Guidance and Instructions for Completing the Specific Learning Disability (SLD) Sample Forms ER-2A, ER-2B and ER-2C

The Department of Public Instruction has created sample forms for meeting state and federal documentation requirements for Individualized Education Program (IEP) team SLD eligibility determinations. The new forms replace old form ER-2 and the SLD Criteria Checklists. The requirements included on these forms go into effect as soon as a school begins using progress monitoring data collected during intensive scientific research-based or evidence-based interventions (SRBIs) to make initial SLD eligibility decisions of public school students, but no later than December 1, 2013. The forms are available in English, Hmong, and Spanish on the DPI website at https://dpi.wi.gov/sped/laws-procedures-bulletins/procedures/sample/forms.. The forms are posted in MS Word. LEAs may make modifications to the model forms to make them meaningful to local staff including changes to the layout of the forms, as long as the forms are substantively similar to the DPI model forms.

Form	Notes
ER-2A	This form includes required documentation for initial
Required documentation for SLD	SLD eligibility decisions for all enrolled public school
– Initial Evaluation	students.
ER-2B	This form includes documentation requirements specific
Required documentation for	to SLD reevaluation
SLD – Reevaluation	
ER-2C	This form may be used only for parentally placed private
Required documentation for SLD	school or homeschooled students. IEP teams may elect to
– Initial Evaluation using	use ER-2A if data meeting the standards are available.
Significant Discrepancy	

Guidance and Instructions for completing these forms are provided on the following pages.

Guidance and Instructions for Completing the Specific Learning Disability (SLD) Sample Form ER-2A Required Documentation for SLD – Initial Evaluation

If #1, #2, and #3 are marked "YES", the student meets the eligibility criteria for the impairment of Specific Learning Disability (SLD). If any item is marked "No", the student **does not** meet eligibility criteria for the impairment of SLD. Prompts for additional information must be completed as appropriate. If such information is addressed elsewhere in the IEP team evaluation report, please reference where the information can be found.

Yes No	1. Inadequate Classroom Achievement. The student does not achieve adequately for his/her
	age/grade-level after intensive intervention.

This section must be completed. Check "Yes" if the student scores at or below the 1.25 SD cut score in any area (81.25 on tests with a mean of 100 and SD of 15). If the test has a mean other than 100 use the SD for the test and determine the cut score. Check each area in which the student met this criterion: Oral Expression, Basic Reading Skill, Mathematics Calculation, Listening Comprehension, Reading Comprehension, Mathematics Problem Solving, Written Expression, Reading Fluency Skills. Check "No" if the student scores above the 1.25 SD cut score. (Note: The IEP team may consider scores within 1 standard error of the 1.25 SD cut score to meet the inadequate classroom achievement criterion, if the IEP team determines the student meets all other criteria). Academic achievement scores must correspond to the area(s) of achievement under consideration.

Data Used to Support Determination:

This section must be completed whether the student did or did not meet this criterion. Provide a summary of the data. This minimally includes the names of tests/subtests and the student's standard scores. Additional information may be appropriate to include such as percentile scores, score ranges, etc. It could also be appropriate to attach the student's test score printout or score chart generated from the test's computer scoring software and note, "see attached scores." Provide additional information if the printout does not include sufficient information for the reader to determine if the student did or did not meet the cut score as per the SLD rule. Including additional summary information such as area(s) of concern in which the student's scores fell above the cut score is recommended.

If the 1.25 standard deviation (SD) requirement was not used to make this determination, provide the reason why valid and reliable standard scores could not be attained and document inadequate achievement using other empirical evidence:

This section must be completed if the IEP team did not use the 1.25 cut score requirement for one or more of the areas of concern. A brief explanation supporting why a valid score could not be obtained is required (For example: Despite several attempts on different days, the student did not maintain sufficient attention during testing to complete the items according to test administration directions). In addition, note the IEP team determination of whether the student does or does not demonstrate inadequate achievement (relative to same age peers) in the area(s) and specify the alternate empirical data used to support the decision. State test scores and anecdotal teacher reports are not sufficient.

Additional Notes (if any):

This section is optional. Any additional notes regarding the student's performance on the
standardized achievement test(s) may be added, such as relative strengths and weaknesses,
comparison to observed classroom achievement, etc.

Yes No 2. Insufficient Progress. The student does not make sufficient progress to meet age or grade-level standards following at least two intensive, scientific research-based or evidence-based interventions (SRBIs) implemented with adequate fidelity and closely aligned to individual student needs. To meet initial SLD eligibility criteria, the student must demonstrate insufficient progress in one or more areas.

This section must be completed. Check "Yes" if the student met this criterion in any area(s) of concern. Check "No" if the student did not meet this criterion in any area.

If "Yes", the response is insufficient in one or more of the following area(s)

In the chart entitled Data Used to Support Insufficient Progress Determination, check each area of concern considered in which the student was found to meet this criterion. Then check the decision rule that applied to the analysis of progress monitoring data leading to the finding that the student met the criterion. Note: On the actual chart, there is a separate row for each area.

The instructional strategies used with the student, including intensive intervention, were applied in a manner highly consistent with the design, closely aligned to pupil need, and culturally appropriate.

The box must be checked to ensure compliance with this requirement. IEP teams may wish to add information about the particular interventions used including names of interventions, dates used, etc., if not documented elsewhere in the report. Districts should put systems in place to ensure SRBIs implemented and Progress Monitoring data collected meet the standards in the rule whenever the data will be used to make an SLD eligibility decision. Information should be

made available to the team as needed to document SRBIs were appropriately implemented prior to the IEP team evaluation meeting. This information can also be included in the "Additional Notes "section below.
The student's parents were informed about the amount and nature of their child's performance data that would be collected and the general education services that would be provided, progress-monitoring data collected, the strategies for increasing their child's rate of learning, including the intensive interventions used, and their right to request an evaluation.
The box must be checked to ensure compliance with these requirements. IEP teams may wish to document the dates and methods of informing the parents. IEP teams may document the interventions provided on the ER-1 under "Previous interventions and the effects of those interventions" or in the "Additional Notes "section below.
Additional Notes (if any):
If not included in other sections, the IEP team may wish to include other information such as the specific SRBIs and Progress Monitoring Probes used, descriptions of student's relative performance during the first and second interventions, how the student's performance during intervention compared to classroom performance in the same areas, etc.
Yes No 3. Exclusionary Factors DO NOT apply. Mark "Yes" if none of the exclusionary factors are the primary reason for the student's inadequate achievement or insufficient progress. Mark "NO" if the student's inadequate achievement or insufficient progress are primarily due to one or more exclusionary factor, and check the factor(s) below. If the student's inadequate achievement or insufficient progress is primarily due to one or more exclusionary factor, the student is not a student with a specific learning disability.
This section must be completed. Check "Yes" if no exclusionary factors apply, or check "No" is one or more factors apply. If "No", check the factor(s) that apply in the list provided on the form.
Additional Considerations (complete whether or not an exclusionary factor applies)—The IEP team considered:
The following items must be completed in all cases whether or not "No" is checked. The IEP team may wish to add additional descriptive information. Elaboration is recommended if any exclusionary factor is found to apply and the student will therefore not meet criteria.
☐ Data demonstrating, prior to or as part of the evaluation, the student was or was not provided appropriate instruction.
The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to provide a summary of the general education instruction provided, particularly if the appropriate instruction exclusionary factor applies. This information can also be included in the "Additional Notes" section below.
☐ Evidence the student received repeated assessments of achievement reflecting student progress.
The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to include a summary of ongoing general education assessments provided as part of general education instruction if not included elsewhere. This information can also be included in the "Additional Notes "section below.
☐ The student's parents were informed of such assessments.
The box must be checked to ensure compliance with this requirement. Additional

The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to

include how the parents were informed of the results of on-going general education assessment as part of appropriate instruction if not addressed earlier. This item may also be addressed in the prior section on Insufficient Progress.

Additional Notes (if any):

This section is optional. The IEP team may wish to provide a summary of information discussed regarding potential exclusionary factors that may be relevant whether or not the student met this criterion. For example, the effect of having English as a second language or cultural differences of a recent immigrant may be relevant. Elaboration is recommended if any exclusionary factor is found to apply and the student will therefore not meet criteria.

ADDITIONAL DOCUMENTATION REQUIRED WHEN STUDENT IS EVALUATED FOR SLD

Relevant behavior noted during observation of the student in his or her learning environment, including the regular classroom, and during intensive intervention, and the relationship of that behavior to the student's academic functioning.

This section must be completed. The IEP team should summarize the observation data collected during the two required observations (or more if student was observed in more than two settings): during general education classroom instruction and during at least one of the required SRBIs. The information should be specific to how the student performed in the area(s) of achievement concern when observed. Information comparing the student's observed learning behavior to other students in the class can be helpful.

Educationally relevant medical findings

	This section must be completed. Check "Yes" OR "No" as appropriate.
	Yes, relevant medical findings, (specify):
	If "Yes" is checked, additional information is required. The IEP team should summarize the relevant medical findings and their effect on the student's achievement, particularly in the area(s) of concern.
	☐ No relevant medical findings.
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The IEP team assures that the decision of whether the child has a specific learning disability was based on information from a variety of sources and not on any single measure or assessment as the sole criterion. Each IEP team participant must sign below and indicate whether he/she agrees with the conclusions regarding whether or not the child is a child with a specific learning disability. If this does not reflect his/her conclusions, then that IEP team participant must also attach a statement with his/her conclusions.

All IEP Team participants must sign and indicated whether they agree or disagree with the SLD eligibility determination. Federal law provides that all participants who disagree submit a statement with their conclusions. Districts cannot require parents to submit such a statement.

Name and title	Signature	Agree or disagree

Additional Notes (*if any*):

The IEP team may wish to include additional information relevant to the eligibility decision here, if not included elsewhere. It may be particularly appropriate to include additional information if the student was not found to meet eligibility criteria to explain why the student was not found eligible and summarize the student's strengths and relative weaknesses.

Guidance and Instructions for Completing the Specific Learning Disability (SLD) Sample Form ER-2B Required Documentation for SLD – Reevaluation

A student who met initial SLD identification criteria and continues to demonstrate a need for special education, including specially designed instruction, is a student with a continuing disability unless the exclusionary factors now apply. If the student no longer needs special education to address needs resulting from impairment, then the student is no longer a student with a disability under Ch. 115, Wis. Stats., and the Individuals with Disabilities Education Act (IDEA). A student continues to be a student with the impairment of specific learning disability (SLD) who needs special education if all items are marked "YES." If information is addressed elsewhere in the IEP team evaluation report, please reference where the information can be found.

This form is used for reevaluations of students previously identified as having the impairment of SLD. If a student was not already identified as having SLD at the time of the reevaluation, and SLD will be considered for the first time, the IEP team should use form ER-2A to document the SLD eligibility decision.

All sections and items on this form must be completed. Check each statement with "Yes" or "No" and provide addition supporting information as noted.

CONSIDERATION OF EXIT CRITERIA AND CONTINUING NEED FOR SPECIAL EDUCATION Yes No The student was previously found eligible as having the impairment of SLD. If "No", the IEP team should consider whether the student meets initial SLD criteria. A box must be checked. The date of determination of previous SLD eligibility may be added here. This information can also be included in the "Additional Notes "section below. Yes No The student does not perform to generally accepted expectations in the general education classroom without specially designed instruction. A box must be checked. The IEP team may wish to include additional information to establish the extent to which the student is meeting general education classroom expectations without specially designed instruction. Examples may include results from assessments of classroom achievement, formal and informal progress data, systematic observation, measures of progress on IEP goals, and summaries of the student's use of accommodations and supports in general education and specially designed instruction needed by the student. Discussion of student performance in relation to same grade peers may be included. This information can be included in the "Additional Notes "section below. Yes No The student continues to need special education to address needs resulting from the impairment of SLD. A box must be checked. The IEP team may wish to provide data about student needs that require specially designed instruction, aids and supports for the student to maintain a reasonable rate of academic progress. Examples may include a summary of the student's success or lack of success in general education classes without additional instruction such as pre-teaching/re-teaching or supplemental specially designed instruction and evidence of need for specific accommodations and supports to complete general education expectations. This information can be included in

the "Additional Notes" section below.

Reason for determination including data used (document on model forms ER-1 Evaluation Report or explain below):

This section must be completed. If information is provided elsewhere on this form or in the evaluation report (such as on sample form ER-1 Evaluation Report) a reference to where the information is provided should be noted here.

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<u>C</u>	CONSIDERATION OF EXCLUSIONARY FACTORS
Mark "NO" ij	y Factors DO NOT apply. Check "Yes" if none of the exclusionary factors apply. If one or more exclusionary factors apply and check the factor(s) below. If one or more the student is not a student with a specific learning disability and is not eligible for attion.
<u>-</u>	eted. Check "Yes" if no exclusionary factors apply, or check "No" if "No", check the factor(s) that apply in the list on the form.
Additional Notes (if any):	
This section is optional. or not one or more exclusion.	Data may be included to support the IEP team decision about whether sionary factors apply.
ADDITIONAL DOCUM	MENTATION REQUIRED WHEN STUDENT IS EVALUATED FOR SLD
	bservation of the student in his or her learning environment, including the regular f that behavior to the student's academic functioning.
collected during general how the student performe	npleted in all cases. The IEP team should summarize the observation data education classroom instruction. The information should be specific to ed in the area(s) of achievement concern when observed. Information observed learning behavior to other students in the class can be helpful.
Educationally relevant medical fir	ndings
Check "Yes" or "No" as	appropriate
Yes, relevant medical fine	dings, (specify):
•	itional information is required. The IEP team should summarize the s and their effect on the student's achievement, particularly in the
No relevant medical findi	ngs.
from a variety of sources and not must sign below and indicate who	ision of whether the child has a specific learning disability was based on information on any single measure or assessment as the sole criterion. Each IEP team participant ether he/she agrees with the conclusions regarding whether or not the child is a child. If this does not reflect his/her conclusions, then that IEP team participant must also inclusions.

All IEP Team participants must sign and indicated whether they agree or disagree with the SLD eligibility determination. Federal law provides that all participants who disagree submit a statement with their conclusions. Districts cannot require parents to submit such a statement.

Name and title	Signature	Agree or disagree

The IEP team may wish to include additional information relevant to the eligibility decision here, if not included elsewhere. It may be particularly appropriate to include additional information if the student was not found to meet eligibility criteria to explain why the student was not found eligible and summarize the student's strengths and relative weaknesses.

Guidance and Instructions for Completing the Specific Learning Disability (SLD) Sample Form

ER-2C Required Documentation for SLD – Initial Evaluation using Significant Discrepancy

This form may only used for initial SLD eligibility determinations for a parentally placed private school or home-schooled student. SRBIs cannot be required for these students. IEP teams may use progress monitoring data collected during SRBIs to analyze the insufficient progress criterion for such students if the data collected otherwise meets the standards in the SLD rule (i.e. data from probes collected at least weekly during two SRBIs implemented with fidelity). In this case, the IEP team would document eligibility using form ER-2A.

If #1, #2, and #3 are marked "YES", the student meets the eligibility criteria for the impairment of Specific Learning
Disability (SLD). If any item is marked "No", the child does not meet the eligibility criteria for an impairment of SLD.
Prompts for additional information must be completed as appropriate. If such information is addressed elsewhere in the
IEP team evaluation report, please reference where the information can be found.

Yes	☐ No	1. Inadequate Classroom Achievement. The student does not achieve adequately for his/her
		age/grade-level after intensive intervention.

This section must be completed. Check "Yes" if the student scores at or below the 1.25 SD cut score in any area (81.25 on tests with a mean of 100 and SD of 15). If the test has a mean other than 100 use the SD for the test and determine the cut score. Check each area in which the student met criterion: Oral Expression, Basic Reading Skill, Mathematics Calculation, Listening Comprehension, Reading Comprehension, Mathematics Problem Solving, Written Expression, Reading Fluency Skills. Check "No" if the student scores above the 1.25 SD cut score. (Note: The IEP team may consider scores within 1 standard error of the 1.25 SD cut score to meet the inadequate classroom achievement criterion, if the IEP team determines the student meets all other criteria). Academic achievement scores must correspond to the area(s) of achievement under consideration.

Data Used to Support Determination:

This section must be completed whether the student did or did not meet this criterion. Provide a summary of the data. This minimally includes the names of tests/subtests and the student's standard scores. Additional information may be appropriate to include such as percentile scores, score ranges, etc. It could also be appropriate to attach the student's test score printout or score chart generated from the test's computer scoring software and note, "see attached scores." Provide additional information if the printout does not include sufficient information for the reader to determine if the student did or did not meet the cut score as per the SLD rule. Including additional summary information such as area(s) of concern in which the student's scores fell above the cut score is recommended.

If the 1.25 standard deviation (SD) requirement was not used to make this determination, provide the reason why valid and reliable standard scores could not be attained and document inadequate achievement using other empirical evidence:

This section must be completed if the IEP team did not use the 1.25 cut score requirement for one or more of the areas of concern. A brief explanation supporting why a valid score could not be obtained is required (for example: Despite several attempts on different days, the student did not maintain sufficient attention during testing to complete the items according to test administration directions). In addition, note the IEP team determination of whether the student does or does not demonstrate inadequate achievement (relative to same age peers) in the area(s) and specify the alternate empirical data used to support the decision. State test scores and anecdotal teacher reports are not sufficient.

Additional Notes (if any):

	on is optional. Any additional notes regarding the student's performance on the
	d achievement test(s) may be added, such as relative strengths and weaknesses,
comparison	to observed classroom achievement, etc.
Yes 🗌 No	2. Insufficient Progress. The student has made insufficient progress based on Significant Discrepancy.
If Yes, the stuareas (check a	ident has a significant discrepancy between ability and achievement in one or more of the following <i>ll that apply</i>).
Oral Expre	
Listening Written Ex	Comprehension Reading Comprehension Mathematics Problem Solving Reading Fluency Skills
"Yes" or "N	No" must be checked. If "Yes" check any area(s) that apply.
Data Used	to Support Determination:
individud ability us correspo achieven	tion must be completed. Include the test name(s) and test/subtest scores from the ally administered standardized assessments of academic achievement and cognitive sed for the regression analysis. Academic achievement scores must directly and to the area or areas of achievement addressed during the evaluation. The same ment scores may be used to determine inadequate classroom achievement (above) and ment portion of this criterion when using the significant discrepancy analysis.
the regression variable patter	on formula was not used to make this determination, the reasons why it was not appropriate to use procedure and documentation that a significant discrepancy exists, including documentation of a m of achievement or ability, in at least one of the eight areas of potential specific learning disabilities apprical evidence.
include of impairme regression variable grading is assessme	tion must be completed if the regression formula is not used. The IEP team may other factors such as test behavior, language proficiency, another interfering ent or the absence of a valid, reliable test for the student's age to document why the on procedure was not used. Other empirical evidence that may be used to establish a pattern of achievement includes curriculum based measures (CBMs), portfolios, rubrics, district developed formative grade level assessments, criterion-based ents, classroom assessments, statewide or district assessments, student work products or informal indicators of achievement.
Additional No	tes (if any):
This sect standard factors th	tion is optional. Any additional notes regarding the student's performance on the lized cognitive ability or achievement test(s) may be added such as student specific hat may have affected performance and relative strengths and weaknesses that may ant for instructional planning.
Yes No	3. Exclusionary Factors DO NOT apply. Mark "Yes" if none of the exclusionary factors are the primary reason for the student's inadequate achievement or insufficient progress. Mark "NO" if the student's inadequate achievement or insufficient progress are primarily due to one or more exclusionary factor, and check the factor(s) below. If the student's inadequate achievement or insufficient progress is primarily due to one or more exclusionary factor, the student is not a student with a specific learning disability.

This section must be completed. Check "Yes" if no exclusionary factors apply, or check "No" if one or more factors apply. If "No", check the factor(s) that apply in the list provided on the form.

Additional Considerations (complete whether or not an exclusionary factor applies)—The IEP team considered: The following items must be completed in all cases whether or not "No" is checked. The IEP team may wish to add additional descriptive information. Elaboration is recommended if any exclusionary factor is found to apply and the student will therefore not meet criteria. Data demonstrating, prior to or as part of the evaluation, the student was or was not provided appropriate instruction. The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to provide a summary of the general education instruction provided, particularly if the appropriate instruction exclusionary factor applies. This information can also be included in the "Additional Notes "section below. Evidence the student received repeated assessments of achievement reflecting student progress. The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to include a summary of ongoing general education assessments provided as part of general education instruction if not included elsewhere. This information can also be included in the "Additional Notes "section below. The student's parents were informed of such assessments. The box must be checked to ensure compliance with this requirement. Additional description is optional, but may be useful to support IEP team decisions. The IEP team may wish to include how the parents were informed of the results of on-going general education assessment as part of appropriate instruction if not addressed earlier. This information can also be included in

Additional Notes (*if any*):

the "Additional Notes "section below.

This section is optional. The IEP team may wish to provide a summary of information discussed regarding potential exclusionary factors that may be relevant whether or not the student met this criterion. For example, the effect of having English as a second language or cultural differences of a recent immigrant may be relevant. Elaboration is recommended if any exclusionary factor is found to apply and the student will therefore not meet criteria.

ADDITIONAL DOCUMENTATION REQUIRED WHEN STUDENT IS EVALUATED FOR SLD

Relevant behavior noted during observation of the student in his or her learning environment, including the regular classroom, and during intensive intervention, and the relationship of that behavior to the student's academic functioning.

This section must be completed in all cases. The IEP team should summarize the observation data collected during the observation of routine classroom instruction. An observation during intensive scientific research-based or evidence-based intervention is not required as intensive intervention cannot be required of parentally placed private school or home schooled students. The information should be specific to how the student performed in the area(s) of achievement concern when observed. Information comparing the student's observed learning behavior to other students in the class can be helpful.

Educationally relevant medical findings

This section must be completed. Check "Yes" OR "No" as appropriate.

Yes, relevant medical findings, (specify):
If "yes" is checked, additional information is required. The IEP team should summarize the relevant medical findings and their effect on the student's achievement, particularly in the area(s) of concern.
No relevant medical findings.

The IEP team assures that the decision of whether the child has a specific learning disability was based on information from a variety of sources and not on any single measure or assessment as the sole criterion. Each IEP team participant must sign below and indicate whether he/she agrees with the conclusions regarding whether or not the child is a child with a specific learning disability. If this does not reflect his/her conclusions, then that IEP team participant must also attach a statement with his/her conclusions.

All IEP Team participants must sign and indicated whether they agree or disagree with the SLD eligibility determination. Federal law provides that all participants who disagree submit a statement with their conclusions. Districts cannot require parents to submit such as statement.

Name and title	Signature	Agree or disagree

Additional Notes (*if any*):

The IEP team may wish to include additional information relevant to the eligibility decision here if not included elsewhere. It may be particularly appropriate to include additional information if the student was not found to meet eligibility criteria to explain why the student was not found eligible and summarize the student's strengths and relative weaknesses.