RtI as Systemic Assistance
Response to Intervention (RtI) is “the practice of providing 1) high-quality instruction/ intervention matched to student needs and 2) using learning rate over time and level of performance to 3) make important educational decisions” (Batsche, et al., 2005). This means using differentiated instructional strategies for all learners, providing all learners with scientific, research-based interventions, continuously measuring student performance using scientifically research-based progress monitoring instruments for all learners and making educational decisions based on a student’s response to interventions.

RtI has three essential components: 1) using a three tier model of school supports, 2) utilizing a problem-solving method for decision-making, and 3) having an integrated data system that informs instruction.
There needs to be quality instruction and intervention delivered to all students in the classroom, as well as in small groups and individually.
Utilizing a Problem-solving Method for Decision-making
Educational decisions made using current meaningful data ... data-based decision-making
Eligibility Within a RtI Framework
Eligibility within a RtI model has been applied to a few different types of disabilities. However, from a regulatory perspective, eligibility is most related to Specific Learning Disability (SLD).
Inclusive Areas of SLD

The child does not achieve adequately for the child’s age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child’s age or State-approved grade-level standards:

- Oral expression
- Listening Comprehension
- Written expression
- Basic reading skills
- Reading fluency skills
- Reading Comprehension
- Mathematics calculation
- Mathematics problem solving
Students who are included for consideration of a SLD are those who do not achieve adequately for their age or meet state-approved grade level standards.

Only those students whose achievement falls below an age or grade-level state standard are eligible for consideration.
Eligibility refers to one of the 13 federal disability categories described in IDEA under which a student may qualify for special education services, based upon the completion of the evaluation process and determination of the identified disability.

Entitlement is a term generally used in conjunction with a student’s right to the provision of special education services based upon the determination that the student qualified for special education services under IDEA.
Within a RtI framework an entitlement decision is a continuation of the problem solving process not the goal of it.

Entitlement decisions are considered when additional resources are needed to sustain or improve the intervention(s) being provided in order to assure FAPE.
Entitlement decisions require evaluating the effects of current and past interventions to determine whether an appropriate instructional plan has been identified and whether the student remains significantly discrepant from peers or educational expectations.
When implementing RtI, the basis for determining a student’s need for special education services shifts from a focus on diagnostic eligibility criteria to a focus on student responses to effective interventions.
I. Documentation of Intervention/Evaluation Results
II. Eligibility Determination
   A. Determinant Factors
   B. Exclusionary Criteria
   C. Inclusionary Criteria
      1. Educational Progress
      2. Discrepancy
      3. Instructional Need
      4. Optional Criteria
      5. Eligibility Determination

Overview of ISBE
SLD Eligibility Criteria
I. Documentation of Intervention/Evaluation Results
   Problem Identification/Statement of Problem
   Problem Analysis/Strengths and Weaknesses
   Plan Development/Interventions
   Plan Evaluation/Educational Progress
   Plan Evaluation/Discrepancy
   Plan evaluation/Instructional Needs
   Additional Information Necessary for decision-making
Multiple Sources of Data

- Box and whiskers and progress monitoring graphs
- Problem Analysis Data/Assessment
- AIMSweb reports - % above and below
- Review of Records, Interviews and Observations of Student
- Treatment integrity checklists, Reading Walk-through
- Scientifically-based curriculum evidence
- Individual/group Instructional Planning Form (IPF)
Evidence of Appropriate Instruction and Assessments

- Evidence of local universal screening/benchmark data that are collected on all students at multiple times during school year
- Evidence of progress monitoring data collected to determine the effectiveness of interventions that were delivered
- Evidence that universal screening/benchmark data and progress monitoring data have been provided to the student’s parents
1. What are the multiple sources of data that demonstrate the student’s performance is significantly discrepant from that of peers or expected standards?
2. How does the individual’s current level of performance compare to that of typical peers or expected standards?
3. What is the magnitude of the discrepancy?
4. How important and significant is this discrepancy? (Meaningful in a practical sense – reliable in a statistical sense)

adapted from Iowa Dept of Ed
Examples:
- Performance on Benchmark Assessment
- Peer performance – comparison based on district assessments
- Criteria for the next educational environment
- Instructional placement standards
- Research standards
- National or local norms, as determined by district
- Measures reflected state, eventually common core standards
- Expert Judgment

- 2 times discrepant or greater is considered significant
  Less than 1.5 times discrepant is NOT significant
  Professional judgment is applied between the two levels
1. What, if any ecological variables contribute to the interventions/accommodations/modifications not enhancing the student performance?
2. What are the individual’s needs in the areas of instruction, curriculum, environment?
3. What are the instructional strategies, accommodations and modifications that will enable the individual’s learning performance to improve?
4. What accommodations and modifications were provided which enhanced the individual’s performance and allowed opportunity to acquire educationally relevant skills?
5. What is the pervasiveness of the area of concern across settings and time?
6. What ongoing, substantial, additional services are needed that cannot be provided by general education?
7. What instructional skills need to be taught?
In order to be found eligible for special education services, a student must:

Demonstrate performance that is significantly below the performance of peers or expected standards (Discrepancy)

Exhibit significant deficiencies in his/her rate of learning based on progress monitoring data (Progress) and

Demonstrate that his/her needs in the areas of curriculum, instruction, and/or environment conditions are significantly different than his/her general education peers (Instructional Need) and, in order to make educational progress, require interventions of an intensity or type that exceeds general education resources.
II. Eligibility Determination

A. Determinant Factors

1. Lack of appropriate instruction in reading, including the essential components of reading instruction,
2. Lack of appropriate instruction in math, or
3. Limited English Proficiency
II. Eligibility Determination

A. Determinant Factors

1. Lack of appropriate instruction in reading, including the essential components of reading instruction,
2. Lack of appropriate instruction in math ...

Three key factors must be examined:

a. Scientifically-based curriculum
b. Implementation integrity
c. Student outcomes
In NCLB, scientifically based research is defined as research that:

* Employs systematic, empirical methods that draw on observation or experiment
* Involves rigorous data analyses that are adequate to test the stated hypothesis and justify the general conclusion
* Relies on measurement or observational methods that provide valid data across evaluators and observers, and across multiple measurements and observations
* Is accepted by a peer-reviewed or a panel of independent experts through comparatively rigorous, objective and scientific review
II. Eligibility Determination

A. Determinant Factors

1&2a. Scientifically-based curriculum:

Include essential components of READING instruction (phonemic awareness, phonics, fluency, vocabulary and comprehension)

Include essential components of MATH instruction (conceptual understanding, procedural fluency, strategic competence, adaptive reasoning and productive response)
II. Eligibility Determination

A. Determinant Factors

1&2a. Scientifically-based curriculum:

Practices and programs that have been thoroughly and rigorously reviewed to determine whether they produce positive educational results in a predictable manner.

Determination is made based on objective, external validation.
II. Eligibility Determination

A. Determinant Factors

1&2b. Implementation integrity:

In order to get the best results (the best student outcomes) the instruction/intervention needs to be delivered in a way that is consistent with the intent and design of the instruction/intervention. The instruction/intervention is being implemented in a manner consistent with the treatment model or the research that produced the practice.

Data Collection

Requirements and Procedures
II. Eligibility Determination

A. Determinant Factors

1&2b. Implementation integrity:

The instruction/intervention needs to be delivered using the correct materials, within the right timeframe, at the appropriate level, and using the correct methods.

A fidelity tool is used to verify that an intervention is being implemented with integrity. The tool or scale has been shown to be reliable and valid.

Data Collection Requirements and Procedures
II. Eligibility Determination

A. Determinant Factors

1&2b. Implementation integrity:

Factors:

- Length of time curriculum in place
- Length of time student was taught the curriculum
- Amount of teacher training
- Degree to which the strategies and materials are used
II. Eligibility Determination

A. Determinant Factors

1&2c. Student outcome data:

State assessment data
Local district-wide assessment data
Local universal screening/benchmark data
Progress monitoring data

Data Collection Requirements and Procedures
II. Eligibility Determination

A. Determinant Factors

3. Limited English Proficiency

*Key factors that need to be examined*

Primary language determination: all students must be screened to determine if their primary home language is other than English. If so, the student’s acquisition of and proficiency in the English language (listening, speaking, reading and writing) must be assessed and considered.

Student outcomes: to rule out LEP as a determinant factor for an individual student, the IEP team should have evidence that the core curriculum is effective for most of the subgroup of students identified as LEP (universal screening data)
II. Eligibility Determination

B. Exclusionary Criteria

*Not due to:*

- visual, hearing, or motor disability
- cognitive disability
- emotional disability
- cultural factors
- environmental or economic disadvantage

* Can use screening data to rule out
II. Eligibility Determination

C. Inclusionary Criteria

1. Educational progress
2. Discrepancy
3. Instructional need
4. Optional criteria
5. Eligibility determination
II. Eligibility Determination

C. Inclusionary Criteria

1. Educational progress (over time)
   - use multiple measures including standardized norm-referenced tests, teacher-made assessment methods, in-class performance
   - use graphs, charts, tables
II. Eligibility Determination

C. Inclusionary Criteria

1. Educational progress

   - progressing at a significantly slower rate than expected

   - making acceptable progress but only because of the intensity of intervention being provided
II. Eligibility Determination

C. Inclusionary Criteria

2. Discrepancy (at one point in time)

- performance is significantly discrepant

- performance is not currently discrepant only because of intensity of intervention being provided
II. Eligibility Determination

C. Inclusionary Criteria

3. Instructional need

- instructional needs are significantly different and exceed general education resources
II. Eligibility Determination

C. Inclusionary Criteria

4. Optional criteria

   - IQ / Achievement discrepancy
State rules allow, in addition to the RtI process, the use of severe ability/achievement discrepancy as part of the evaluation.

Ability/achievement discrepancy is neither required nor sufficient for determining SLD eligibility. If a student is not found eligible through RtI data, then it’s not possible to determine the child eligible based on an ability/achievement discrepancy.

**Illinois Special Education Rules (Part 226.130)**
Federal definition of SLD at 34 CFR 300.8(c) makes reference to “a disorder in one or more of the basic psychological processes,”

Regulations at 34 CFR 300.307 – 300.311 (Additional Procedures for Identifying Children with Specific Learning Disabilities) do not require assessment of psychological or cognitive processing, nor do they require assessment of intellectual ability.
II. Eligibility Determination

C. Inclusionary Criteria

5. Eligibility determination

- Disability adversely affecting educational performance (Educational progress; Discrepancy; Instructional need)

- Special education and related services (specialized instruction required in order for progress to be made and reduce the discrepancy)
Samples of RtI Documentation
Review of Handouts/Examples
1. Documentation of Intervention/Evaluation Results – SLD Overview of information/data chart to include

2. Student Example of Documentation form

3. Confidential Educational Evaluation Report
Potential Issues and Scenarios
Potential Issues of conflict as Identified by District

- Discipline
- Education Placement
- Eligibility of Students for Special Education Services
- Evaluation of Students for Special Education Services
- Other Intervention
- Procedural Safeguards
- Related Services
- Students educational program as set forth in IEP
- Tuition Reimbursement
• What are the issues?

• What relevant information is needed to address this?

• How do you consider RtI into the analysis of the issues?
Scenario 1

- The parents are angry because their child continues to experience significant difficulty in reading and language arts. They believe that RtI has delayed their child receiving important special education services.

- The parents claim they were not informed of their rights prior to their child being referred for RtI.
• The parents are upset because they believe their child’s lack of progress is due to academic interventions that were not connected to the school’s curriculum.

• The parents indicated they were never informed how far behind their child really is.
The parents indicate they were informed that their child’s skills are “really discrepant”. The principal could not help them understand what that means.

The parents talked to another parent whose child was getting special education assistance and do not understand why their child cannot get similar help.

Scenario 3
Scenario 4

- The parents heard RtI is only for students with reading problems. Their child is experiencing behavioral challenges and they don’t believe RtI cannot address this.

- A friend said the school uses PBIS, but that really is not connected to RtI.
• A private therapist indicated the school staff has not comprehensively evaluated the student within its RtI model of assistance.

• An independent private evaluator completed an evaluation which recommends special education services based on disability diagnosis. The school staff believe the student is making progress due to RtI assistance.

Scenario 5