



# Amendments to Specific Learning Disabilities (SLD) Eligibility Criteria

Updates and Implications

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# Charge of the Committee

The committee will make recommendations for amending the rule. Responsibilities include:

- Removing reference to discrepancy.
- Defining inclusionary criteria and exclusionary criteria.
- Proposing draft language that can be operationalized for training, implementation, and monitoring.
- Defining the intended change and expected outcome that is measurable over time.

# Agenda for the Day

Participants will...

- Understand the scope and way the work is progressing.
- Understand the baseline of SLD eligibility in the state.
- Digest the priorities.
- Wrestle with the considerations.
- Uncover what we are already learning about the next right steps.

# The Make-up of the Committee and Workgroups

## Professional Organizations

- Minnesota Administrators for Special Education (MASE)
- Minnesota Speech-Language-Hearing Association (MNSHA)
- Minnesota School Psychologist Association (MSPA)

## Parents of students with SLD

### Advocacy Groups

- PACER Center Learning Disabilities Association (LDA) of Minnesota
- Upper Midwest Branch of the International Dyslexia Association (UMBIDA)
- The Reading Center/Minnesota Dyslexia Institute

# The Make-up of the Committee and Workgroups Continued

## Professional Organizations cont.

- Designs for Learning (DL)
- INDIGO Education
- Center for Applied Research and Educational Improvement (CAREI)
- Hiawatha Valley Educational Cooperative

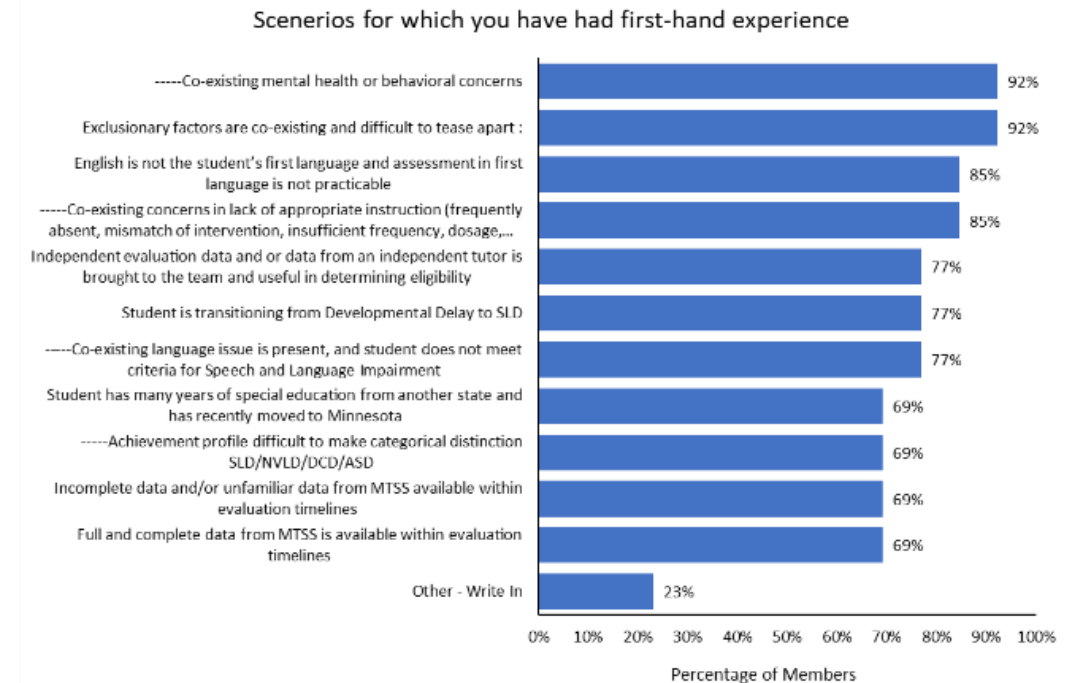
## Positions from Districts

- Special Education Case Managers
- School Psychologists
- MTSS Specialists
- Adjunct Professors
- MDE staff from 5 divisions

# 28 Parents and Professionals Are Co-creating the Recommendations

The committee has vast experience with eligibility decisions.

Multiple practitioners have worked in other states with similar criteria to what is being proposed.



# Priorities of the Committee

1. Criteria will yield increased consistency in identification (district to district, region to region).
2. Address the overidentification of minority students.
3. Provide timely evaluation and generate useful data for program planning.

# Considerations for the Work

- Base it on up-to-date research.
- Remove discrepancy but retain federal regulatory and other state rule requirements.
- Use terms that will endure the test of time and updates from research.
- The criteria must apply to all eight areas.
- Distinguish recommendations for rule language from that of technical assistance.
- Keep the focus on eligibility—don't try to solve other problems with criteria.



# Change in Criteria has significant impact:

Public Schools and Districts—506

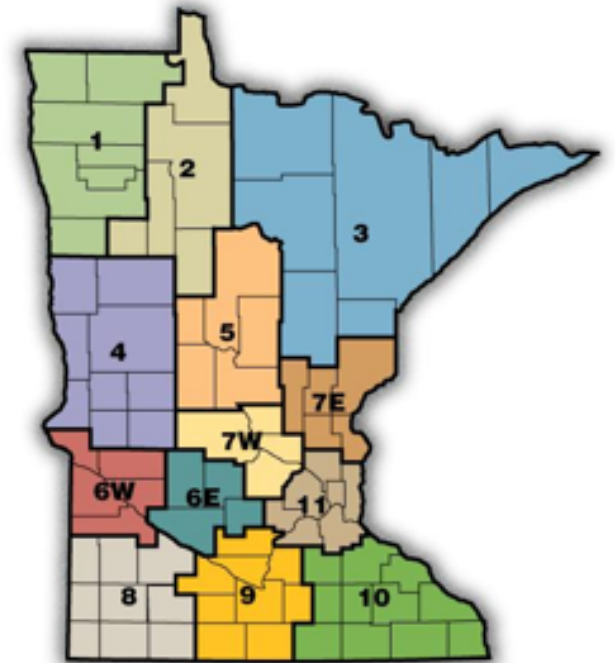
Number of Schools –2,252

351 Alternative Learning sites

126 Distance Learning Programs

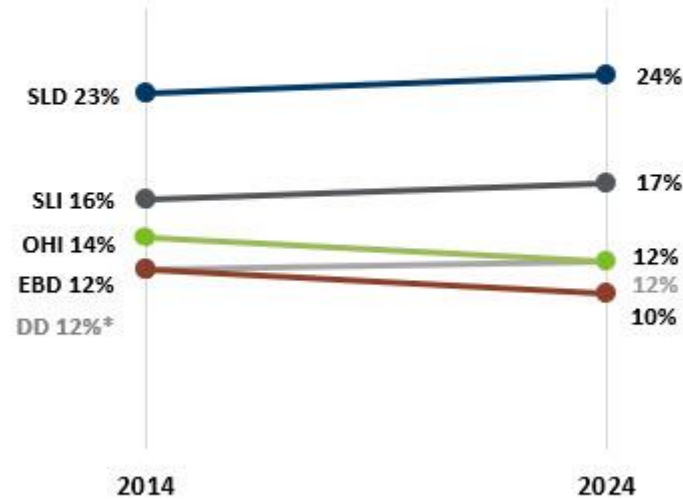
Teachers—57,057

Special Educators 10,972



# Prevalence of SLD and other High Incidence Disabilities

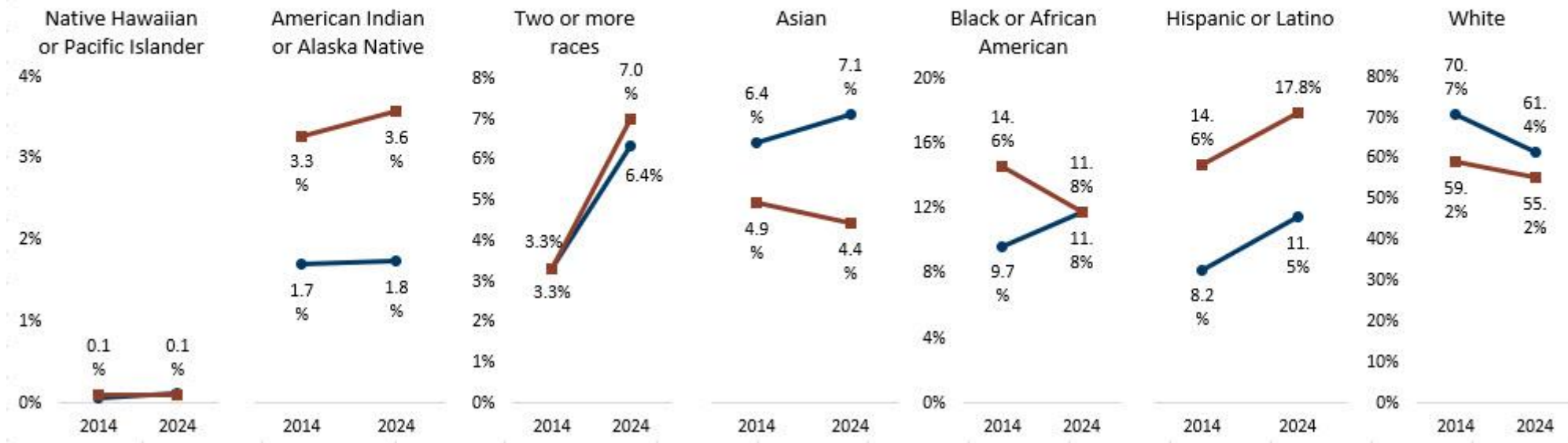
SLD as primary disability classification showed little movement from 2014 to 2024, similar to other selected high-incidence disabilities for Minnesota students with IEPs



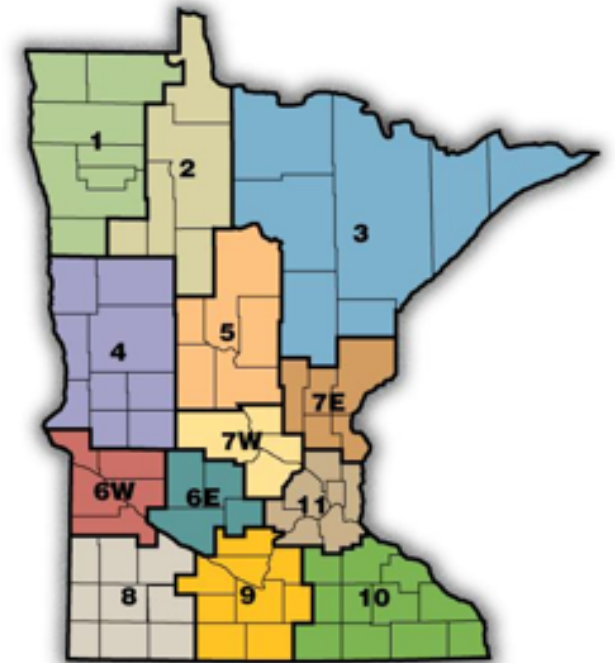
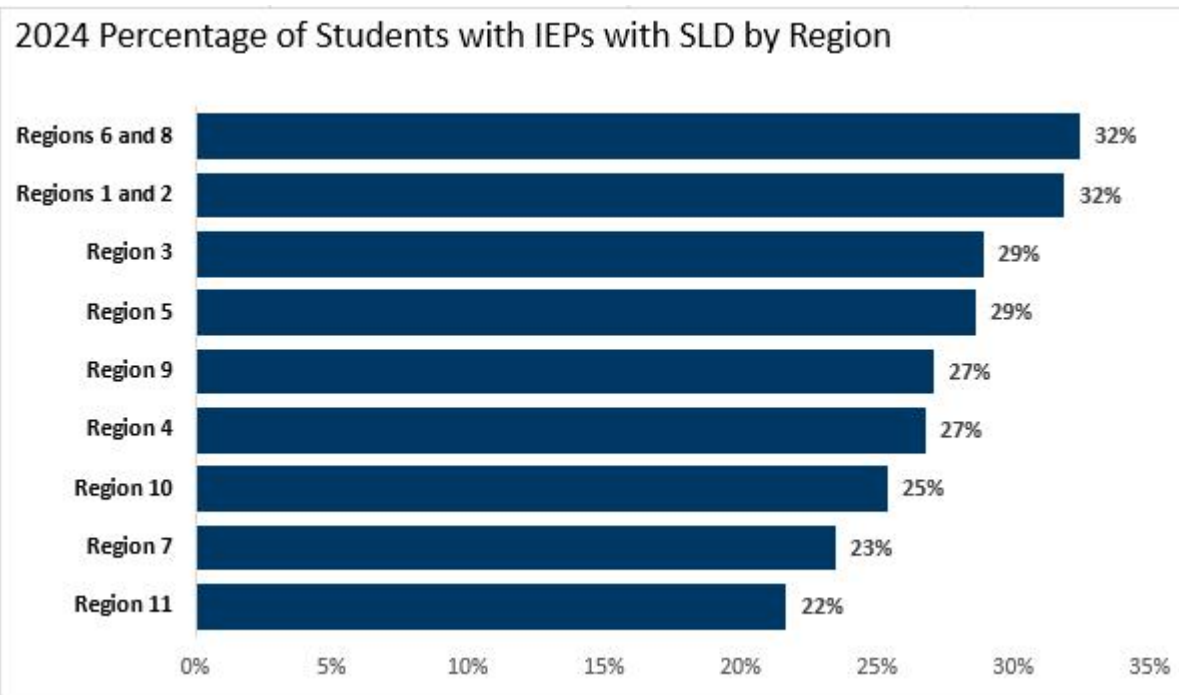
\*Developmental Delay is available for students up to age 7 years old.

# SLD Prevalence Intersection of Race

Percentages of student's federal race or ethnicity for enrollment (blue lines/circles) and students identified for Specific Learning Disability (brown lines/squares) in 2014 and 2024. American Indian or Alaska Native and Hispanic or Latino student groups have higher rates of SLD identification than enrollment while Asian and White student groups have lower rates of SLD identification than enrollment.



# Change in Criteria has Significant Impact, continued 2



# Remove Discrepancy and Retaining Federal Regulations Means

## **IQ tests are no longer required**

IQ tests not interchangeable with cognitive processing.

Cognitive processes overlap with other disabilities and are not reliable for sorting one disability from another—no longer recommended as criteria.

Farris, E. Alexander, E. And Odegard T, (2020);  
Fletcher, J. and Miciak J. (2024)

## **Retaining**

Right to comprehensive evaluation and independent evaluation on request.

Right to conduct an override when data or procedures cannot be applied.

Use of multiple sources of data and keep standardized assessments.

# Universal Basis for SLD in Research

- **Lack of Achievement:**  
Below age or grade level standards
- **Achievement is Unexpected:**  
Given appropriate and evidence-based instruction
- **Student is Capable:**  
Evidence of learning can be measured
- **Cause:**  
Not primarily attributable or the result of other disability

Farris, E. Alexander, E. And  
Odegard T, (2020) pp. 9-13

# Which of the terms would be problematic in a new rule?

- A. Trend line, aim line, expected growth
- B. DSM diagnoses such as dyslexia, dyscalculia, dysnomia, dysgraphia
- C. Consistency, integrity, fidelity

# Which terms should be defined in rule? Which should be defined in technical assistance?

Which terms should be clarified?

- A. Relative peer group
- B. Inadequate rate of progress
- C. Intensity, duration, dosage, comprehensiveness, frequency
- D. Primarily due to...



## The purpose of criteria is to...

1. Identify students who have a learning disability that is not primarily the result of other disabilities or factors.
2. Distinguish disability from lack of appropriate instruction.
3. Design instruction for those who require specially designed instruction and supports to access and make continued progress in the general educational curriculum (IDEA).

### Which of these do not fit the purpose ?

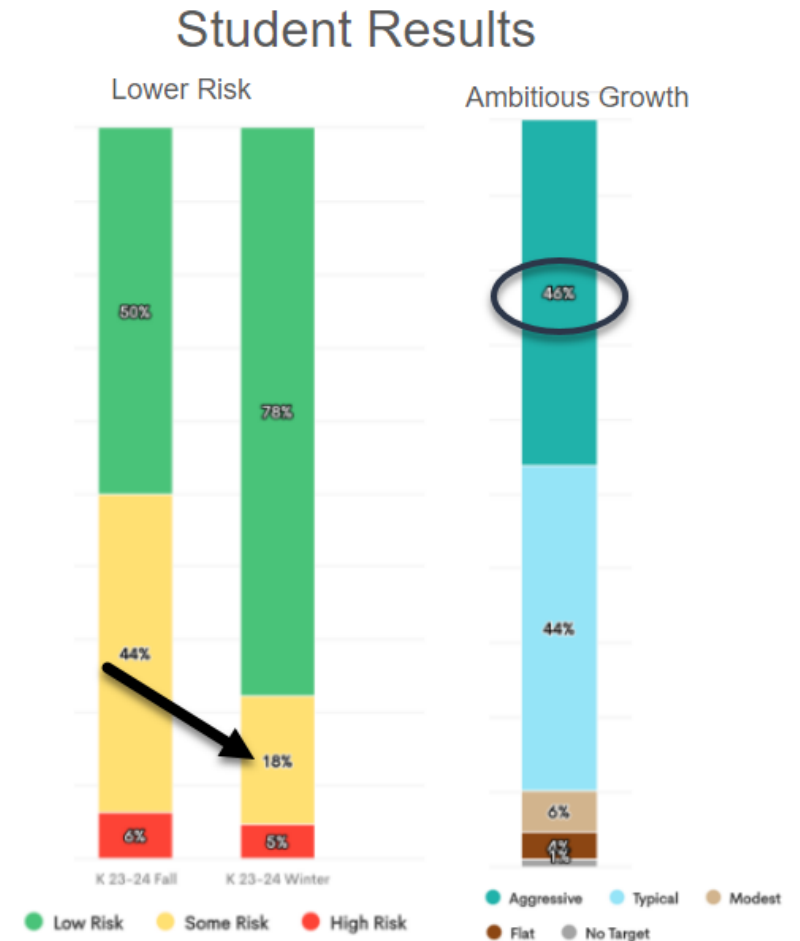
- A. Too many \_\_\_\_\_ will qualify if...
- B. Special educators are underprepared to teach
- C. Districts don't have the \_\_\_\_\_ to do this work
- D. Students can't be eligible if they didn't get structured literacy in core

# New Criteria will likely include use of charts and graphs

Comprehension is improved when data is visualized.

Committee's recommendations likely to include use of norms and comparison groups.

Providers of data such as GOM, MCA, etc. already include graphs, so they must transfer into Special Education Forms.



## Next Steps

1. Complete usability testing to determine if recommendations can be applied, trained, monitored.
2. Determine baseline and ways of measuring if the proposed changes will address the priorities.
3. Anticipate the work ahead.

# Already Being Uncovered

1. There are significant gaps in knowledge with current regulations and state rules.
2. Infrastructure to visualize data and progress as well as share data across districts and platforms will need to be built.
3. The application of changes may require differentiated procedures for non-public, home-schooled, or students without prior history.
4. Changes in criteria cannot fix all areas of concern. Eligibility determinations are an “adaptive problem” that requires systems, data, policies, and teams to collaborate effectively.



# Thank you!

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