

Resources and References

- TEA Legal Framework
- Network 1: Child Find, Evaluation and ARD Supports
- Flanagan, D.P., Ortiz, S.O., & Alfonso, V.C. (2013). *Essentials of Cross-Battery Assessment-Third Edition*. Hoboken, NJ, John Wiley & Sons. wiley.com
 - Exclusionary Factors Worksheet



Example of Exclusionary Factors Worksheet

Environmental/Economic Factors (Check All that Apply):

- | | |
|--|---|
| <input type="checkbox"/> Limited access to educational materials in the home | <input type="checkbox"/> History of educational neglect |
| <input type="checkbox"/> Caregivers unable to provide instructional support | <input type="checkbox"/> Frequent transitions (e.g., shared custody) |
| <input type="checkbox"/> Economic considerations precluded treatment of identified issues (e.g., filling a prescription, replacing broken glasses, tutoring) | <input type="checkbox"/> Environmental space issues (e.g., no space for studying, sleep disruptions due to shared sleeping space) |
| <input type="checkbox"/> Temporary Crisis Situation | |

Additional Notes:



Example of Exclusionary Factors Worksheet

Instructional Factors (Check All that Apply):

- | | |
|--|--|
| <input type="checkbox"/> Interrupted schooling (e.g., mid-year school move). Specify reasons: <input type="text"/> | <input type="checkbox"/> Retained or advanced a grade(s) |
| <input type="checkbox"/> New teacher (past 6 months) | <input type="checkbox"/> Accelerated curriculum (e.g., AP classes) |
| <input type="checkbox"/> Nontraditional curriculum (e.g., homeschooled) | |
| <input type="checkbox"/> Excessive # Absences: <input type="text"/> | |

Additional Notes:



Example of Exclusionary Factors Worksheet

Cultural/Linguistic Factors (Check All that Apply)?:

Limited Number of Years in the U.S. Specify: _____

Language(s) Other than English Spoken in Home

No History of Early or Developmental Problems in the Primary Language (L1)

Lack of or Limited Instruction in Primary Language
Specify # of Years: _____

Current Primary Language Proficiency:
(Date: _____ Score: _____)

Current English Language Proficiency:
(Date: _____ Score: _____)

Acculturative Knowledge Development
(Check one: High Moderate Low)

Parental Educational and Socio-Economic Level
(Check one: High Moderate Low)

Additional Notes:



Resources and References

- Colvin, M.K., Reesman, J., & Tannahill, G. (2022). *The impact of COVID-19 related educational disruption on children and adolescents: An interim data summary and commentary on ten considerations for neuropsychological practice*. *The Clinical Neuropsychologist*, 36:1. 45-71
DOI: 10.1080/13854046.2021.1970230
- NWEA (nwea.org) Research Briefs and Articles related to COVID-19
 - Nov. 2020. *Learning during COVID-19: Initial findings on students' reading and math achievement and growth*. Kuhfeld, M., Tarasawa, B., Johnson, A., Ruzek, E., & Lewis, K.
 - Kuhfeld, M., Soland, J. & Lewis, K. (July 2022). *Test score patterns across three COVID-19 impacted school years*. Educational Researcher.

<https://doi.org/10.3102/0013189X221109178>



Resources and References

NWEA (nwea.org) Research Briefs and Articles related to COVID-19

- Oct. 2022. *COVID-19 in the early elementary years: A comparison of achievement in spring 2019 and spring 2022.*
Kuhfeld, M. & Lewis, K.
- Nov. 2022. *The widening achievement divide during COVID-19*
Lewis, K., Kuhfeld, M., Langi, M., Peters, S., & Fahle, E.
- July 2022. *Student achievement in 2021-2022: Cause for hope and continued urgency.* Kuhfeld, M. & Lewis, K.

There are many other briefs and technical reports on this topic. This research involves over 4 million students. NWEA = Northwest Evaluation Association, presence in 49 countries, 50 states and 3400 school districts; NWEA assessments – Measures of Academic Progress (MAP)



What is an
exclusionary
factor?



Exclusionary Factor

- **Potential primary cause** of certain deficits
- A variable, if present, **and** believed to be the primary cause of the deficit precludes qualification of a student for a disability condition
- In essence, the evaluator is ruling out other explanations for the deficient performance ■

When does an exclusionary factor become exclusionary?

Implications

- Nothing is automatically exclusionary
- The factor or variable or characteristic must be deemed **primary** before it can be determined to be exclusionary



Contributory Factor

Can have one or more factors that **contribute** to difficulties in learning, but the evaluator must rule out any particular factor (if present) as being the primary cause of the difficulty





What are the exclusionary factors in IDEA?

Potential Exclusionary Factors

- Vision
- Hearing
- Motor
- ID (cognitive and adaptive factors)
- ED (social/emotional/psychological factors)
- Environmental and/or economic disadvantage
- Linguistic Factors (e.g., LEP)
- Cultural Factors
- Physical Health factors
- Instructional Factors

This depends on the disability condition being investigated.



Disability Condition Factors

AU - does not apply if the child's educational performance is adversely affected primarily because the child has an emotional disturbance

ED – does not apply to a child who is socially maladjusted unless the child also meets the criteria for ED

So not really exclusionary

MD – does not include deaf-blindness

TBI – does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma

SLD – does not include a learning problem that is primarily the result of visual, hearing or motor disabilities; ID; ED; environmental, cultural or economic disadvantage; LEP

Determinant Factors:

Ensure that underachievement is not due to lack of appropriate instruction in reading or math through data that shows the child was provided with appropriate instruction by qualified personnel and data-based documentation of repeated assessments of progress

Determinant Factor

A child must not be determined by the ARD committee to be a child with a disability if the determinant factor for such determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction (phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension)
- Lack of appropriate instruction in math
- LEP/English learner language skills

34 CFR 300.306(b); TEA Legal Framework





How do you
assess for
these factors?

Assessment/Data for Exclusionary Factors

- Screening
- Medical information
- History (developmental and educational)
- Sociological information
- Rtl (including curriculum-based measurement of progress)
- Language proficiency assessment

Assessment/Data for Exclusionary Factors

- Direct assessment with *informal* methods (e.g., language samples, observations)
- Indirect assessment (e.g., review of records, interviews, rating scales, checklists)
- Direct assessment with *formal* methods (e.g., standardized tests, criterion-referenced tests)



Assessment/Data for Exclusionary Factors

- Special procedures, for example:
- **Dynamic Assessment**=specific procedures that involve a test-teach-test approach; the teaching component is a Mediated Learning Experience (MLE); much research for use with bilingual students; based on Vygotsky's zone of proximal development (ZPD); ASHA has 4 modules for DA



Major questions

- Can academic deficits (or other deficits) be explained solely by the exclusionary factor?
- When do you determine that the student cannot be ___ due to ___?
- When do you determine that the profile is best accounted for by ___, thus precluding the determination of a disability condition?

Case Considerations

Marcus (ID)

Jerry (DHH) & SLD

Harold COVID & SLD

Marcus

6 years of age, in a therapeutic foster placement. He was abandoned at a bus station at the age of 3 and has been in CPS custody since that time. Behavior was very problematic in ECSE (oppositional, throwing things, elopement, some aggression during tantrums, very distractible, poor task orientation). His behavior has shown improvement since in this home for the past 1.5 years and with supervision and routines in school. Academic skills are at a pre-K level.



Marcus

Has been enrolled in school consistently since the age of 4 (there were many changes in foster care at age 3; attended an ECSE program at age 4). Repeated KG and is currently beginning 1st grade. Marcus has had numerous therapies and interventions both in and out of the school setting for speech, motor and behavioral issues.



Marcus

History and CPS documentation indicate delayed development in all areas including language, motor and self-help skills prior to age 3. No diagnosed medical conditions. On medication (Risperdal) for behavioral issues. Vision & hearing are within normal limits. Monolingual, English speaking. Has been in this foster care setting since age 5. He is classified as SI.



Marcus

Based on the list of exclusionary factors (e.g., vision, hearing, motor, LEP, environmental and economic disadvantage, physical/health) which potential exclusionary factors are present for Marcus?

Current assessment indicates the following: KABC-II MPC=59; all areas of adaptive behavior are low except for self-care.

Technically, meets the criteria for ID.



Marcus

Would you conclude that Marcus' background is:

- ❖ the *primary cause* of his cognitive and adaptive behavior deficits?

If yes, why? If no, why not?

OR

- ❖ a *contributory factor* in his deficits?

If yes, why? If no, why not?

Conclusion

Intellectual Disability (ID)

ID is defined as significantly subaverage general intellectual functioning (score of at least 2 standard deviations below the mean considering the standard error of measurement) with concurrent deficits in at least two areas of adaptive behavior.

Marcus obtained a standard score greater than 2 SDs below the mean on an individually administered test of intelligence (KABC-II MPC=59), and he exhibits concurrent deficits in multiple areas of adaptive behavior (Vineland-3 Parent and Teacher scales show deficits in communication, socialization, and home, school, and community functioning).

Jerry – 4th grade Background Information

- Initial evaluation in 1st grade identified DHH due to “mild to severe unilateral hearing loss in the right ear;” left ear hearing WNL
- Also identified as SI due to Language (receptive & expressive). CELF-5 Core=71 (sentence memory was average)
- It was recommended, and Jerry obtained a hearing aid; he was provided with an FM system for classroom use.

Information regarding progress and interventions

Much progress in speech therapy and math; passed math STAAR but not reading; progress in reading was limited despite much intervention (gen ed reading instruction; inclusion support; 2x/week RDSPD services focusing on phonemic awareness, segmentation/blending/deletion; audiological services; additional reading intervention in 3rd grade spring semester; speech therapy for language)

ReEval FIE

Updated data from audiological and otological evaluations identified a “**moderate conductive hearing loss in the right ear with a speech reception threshold (SRT) of 20 dB when tested with his bone conduction hearing aid;**”
Left ear WNL

- **K-TEA-3:**
 - **Reading Decoding=82**
 - Letter Word Recog=86,
Nonsense Word Decoding=80
 - **Reading Comprehension=78**
 - **Math Comput=92, Conc&Appl=96**
 - **Written Expression=92 Spelling=83**

ReEval FIE

- **Reading Fluency:** 3rd grade passage 40 wcpm (10th %ile; expectation at 25th %ile is 59 and at 50th %ile is 83). On 2nd grade passage: 50 wcpm (50th %ile)
 - Hasbrouck & Tindal ORF Norms 2017
- Teacher of DHH: Jerry has struggled in reading despite knowing all letter-sound correspondences. He has difficulty in decoding unfamiliar words despite extensive interventions. When Jerry is given reading passages at a level where he can read almost all words, he has no difficulty with comprehension. His reading speed is affected by trying to sound out words.

ReEval FIE

WISC-V
FSIQ=101

- **VCI=89** SI=7, VO=9
- **FRI=109** MR=12, FW=11
- **WMI=107** DS=10, PS=12
- **PSI=100** CD=9, SS=11
- **VSI=108** BD=13, VP10
- **Glr=94** IST=98 NSL=91

ReEval FIE Teacher of DHH

- Preferred mode of communication:
Listening and Spoken Language
(speaking and hearing)
- **Test of Auditory Processing-4 (TAPS-4)**
 - **Phonological Processing Index=76**
(WordDiscr=8, PhonDeletion=4,
PhonBlend=6)
 - **Auditory Memory Index=94**
(NumberForward=9, WordMem=9,
SentenceMem=8)

ReEval FIE

- No emotional, social or behavioral difficulties
- CELF-5 Core Language=88
 - Receptive=87, Expressive=92
- No impairments in voice, fluency or articulation; in classroom uses hearing aid but not FM
- No language concerns based on testing, observations by SLP and teacher of DHH, parent checklist and gen educ teacher reports

What patterns/ data will you use to answer these questions?

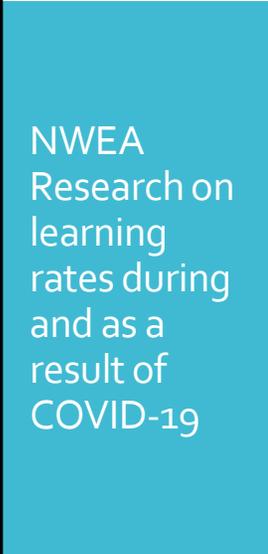
- What is the potential exclusionary factor for Jerry?
- Is Jerry's phonological processing deficit the cause of deficits in Reading Decoding?
- Is Jerry's hearing loss **primary** in his difficulties with phonological processing? Or **contributory**?
- Do you think that Jerry is SLD in BRS/Dyslexia?
- Would you not say SLD/Dyslexia due to DHH?



COVID-19 LEARNING ISSUES

Unfinished Learning:

- Term used to capture the reality that students were not given the opportunity to complete all the learning they would have completed in a typical year.
- Most students learned less than they would have in a typical year.
- Moving to the next grade with unfinished learning – missing building blocks/foundational skills



NWEA
Research on
learning
rates during
and as a
result of
COVID-19

- 
- **Learning during COVID-19: An update on student achievement and growth at the start of the 2021-22 school year**
 - DECEMBER 2021
 - Karyn Lewis and Megan Kuhfeld



2021 SCHOOL YEAR

- KEY FINDINGS

- Student achievement at the start of the 2021-22 school year was lower compared to a typical year, with larger relative declines in math (9 to 11 percentile points) than reading (3 to 7 percentile points).



2021 SCHOOL YEAR

- KEY FINDINGS

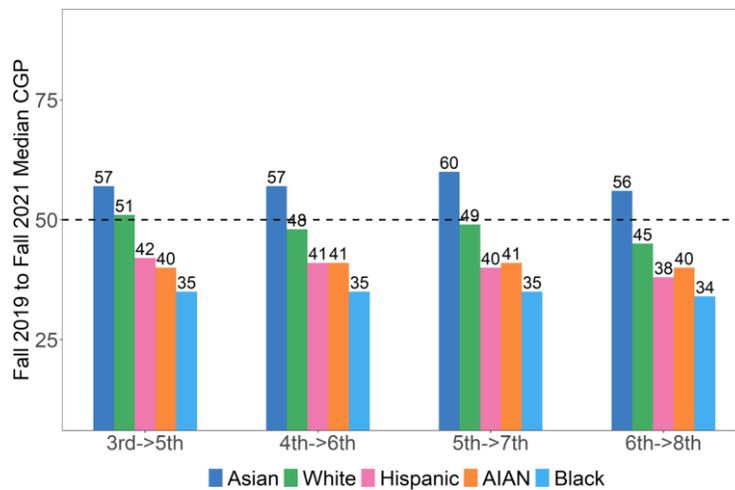
- Achievement was lower for all student groups in fall 2021; however, *historically marginalized students and students in high-poverty schools were disproportionately impacted, particularly in the elementary grades we studied.*

2021 SCHOOL YEAR

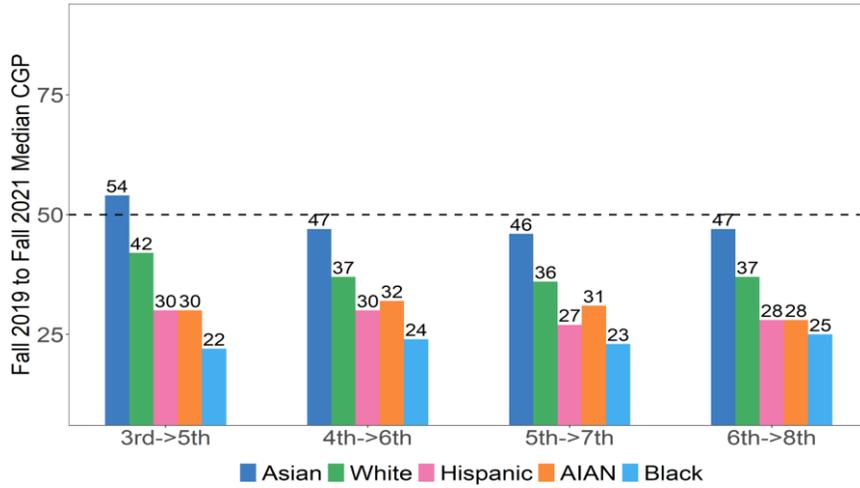
• KEY FINDINGS

Normative growth trends across the pandemic varied by pre-pandemic achievement status: higher achievers made gains that were more consistent with projected normative growth, whereas lower-achieving students were more likely to fall short of growth projections.

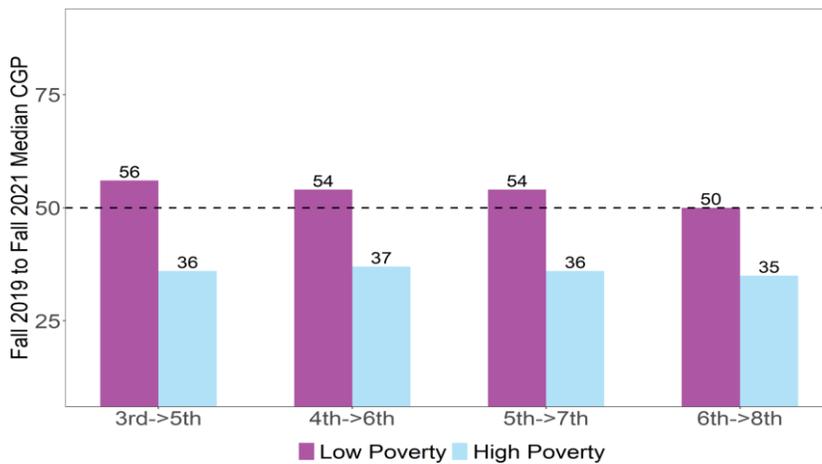
MEDIAN GROWTH PERCENTILES- ETHNICITY READING



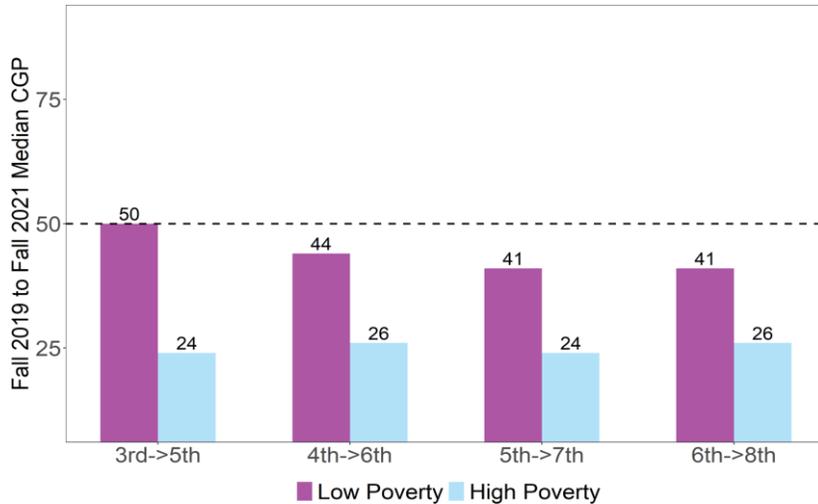
MEDIAN GROWTH PERCENTILES- ETHNICITY MATH



MEDIAN GROWTH PERCENTILE- POVERTY READING



MEDIAN GROWTH PERCENTILE- POVERTY MATH



NWEA Student achievement in 2021-22

Initial signs of academic rebounding were evident in 2021–22, with reading and math achievement gains paralleling pre-pandemic trends in many grades; rebounding appeared stronger in math and among younger students.

Kuhfeld & Lewis, July 2022

Despite some signs of rebounding, student achievement at the end of the 2021–22 school year remains lower than in a typical year, with larger declines in math (5 to 10 percentile points) than reading (2 to 4 percentile points). Modest improvements in elementary students. Middle school achievement declines are mostly unchanged.

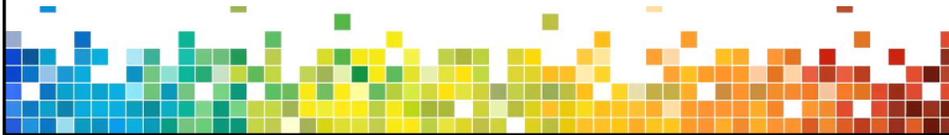


NWEA Student achievement in 2021-22

Table 1. Difference in achievement gaps between spring 2021 and spring 2022 in reading and math by cohort

Subject	Cohort	Achievement gap by spring 2021		Achievement gap by spring 2022		Change in gap	% Change	Years to close gap
		Grade	Gap	Grade	Gap			
Reading	K-3	2	-0.14	3	-0.12	0.02	16%	5+
	1-4	3	-0.14	4	-0.09	0.05	36%	1-2
	2-5	4	-0.13	5	-0.10	0.03	25%	3-5
	3-6	5	-0.13	6	-0.10	0.03	24%	3-5
	4-7	6	-0.12	7	-0.12	0.01	4%	5+
	5-8	7	-0.13	8	-0.12	0.01	8%	5+
Math	K-3	2	-0.22	3	-0.18	0.04	18%	3-5
	1-4	3	-0.26	4	-0.19	0.07	27%	3-5
	2-5	4	-0.28	5	-0.22	0.06	23%	3-5
	3-6	5	-0.27	6	-0.19	0.08	31%	1-2
	4-7	6	-0.21	7	-0.21	0.00	0%	5+
	5-8	7	-0.20	8	-0.24	-0.04	-18%	5+

nwea Research



COVID-19 in the early elementary years

First- and second-grade student achievement at the end of 2021–22 was lower compared to pre-pandemic trends in reading (6 to 7 %ile points) & math (3 to 8 %ile points)

Second-graders made gains in math and reading during 2021–22 that were consistent with pre-pandemic trends; however, first-graders grew less than a typical year by 6-7% (lower growth)

First graders are continuing to fall further behind relative to the achievement levels observed prior to the pandemic. Second graders, on the other hand, showed growth in both subjects that paralleled pre-pandemic achievement gains.

Kuhfeld & Lewis, October, 2022



Colvin, et. al.

Reduced instruction
(estimated loss of
instructional time in 2019-
2020 is 25%) and
attenuated learning gains
Slowed pace of learning
through 2021

Challenge for SLD
identification is issue of
whether learning
difficulties are not better
accounted for by
inadequate instruction
Are low scores due to
learning loss/unfinished
learning/attenuated gains
or are such scores
reflective of SLD?



Harold

Referred for FIE in April 2022

Educational Progression:

KG 2019-2020: COVID-19 school closure in March 2020

1st 2020-2021: Attended remotely Fall 2020, full-time in-person Spring 2021

2nd 2021-2022: Remains in full-time in-person attendance

Screening results in KG at MOY based on mCLASS indicated:

Phonemic Awareness = Below

Decoding and Word Reading = Well Below

Oral Language and RAN = Met Benchmark



Harold

Harold was placed in an intervention due to mCLASS results and participated in the intervention for approximately 6 weeks prior to school closure

The intervention teacher did conduct one virtual lesson per week during school closure and noted Harold was maintaining skills, but was still a little behind in acquiring phonological awareness skills and applying sound-symbol associations to decode words.

1st grade Fall – Harold remained a remote learner and did well in all subjects. Intervention continued and was increased to 2x per week to work on specific phonological skills and reading decoding.

Harold returned full-time to 1st grade in Spring 2021; Intervention increased to 3x per week.



Harold

mCLASS EOY 1st grade:

Letter Names, Phonemic Awareness and RAN = Met Benchmark

Decoding = Well Below

Word Reading = Below (score 24 and Goal 25)

Spelling = Well Below

Harold continued to struggle with decoding skills, but made progress in phonological skills.

Intervention changed in 2nd grade to 3x/week using the Fountas-Pinnell program. At time of referral, Harold was on Level K (slightly behind as should be M by end of school year).



Harold – Testing results

WISC-V FSIQ=102 No processing deficits in any areas (Gc, Gf, Gv, Gsm, Gs)

CTOPP-2

EL=10, BL=12, PI=8 Average Phonological Awareness (BL Nonwords=15)

RDN=11 RLN=11 Average Rapid Naming

Nonword Repetition = 12

KTEA-3

Reading Comp=98, Written Expression=94

Math Computation=116, Math Concepts & Applications=98

TWS = 82

WRMT-III

Word Identification = 87

Word Attack = 98



Harold

- What are your thoughts about Harold?
- What is the potential exclusionary factor to be considered for Harold?
- Does he show attenuated learning gains due to unfinished learning or interruption in instruction?
OR
- Do you think he is SLD?
- What would you do in this case?



