

**Response to Intervention:
New York State
Regulations and
Policy
Framework**

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Response to Intervention and Reading First
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What's All the Buzz About?

Response to Intervention (RtI)

The practice of providing high-quality instruction/ intervention matched to student needs and using learning rate over time and level of performance to make important instructional decisions about an individual student. (NASDSE, 2005)



Why RtI ?

- Provides appropriate instruction for all students
- Promotes early identification of potential problems
- Instruction matched to student need
- Early intervention for struggling learners
- Uses multiple measures of student progress, not measurement at a single point in time
- Data-based decision making
- Can be used as a component of LD determination

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What curriculum areas are the focus of Rtl?

- Most research available in area of reading, especially in the early grades.
- Most students with learning difficulties have problems in the area of reading.
- Rtl can be used in other content areas and for behavior.

Principles of Rtl

- System wide school approach
- Prevention and Early identification
- Universal Screening



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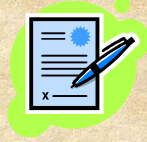
Principles of Rtl, cont.

- Multiple tiers of intervention
- Progress monitoring
- Decision making process
- Design of service delivery model

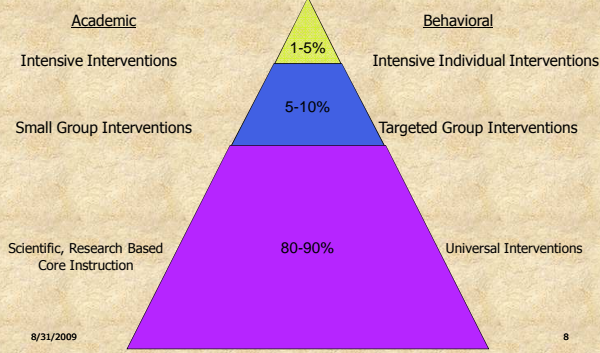


Principles of Rtl, cont.

- Parent involvement
- Fidelity of implementation
- Professional Development



Schoolwide Systems



Systemwide School Approach

- Systemic service delivery system whose goal is achievement of all students
- Leadership
- Collaboration
- Identification of current support systems to support Rtl (e.g., PBIS)

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Special Considerations

- Culturally and linguistically responsive instruction
- Upper elementary, intermediate and secondary students
- Limited English Proficient/English Language Learners

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Tools to Guide Implementation

- School readiness survey
- Identification of screening tools
- Identification of research based reading instruction
- Decision-making process – problem solving or standard protocol
- Implementation of a multi-tiered process
 - Determination of cut-off points
 - Progress monitoring and analysis of data
 - Determination of appropriate interventions

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Professional Development

- Collaboration between general and special educators
- Changing roles
- School leadership
- Data gathering and data analysis
- Identifying appropriate research-based instruction/interventions

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IDEA Requirements

Procedures to determine LD through RtI (or similar approach):

- Evaluation
- Data-based progress
- Student observation
- Written Report
- Group determination of disability



*IDEA 2004 promotes use of RtI process and allows for use of up to 15% of IDEA funds for early intervening services.

Regulatory Amendments

(See final slides for specific regulatory language)

- Part 117
- Part 100
- Part 200



Effective on July 1, 2012 a school district must have an RtI process in place, as it may no longer use the severe discrepancy between achievement and intellectual ability to determine that a student in grades K-4 has a learning disability in the area of reading.

Collaborative Effort

- Internal SED Workgroup
 - VESID and P-16:
 - Reading First
 - Regional School Improvement
 - Bilingual Education
 - Curriculum and Instruction and Instructional Technology
 - External Stakeholders

Next Steps

- Promote district implementation of response to intervention programs
 - In 2008-09, funded a State Technical Assistance Center on Response to Intervention (Rtl)
 - Issued an RFA to award grants to 14 school districts to develop Rtl programs – due July 17, 2009
http://www.vesid.nysed.gov/grant_procurement_opportunities/rfa08028.htm
 - Will be issuing school district guidance document and parent's guide

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NYS Rtl

Technical Assistance Center

Contract:

Awarded to Buffalo State College

5 year period: January 2009-December 2014

Mission:

Support capacity-building efforts of NYS schools to implement proven and promising practices within a Response to Intervention model

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Rtl

Technical Assistance Center Goals Indirect Services:

- Compile/disseminate relevant & useful information, resources, and tools relative to Rtl
- Provide indirect technical assistance (TA) & professional development (PD) to NYS schools on Rtl-related topics

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Rtl

Technical Assistance Center Goals

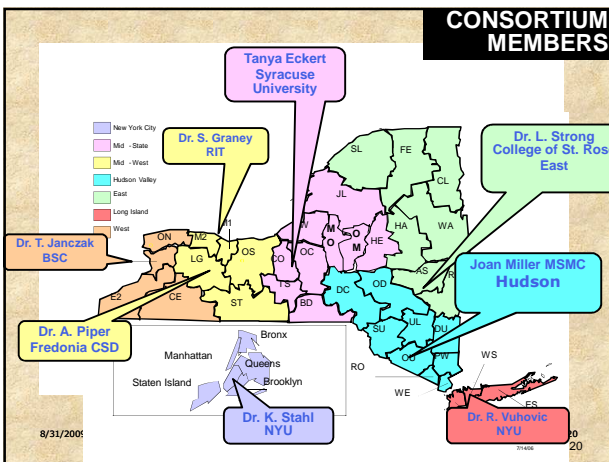
Direct Services:

- Technical Assistance & Professional Development to 14 VESID-identified schools NYS schools over 5 years
 - On-site TA by consortium member
 - Rtl Readiness Survey
 - Rtl Implementation Plan
 - Periodic site-visits by consortium member
 - School-embedded professional development opportunities
 - Evaluation of Rtl programs

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CONSORTIUM MEMBERS



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Guidance Documents

- Guidance directed to professionals
- Guidance written for parents

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Guidance Document

- Minimum Requirements of a Response to Intervention Program (RTI)
 - Appropriate Instruction
 - Screenings Applied to all Students in the Class
 - Instruction Matched to Student Need
 - Repeated Assessments of Student Achievement (Progress Monitoring)
 - Application of Student Information to Make Educational Decisions
 - Notification to Parents



Guidance Document

- School District Selection of Specific Structure and Components of an Rtl Program
- Ensuring Staff Knowledge and Skills Necessary to Implement Rtl Programs
- Use of Response to Intervention in Determination of Learning Disability
- Readings and References

Parent's Guide to Rtl

- What is Response to Intervention?
- What are the Steps in Rtl?
 - Screening
 - Levels of support (tiers)
 - Progress monitoring
 - Information provided to parents
- Glossary
- References

LEA Grants

- Request for applications (RFA)
- 2 Schools per region
- Certain parameters for selection
- Priority areas

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Resources/Links

- www.rti4success.org
- www.nrcl.org
- www.ncl.org
- www.nasdse.org
- www.interventioncentral.org
- iris.peabody.vanderbilt.edu/resources.html
- www.aimsweb.com
- www.dibels.org

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Information Sources

- Federal Statute (PL 108-446)
- Federal Regulations (300 CFR)
- State Laws and Regulations
- Materials from "National Research Center on Learning Disabilities" (NRCLD)
- National Center on Response to Intervention
- NASDSE publication on LD/RtI (revised 2007)

Part 117

- 117.3 Diagnostic Screening
 - Screening in literacy, math, motor and cognitive development
 - Students with low test scores
 - Review of instructional programs
 - Periodic monitoring through screenings and on-going assessments
 - Instruction tailored to meet needs "with increasing intensive levels of targeted intervention and instruction"
 - Written notification to parents

Amendments to Parts 100 and 200

- Section 100.2 (ii)
 - Response to Intervention Programs (RtI)
- Section 200.2 (b)
 - Board of Education Requirements
- Section 200.4 (j) - LD Procedures
 - Individual Evaluation
 - Process for determining eligibility
 - Criteria for LD determinations
 - Documentation for eligibility determination

Response to Intervention Section 100.2 (ii)

- Minimum requirements of an RtI program:
 - Appropriate instruction for all students
 - Scientific research-based reading programs
 - Screenings
 - Instruction matched to student need
 - Increasing levels of intervention
 - Repeated assessments
 - Application of information to make decisions

Section 100.2 (ii)

- Written notification to parents
 - Student performance data & gen. ed. services
 - Strategies to increase learning
 - Parents right to request evaluation

Section 100.2 (ii)

- District selects RtI structure
 - Criteria to determine levels
 - Types of interventions
 - Data to be collected
 - Progress monitoring
- Staff Development to implement RtI

Contract for Excellence Allowable Program: Dedicated Instructional Time (100.13 CR)

1. dedicated block(s) of time created for instruction;
2. research-based core instructional program;
3. a response-to-intervention program; and/or
4. individualized intensive intervention shall be provided.



Board of Education Policies and Practices
Section 200.2(b)

- adopt written policy that establishes administrative practices and procedures for implementing school-wide approaches
 - which may include a RtI process pursuant to 100.2(ii)

Additional Procedures for Identifying Students with Learning Disabilities
Section 200.4(j)

Evaluation- 200.4 (j) (1)

- Variety of assessment tools and strategies
- No single procedure
- Observation
 - From routine classroom instruction; or
 - Arrange to have observation conducted

Evaluation- 200.4 (j) (1)

- Underachievement is not due to lack of appropriate instruction, CSE must consider:
 - Data that demonstrates appropriate instruction in regular education settings delivered by qualified personnel
 - Data-based documentation of repeated assessments reflecting student progress provided to parents

200.4 (j) (2)

- CSE makes determination of eligibility for special education for student suspected of having a learning disability. CSE must include:
 - General Education Teacher
 - Person qualified to conduct diagnostic exams

Criteria – 200.4 (j) (3)

- When provided with appropriate instruction, student does not achieve adequately for age, or grade level standards in one or more of the following:
 - Oral expression
 - Listening comprehension
 - Written expression
 - Basic reading skills
 - Reading fluency skills
 - Reading comprehension
 - Math calculation
 - Math problem solving

Criteria – 200.4 (j) (3)

- Student does not make sufficient progress when using RtI; or
- Exhibits patterns of strengths and weaknesses:
 - Performance, achievement or both
 - Relative to age, grade-level standards, or intellectual development

Criteria – 200.4 (j) (3)

- Exceptions
 - Visual, hearing or motor disabilities
 - Mental retardation
 - Emotional disturbance
 - Cultural factors
 - Environ. or economic disadvantage; or
 - LEP

200.4 (j) (4)

- Districts not prohibited from considering severe discrepancy model, except:
 - Discrepancy model not allowed after 7/1/2012 for
 - K-4
 - To determine LD in Reading

Documentation – 200.4 (j) (5)

- Written report includes:
 - Whether student has LD
 - Basis for determination
 - Relevant behavior
 - Educationally relevant medical findings
 - Student does not achieve adequately, and
 - Does not make sufficient progress, or
 - Exhibits pattern of strengths and weaknesses
 - Exclusion factors

Documentation – 200.4 (j) (5)

- If RtI process is used:
 - Instructional strategies used and data collected; and
 - Parents notified
