



**Response to Intervention and the Identification of Specific Learning Disabilities
Position Paper
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FACTS

The Wisconsin Council of Administrators of Special Services (WCASS) is a statewide organization devoted to improving services to children with special needs by promoting professional leadership, providing opportunities for study of issues pertaining to special services, and facilitating communication and collaboration on behalf of special needs students.

Under IDEA 2004, local educational agencies (LEAs) are permitted to expend up to 15% of IDEA flow-through funds to develop coordinated, early intervening services (EIS). EIS should address the needs of students K-12, with emphasis on K-3, and are intended for students who are not disabled but who need additional academic or behavioral assistance. EIS funds are intended to supplement the Elementary and Secondary Education Act (ESEA) / No Child Left Behind Act (NCLB).

Wisconsin's state superintendent, Elizabeth Burmaster, appointed a stakeholder task force to make recommendations on how Response to Intervention (RtI) relates to eligibility criteria for specific learning disabilities (SLD), and the relationship between RtI and EIS. The purpose of the SLD-RtI-EIS task force was to provide input to the Wisconsin Department of Public Instruction (WDPI) regarding guidance for Wisconsin school districts on the following:

- Changes in eligibility criteria for specific learning disabilities
- Response to intervention
- Early Intervening Service

The task force met throughout the 2005-06 school years and released its final report on December 15, 2006.

On February 7, 2007, the WCASS executive board gave a charge to the Research/Special Projects committee to draft an official position paper (including an analysis of WDPI task force recommendations) regarding Response to Intervention and Specific Learning Disabilities by the May membership meeting of WCASS for consideration. Response to Intervention has much promise, and yet many implications for special education leadership and it is critical that WCASS responds to this initiative and the WDPI task force's recommendations.

Overall, WCASS supports the concept of Response to Intervention (Rtl)

- Rtl as a tiered approach to ensuring success for all students is seen as best practice and as a critical school reform movement that must be supported by all educators, not only those in the area of special education. It is the organization's hope that all students who struggle in school have the opportunity for sufficient instruction and access to a variety of interventions within the school structure without the need for or prior to a special education referral.
- This position paper reflects WCASS's commitment to working with general educators to support, develop, and implement this initiative.
- WCASS supports partnering with superintendents, directors of curriculum and instruction, building principals, through their respective professional affiliations and endorses the pursuit of federal grant funding through IDEA Partnerships.
- WCASS requests that WDPI delivers a shared and collaborative message delivered from across departments and including consultants from general education, special education, Title 1, etc.
- WCASS requests more research-based interventions and professional development in the implementation and delivery of Rtl at the middle and secondary levels, along with other academic areas of written language, math, etc.

WCASS supports the concept of Early Intervening Services (EIS)

- WCASS supports the use of IDEA flow-through funds, up to 15%, at the district's discretion and with the leadership of the special education administrator to develop coordinated, early intervening services (EIS).
- WCASS recognizes that the intent of the utilization of IDEA flow-through funds for EIS, when implemented correctly will aid in the appropriate identification of students with disabilities.
- WCASS would like to emphasize the use of IDEA flow-through funds be utilized only for their true intent, that of interventions rather than instructional approaches. It is felt that universal approaches for instruction, intended to serve approximately 80% of student population in Tier 1 are the responsibility of general education and its subsequent funding. IDEA flow-through funds designated for EIS should be preserved for interventions in subsequent tiers for selected and targeted students who have not been successful in Tier 1.
- WCASS encourages WDPI to assist districts in the reporting of the utilization of IDEA Flow-

through funds and to disseminate information regarding how various schools are utilizing the 15% EIS money for improved instructional/intervention methods. It is also recommended that the EIS reporting duties be shared with general education.

WCASS supports RtI as one component in the identification process of Specific Learning Disabilities (SLD) with clarification and intensive training from WDPI. However, WCASS does not support the use of RtI as the sole determiner for SLD:

- WCASS recognizes that the progress monitoring component of RtI will yield valuable information for individualized educational program (IEP) teams. Documentation from an RtI process should assist and be a critical source of information for determining the delay in classroom achievement in the determination of SLD.
- WCASS supports a continued multidisciplinary approach to the identification of SLD. When determining whether or not a child has a disability, no single measurement or assessment should be used as the sole means for eligibility determination.
- WCASS supports the determination of “a pattern of strengths and weaknesses in performance, achievement or both, relative to age, State approved grade level standards or intellectual development ” 300.309 (a)(2)(ii) through evaluation in combination with RtI in the identification of SLD, rather than supplemental information.
- WCASS endorses the use of RtI as a method for determining "Need for Special Education" in the evaluation process and as a germane process that can help IEP Teams determine whether a student needs specialized instruction as a result of any area of impairment.
- Learning Disabilities Association categorizes specific learning disabilities as “neurologically-based, intrinsic to the individual and are characterized by intra-individual differences...” WCASS is concerned that the removal of information processing as one of three components of SLD criteria eliminates the “uniqueness” in SLD.
- WCASS is concerned that the proposed eligibility criteria does not distinguish among low achievement, learning difficulties, and other impairments such as mild Cognitive Disabilities (CD), Emotional/Behavioral Disabilities (EBD), and others classified as Other Health Impaired (OHI) etc. The organization supports further clarification of how RtI can distinguish a student who truly has a learning disability from other struggling learners.
- WCASS is concerned about the appropriate identification of students with learning disabilities and encourages the study of SLD identification rates in states or districts where RtI has been implemented prior to the sunset of the significant discrepancy/regression formula.
- WCASS recognizes that as districts implement RtI, there needs to be great emphasis on the integrity and fidelity of its implementation, particularly in the delivery of interventions in order for the initiative to be successful. Consistency across districts in the application of RtI, particularly if used in the identification of SLD is imperative.
- WCASS recognizes that systemic change in a school district is a process not an event and is estimated to take several years (Hord, Rutherford, Huling-Austin & Hall, 1987). WCASS requests WDPI reconsider the four year sunset proposal regarding the elimination of the significant discrepancy/regression formula currently utilized in the SLD eligibility criteria and extend the timeframe to be more in line with the systemic change process of five to seven years.