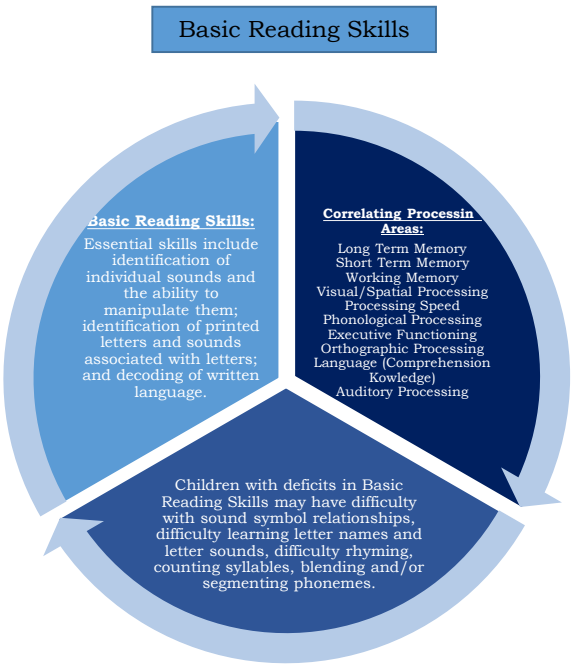
A neurological processing deficit effects how the brain processes and accesses information. The processing areas include:

Cognitive/Processing Ability	Definition
Long-Term Memory	The ability to take and store information (ideas, names, concepts) in one's mind and recall it quickly and easily using association.

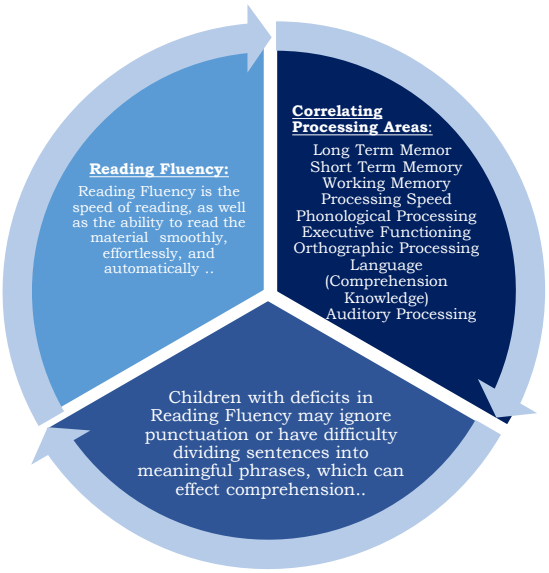
Short-Term (Working) Memory	The ability to attend and hold information in one's mind and use it within a few seconds; includes working memory.
Working Memory	The ability to attend to process, and respond to information
Visual/Spatial Processing	The ability to think about, analyze, store, synthesize, retrieve, manipulate, transform and think with visual patterns and visual stimuli
Fluid Reasoning	A type of problem solving intelligence that is used when faced with a new task, where the individual does not have any previous knowledge to the task.
Processing Speed	The ability to fluently and automatically perform cognitive tasks, including tasks within a specific time period, under pressure, with the ability to maintain focused attention and concentration.
Phonological Processing	The major components of phonological processing involve phonemic awareness (one's understanding of and access to the sound structure of language), sound-symbol relationships, and storage and retrieval of phonological information in memory. There are three types of phonological processing: Phonological Awareness, Phonological Memory and Rapid Naming.

Executive Functioning	Executive functioning allows for the planning and implementation of complex tasks. In so doing, one is able to monitor performance and correct errors while simultaneously maintaining awareness of task relevant information in the presence of irrelevant information.
Orthographic Processing	The ability to visually recall and recognize the spelling patterns of words automatically.
Language (Comprehension Knowledge)	A person's level of acquired knowledge, including knowledge obtained through life experiences, school and work.
Auditory Processing	The ability to perceive, analyze & synthesize patterns among auditory sounds and to discriminate subtle patterns of sound and speech when presented under distorted conditions.

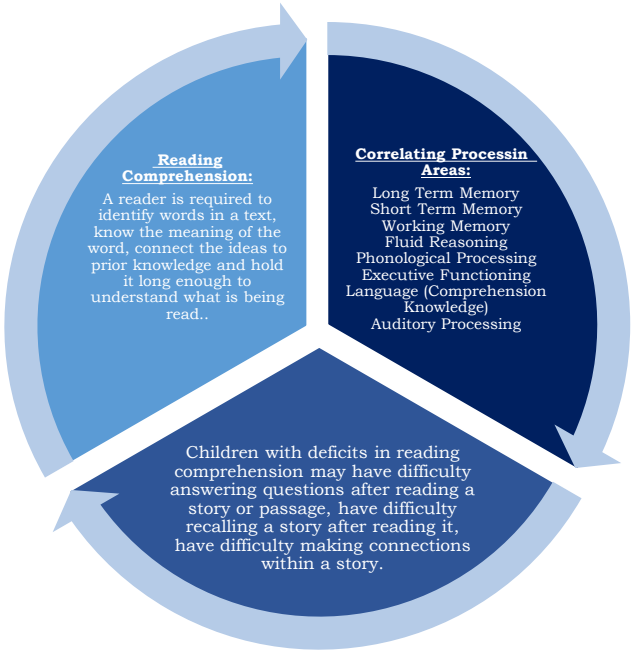
Processing deficits and eligibility categories must have a research-based connection. The following processing areas may impact these eligibility areas.

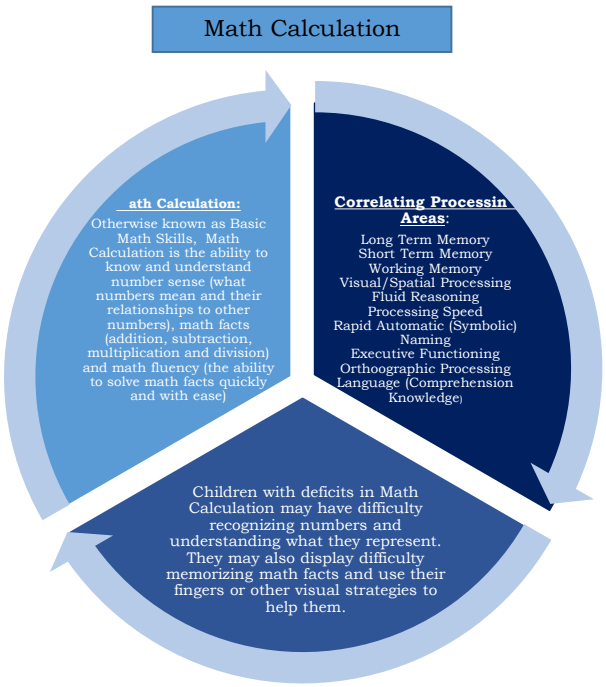


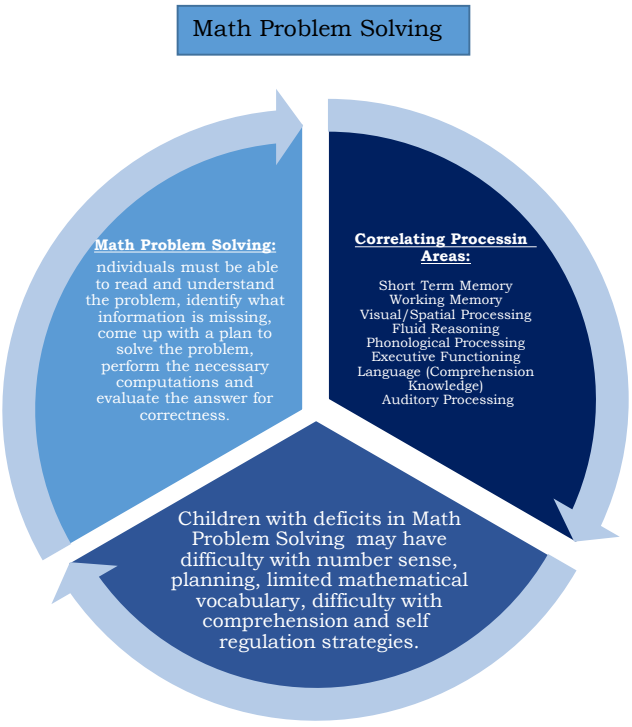
Reading Fluency



Reading Comprehension

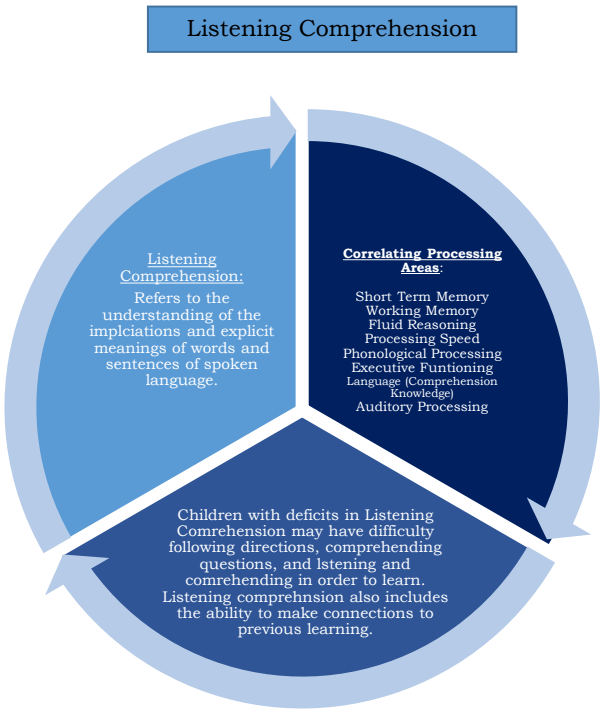



Math Calculation
ath Calculation:
Otherwise known as Basic Math Skills, Math Calculation is the ability to know and understand number sense (what numbers mean and their relationships to other numbers), math facts (addition, subtraction, multiplication and division) and math fluency (the ability to solve math facts quickly and with ease)
Correlating Processin Areas:
Long Term Memory
Short Term Memory
Working Memory
Visual/Spatial Processing
Fluid Reasoning
Processing Speed
Rapid Automatic (Symbolic) Naming
Executive Functioning
Orthoographic Processing
Language (Comprehension Knowledge)
Children with deficits in Math Calculation may have difficulty recognizing numbers and understanding what they represent. They may also display difficulty memorizing math facts and use their fingers or other visual strategies to help them.


Math Problem Solving
Math Problem Solving:
ndividuals must be able to read and understand the problem, identify what information is missing, come up with a plan to solve the problem, perform the necessary computations and evaluate the answer for correctness.
Correlating Processin Areas:
Short Term Memory
Working Memory
Visual/Spatial Processing
Fluid Reasoning
Phonological Processing
Executive Functioning
Language (Comprehension Knowledge)
Auditory Processing
Children with deficits in Math Problem Solving may have difficulty with number sense, planning, limited mathematical vocabulary, difficulty with comprehension and self regulation strategies.

Written Expression

Oral Language



Dyslexia

When a child is referred for evaluation in the areas of reading and/or writing, characteristics of dyslexia must be taken into consideration. Criteria must be met in order for a child to receive a diagnosis of Dyslexia. The characteristics of dyslexia include:

- Intelligence: Cognitive score is average according to test author
- Phonological Components of Language: Phonological Awareness, Phonological Memory or Rapid Naming has a standard score of 85 or lower.
- Achievement: Spelling and word recognition **or** Spelling and word attack **or** Spelling and reading fluency scores have a standard score of 85 or lower.

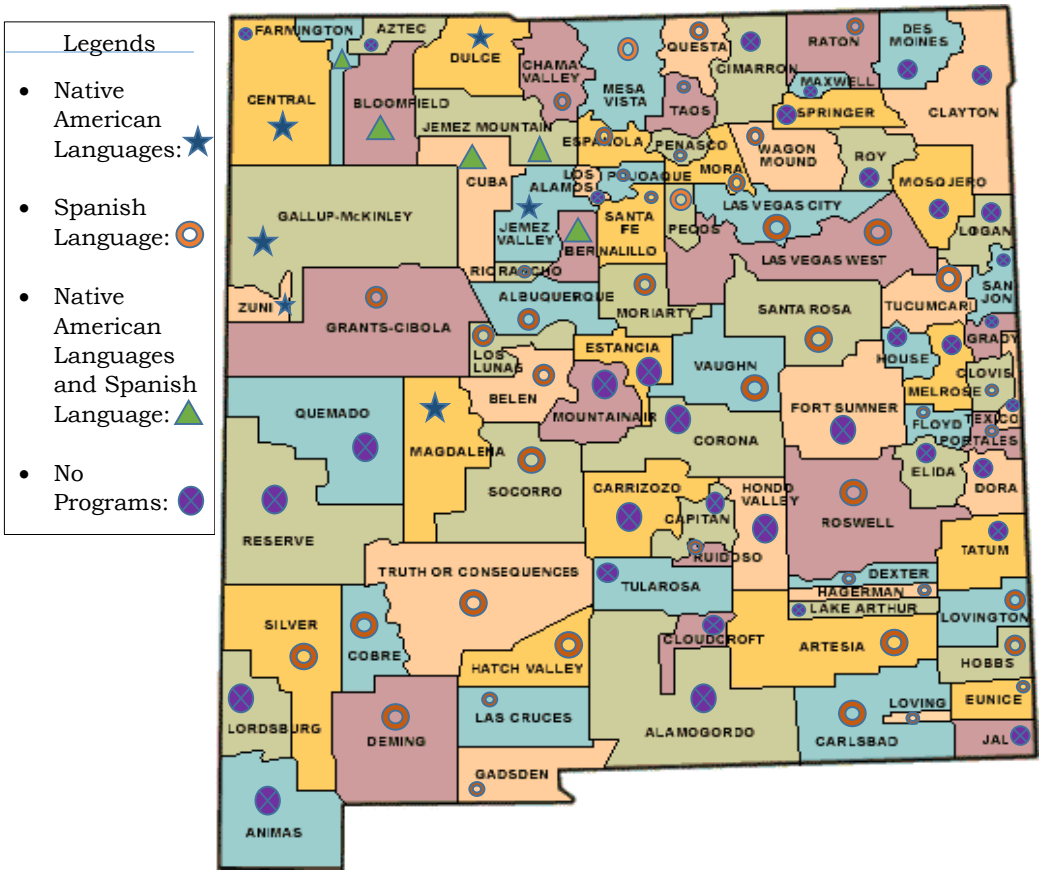
The dyslexia profile alone does not qualify a student for Special Education services. To receive special education services, a student must be found eligible as Specific Learning Disabled in the areas of reading and/or written language based on the New Mexico TEAM criteria.

A medical diagnosis alone does not indicate a need for special education and the child must meet eligibility criteria for a Specific Learning Disability in reading and/or written expression in order to receive services for dyslexia. In this case, the child may be eligible for a 504 plan for accommodation for the medical diagnosis of dyslexia.

Culturally and Linguistically Diverse Students

The definition of a Culturally and Linguistically Diverse (CLD) includes students that come from different countries (including English-speaking countries) have different cultural backgrounds and/or speak other languages other than English (Business, 2016).

According to the Bilingual Multicultural Education Annual Report for the state of New Mexico 2015 to 2016, there are over 450 schools that provide Spanish or Native American Languages. Studies indicate that performance of the English Learners not enrolled in programs that speak the native language of the student decreases compared to students who use English as their first language. If appropriate and available, it is imperative to do testing in the child's native language.



In the past, there have been a disproportionate number of CLD students placed in special education. To help prevent this problem, the New Mexico T.E.A.M. 2017 has described the importance of assessing CLD students who may have a variety of different language,

cultural and acculturation backgrounds, by gathering data from various sources and through an assessment process that is not influenced by bias. The following factors should be considered as part of the assessment process for their potential influence on student performance:

- Family's socio-economic status;
- Level of parental education;
- Experiential background (e.g., customs/celebrations, religious background, etc.);
- Time spent attending an American school;
- Family and student's mobility;
- Birthplace of student;
- Extent of sustained involvement with society or family outside of the U.S.A.;
- Family composition (e.g., single-parent families, blended families, etc.); and/or ethnic identity from the student's perspective.

The assessment process will help determine if the student is culturally and linguistically diverse and a person with a disability. Testing should be provided without bias, and consider the following:

- Increase knowledge and awareness about the student's cultural and linguistic background and focus on how this background potentially influences assessment;
- Determine which language(s) are to be used during the formal and informal assessment.
- Utilize the best available tools with respect to the student's native and second languages.
- Evaluate the test materials and assessment techniques, including analyzing formal tests for the specific cultural content and performance style(s) they require of examinees.
- Recognize that nonstandard administration of a test may provide valuable information, but should only be considered after administering the test first in a standardized way.
- Avoid direct test translation because it is poor practice and psychometrically indefensible.
- Recognize that use of an interpreter can assist in collecting information and administering tests; however, score validity remains low even when the interpreter is highly trained and experienced.
- Recognize that scores from standardized assessments are likely invalid because norming samples are typically not stratified on the basis of multilingual ability and are rarely applicable to the majority of students who are CLD.
- Collect and interpret data in a nondiscriminatory way using systematic methods based on established literature.

Summary

A Specific Learning Disability (SLD) represents an educational diagnosis that involves complex neurological differences between individuals. Approximately half of all students served through special education in New Mexico have a diagnosis of Specific Learning

Disability. Individuals are identified and diagnosed through a system of tiered supports and discrepancy models that determine gaps between performance and expectations. Based on the results of these assessments a student may receive services in one or more academic areas including reading, math, and/or written language. Research is continuing to develop evidence-based practices that support an increasing array of interventions targeted to the needs of students with SLD.

Resources

These resources below are available for additional information, support, or testing.

Albuquerque

https://www.ncld.org/wp-content/uploads/2014/11/2014-State-of-LD.pdf

Education for Parents of Indian Children with Special Needs (EPICS)
EPICS Project
1600 San Pedro Dr. NE
Albuquerque, NM 87110
888-499-2070
505-767-6630
www.epicsnm.org

Neuropsychology
UNM/HSC North Campus
915 Vassar Dr. NE Suite 170
Albuquerque, NM 87106
505-272-8833
Fax: 505-272-8316
https://hsc.unm.edu/health/patient-care/neuropsychology/index.html
Age Group: All ages

Neuropsychological Services of New Mexico
4001 Indian School Road NE, Suite 310
Albuquerque, NM 87110-1243
Phone: 505-404-9395
Fax: 505-299-4740
info@neuropsychnewmexico.com
Age Group: All ages

PACES
Dr. Michael Neessen
3620 Wyoming Blvd NE, Suite 100
Albuquerque, NM 87111
505-962-2158
Fax: 505-358-7293
http://pacesnewmexico.com/
Age Group: 5 to 22 years old

Parents Reaching Out (PRO)
1920 B Columbia, S.E.
Albuquerque, NM 87106
800-524-5176
505-247-0192
www.parentsreachingout.org

Sandia Neuropsychology
3400 Constitution NE, Suite C
Albuquerque, NM 87106

505-270-4242
Fax 505-288-3579
http://sandianeuropsychology.com/
Age Group: 15 and up

Southwest Neuropsychology & Behavioral Health
320 Gold Ave. SW, Suite 1001
Albuquerque, NM 87102

Or

6745 Academy Rd. NE, Suite B
Albuquerque, NM 87109
505-247-4900
admin@swneuropsych.com
http://www.swneuropsych.com/index.html
Age Group: 6 to 18 years old, including adults

Santa Fe

Northern New Mexico Neuropsychology
1911 Fifth Street, Suite 211
Santa Fe, NM 87505
505-490-9049
Fax: 855-698-4177
https://www.northernnewmexiconeuropsychology.com/
Age Group: All ages

Las Cruces

Center for Neuropsychological Studies
Noah Kaufman
1188 West Hadley
Las Cruces, NM 88005
575-526-9090
Fax: 575-526-8787
www.naoh-kaufman.com

National Resources

Friends of Quinn; Living with Learning Differences
http://www.friendsofquinn.com/

Get Ready to Read:
A program of the NCLD
32 Laight Street, Second Floor
New York, NY 10013
http://www.getreadytoread.org/

LDA (Learning Disabilities Association)
4156 Library Road
Pittsburgh, PA 15234-1349

Phone: 412-341-1515
Fax: 412-344-0224
info@ldaamerica.org
https://www.ldaamerica.org
https://www.facebook.com/ldaamerica
https://www.twitter.com/ldaofamerica

The LD Navigator:
A program of the NCLD
32 Laight Street, Second Floor
New York, NY 10013
http://ldnavigator.ncld.org/

National Center for Learning Disabilities (NCLD)
32 Laight Street, Second Floor
New York, NY 10013
www.ncld.org

RTI Action Network:
A program of the NCLD
32 Laight Street, Second Floor
New York, NY 10013
http://www.rtinetwork.org/

Understood; for learning and attention issues:
A program of the NCLD
https://www.understood.org/en

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