

**The Learning Disabilities Association of New York State
Statement on Response to Intervention as a Model for Identifying
Students with Specific Learning Disabilities Under IDEA 2004**

January 26, 2006

Chartered by the Board of Regents in 1958, the Learning Disabilities Association of New York State (LDANYS) is the only statewide parent driven organization, specifically representing and advocating for individuals who have learning disabilities; their families and professionals who support them. A learning disability is a neurobiological disorder, which is developmental in nature. A learning disability manifests itself as a chronic condition in many aspects of learning and behavior across the lifespan and its impact upon an individual's ability to function can be significant. LDANYS' mission makes us particularly interested in and concerned with new criteria that will be developed in New York State for identifying students with specific learning disabilities (SLD) under IDEA 2004.

Background

IDEA 2004 provides an opportunity to improve the process of identification of students with specific learning disabilities (SLD). Building on the work of the National Center for the Research on Learning Disabilities (NRCLD), we support the development of New York State Education Department policies, procedures and standards to ensure that the Response to Intervention (RTI) Evaluation Model for identifying students with learning disabilities is implemented appropriately and consistently, that data collection is systematic for individual students and for district and state wide analysis, and that uniform standards are established for appropriate staff training, interventions, progress monitoring, and evaluation protocols. *We unequivocally oppose the use of RTI as the sole criterion upon which a diagnosis of an SLD is made and urge the State Education Department to clarify to the field that it is the data only, culled from an RTI process that can be considered as part of a comprehensive evaluation involving a variety of assessment tools.* This is in line with the following statement of the NRCLD: "Although it is generally agreed that RTI can identify a pool of at-risk students, it does not appear to be sufficient to identify a specific learning disability. It may, however, serve as an important component of an evaluation for special education eligibility." This also correlates with the proposed federal regulation on evaluations which states that no single procedure can be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child as excerpted below: