

Regulation of Assessment Accommodations for Specific Learning Disorder of Reading and Written Communication and Mathematics for Students with mother-tongue English and resident in Germany

Introduction

A complex assessment situation confronts those primary and secondary school students with English mother-tongue, resident in Germany, and at-risk of having a specific learning disorder (e.g., dyslexia and or dyscalculia) affecting their acquisition of literacy skills. The complexity derives from the interaction between state legislation on equal opportunity for those with impairments, national and local education services, and health services. Without listing the various State laws and differences here, the first step in the pathway is the realisation that an individual child is at risk of having a specific learning disorder (SLD). The implementation of state equality law occurs within the educational systems and their institutions where number and literacy skills are acquired during the first years at school. This means, for the individual student whose literacy or number skills are not progressing at an average rate, the school is initially responsible for the referral for an assessment of special educational needs. There are a number of variables involved which at this stage can affect the diagnosis of SLD and the recognition of a need of special educational provision and access to assessment and accommodations. These include agreement on the SLD definition together with the associated diagnostic criteria included in the diagnostic procedure, the recognition of which professionals are deemed qualified to diagnose SLD, and, importantly, the accommodations associated with the diagnosed SLD. These variables are modified by interactions between (i) the situation and educational characteristics of the individual student, (ii) regional educational school authorities, (iii) inland and foreign examinations boards setting qualification examinations and (iv) professional health services.

The scope of this paper is confined to the regulations for access to accommodations granted for students who are resident in Germany, firstly,

with mother tongue English, educated in mother tongue, taking English examination administered from an English or American examination board,

and, secondly,

with mother tongue English, educated in German and English (CLIL, Bilingual curriculum) taking German examinations and/or English examinations.

The paper begins in section 1 with the situation of the student. Section 2 will explain the current definition of SLD, and the key section 3 will go through the diagnostic assessment procedure and criteria, including which institutions are accredited with carrying out the assessment, the requirements of the examining boards, and their policy for awarding assessment accommodation. In a final section 4, a checklist for different scenarios will be formulated.

1. Student situations

Individual characteristics of students at risk for SLD can be described in terms of spoken language and type of education attended in Germany. Possible different situations for the student with mother tongue English include:

1. educated in English language in State or International school, taking English examination administered from an English language based or American examination board.
2. educated in German language in German State or private school system, taking German examinations.

3. bilingual in another language, educated in German and English languages (CLIL, Bilingual curriculum) in state or private German schools, taking German examinations and English examinations.

The case 1 describes the situation for most students in international schools in Germany. It follows that the regulations regarding the degree of special educational provision will be governed by the school commitment and state license, and access to assessment accommodations will be regulated by the inclusion requirements of the examining board respective to the chosen qualification sought.

The case 2 represents the situation of students with migration backgrounds who are educated within the German education system. Diagnosis of these students is regulated by the German combined regional school and health services. This will not be covered further as it is addressed by the BVL¹ and Lenhard, W., & Lenhard, A. (2018)² and local school psychological services.

The case 3 requires that multilingual students who are considered at risk for SLD adhere to the diagnostic procedures of the local German school and health systems and in addition, if taking any non-German qualification examinations, the regulations for awarding access accommodations of the respective examination board.

Each of these cases has a procedural path which is illustrated in Fig 1 and described in detail in the following text.

¹ Diagnostik und Behandlung von Kindern und Jugendlichen mit Lese- und / oder Rechtschreibstörung <https://www.bvl-legasthenie.de>

² Lenhard, W., & Lenhard, A. (2018). Diagnostik von Lesestörungen bei Mehrsprachigkeit. *Lernen und Lernstörungen*, 7(3), 159–169. <https://doi.org/10.1024/2235-0977/a000212>

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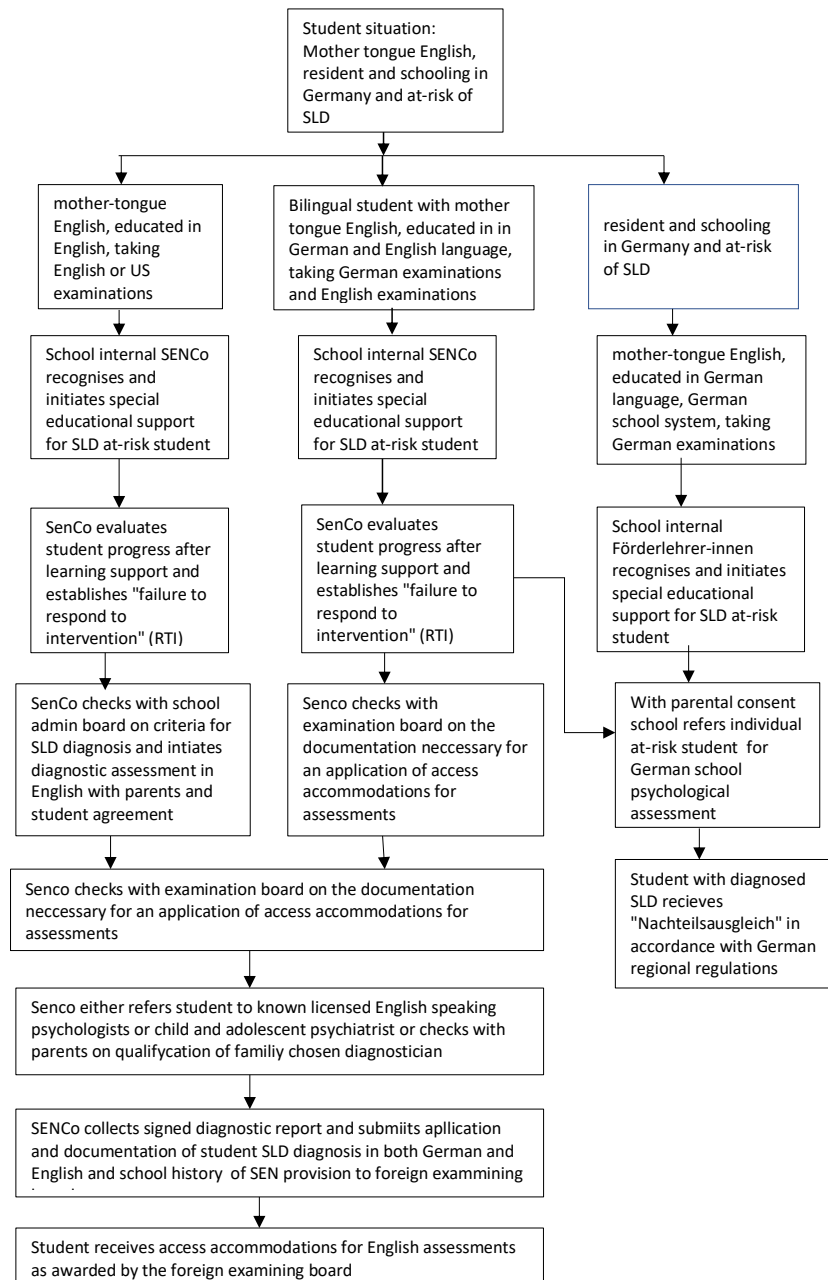


Figure 1: Paths to obtaining access accommodations

2. Definition of Specific Learning Disorder SLD

For the cases 1 and 3 the necessary diagnostic procedure for primary and secondary school students is formalised in two systems, the DSM-5 (USA)³ and the ICD-10-GM (WHO)⁴. These

³ American Psychiatric Association. (2013). *Diagnostic and statistical manual of mental disorders* (5th ed.). Arlington, VA: Author.

⁴ World Health Organization. (2018). *International classification of diseases for mortality and morbidity statistics* (11th Revision). Retrieved from <https://icd.who.int/browse11/l-m/en>

manuals contain descriptions and symptoms for all known occurring illnesses including mental illnesses. They list criteria for what symptoms must be present, how many, and for how long, as well as which conditions should not be present, in order to qualify for a particular diagnosis. The disorders referred to as specific learning disorders are a subset within the section referred to as Mental, Behavioral and Neurodevelopmental disorders. Co-occurring disorders (e.g., ADHD and ASD) are regarded as frequently accompanying disorders and should be reported. Currently the two systems differ in details due to the time gap between the revision of the DSM-IV to DSM-5 in 2013 and the revision of the ICD-10 to ICD -11 in 2018. In the international schools it is usual to adhere to the DSM-5 diagnostic procedure and the specifications for awarding specific access accommodations required by individual examining boards (e.g., IBO⁵ and US College board⁶). The British examination boards may still allow the WHO ICD-10 System.

The DSM-5 definition

SLD is conceptualized as a Neurodevelopmental Disorder in a single overarching category. The eliminated IQ-achievement discrepancy criterium of DSM-IV is replaced by 4 criteria:

- Persistence of symptoms for at least 6 months despite focused intervention
- Low scholastic achievement causing significant impairment
- Age at onset in school-age years (may manifest fully later)
- Not attributable to Intellectual Disorder, uncorrected visual or auditory acuity, other mental or neurological disorders, psychosocial adversity, lack of proficiency in the language of academic instruction, or inadequate instruction

DSM-5 diagnostic code 315.00, Specific Learning Disorder with impairment in reading, includes possible deficits in:

Word reading accuracy

Reading rate or fluency

Reading comprehension

Note also, dyslexia is commonly used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities.

DSM-5 diagnostic code 315.2, Specific Learning Disorder with impairment in written expression, includes possible deficits in:

Spelling accuracy

Grammar and punctuation accuracy

Clarity or organization of written expression

DSM-5 diagnostic code 315.1, Specific Learning Disorder with impairment in mathematics, includes possible deficits in:

Number sense

Memorization of arithmetic facts

⁵ <https://www.ibo.org/programmes/diploma-programme/>

⁶ College Board <https://account.collegeboard.org/>

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Accurate or fluent calculation
 Accurate math reasoning

DSM-5 includes severity specifiers to guide clinicians in rating the severity, frequency, duration, symptom count, and likely amount of support required to optimize functioning.

WHO system ICD-10/11.

The ICD-11 definition:

Specific developmental disorders of scholastic skills

Developmental learning disorder with impairment in reading

Developmental learning disorder with impairment in reading is characterised by significant and persistent difficulties in learning academic skills related to reading, such as word reading accuracy, reading fluency, and reading comprehension. The individual's performance in reading is markedly below what would be expected for chronological age and level of intellectual functioning and results in significant impairment in the individual's academic or occupational functioning. Developmental learning disorder with impairment in reading is not due to a disorder of intellectual development, sensory impairment (vision or hearing), neurological disorder, lack of availability of education, lack of proficiency in the language of academic instruction, or psychosocial adversity.

Developmental learning disorder with impairment in written expression

Developmental learning disorder with impairment in written expression is characterised by significant and persistent difficulties in learning academic skills related to writing, such as spelling accuracy, grammar and punctuation accuracy, and organisation and coherence of ideas in writing. The individual's performance in written expression is markedly below what would be expected for chronological age and level of intellectual functioning and results in significant impairment in the individual's academic or occupational functioning. Developmental learning disorder with impairment in written expression is not due to a disorder of intellectual development, sensory impairment (vision or hearing), a neurological or motor disorder, lack of availability of education, lack of proficiency in the language of academic instruction, or psychosocial adversity.

Specific disorder of arithmetical skills

Involves a specific impairment in arithmetical skills that is not solely explicable on the basis of general mental retardation or of inadequate schooling. The deficit concerns mastery of basic computational skills of addition, subtraction, multiplication, and division rather than of the more abstract mathematical skills involved in algebra, trigonometry, geometry, or calculus.

3. The Diagnostic Procedure

The background of recognizing what constitutes a specific learning disorder and who can diagnose a student is different in different countries. In Germany the normal route is a referral from the attended school to the local education authority, i.e., the school psychologist, and this is also the case in the US and the UK. Parallel to this a student who is seen and diagnosed by a child and adolescent psychiatrist or psychologist in the external health services ~~and receives a diagnosis~~ will only receive the relevant educational provision and access

accommodations after the school psychological services have verified the specific educational need.

The definitions of both the DSM-5 and the ICD-10/11 for a SLD have the following diagnostic criteria which shall be investigated for an individual student:

1. *significant and persistent difficulties in learning scholastic skills*
2. *is markedly below what would be expected for chronological age*
3. *is markedly below what would be expected of their level of intellectual functioning*
4. *persistent difficulty results in significant impairment in the individual's academic or occupational functioning*
 - a) *is not due to a disorder of intellectual development*
 - b) *is not due to a disorder of sensory impairment (vision or hearing)*
 - c) *is not due to a neurological disorder*
 - d) *is not due to a lack of availability of education*
 - e) *is not due to a disorder of lack of proficiency in the language of academic instruction*
 - f) *is not due to psychosocial adversity*

This necessitates:

- i) A report from the educational institution as to the relative progress of the student with reference to criteria 1, 2, 3 and 4.
- ii) A diagnostic procedure which includes a detailed developmental history taken from the student's family or primary carer, and includes the exclusion criteria d, e and f.
- iii) The diagnosing professional has to administer a psychometric procedure of cognitive ability to rule out the disorder of intellectual development, and psychometric tests standardized for a same aged, same mother tongue population assessing the relevant academic skill (reading, writing and/or arithmetic) in reference to criteria 2 and 4a.
- iv) A hearing and sight examination within 6 months of the investigation must rule out sensory impairment.
- v) A statement from the family pediatrician must state the absence of a neurological disorder (criteria c) which would explain the persistent and significant difficulties in acquiring literacy or calculation skills.

For scholars with mother tongue English resident in Germany seeking the above diagnosis there is a language barrier to be surmounted, firstly in the interview and taking of the family history, but also in the availability of the relevant psychometric test instruments in English. This usually eliminates the school psychological services and necessitates finding a child and adolescent psychiatric or psychological practice which offers services in English. The cost of these services is sometimes covered within the health insurance system but depends on the family insurance contract and the license particulars of the professional involved. It would be very useful for families if a list of names and locations of such services were made available through their educational or health care contacts.

The diagnosis of SLD should give the student the grounds for relevant special educational provision during school attendance. But further interaction between the school and the examining boards which regulate the conditions for granting access accommodations for examinations is essential for students aiming for qualification for school leaving certificates for further education in the US or UK systems. The examination boards' regulations differ in aspects of the degree of need and type of access accommodation and as to which professional testimony is accepted. The school must apply to the examination board for the access accommodations needed for individual students and supply the documented grounds for

eligibility. This necessitates an appointed school staff member with the knowledge of and responsibility for this process. The various examination boards publish regulations for access accommodations each year and details are revised. Due to the pandemic in 2020 and 2021 the settings are different to the normal “in person” examinations. In Great Britain the governing board is the Joint Council for Qualifications (<https://www.jcq.org.uk/>), and there is a detailed booklet informing details of access accommodations and the eligibility procedures. It is important to note here that the institution applying for access accommodations for an individual student has to follow the JCQ application procedure. This includes that the documentation submitted includes details of the professional assessing the student and it is stated that *“the assessor should ideally be employed within the centre. Alternatively, the assessor is: employed at another centre, e.g. within an Academy chain; or employed by the Local Authority; or an external assessor who has an established working relationship with the centre or, before an assessment, establishes a working relationship with the centre”*.

The examining board requires that the responsible school professional (in Britain the special educational needs coordinator - SENCo) be careful to consider whether privately commissioned assessments of SLD represent the normal practice of assessment within the school or center. This is to prevent any suspicion of procurement of unfair advantage. It follows that schools in Germany with bilingual curricular or only English instruction entering their student for examinations regulated by the British JCQ should give attention to the diagnostic procedure when applying for access accommodations for students with SLD. The implication is that the schools are advised to employ qualified special needs staff and have established a cooperation with their school psychologist and/or external health service practitioner charged with diagnosing SLD and documenting eligibility for access accommodations.

In the case of the US, the High School Diploma is a state regulated system. More details are to be found in this link: <https://www.ecs.org/high-school-graduation-requirements/>. For students wishing to have their school qualification recognized in a particular state system the route would be via the state involved, i.e., California, New York, etc. The more frequent occurrence is for students with SLD who are in bilingual or international schools in Germany who offer the US high school qualifications to take “advanced placement courses” (<https://www.ecs.org/advanced-placement-policies/>). The AP are regulated by the US College Board (<https://apstudents.collegeboard.org/exam-policies-guidelines>). The school special needs coordinator is required to establish a link to examination details and access documentation via the website <https://accommodations.collegeboard.org/ssd-online/get-access>. There is a list of disabilities with the accommodations available, and the guidelines state that “Because disabilities change over time, documentation must be up to date. In most cases, the evaluation and diagnostic testing should be no more than five years old”. The documentation to be submitted for different disorders is found on the website <https://accommodations.collegeboard.org/documentation-guidelines/accommodations-documentation>. It is important to note that results from the latest versions of diagnostic tests are often a requested part of documentation. A summary of the assessment procedures and evaluation instruments used to make the diagnosis, including a narrative summary of the evaluation results and psychometric test results with subtest scores (standard or scaled scores), must be detailed, specifically stating that the procedure used to diagnose learning disorders should:

- include comprehensive cognitive and scholastic achievement assessments,

- be individually administered,
- be nationally normed and administered under standardized conditions.
- The assessment should include both timed and untimed standard measures if extended time is requested and a test of written expression if a computer is requested including a measure of symptom validity.
- The documentation should provide relevant educational, developmental, and medical history in support of the diagnosis and the functional limitation.

The college board remarks that most learning disorders are diagnosed by psychologists or learning specialists and requires that the school should establish the evaluator's professional credentials. Evaluators must be authorized by the state in which they practice to administer the necessary tests and to diagnose learning disorders. In Germany this would require the equivalent professional license to be stated.

Many International Schools and some bilingual schools in Germany choose to enter their students for the International Baccalaureate (IB) as their school leaving qualification (<https://www.ibo.org>). There is a downloadable pdf available for parents and school staff to explain the IB curriculum and examinations. Accommodation access is explained under section *"Inclusive assessment arrangements are designed to meet candidates' individual needs, such as:*

- *learning disabilities*
 - *language difficulties*
 - *specific learning difficulties*
 - *communication and speech difficulties*
 - *autism spectrum disorders*
 - *social, emotional and behaviour challenges*
 - *multiple disabilities and/or physical, sensory, medical or mental health issues."*
- Any reasonable adjustments for a particular candidate pertaining to his or her unique needs will be considered."*

The further contact and details are made only through the school IB program coordinator (IBPCo). The special educational needs staff work with the IBPCo to apply for inclusive access arrangements for IB examinations. Among the inclusive access arrangements are: extra time, use of a computer, word processing software with and without spell checking software, speech recognition software, use of a scribe or reader and a communicator for candidates with speech and communication difficulties. There is a distinction made between arrangements which do not need IB authorisation and those requiring IB agreement. If inclusive assessment arrangements are necessary for a candidate during the course of their study within the Diploma Programme or practice examinations, the school may provide the arrangements without prior authorization from the IB. If the arrangements are required for the IB assessment examinations, then prior authorization from the IB Assessment centre is mandatory. The application must include a diagnosis of special need which is supported by a psychological document from a psychological/psycho-educational/medical professional, and licensed in the relevant country. Their report must specify the relevant psychometric test results in standard scores from the latest versions of the instruments used. Educational evidence from the school is also required for all requests.

The lengthy and very specific directions for the varied accommodations are deemed by the IBO to ensure that candidates with SLD are able to demonstrate their level of attainment

fairly, and the IB retains the right to deny or change the requested inclusion accommodations accordingly.

4. Check List for candidates with SLD seeking access accommodations

1. During the primary and secondary schooling keep all school and health service documentation relevant to the SLD diagnosis together in a form which is reproducible.
2. Make sure that the professionals involved in the diagnosis of SLD disclose their qualification in the documentation.
3. Any co-occurring disorder should be included in the SLD documentation (e.g. ADHD, ASD)
4. Many scholars at International schools have moved around the world and change schools often, so when school changes occur make sure to disclose the presence of SLD, present the documentation to the school head and make yourself known to the special needs team or coordinator (SENCo).
5. Before re-evaluation of the presence of SLD is due (within 3 + years of the initial diagnosis and always at grade 10 level), contact should be made with an English-speaking professional who can administer the relevant in-date assessment battery. The details have to be checked with the school SENCo so that the results are completed and documented according to the regulations of the examination board to which the application for access accommodations is being applied. It is therefore worth preparing the route during grade 9.
6. If school external evaluation is unavoidable, make sure the school is acquainted with the psychological/psycho-educational/medical professional carrying out the diagnosis in order to avoid any question of validity or seeking unfair advantage. The documented history of the presence of SLD during past school years is important in this context.

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