A comparison of New Jersey certification requirements for educational diagnosticians with six other states

Elizabeth O'Neill
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A Comparison of New Jersey Certification Requirements for Educational Diagnosticians with Six Other States

by

Elizabeth O'Neill

A Thesis
Submitted in partial fulfillment of the requirements of the Masters of Arts Degree in the Graduate Division of Rowan University
May 1998

Approved by:
Professor

Date Approved: May 4, 1998
Abstract

Elizabeth O'Neill
A Comparison of New Jersey Requirements for Educational Diagnosticians with Six Other States
Thesis Advisor:
Dr. Stanley Urban
Learning Disabilities

This study compares the New Jersey certification requirements for educational diagnosticians with the requirements of six other states. Child Study Team compositions were also examined. The search was narrowed to six states when interviews with state licensing agencies and state universities did not yield comprehensive information. In order to obtain more in-depth information, the research was conducted via phone interviews with employees from counties within each of the six states. Information received was hand recorded. Raw data was converted to percentages. None of the other six states required additional certification for the educational diagnostician who determines eligibility for special education. The majority of counties surveyed reported that the special education teacher administered the achievement tests. The composition of the Child Study
Teams varied between states and within states.
Mini-Abstract

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This study compares the New Jersey certification requirements for educational diagnosticians with the requirements of six other states. Child Study Team compositions were also examined. None of the other six states required additional certification for the educational diagnostician. The composition of the Child Study Teams varied between states and within states.
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CHAPTER I
THE PROBLEM

Background:

With the passage of P.L. 94-142 in 1975, and its subsequent re-naming and amendments the Individuals with Disabilities Education Act (IDEA) in 1990, states were required to provide all students with disabilities an education. In order to receive federal funding for special education, states had to comply with the requirements of these laws.

Section 300.53 of IDEA (sometimes cited as P.L. 101-476) states that children with suspected disabilities need to be assessed by a multidisciplinary team (Gonzalez). The code does not specify who should be on the team, thus allowing individual states to use their discretion when designing the composition of the multidisciplinary team.

In New Jersey, the currently mandated basic team consists of a School Psychologist, a Learning Disability Teacher/Consultant (LDT/C), a Social Worker, and a teacher. The LDT/C is responsible for administering and interpreting the educational assessment of children.
In addition to aiding the determination of eligibility, the LDT/C also works with teachers in order to help design and implement programs for special education students.

There is no single source of information that describes how each state interprets the composition of the multidisciplinary team that determines eligibility for special education. This study will focus on six states and provide an in depth explanation of which professional discipline is needed to perform this assessment, the state title given to the person, and the certification requirements unique to that position.

Research Questions

Initially twelve states were selected for investigation; however, because a great deal of difficulty was experienced in obtaining information from various states the researcher decided to limit this study to six states so that in depth interviews, surveys and phone calls could be conducted.

1. How have the selected states interpreted the section of IDEA which deals with the composition of the evaluation team?

2. Do the selected state codes specify which member of the team will serve as the educational diagnostician?

3. According to selected state codes, what are the requirements for the member of the team who acts as the educational diagnostician?
4. How do states codes which address the composition of the team which determines eligibility differ from the New Jersey code?

**Importance of the Study:**

This study will provide information regarding how various states interpret the federal code in regards to determining eligibility for special education. We are particularly interested in the certification requirements and title of any member of the team which is concordant with that of the LDT/C in N.J; also New Jersey's interpretation of the composition of the multi-disciplinary team will be compared with the requirements in other states. Thus far, there is no single source of data which provides this information.

**Definitions**

1. Assessment- the systematic process of gathering educationally relevant information in order to make legal and instructional decisions about the provision of special services to students with disabilities
2. Eligibility- the determination made by a multidisciplinary team that a student meets the criteria of manifesting a disability entitling him or her to special education under Federal or State law
3. Specific Learning Disabilities- a disorder in one or
more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, or of environmental, cultural, or economic disadvantage. (P.L. 94-142, 121a.5b(9)
In 1975, Congress passed P.L. 94-142, the Education for All Handicapped Children Act (EAHCA), which required all states receiving federal funds to provide a free appropriate education for all students with disabilities between the ages 3 and 21. The law required each state and locality to ensure that all children with disabilities had the right to nondiscriminatory testing, evaluation, and placement, the right to be educated in the least restrictive environment, due process, and a free, appropriate education (Yell, 1998).

In 1990 Congress reauthorized P.L. 94-142 in the form of Public Law 101-476, the Individuals with Disabilities Education Act (IDEA). The new act included several changes. These changes included a change in the language of the law, including students with autism and traumatic brain injury, each as a distinct category; also a transition plan was required for children age 16 (Yell, 1998).

In addition to the requirements already established by P.L. 94-142, the IDEA added several procedural safeguards
designed to protect students with disabilities. These include the following:

1. Testing and evaluation materials and procedures used for the purposes of evaluation and placement of children with disabilities must be selected and administered so as not to be racially or culturally discriminatory.

2. Tests and other evaluation materials are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so.

3. Tests and other evaluation materials have been validated for the specific purpose for which they are used.

4. Tests and other evaluation materials are administered by trained personnel in conformance with the instructions provided by their producer.

5. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

6. Tests are selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual,
or speaking skills (except where those skills are the factors that the test purports to measure).

7. No single procedure is used as the sole criterion for determining an appropriate educational program for a child.

8. The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

9. The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of suspected disability (Gonzalez, Ahearn, and Osher, 1994).

A study by The National Association of State Directors of Special Education (Gonzalez et al, 1994) was completed in order to compare the Federal and State requirements for determining initial eligibility for special education. The study revealed that there were not many differences between State and Federal regulations with respect to protection in evaluation requirements. The differences in the wording of State and Federal regulations can be characterized as more prescriptive on the part of the states. The areas in which some States provide more specific language than the Federal requirements include the specific individuals considered qualified to administer those assessments, the types of assessments to be conducted.
during the eligibility determination process, and the composition of the team designated to make the decision on eligibility.

A review of learning disabilities definitions and criteria used by state education departments by Mercer, Sears, and Mercer (1990), attempted to compare State definitions for eligibility with Federal code. In regards to identifying students as learning disabled (LD) the authors compared the 1977 Federal code with States' definitions. They found that 39% of the states are using the 1977 Federal definition without modification. Eighteen percent use it with slight variation, 39% use different definitions, and 4% do not use an LD definition.

This difference in criteria between states, may be contributing to the large increase in the number of students who have been identified as learning disabled. A study by Frankenberger and Fronzaglio (1991) attempted to investigate whether states have altered their definitions and/or eligibility criteria for learning disabilities since their last review. In addition, the study attempted to identify if states have specified IQ cut-offs below which a child would not be eligible for LD services, to determine if the types of methods states use to quantify an ability/achievement discrepency varies, and whether an increase in the number of children identified as LD is related to the method or criterion used to quantify an
ability/achievement discrepancy.

The authors found that 40% of the states' guidelines were rewritten or revised between 1988 and 1990. They reported that the criteria some states used were very thorough, while others lacked specific eligibility criteria. They also found that 51% of the states cited the Federal definition mandated by P.L. 94-142 as their definition of LD. The remaining used definitions that varied from that definition.

It was also found that 29% of the states and the District of Columbia required that children diagnosed as LD have IQ scores in the average range. Eight of these states, however, did not define average. Six states and the District of Columbia specified that IQ cutoff scores for LD placement be above the range of mental retardation.

After analyzing the results of types of ability/achievement discrepancy formulas used, the authors found that 23% and the District of Columbia did not recommend a discrepancy method. The standard score method was used by 54% of the states. The regressed standard score procedure was used by 22%. Nineteen percent used the regression formula. the remaining states recommended either the expectancy formula or deviation from grade.

The authors also found that there was a significant relationship between the size of the ability/achievement discrepancy and the annual percentage increase in a states's
LD population. States employing the standard score with regression and regression analysis methods tended to have smaller mean increases than those using either expectancy formulae or standard score comparison. In addition, states that required larger discrepancies between ability and achievement tended to have smaller annual increases in their LD populations.

In conclusion, it would appear that there is wide latitude given to states for interpreting the Federal law pertaining to eligibility for special education. Many states have decided on a near literal adoption of Federal Code as a guideline, while others have explicated the Code, added unique interpretations which are nevertheless, not at variance with Federal special education laws.
CHAPTER III
DESIGN OF THE STUDY

The researcher's initial strategy was to survey relevant published materials. Potentially related literature was examined in the Rowan University Library, the Learning Resource Center in Sewell, NJ, and materials available from the National Association of State Directors of Special Education, Inc. (NASDSE). Also, inquiries were sent to State Departments of Education requesting information regarding the certification requirements for the "educational diagnostician" who functions as a team member in determining eligibility for special education. This inquiry was done in the form of a letter (see Appendix A) and sent to each State Department listed in Table 1.
<table>
<thead>
<tr>
<th>States which received letters</th>
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<tbody>
<tr>
<td>1. Connecticut</td>
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<tr>
<td>2. Maryland</td>
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<tr>
<td>3. Nevada</td>
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</tbody>
</table>

Due to a lack of responses that were readily interpretable the researcher found it necessary to call several state universities in order to conduct phone interviews with Special Education Department Chairs or with professors of Special Education. The universities called are listed in Table 2.
### TABLE 2

**Universities Called**

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<tbody>
<tr>
<td>1</td>
<td>University of North Carolina- Wilmington</td>
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<tr>
<td>2</td>
<td>University of Nevada - Las Vegas</td>
</tr>
<tr>
<td>3</td>
<td>Southern Connecticut State University</td>
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<td>4</td>
<td>University of Maryland</td>
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<tr>
<td>5</td>
<td>Central Michigan University</td>
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<tr>
<td>6</td>
<td>California State University- Bakersfield</td>
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<tr>
<td>7</td>
<td>Chicago State University</td>
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<tr>
<td>8</td>
<td>University of South Florida</td>
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<tr>
<td>9</td>
<td>University of Miami</td>
</tr>
<tr>
<td>10</td>
<td>University of Oregon</td>
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In addition, the researcher called several State Departments of Education in attempt to conduct an interview with a person knowledgeable with the state code for special education. The State Departments called are listed in Table 3.
TABLE 3
State Licensing Agencies

1. Florida                      6. South Carolina
2. Wisconsin                   7. Connecticut
3. Kansas                      8. Maryland
5. Illinois                    10. Ohio

In addition to the phone interviews, this researcher used the Internet to attempt to get relevant information. Using a web site provided by LRC, the researcher looked at information posted by several different states. The researcher clicked on any title that might have information regarding special education law. The states included are listed in Table 4.


<table>
<thead>
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<th>TABLE 4</th>
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<tbody>
<tr>
<td>States Searched via Internet</td>
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<tr>
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</tr>
<tr>
<td>1. Texas</td>
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<tr>
<td>2. Tennessee</td>
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<tr>
<td>4. Virginia</td>
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<tr>
<td>5. Kansas</td>
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<tr>
<td>6. California</td>
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</table>

Since this effort did not yield comprehensive information on the qualifications of educational diagnosticians in various states, as a last resort, the researcher narrowed the study to six states. The intent was to obtain more in-depth information via telephone interviews. The states included are listed in Table 5.

<table>
<thead>
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<td>States Used in Study</td>
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<tr>
<td>---------</td>
</tr>
<tr>
<td>1. Florida</td>
</tr>
<tr>
<td>3. South Carolina</td>
</tr>
</tbody>
</table>

15
The researcher began by using information already received to devise a plan to obtain detailed information pertaining to the six states. Several counties within each state were called and phone interviews were conducted. Phone numbers were provided by two sources: 1) information received by mail from State Departments of Education, and 2) information obtained by additional phone calls to the State Departments of Education. The additional phone calls required the researcher to ask for the names of several counties within the state, and to obtain the phone numbers of Directors of Special Education. Interviews began by asking to speak with the Directors of Special Education, but they were not usually readily available. The researcher then asked to speak to anyone knowledgeable about the Child Study Team composition, and was often referred to speak to a school psychologist.

The interview questions asked are as follows:

1. Who are the members of the team which determines eligibility for special education?
2. Are the members different for different suspected disabilities (i.e. Learning Disabilities, Educable Mentally Retarded, or Communication Handicapped).
3. Which member completes the educational testing?
4. Are there any specific certification requirements for this person? If so, what are they?

This strategy was used in order to assure getting
complete information regarding the research questions. Information was hand recorded. Each county's educational diagnostician will be compared to New Jersey's LDT/C.
Chapter IV
Analysis and Interpretation of Data

Phone calls were made to 20 counties within 6 states. Phone interviews were conducted in order to obtain information in regards to the educational diagnostician who determines eligibility for special education, as well as certification requirements for that position.

Of the 20 counties called, contact was made with only 8. Of the 8 counties contacted, 1 was in Florida, 2 were in North Carolina, 1 in South Carolina, 1 in Virginia, 2 in Nevada, and 1 in Maryland.

Responses from each jurisdiction follow here:

1) Leon County, Florida
   
   Luvinia Latkey, Program Specialist employed by Leon County
   
a) Who are the members of the team which determines eligibility for special education? Members include a school psychologist, program and staffing specialist, school social worker, and a teacher.
   
b) Are the members different for different suspected disabilities? Yes, the team may add a speech pathologist
or an occupational or physical therapist if there is a need.

c) Which member completes the educational testing? The testing is done by a program specialist. She will complete the testing and also interpret the results.
d) Are there any special certification requirements for this person? There is no certification required by the state. Each county decides who will complete the educational testing. In Leon County, the program specialist usually has a bachelor's degree, or a high school diploma with four years of related experience.

2) Cumberland County, North Carolina
   Holly Meggs, School Psychologist employed by Cumberland County
   a) Who are the members of the team which determines eligibility for special education? The team consists of a psychologist, the parent, a special education teacher, the case manager, a regular education teacher, and an administrator.
   b) Are the members different for different suspected disabilities? The team may include a speech pathologist if the suspected disability is a language disability.
   c) Which member complete the educational testing? The county used to have diagnosticians, but they were not as reliable. Today the psychologist does all of the testing.
d) Are there any specific certification requirements for this person? If so, what are they? The person completing the educational testing must be a licensed school psychologist.

3) Forsyth County, North Carolina

Camille Blackburn, Program Specialist employed by Forsyth County

a) Who are the members of the team which determines eligibility for special education? The IEP Committee's composition is in accordance with Federal regulations, and adds members as needed.
b) Are the members different for different suspected disabilities? The team composition changes depending on the needs of the child.
c) Which member completes the educational testing? The special education teacher does most of the testing, The guidance counselor does some occasional testing.
d) Are there any specific certification requirements for this person? If so, what are they? No special certification is required other than a special education teaching certificate.

4) Easley, South Carolina

Lana Todd, Psychologist employed by Easley County

a) Who are the members of the team which determines eligibility for special education? The team consists of the parent, psychologist, administrator, guidance counselor, regular
education teacher, and special education teacher.
b) Are the members different for different suspected
disabilities? A speech pathologist is added if there
may be a speech and language problem.
c) Which member completes the educational testing? The
educational testing is done by a special education teacher
or guidance counselor.
d) Are there any specific certification requirements
for this person? None beyond special education certification.

5) **Fairfax, Virginia**

Lisa Latall, Educational Diagnostician employed by Fairfax
County

a) Who are the members of the team which determines
eligibility for special education? The members of the
team are the school psychologist, a social worker, the
special education teacher, and the parents. For children
under 6 years of age, an educational diagnostician is
added to conduct the educational assessment.
b) Are the members different for different suspected
disabilities? Members are added if it is determined that
they are needed.
c) Which member completes the educational testing? For
children over the age of 6, the achievement tests are
given by either the school psychologist or the learning
disability teacher. For children under age 6, the testing
is done by an educational diagnostician.
d) Are there any specific certification requirements for this person? If so, what are they? If it is a child over age 6, no additional certification is needed. Learning disabilities teachers receiving training for administering achievements tests during their college experience. For children under age 6, the educational diagnostician must have a degree in preschool handicapped. Usually, this person also has a speech background. There are no state requirements for this person, however, and it varies by district.

6) **Prince George's County, Maryland**

Laurie Bassan, School Psychologist employed by Prince George's County

a) Who are the members of the team which determines eligibility?

The team consists of a social worker, special education teacher, school psychologist, and the parents.

b) Are the members different for different suspected disabilities? Sometimes the nurse or a reading specialist becomes part of the team if it is deemed necessary.

c) Which member complete the educational testing? The special education teacher does the assessment.

d) Are there any specific certification requirements for this person? If so, what are they? No, all special education teachers are trained in college to give achievement tests.
7) Minden, Nevada

Dr. Richard Axmear, School Psychologist employed by Minden County

a) Who are the members of the team which determines eligibility for special education? The team consists of the members named in the federal code: a parent, special education teacher, a school psychologist, a regular education teacher, and an administrator.

b) Are the members different for different suspected disabilities? Yes, sometimes a nurse or a physical therapist or occupational therapist is added to the team.

c) Which member completes the educational testing? It varies. Usually the special education teacher does the educational testing. In the high school, a psychological assistant does the testing. In both instances, the school psychologist does the interpretation.

d) Are there any specific certification requirements for this person? If so, what are they? Teachers learn to give the tests during their teacher training program. Usually, the psychological assistant is trained by the school psychologist.

8) Carson City, Nevada

Judy Lowther, Administrative Secretary to the Director employed by Carson City

a) Who are the members of the team which determines eligibility for special education. The team is
multidisciplinary and includes a special education teacher, school psychologist, and a regular education teacher.
b) Are the members different for different suspected disabilities? No.
c) Which member completes the educational testing? For an annual review, the educational assessment is done by an instructional aide. For a reevaluation, the testing is done by a special education teacher.
d) Are there any specific certification requirements for this person? If so, what are they? The instructional aides receive training from the district.

**Analysis:**

**Team Composition**

1. Of the counties surveyed, 100% included the school psychologist in their assessment team.
2. Only 50% of those surveyed included a school administrator.
3. Parents were included in 63% of the teams.
4. A school social worker was included in 38% of the teams.
5. A guidance counselor was included in 25%.
6. A special education teacher was included in 88% of the teams.
7. Regular education teachers were included in 50% of the teams surveyed.
8. A case manager was included 13% of those surveyed.
9. A program specialist was included in 13%.
10. An educational diagnostician was included in 13%.
11. Of those surveyed, 88% stated that additional members are added to the team if the suspected disability warrants an additional member.

Special Certification:
Of the 8 counties surveyed, none of the counties required the educational diagnostician to have any additional certification requirements.

Member who conducts the testing
1. Of the 8 counties surveyed, 25% stated that the school psychologist was responsible for at least some of the testing.
2. Special education teachers conducted at least some of the educational testing in 75% of the counties surveyed.
3. Guidance counselors were responsible for at least some of the educational testing in 25% of those counties surveyed.
4. Instructional aides or assistants were responsible for at least some of the testing in 25% of the counties surveyed.
5. Twenty five percent of the counties used other members of the faculty to administer at least some of the educational testing.
Comparison to New Jersey Learning Disability Teacher/Consultant:

In New Jersey, a LDT/C is responsible for the educational assessment of students in order to determine eligibility for special education. The LDT/C receives certification from the state and is a mandated member of the Child Study Team. Of the 8 counties surveyed, not one required the educational diagnostician to have any additional certification.
CHAPTER V
SUMMARY, CONCLUSION, and DISCUSSION

Summary

The role of the New Jersey Learning Disability Teacher/Consultant is unique to New Jersey. None of the other six states had a comparable position on their Child Study Team.

The educational testing was performed by an array of school personnel. Overwhelmingly, the educational testing was completed by a special education teacher. In several counties, the school psychologist performed the testing, and in one county, an instructional aide administered the test while others stated that a school guidance counselor gave the tests.

All of the counties interviewed stated that the member of the team who performed the educational testing had received some training. If the special education teacher was the administrator, then he was trained to administer the test during his college training. School psychologists also were trained during their college or graduate school training. The instructional aides were trained by the school. However, of all of those mentioned, none needed
to obtain any other special certification for administering the educational testing.

Conclusion

From the results of this study, it can be concluded that states are allowed wide latitude in interpreting the Federal Code as it pertains to educational testing. The Federal Code only stipulates that the testing be conducted by "trained personnel" but does not specify certification requirements for those doing the actual testing.

In addition, not only is there variation between states, there is also variation within states. It can be concluded that in the state codes included within the scope of this study the member of the Child Study Team who will be responsible for administering the educational tests is not specifically identified.

Discussion

New Jersey's special education code states that a Learning Disability Teacher/Consultant perform the academic testing on children suspected of being eligible for special education. The LDT/C is required to have training in administering the tests, and receive a license from the state. The fact that other states surveyed did not have such stipulations in their state code may be an indication that these states do not recognize the importance of properly administering and interpreting the results of academic tests used to determine eligibility for special education.
Many of the counties surveyed stated that the school psychologist administered the academic tests. School psychologists are not teachers, and may not have backgrounds in education. It seems inappropriate for them to interpret the results of these tests without having an in-depth knowledge of the scope and sequence of the skills being measured.

The results of these achievement tests are extremely important because they supply necessary information for determining eligibility for special education. It is disturbing to learn that these states do not require any special certification for the person who, along with the other members of the team, will be responsible for determining whether or not a child qualifies for special education.

Suggestions for Further Study

Several intriguing questions arose in light of these findings. For example, which tests are considered "educational"? Which tests are teachers or teacher's aides allowed to administer? Do these individuals receive training in the standardization requirements if the tests are administered on a norm referenced basis? The numbers obtained from test scores often require interpretation of learning theory in order to be meaningful. Do certification requirements for general special education teachers and/or aides contain competencies in these areas?
of technical and professional skill? What are the training requirements when aides are allowed to administer standardized, norm referenced tests?

The criticism that individuals on Child Study Teams, as they function in all states, are merely "gatekeepers" into special education and that all children with special needs, with no consideration for special testing to determine eligibility, should be served, may be justifiable but for the wrong reasons. Perhaps the quality of diagnostic testing is so poor that it does not make a difference in quality of services provided.
Appendix A

113 Redman Ave.
Haddonfield, N.J. 08033
November 1, 1997

Teacher Standards and Practices
630 Center St. N.E. Suite 200
Salem, OR, 97302-0320

To Whom It May Concern:

I am currently enrolled in a M.A. program in Learning Disabilities in N.J. I will be certified as a Learning Disability Teacher/Consultant, and as such will be part of the team which determines eligibility for special education.

I am requesting information as to whether there is a comparable position in your state. I would like to know who determines eligibility for special education, and what certification requirements are needed. I am considering moving to your state and this information would be useful.

Thank you.

Sincerely,

Elizabeth W. O'Neill
REFERENCES


