

## IDEA'04 AND SLD

By  
Charles Szasz

IDEA'04 legislation was recently passed by Congress and signed by the President. While this legislation has many implications for special education, the one aspect that is being widely discussed by school psychologists is the inclusion of Response to Intervention or Resistance to Intervention (RTI) model as a possible alternate method for the identification of children with specific learning disabilities (SLD).

While I like the discrepancy model, I recognize that there is a real problem in identifying young children in the first through third grades suspected of having a learning disability. The discrepancy model has been widely criticized as a model that waits for a student to fail before a discrepancy develops. I personally don't think that this is the fault of the discrepancy model but a problem associated with measures of achievement that are currently being used. Achievement tests generally do not have ample "floor" to measure achievement for young children. It is not unusual for a child in the first grade to obtain a raw score of four or five and achieve a first grade reading level. This has been a particular problem with both the Woodcock-Johnson Psychoeducational Battery and the Wechsler Individual Achievement Test, which are the main achievement tests used in West Virginia.

The new Kaufman Test of Education Achievement-Second Edition (KTEA-II) appears to hold much promise of providing a better measure of reading achievement for young children. Although two cases

are not adequate for a scientific study, the KTEA-II was used as a secondary instrument in evaluating first and second grade students after the Woodcock had been administered. The KTEA-II identified reading levels that were below grade level and commensurate with classroom teachers reporting that the students were failing in reading. The low scores on the KTEA-II allowed the students to be made eligible for SLD services. The KTEA-II also provides six additional reading-related subtests such as rapid automatic naming that also aid in the identification of reading problems. Only time will tell how effective the KTEA-II will be in identifying reading problems in young children.

One of the most attractive features of RTI is the early identification and remediation of reading problems in the primary grades. It is hard to dismiss this feature since it provides intensive help to young readers who are experiencing reading difficulties. Research has shown that the early identification of children with reading problems in the first or second grade permits a greater chance of them catching up and reading at grade level. The RTI model forces school personnel to try interventions for an extended period of time, which is

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in contrast to the student assistance team model that is being current used in West Virginia that usually consists of six to eight weeks. The RTI model typically employs 12 to 17 weeks of interventions.

However, many individuals have been very critical of using RTI as the sole means of identifying SLD children for two reasons: validation of interventions that are delivered with fidelity and the omission of intelligence as a factor in determining SLD eligibility.

While there is considerable activity to evaluate interventions as “scientifically based”, the current list of scientifically based interventions is short. The concern that the interventions would not be implement fully is also a strong concern but it is one that can be addressed by requiring documentation (records of student’s responses to interventions) that will hold school personnel accountable for the efficacy of interventions.

The omission of cognitive assessment is the biggest concern expressed by the “giants” of intelligence testing community: Dr. Alan Kaufman, Dr. Jack Naglieri, and Dr. Cecil R. Reynolds. According to Dr. Reynolds, it difficult to leave out cognitive assessment when evaluating learning problems since it accounts for 50% of variance between intelligence and achievement. Dr. Reynolds feels that the omission of intelligence as a criteria is an approach to creating “special educations” for all kids. Thus, the learning disability category would cease to exist and be replaced instead by an underachievement category.

Dr. Kaufman and Dr. Naglieri believe that a comprehensive cognitive assessment would meet the previous and current IDEA requirements that a SLD student *must* have a psychological processing disorder. They feel that using the RTI model without standardized instruments must require relying on inferences regarding the basic psychological processes, rather than objective measurement of these constructs. In view of recent national test results indicating deficient reading and math scores for a majority of children of color, low socioeconomic level, limited English proficiency, and special education status, Kaufman and Naglieri expressed concern that removing objective individual measurement of cognitive processes may increase the likelihood of classification error, as poor academic achievement is likely related to multiple causes, not just a SLD. Dr. Kaufman and Dr. Naglieri strongly believe that practitioners must use standardized intellectual, cognitive, and neuropsychological assessment measures to identify process deficits as well as integrities.

According to Kaufman and Naglieri, identifying a child’s unique pattern of performance on standardized measures not only assures compliance with the new IDEA guidelines, but also allows for recognition of individual cognitive strengths and needs, one of the prerequisites for intervention efficacy.

A possible solution is a hybrid of the two models using RTI for providing interventions and cognitive processing instruments to identify intelligence and processing levels. This would incorporate the advantages of both models while meeting the requirement of a psychological processing disorder required for a SLD. It would also not replace the SLD category with an underachievement category.

The West Virginia SLD committee was recently selected by Dr. Lynn Boyer, West Virginia Director of Special Education, to address these issues. Ψ



## **TREASURER’S REPORT**

**By**  
**Debra Layne,**  
**WVSPA Treasurer**

**G**reetings fellow members and conference attendees! I would like to take a brief moment to let each of you know what a joy it has been for me to have had the opportunity to serve for the past four years as your treasurer. Not only did the position allow me to become more knowledgeable about our organization (e.g., mission/goals, structure), it also allowed me to interact with each of you on a more personal level. Both have been invaluable to me.

As I now serve you as President-Elect (Presidential Term -- July 1, 2005 to July 1, 2006), I say, “Thank you.” Thank you for your support and faith in my abilities to lead and be your voice for our organization. I will continue to work diligently for the future of WVSPA / each of us.

I leave each of you with a charge. I charge you to become an even more active member of WVSPA. This task may be accomplished, not only by serving as

an officer, but by many other avenues as well. If you hold leadership interests, are willing to volunteer time or other resources (no matter how small the amount), possess a skill/area of expertise that you feel would interest others, or would just like to discuss some general information regarding how you may serve WVSPA ... please contact myself or another officer. As we all know, an organization is only as strong as its' members. I have learned, that in our case, that is "doggone" strong! Let's continue the tradition of WVSPA by having another GREAT year! Ψ

## **PUTTING CONTENT INTO CONSULTATION: THE FUNCTIONAL ANALYSIS OF ACADEMIC BEHAVIOR**

**By  
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School psychologists are often asked to help design educational interventions for students. In fact, most referrals made by general education teachers are for children who need academic help (Reschly, 2000). However most of the assessment instruments that school psychologist's use were not designed to be useful for creating academic interventions (National Council on Disability, 1989). An instrument developed by Ysseldyke and Christenson (2000), the Functional Assessment of Academic Behavior (FAAB) fills the need to gather information on the learning environment that will help create effective academic interventions.

The FAAB is designed to help evaluate instructional support elements in both the school and home environments. It can help the school psychologist determine what aspects of the environment can or should be manipulated to enhance a students learning. The scale is based on Ysseldyke and Christenson's research into aspects of instruction that have been shown to positive affect academic skills (Ysseldyke & Christenson, 1987). They identified 23 of these factors: 12 classroom, five home, and six home-school factors.

These critical aspects of instruction can then be targeted for research based classroom or home interventions as needed.

This instrument can be helpful to school psychologists who are looking for ways of affecting student academic performance from an ecological point of view. At Chapman University, we use it to train graduate students in the development of interventions that directly impact achievement. We have chosen this approach because a) most of our students are not teachers and consequently don't have a base of direct instructional knowledge (usually the RSP teacher and speech and language specialist fill that need); b) standardized tests (WISC-IV, WIAT, etc) often do not lend themselves to the development of classroom interventions that improve learning, and c) the FAAB helps evaluate both the conceptual and contextual complexities of the classroom instructional environment. In addition to the help the FAAB gives school psychologists working with teachers, it is very helpful in consultation with parents in that the parent interview covers home supports for learning. The importance family school partnerships are increasingly highlighted in practice and the literature (Pelco, Jacobson, Ries, & Melka, 2000). In addition, it has been demonstrated that academic and behavior improvement can be significantly improved by including the parents in the process (Christenson, Rounds, & Gorney, 1992).

The FAAB provides the school psychologist with a comprehensive process to assess those areas of the student's learning environment that support learning and to then help develop research-based intervention strategies that can be carried out in the school and home. It consists of a series of observations and interviews. The process usually starts with the student and class being observed during a lesson. While observing the student, the school psychologist is also looking for and noting evidence of the 12 components of classroom support for learning. As soon after the lesson as possible, the student is interviewed as to whether he understood the lesson and what difficulties and supports he experiences in the classroom. The psychologist then interviews both the teacher and parents. The teacher interview covers the classroom processes and instructional planning. The parent interview assesses the presence and extent of home supports for learning.

At the conclusion of the observation and interview process, the psychologist can either meet with the parent and teacher or the student study team to develop

interventions based on the presence or absence of the support for learning components. The instrument's manual contains a number of well-researched intervention ideas for each component. These can be used as interventions or the team can generate others. The following case description illustrates the process.

### Case Study

Mary was a fourth-grade student attending a public school in an upper middle class neighborhood. She was referred to the school psychologist for assessment because "she was the lowest in the class academically." An initial review of the past test data showed that she had grade level skills in reading, math, and written communication and would not be a candidate for a special referral.

She was, however, not doing well in her fourth-grade classroom if for no other reason than the level of achievement in this school was consistently above national norms. It was decided to use the FAAB process was (at the time of this case study the older version of the FAAB, The Instructional Environment System II [Ysseldyke and Christenson 1993], was used) as a format for assessing her learning environment from the psychologists, teachers, parent and student perspectives. This was done in the hope of finding areas that could be enhanced in order to improve her academic and classroom performance.

A classroom observation of a math lesson was done using the Observation Record. There was clear evidence of complete instructional planning and well-paced instructional delivery. However, while the monitoring of her understanding of the lesson was consistent with a generally good monitoring of the class as a whole, it was seemingly not enough for Mary. When the teacher checked for understanding, she did not raise her hand, instead she checked with the child next to her several times during the lesson. When Mary was interviewed after the lesson using the Student Interview Record, it was evident that she only partially understood the lesson and believed that she could do it "with help." As she was questioned about this and other classroom assignments, Mary explained that she often did not completely understand the lessons, did not have enough time to complete them and of ten did not do very well in them. She felt it was helpful to have the teacher or the child next to her help in re-explaining the assignment. When questioned about her homework environment she described a somewhat unstructured process with little designated help and accountability. Mary's teacher felt

that Mary's response to the lesson was typical for her in that she needed extra attention to stay on task and in general she displayed poor accuracy and low levels of completion of practice assignments.

Mary's parents were interviewed using the Parent Interview Record. They had been aware of her academic difficulties for several years and had provided private tutoring in reading and writing for two years. The interview revealed possible problems in level of attention, knowing what to do on the assignments, lack of consistent help at home, monitoring of homework and difficulty with follow through on other home responsibilities.

The Instructional Environment Form, and the Home Support for Learning Form were completed by the psychologist to summarize the data and to determine areas of intervention at school and home. The forms ask the rater to determine the level of "presence" of the 12 classroom components and five home components and in the case of the classroom components how important they are to the resolution of the case.

After reviewing the data sources, the areas that needed attention in the classroom seemed to be checking for student understanding (instructional presentation), inadequate drill and practice (relevant practice), an un-stabled system to get help needed (academic engagement time), and alternative ways to complete tasks (adaptive instruction). The areas that needed attention in the home learning environment seemed to be monitoring of homework (discipline orientation), recognition for improvement (home-affective environment), and regular routine for homework (structure for learning).

A joint parent, teacher, and psychologist conference was held to review the findings and plan interventions. It was decided to check her more often for understanding in the classroom, send home a daily homework outline, and check it for understanding before she left school, have a specific time and place for homework, designate one parent each night as the homework helper and focus her private tutor on written communication skills. Other areas of concern on the FAAB were left for future conferences if needed. Weekly conversations with Mary's classroom teacher and a follow-up conference with her parents a month later indicated that both her understanding of her assignments and productivity had improved to the point that both teacher and parents were satisfied with her progress.

The case illustrates a typical use of the FAAB, the assessment of critical aspects of the instructional and

home learning environments and the development of strategies to support the student's learning. These areas are of intervention that is both complimentary to and supportive of the direct instructional interventions that are often provided by other members of the instructional team.

In summary, the use of the FAAB in the evaluation process helps focus the psychologist's evaluation on the critical aspects of the instructional and home environments that have been shown to directly affect school learning and it provides research validated ecological interventions to improve academic achievement. School psychologists should find the instrument very helpful as we are increasingly asked to provide research-based pre-referral interventions for children experiencing academic difficulties in the classroom.  $\Psi$

## **MEDICAL EFFECTS: POST-OTITIS AUDITORY DYSFUNCTION**

**By  
John O. Willis, Ed.D.,**

**P**ost-Otitis Auditory Dysfunction (POAD) is a serious and underestimated cause of multiple learning problems in school children. Despite Boucher's (1986) dramatic findings, the problems of POAD of ten go unrecognized and untreated.

### **Middle Ear Dysfunction**

Episodes of middle ear fluid buildup (serious otitis media) are a common plague of early childhood. Because young children often are not aware of the blockage and because the episodes are not life threatening, many such episodes go untreated or are treated too little and too late. Fluid accumulations may remain, blocking hearing, after any painful and visible symptoms have disappeared. A new episode may begin soon after the previous one and not be noticed. One consequence of these events is that a child may be deprived intermittently and unpredictably of usable hearing during critical stages of language acquisition.

That intermittent and unpredictable hearing loss can, at its worst, interfere with acquisition of basic oral language skills, both vocabulary and grammar. More subtle effects can include deficiencies in auditory per-

ception and development of "phonemic awareness" or the ability to recognize the separate sounds that make up a word, skills that are essential for the development of reading and spelling skills (e.g., Brody, 1994; Stanovich, 1994). Other essential auditory processes may be impaired, such as the ability to hear against background noise and the capacity to sustain listening attention, even when highly motivated.

The central nervous system tends to abandon sensory systems that prove ineffective during critical developmental periods. For example, a strabismus (deviation of an eye off center), causes overlapping, conflicting visual projections in the visual cortex of the brain, which eventually copes by shutting down the input from the "lazy" eye, resulting in amblyopia, a dimness of vision, which cannot be corrected by prescription lenses. This self-destructive reaction is sometimes prevented by patching the straight eye so that the off-target eye is forced to work alone, sending a single, unambiguous projection to the brain. Similarly, intermittent hearing loss can sometimes severely impair development of listening skills. The young child, without knowing why, sometimes is able to hear and understand and sometimes is not. The child begins to learn that hearing is, at best, an unreliable process, and the development of listening skills, auditory attention, and auditory perception is impaired. Attention span and organizational skills may also develop poorly, mimicking Attention Deficit Hyperactivity Disorder (ADHD).

### **Effects of POAD on Academic Achievement**

The impairment of communication skills has many consequences. Not only do auditory, language, pre-reading, and prewriting skills suffer delays, but the child also suffers confusion and embarrassment from

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frequent social misunderstandings. The child is likely to spend considerable time not really understanding what is going on and therefore often saying and doing the wrong thing. Public ridicule is often the lot of the child with middle ear dysfunction, sometimes resulting in extreme shyness. If episodes of fluid buildup continue into the child's school years, the consequences can be especially severe. Confusion, misunderstanding, and embarrassment are exacerbated by difficulties with beginning academic skills. Even if the child no longer suffers from episodes of hearing loss, the problems with auditory perception, phonemic awareness, vocabulary, grammar, listening skills, hearing against background noise, and attention and organization persist, putting the child at risk for school failure and further embarrassment and confusion. Compounding the problem is the evidence that the child can hear, at least some of the time, even if the fluid buildup continues into grade school.

Even very sympathetic teachers find it difficult to believe – certainly to remember – that the child has serious auditory problems, since the child does hear adequately, under ideal listening conditions, between episodes of fluid buildup and after the episodes have finally ceased.

Boucher (1983) used pure-tone and impedance audiometry records to study all of the readiness and primary students with middle ear dysfunction in ten New Hampshire towns. The students whose impedance testing showed evidence of previous otitis, even though they had regained normal hearing, showed double the normal rates of readiness placements, disability identifications, and repeated grades.

### **Ways of Teaching the Student with POAD More Effectively**

The most prudent and helpful approach for teachers is to assume that the student has listening difficulties at all times. Even after the episodes of fluid build-up have long since ended, the continuing problems with auditory perception, phonemic awareness, vocabulary, grammar, listening skills, hearing against background noise, and attention and organization make it wise to work with the student as if the student actually were hard of hearing and as if the student had Attention Deficit Hyperactivity Disorder.

It is helpful to insist that the student sit where the teacher can be seen and heard most easily (not always front-row center, depending on the teacher's habitual

movement in the room). Without further embarrassing the student, you can inconspicuously make frequent eye contact and call on the student when you are certain the student is ready and able to respond.

Visual teaching methods and materials can be extremely helpful. Charts, maps, graphs, diagrams, models, time lines, illustrations, demonstrations, hands-on activities, and role-playing may be effective means of teaching the student and allowing the student to demonstrate mastery of the material. It is essential to evaluate the student's oral and written work for indications that the student is missing some essential skill or piece of information and to remedy those deficits. Students with POAD almost always miss out on key facts and skills, deficits that haunt them as they try to progress through the higher grades. If the gaps are too large or too pervasive to handle with brief instruction, the student may need specific tutoring from you or from the special education department.

If the student struggles with reading, or in the higher grades, reads slowly or inefficiently, the most probable causes are, in order of probability, deficient phonetic word attack skills, limited reading vocabulary, and difficulty comprehending complex written language. You may be able to identify the problem of working individually with the student or you may wish to refer the student for a comprehensive reading assessment. The student may require remedial reading services.

Examine the student's tests and quizzes to see if the student may require additional time or a quieter environment for taking tests. That should not be an automatic response for all students, but may be helpful for some.

Despite your best efforts in class, the student is very likely to miss essential details about assignments, long-term projects, and upcoming events. For the student to derive the full benefit of your instruction, it is essential to check in with the student (or have the student's case manager do so) frequently to be certain the student is aware of what needs to be done. It is highly likely that the student will be too shy or embarrassed to initiate the checking. It is a valuable long-term goal, especially in the higher grades, for students to become independent in monitoring their own assignments and progress. However, that will not happen overnight, and it will not happen without direct assistance from teachers by gradual steps. Simply telling the student to be more responsible or giving failing grades will not overcome the life-long effects of POAD.

Students with POAD often need additional explanations of material that has been presented in class. It is safe to assume that if any of your student with other learning disabilities or ADHD are having difficulty with some of the material, your students with POAD will also be confused, even though they are too shy to ask, are too confused to know what to ask, or are too discouraged to try without encouragement.

It is important to be gentle with students who have POAD. They have spent a lifetime being criticized and yelled at. They need support and encouragement, and most respond very well once they come to believe and trust what may be to them a very unusual and unexpected approach.

Students with POAD present teachers with special challenges and require hard work, but it can also be very rewarding to help a struggling student achieve his or her potential in class. Ψ

## **COACHING: AN EFFECTIVE INTERVENTION FOR UNDERACHIEVING STUDENTS**

**By  
Peg Dawson, Ed.D.**

**W**hen children go to school, we expect them to learn how to read, write and calculate, and to acquire knowledge in subjects such as science, social studies, and literature. We ask them to demonstrate that they have learned academic skills and knowledge in a variety of ways: completing worksheets, participating in class discussions, taking exams, writing papers, and producing projects, reports, and oral presentations. For students to demonstrate learning effectively, they need to draw on another set of skills that is typically not seen as part of the curriculum yet is essential to student success. These skills are called executive skills. Executive skills refer to the cognitive processes required to plan and organize activities, including task initiation and follow through, working memory, sustained attention, performance monitoring, inhibition of impulses, and goal-directed persistence. Youngsters who are deficient

in these skills, especially when they are seen as having average intelligence, are often viewed by both parents and teachers as chronic underachievers.

Youngsters with attention disorders in particular are at risk for school failure because of executive skill deficits, and they are most at risk during the middle school and high school years. At this level, schools place increasing demands on students to organize themselves and work independently. Youngsters with ADHD and executive skill weaknesses have trouble getting started on tasks, get distracted easily, lose papers or assignments, forget to bring home the materials to complete homework, or forget to hand homework in. They may rush through work or dawdle, and they make careless mistakes that they fail to catch. They don't know where to begin on long-term assignments, and they put the assignment off until the last minute, in part because they have trouble judging the magnitude of the task and how long it will take to complete it. Their workspaces are disorganized, and teachers may refer to their desks, backpacks, and notebooks as "black holes."

When they're younger, teachers and parents often rely on two primary strategies to address the problem: 1) environmental modifications, such as modifying assignments, shortening tasks, and using massive amounts of cues and reminders (aka "nagging"); and 2) incentive systems, such as home-school report cards to reinforce appropriate behaviors. By adolescence, however, these supports tend to drop off, in part because they are harder to implement, and in part because they tend to lose their effectiveness. All too often, unfortunately, nothing is put in their place, and students who were able to keep their heads above water through these efforts begin to sink beneath the waves.

While there is a place for continued use of environmental modifications and incentive systems as kids reach adolescence, neither of these approaches actually teaches the specific behaviors students with attention and executive skill deficits need to be successful. This is what coaching does.

Coaching is designed to conform to the developmental needs of adolescence while offering the support underachieving teenagers need to become more independent, successful students. These students are often seen as lacking "goal-directed persistence"—i.e., the ability to forgo immediately pleasurable activities to achieve long-term goals. Coaching is designed to address this problem.

Coaching is a process whereby adults work with students to help them identify long-term goals that are important to them and to make daily plans to help them achieve their long-term goals. With younger teenagers, long-term goals may be goals the student hopes to accomplish by the end of the marking period. With older teenagers, coaches work with students to identify the goals they want to accomplish by the time they complete high school. Examples of marking period goals might be: make the honor roll, earn no grades less than a C, or pass math. An example of a long-term goal for an older adolescent might be: get accepted by the state university, get a job as an auto mechanic, or get into hairdressing school.

Once long-term goals are set, coaches meet with students every day for a short period of time to help them develop a daily plan that is consistent with their long-term goals. Usually this means: 1) reviewing with students their daily homework assignments, upcoming tests, and any long-term projects on the horizon they should begin working on; 2) making a list of tasks that student will work on before the next coaching session; 3) estimating how long it will take to complete each task; 4) placing each task on a specific time schedule; and 5) reviewing the plan to see if there are potential obstacles that might interfere with the student's ability to carry out the plan (e.g., extracurricular activities, home responsibilities, etc.). When coach and student meet for their next session, the session begins with a review of the previous day's plan to see if the student was able to follow it successfully and to troubleshoot if success was not achieved.

The coach can also incorporate into the coaching process mini-lessons to address specific issues such as how to study for tests, how to write a term paper, or how to design and maintain an organizational system. Periodically, the coach and the student refer back to the long-term goal to make sure it is still relevant and to assess whether the student is on track to achieve the goal.

While coaching is not for everyone—particularly with older teenagers, for instance, voluntary “buy-in” to the process is essential for success—it can be a highly effective way to help youngsters not only earn passing grades in school (or better!), but also learn some skills that are critical to successful functioning in adult life.

The coaching process will be described in more detail in a May 20 workshop at the spring conference of WVSPA. Ψ

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# USING THE WISC-IV TO ASSESS STUDENTS WITH A LEARNING DISABILITY: NO CAUSE FOR CONCERN

Reprinted from the Wisconsin School Psychologists Association Newsletter, Fall, 2004

With the release of the WISC-IV in the fall of 2003, anecdotal reports that LD Students' WISC-IV FSIQ scores were much lower than their previous WISC-III FSIQ scores led some practitioners to question the use of the WISC-IV for assessing students with a specific learning disability. Given the concerns reported by some school psychologists, DPI issued a temporary memo in the fall of 2003 telling school psychologists to discontinue use of the WISC-IV for learning disability evaluations. Reports of significantly lower FSIQ scores for children with LD seemed plausible, given that more processing subtests (Digit Span, Letter-Number Sequencing, and Symbol Search) are used in the computation of the WISC-IV FSIQ.

Revisions of intellectual scales, such as the Wechsler Intelligence Scale for Children (WISC), usually produce significantly lower IQ scores than their predecessors (Slate & Saarnio, 1995). For example, studies of the WISC-III (Carolton & Sapp, 1997; Lyon, 1995; Wechsler, 1991) after it was released consistently found its mean FSIQ to be several points lower than the WISC-R FSIQ. Lower IQ scores on revised tests have often been attributed to the Flynn effect, even with LD populations (Truscott & Frank, 1002). Flynn (1999) reported an increase in IQ of approximately three IQ points per decade. Paradoxically, the increasing IQ

of the population results in lower individual IQ scores when norms are updated (Lewis et al., 2004). When IQ scores of children referred for learning disabilities drop, the result can be a lower placement rate, especially when a simple difference or regression method is used to compare IQ to achievement (Gaskill & Brantley, 1996). Among school psychologists, educators, parents, and students, a lower IQ score that prevents placement in special education can be a cause for concern.

Validity studies reported in the WISC-IV Technical and Interpretative Manual (Wechsler, 2003) found the mean WISC-IV FSIQ to be 2.5 points lower than the WISC-III mean in a nonreferred sample of 244. The same study also found the new Verbal Comprehension Index (VCI) to be 2.4 points lower than the VIQ, the new Perceptual Reasoning Index (PRI) to be 3.4 points lower than the PIQ, the new Working Memory Index (WMI) to be 1.5 points lower than the FDI, and the Processing Speed Index (PSI) to be 5.5 points lower than the WISC-III PSI. Given the 12-year span between the norming of the WISC-III and the WISC-IV, the FSIQ difference of 2.5 points could be accounted for by the Flynn effect (Lewis et al., 2004). The manual (Wechsler, 2003) also reports several studies of children with learning disorders. For example, a sample of 56 children with a reading disability obtained a mean FSIQ of 89.1 and composite score profile of PRI>PSI>VCI>WMI. Compared to a matched control group, the largest effect size was for the WMI score of 87 versus the PRI score of 99.8.

The WISC-IV manual does not report any WISC-III-WISC-IV FSIQ comparisons specifically for children with learning disorders. Thus, the primary purpose of this study was to determine how much of a lower FSIQ would be obtained by children with specific learning disabilities. The study also investigated the profile of composite scores for various types of learning disabilities.

## Method

All of the 74 participants were children who were receiving programming for a specific learning disability and were being re-evaluated, in most cases for their three-year reevaluation. School psychologists from five school districts in Wisconsin and three in Minnesota submitted test scores. Most of the subjects (88%) were from a large urban district in Minnesota. The children ranged in age from 8.1 to 16.7 years, with a mean age of 11.8. Grade placement ranged from first through

11th grade, with a mean of 5.8. Except for two Native Americans and one African American, all of the participants were White, and the majority (59%) were males. Each of the three main types of learning disorders was well represented. Thirty-five of the children had a reading disability, 26 had a mathematics disability, and 30 had a written language disability, with many of the children (42%) identified as having more than one of these specific learning disabilities. A matched control group from the WISC-IV standardization sample could not be used because parent level of education was not available.

## Results and Discussion

For the 74 LD subjects, the less than 1 point (.49) difference between the mean WISC-III FSIQ of 92.08 and the WISC-IV FSIQ of 91.59 was not statistically significant. In contrast, the difference between the WISC-IV Verbal Comprehension Index (VCI) and the WISC-III VIQ was significant, but not in the expected direction. The mean WISC-IV VCI of 92.82 was actually 3.40 points higher ( $p<.01$ ) than the WISC-III VIQ of 89.42. There was no significant difference between the WISC-IV Perceptual Reasoning Index (PRI) score of 96.86 and the WISC-III PIQ of 96.66. It was not possible to compare the Processing Speed scores and the new Working Memory Index with the WISC-III FDI because WISC-III PSI and FDI scores were not available. The WISC-IV PSI mean was 92.89 and the WMI mean was 90.49. The standard deviations for the composite scores were mostly in the 11-point range, with a low of 10.6 for the WISC-IV FSIQ and a high of 12.6 for the WISC-IV VCI.

Thus, the concern that most students referred for a learning disability will obtain a much lower FSIQ on the WISC-IV than they would on the WISC-III seems to be unjustified. Of course, the average difference in FSIQ of approximately a half point does not mean that some examinees will not obtain widely divergent scores. In this study the standard deviation of the difference between the two FSIQs was 8.4. WISC-IV FSIQs ranged from 21 points lower to 24 points higher. Twenty-five percent of the subjects had WISC-IV FSIQs that were 7 or more points lower while 21% had WISC-IV FSIQs that were 4 or more points higher.

At first glance, the results seem puzzling. Why would the LD population not experience a decline in FSIQ as predicted by the Flynn Effect and as seen in the general population (Wechsler, 2003)? The answer may lie in the altered structure of the WISC. Past WISC-

R and WISC-III research has consistently found that many children with LD perform poorly on the Information and Arithmetic subtests (Mayes, Calhoun, & Crowell, 1998). Performance on the Information and Arithmetic subtests is related to academic learning and working memory (in the case of Arithmetic). These are usually areas of difficulty for students with a learning disability. Thus, the removal of the Information and Arithmetic subtests from the computation of the new WISC-IV verbal (VCI) may account for the higher verbal score.

A change in the test's structure may also account for the lack of a decline from IQ to PRI. The new PRI subtests require more fluid reasoning than the old PIQ subtests. Students with reading and written language disabilities may have strengths in fluid reasoning that have been untapped by previous WISC versions. Giving more weight to fluid reasoning when computing the PPRI may account for improved scores. However, this may not be the case for students with mathematics disabilities, who tend to perform more poorly on fluid reasoning tasks (Wechsler, 2003). The reduction in bonus points for speed may also account for higher WISC-IV scores than expected.

In contrast to the LD students' stronger performance on VCI and PRI, it appears that their processing composite scores, PSI and WMI, are lower and are accounting for the slight reduction in mean FSIQ that is occurring. The index profile also indicates that many students with a learning disability are going to have significant individual weakness in WMI. The WISC-IV index profile for all types of SLD was PRI>PSI>VCI>WMI, the same profile as that reported in the WISC-IV manual (Wechsler, 2003) for a sample of reading disabled subjects.

Given the current results, one might wonder whether the WISC-III may have been underestimating the general intelligence (g) and learning aptitudes of students referred for learning disabilities. This may have occurred because fluid reasoning was not measured in enough depth and/or because academic skills, math for example, were included in the FSIQ computation. On the other hand, the heavier weighting of working memory on the WISC-IV, which is often a weakness for LD students, may ultimately be shown to result in underestimates of (g) when assessing children with a learning disability.

Despite the limitations of this study, it provides evidence that the WISC-IV is a valid measure of the

intellectual/cognitive abilities of students with learning disabilities. The concern about the WISC-IV producing underestimates of LD students' IQs do not seem to have merit.

Partly in response to the concern raised earlier this year, Psych Corp recently made available tables for computing a General Ability Index (GAI) that is based only on the six VCI and PRI subtests, leaving out the WMI and PSI subtests. Ironically, this method may actually produce a higher estimate of general intellectual ability than a child would have obtained on the WISC-III, given the results of the current study. The other concern about using the GAI is that it leaves out the measurement of working memory, a critical cognitive component for all types of learning. Research (Swanson, 2000) has firmly established that working memory is often a deficit for students with a learning disability. Not measuring it will not only result in an incomplete assessment but may result in a misleading estimate (too high) of the child's overall learning potential. Obviously, more research on the WISC-IV is needed so that practitioners can make informed decisions. Ψ

## **THE DIRECTION OF SECTION 504 FINDINGS**

**By**

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Over the past few years, several trends have emerged from findings and interpretation of Section 504 issues. Historically, Section 504 was contemporary of the original special education legislation in the early 1970's. Introduced as an antidiscrimination act, it was similar in scope to the Civil Rights Act, Age Discrimination Act, and Gender Discrimination Act. Each of these was enacted to prevent discrimination, whether it is due to race (Title VI), age, gender (Title IX), or disability (Section 504), by providing equal access to facilities and programs.

Through its first decade or more, Section 504 had little to do with education. It was most frequently applied in the work place when an otherwise qualified

person was not hired or promoted due to a physical or mental disability or when advancement was blocked by discriminatory practices. OCR was charged with investigating such cases. Section 504 is basically a rider, attached to all federal grants that prohibit discrimination based on disability.

Section 504 moved into public education when the Congress was working on reauthorizing the PL 94-192 (now IDEA, which is being reauthorized again!) and developing the Americans with Disabilities Act. Congress sought input from schools, families, and advocacy groups and there was a push by influential stakeholders to expand the list of disabilities covered under what is now called the IDEA. In addition to learning and mental disabilities, speech, vision, etc... there was a push to include ADD and ADHD as a categorical disability. Of course, the Congress did not add these to the established list. Interestingly, one reason was that ADHD and other disabilities not specified under the IDEA were covered, according to the Congress, under Section 504. This stance by Congress moved Section 504 into the schools.

The IDEA, a funding statute, is administered at the federal level through the Office of Special Education Program (OSEP) within the US Department of Education. It is subject to the federal requirements, which, in turn, are interpreted at the state level. Local districts set policies and procedures in concert with this interpretation. Section 504 is not a funding statute. Every federal grant-acting agency has to comply with 504 regulations. The federal agency most visible to us, as educators, is the Office of Civil Rights. District's compliance with federal IDEA regulations is overseen by the state Department of Education. So complaints involving IDEA issues, say timely evaluations, LRE, etc... are referred to Columbia. There is no state agency for 504. Individual's complaints of discrimination based on disability go straight to the federal level. Section 504 differs from the IDEA in a number of ways. This one, the concept that IDEA complaints must be addressed at the school, district, and state before it reaches the federal level (complainants must "exhaust administrative remedy") differs from a 504 complaint, which can bypass the school, district, and state levels and go directly to the Atlanta or Washington Office of Civil Rights.

Since Section 504 cases have become routine over the past several years, one would expect that most issues have been solved at a practical and judicial level. However, a number of these issues have not been re-

solved. The rest of this article will focus on several recent trends and rulings within the 504 literatures.

"Mitigating factors" have been in the 504 news recently. A mitigating factor is any device or practice that a person uses to reduce or correct the effects of a physical or mental disability. Eyeglasses, hearing aids, medication, use of the school's elevator, etc, could be seen as mitigating factors. To determine 504 eligibility, the team must first determine if a student has a physical or mental disability. We can accept the diagnosis of a professional outside the school although OCR encourages, if not mandates, a school-based assessment and interventions (more of this below). If the student is ruled to have such a disability, the team must then determine if that disability significantly impairs a major life activity. Recently, courts and OCR have allowed that while a student has a physical or mental disability, if the effects of it are mitigated by practices or devices, including medication, the student would not meet the second prong of eligibility; the student would not be protected by 504.

You may be thinking that parents would want to use any method available to assist their child. Districts - cannot require parents to employ mitigating agents. So, even if the impairment due to a physical or mental disability can be reduced (mitigated) and allow the student to function without significant impairment, thereby failing to meet the criteria for eligibility and protection under 504, districts cannot compel parents to enact those agents.

Another trend in 504 is the issue of (over) identification. School psychologist and 504 teams face considerable pressure from parents as well as teachers, to identify children and offer accommodation plans. Because OCR has never operationalized the word "significant," each team must set its own standard. One way to reduce the number of students identified is to work backwards. Look at the accommodations the child needs to have an equal access to programs. If those accommodations are frequently being used by your teachers, including preferential seating, signing homework, home-school charts or behavior sheets, emailing parents when grades drop, then the student may not meet the level of significant impairment which triggers protection. Section 504 was not designed to give children "extra help." Rather it guaranties students' access to programs.

Findings have also helped clarify the issue of time lines under 504. All of us are well aware of the IDEA timelines. Much of our professional time is spent try-

ing to meet these! Section 504 does not specify the number of days allowed between receiving parental permission and testing or between testing and the eligibility meeting. Section 504 uses words such as “timely” and “reasonable amount of time.” A couple of cases are illustrative. One district took 173 days from parental permission to evaluation. 173 days out of 180-day school year is clearly not “timely.” OCR found for the parents. A second district took 58 days to finish an evaluation after obtaining parental permission. The district designed and attempted interventions during these days; OCR found for the district. We can adopt the IDEA timelines for 504 evaluation but we are not obligated to. Those are more restrictive than required by 504 regulations.

A final trend centers around 504 evaluations and re-evaluations. Language in 504 requires an “evaluation.” It has always been clear that a 504 evaluation does not have to be identical to an IDEA evaluation. It could match the type of evaluation used to determine IDEA eligibility just as you could employ IDEA timelines in Section 504 cases. But it does not have to. Year ago, many of us would accept a pediatrician’s note that the child had ADHD and we would develop an accommodation plan. Section 504 requires a school-based evaluation. Again, the outside diagnosis may serve to support the presence of a physical or mental disability. The school team must decide whether a major life activity is significantly impaired. So an evaluation must focus on answering that question. Certainly, IQ tests could be given but checklists, interviews, and review of grades/ tests scores may suffice. OCR wants the school to design such an evaluation.

Related to the idea of evaluation is that of reevaluation. Under the IDEA, at least every three years we have to certify that a student continues to meet classification criteria and is adversely affected; the two components of IDEA eligibility.

Many districts are not reevaluating 504 students. Rather, once a student is classified, only the accommodation plans are updated; the eligibility determination may never be revisited. Section 504 languages specify a reevaluation before a change in placements (sounds like the IDEA). Section 504 requires “periodic reevaluation.” There is a sense that the reevaluation re-establishes the presence of a physical or mental impairment and that the student continues to be significantly impaired in a major life activity. By incorporating this concept in your 504 procedures, you may be able to dis-

miss those who are no longer significantly impaired.

Because of the nebulous nature of some of the terminology in Section 504, it is critical that school psychologists remain knowledgeable of the latest trends and issues. Ψ

## **2005 Southeast Regional Meeting by Tanya Cook**

The 2005 Southeast Regional Meeting of the National Association of School Psychologists (NASP) was held October 29, 30, and 31, in New Orleans, Louisiana. The Southeast Region consists of states to the south and east of us, including Texas. Each year the NASP delegate from each state and that state’s President (or designee) are invited (at the expense of NASP) to attend in order to share the successes and concerns of their organization with other state leaders. This year, our state organization was fortunate enough to be represented by six of our board members: Beverly Winter (NASP Delegate), Angela Madia (President), Debra Layne (President-Elect), Tanya Cook (Treasurer/Membership), Susan Beck (Secretary), and Joann Bragg (Region Representative).

The attendees listened to speakers discuss how to effectively use E-communities, how to be “Effective Leadership for Associations” and Legislative Updates that effect NASP and our state School Psychology Associations. All attendees worked very diligently daily on future planning for our state organization based upon the information obtained at this conference as well as the information that each association brought with them to the conference to share. Ψ

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