The reader is cautioned that the test results only provide a snapshot of the individual’s overall functioning, and all test scores allow for some amount of error, as reflected by the confidence intervals. In addition, these scores can be influenced by factors such as attitude, medication, motivation, and behavior as well as language, opportunity, and current environment or situation. The examiner utilizes professional judgment in making inferences about the individual’s overall functioning where the test results conflict with historical or observational data.

A student with a learning disability is one who:

(i) Has been determined through a variety of assessment tools and strategies to meet the criteria for a specific learning disability as stated in 34 CFR, §300.8(c)(10), in accordance with the provisions in 34 CFR, §300.307-300.311; and

(ii) Does not achieve adequately for the child’s age or meet state-approved grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving when provided appropriate instruction, as indicated by performance on multiple measures such as in-class tests; grade average over time (e.g. six weeks, semester); norm- or criterion-referenced tests; statewide assessments; or a process based on the child’s response to scientific, research-based intervention; and

(I) Does not make sufficient progress when provided a process based on the child’s response to scientific, research-based intervention (as defined in 20 USC, §7801(37)), as indicated by the child’s performance relative to the performance of the child’s peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or

(II) Exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, such as working memory and verbal comprehension, or between specific areas of cognitive function and academic achievement.

The determination of Learning Disability was based upon the Cross Battery Assessment and Information Processing approach which provides evaluators with the means to make systematic, valid, and up-to-date interpretations of intelligence batteries and to augment them with academic ability tests in a way that is consistent with the empirically supported Cattel-Horn-Carrol (CHC) Theory of cognitive abilities. This approach allows the examiner to conduct assessments that approximate the total range of broad and narrow cognitive abilities more adequately than what is possible with a single intelligence battery. This approach takes into consideration a variety of exclusionary factors that could affect Joshua’s academic performance.