
Editors' Note

Learning Disabilities and the Individuals with Disabilities Education Improvement Act of 2004

Kudos to the Learning Disabilities Association of American (LDA) for working to save Learning Disabilities in the new special education law! The dedicated and courageous representatives of LDA were successful in saving the field of learning disabilities in the new special education law, the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA, 2004) (Public Law 108-446). In an earlier draft of the new law only one method of identifying students with learning disabilities was formulated. That method is known as the Response-to-Intervention (RTI). Intelligence tests or tests of learning aptitude would not have been used for the process of identifying learning disabilities. Moreover, the use of the discrepancy model of determining a gap between potential for learning and achievement would have been eliminated. Many feared that this action would serve to eliminate the field of learning disabilities. According to some researchers, *Without systematic use of cognitive assessment, the LD construct is on a slippery slope that leads to a bin called 'high incidence disabilities.' It will be the end of LD category* (Fuchs, Mock, Morgan & Young, 2003).

Representatives from LDA went to Washington, D.C. and worked the *Hill* to make their case for keeping learning disabilities. As a result of the persistent, courageous, and energetic work of the Learning Disabilities Association on behalf of children with learning disabilities, the new Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) contains the following statement:

Identifying Students with Learning Disabilities: Schools do not have to use the IQ-discrepancy formula to determine whether or not a child has a learning disability. Schools may use a response-to-intervention model to determine whether or not a child has a learning disability.

Thus, PL 108-446 allows schools to have two ways to identify students with learning disabilities.

In the *response-to-intervention* model, all children considered to be at-risk are in one group and given the same *scientifically-based instruction*. In this model, students with learning disabilities are not identified but are grouped with many other at-risk children, children with mental retardation, children whose native language is not English, children with behavioral problems, and children with other disabilities.

In the *discrepancy model*, children are assessed and diagnosed to determine if they have learning disabilities. In this evaluation process, their aptitude for learning, their current achievement, their learning characteristics, such as psychological processing abilities are all considered in making the diagnosis of learning disabilities.

The Learning Disabilities Association of America should be commended for their dedicated work on behalf of children with learning disabilities.

References

Fuchs, D., Mock, D., Morgan, P., & Young, C. (2003). Responsiveness-to-Intervention: Definitions, Evidence, and Implications for the Learning Disabilities Construct. *Learning Disabilities Research & Practice, 18*(3), 157-171.

Articles in the Issue

The articles in this issue report on some of the important current topics in the field of learning disabilities. We hope you enjoy reading these timely articles.

Effective Intervention for Students with Specific Learning Disability: The Nature of Special Education by Kenneth A. Kavale reports research results on the efficacy of instructional methods for teaching students with specific learning disabilities. The author concludes that it is more effective to emphasize *education* than *special* interventions.

The Curse of High Stakes Tests and High Abilities: Reactions to Wong v. Regents of the University of California by Nancy Mather, Noel Gregg, and Jo Anne Simon explores the legal situation of high functioning individuals with learning disabilities who are seeking accommodations for professional examinations. The authors suggest that to identify the need for accommodations and to provide equal access for individuals with learning disabilities, it is important to consider the manner, condition, and duration of an individual's learning experiences, rather than just simply focus on standardized test scores.

Math Fluency/Calculations: Differences between Children with and without Mathematics Disabilities by Teresa Oettinger Montaini and Lisa Smith reports on a study that examined the performance of one hundred thirty-one fifth graders on timed versus untimed mathematics tests. The educational implications for students with learning disabilities are explored.

Disaggregation: What's Good for the Goose is Good for the Gander: Assessment for NCLB vs. Assessment for Learning

Disability Identification by Miriam Cherkas-Julkowski. compares the policy of disaggregation in the No Child Left Behind Act (NCLB) and in the procedures used in identifying children with learning disabilities. The author concludes that the two procedures are in conflict.

Book Review: Live It, Learn It.. The Academic Club Methodology for Students with Learning Disabilities and ADHD by Sally Smith reviewed by Richard D. Lavoie discusses the unique method, The Academic Club Methodology, of teaching students with learning disabilities used at the Lab School of Washington, D.C.

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