

WI-RtI Brief: Specific Learning Disabilities Rule Implementation and RtI

Some Clarifications



Wisconsin's Specific Learning Disabilities (SLD) rule requires the analysis of data following intensive intervention to determine whether a referred student demonstrates sufficient progress. District and school staff have questions regarding the relationship between the "insufficient progress" criteria of the SLD rule and the state's emphasis on a Response to Intervention (RtI) framework or Multi Level System of Support (MLSS). While schools are not required to implement a multi level system of support, doing so will provide districts and schools with an effective, systematic approach toward insuring all students have equitable access to educational success.

RtI/MLSS in Wisconsin

Tony Evers, State Superintendent of Public Instruction, continues to make statewide implementation of RtI one of his priority initiatives as a means to increase academic and behavioral success for all students. RtI serves as a guiding framework for other statewide initiatives such as high academic standards, Educator Effectiveness and assessment and data systems. In collaboration with the CESA Statewide Network, DPI established the RtI Center, which provides professional development and technical assistance to districts in all stages of implementing a multi level system of support. The Wisconsin RtI Center works closely with DPI to operationalize DPI's vision of RtI.

SLD Identification

Under Wisconsin's SLD rule a public school student, upon initial identification, may only be found to have an impairment of SLD if the Individualized Education Program (IEP) team finds, after analysis of data, that:

1. The student demonstrates insufficient progress in one or more of eight academic areas. In determining "insufficient progress", IEP teams must consider data from progress monitoring following intensive general education interventions.
2. The student demonstrates inadequate classroom (academic) achievement, using a valid and reliable standardized achievement test administered following intensive general education interventions.
3. The student's insufficient progress and inadequate classroom achievement are not primarily caused by one or more exclusionary factors, such as limited English proficiency or whether the student received appropriate general education instruction in the area(s) of concern.

The rule requires local education agencies to implement a process for determining insufficient academic progress based on a systematic analysis of multiple progress monitoring data and other information about a student's past and current educational experience. There are specific guidelines for the collection and quality of the data used to make SLD eligibility decisions. One of those guidelines is weekly progress monitoring probe data collected to document a student's response to at least two intensive, scientific, research- or evidence-based general education interventions (SRBIs).

RtI/Multi Level System of Support and SLD Identification

Wisconsin's vision of a Multi Level System of Support (RtI) is a comprehensive systems change effort. Having a fully implemented, school-wide Multi Level System of Support for all students makes the process of SLD eligibility determinations more accurate, efficient, and effective for IEP teams. It also helps ensure high quality instruction, balanced assessment, and collaboration are in place to strengthen the general education system of support to more

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effectively meet the needs of all students. This will reduce the number of students who are referred for special education evaluation as well as improve districts' referral to placement ratios.

Because a school-wide Multi Level System of Support benefits all students, including those with disabilities, it provides a unique opportunity for general and special educators to collaborate around planning and implementation. This system can then produce data that can be used by general education teams to continuously improve the learning of all students and by IEP teams if a student is referred for a special education evaluation to consider SLD eligibility.

The following are guidelines to keep in mind regarding the relationship between a school-wide RtI/MLSS and the SLD rule:

- The primary goal of implementing a Multi Level System of Support (RtI) is to improve outcomes for all students, within which fulfillment of the “insufficient progress” criteria for identifying students as having specific learning disabilities can be incorporated.
- A Multi Level System of Support (RtI), as defined by DPI, is neither a prerequisite nor a requirement for IEP team application of Wisconsin’s SLD rule. Districts that have a fully implemented multi level system of support are, however, more likely to have the structures in place to support the data analysis requirements of the SLD rule.
- LEA’s are required to use progress monitoring data collected during two intensive, scientific researched-based or evidence-based interventions to determine insufficient progress for all initial SLD evaluations.
- All students, including students who receive special education and related services, function within a school or district’s Multi Level System of Support/RtI framework. Whether or not a school has implemented a school-wide system, students with disabilities continue to participate in the system of support available to all enrolled students, including core instruction, screening and progress monitoring, and general education supplemental supports, unless a student’s IEP team determines otherwise.
- The implementation of an MLSS/RtI framework affects all students and all staff, including the relatively small number of students who will also be affected by the SLD rule.

Resources

DPI understands the demands placed on districts as they strive to provide the data needed by IEP teams to make SLD eligibility decisions while making every effort to allocate the time and resources needed to create a meaningful, school-wide system of support for all students. Below are some resources that DPI provides to help districts achieve these goals:

- Wisconsin’s Vision for MLSS/RtI: <http://rti.dpi.wi.gov/>
- Wisconsin RtI Center: <http://www.wisconsinrticenter.org/>
- Department of Public Instruction SLD Information: http://sped.dpi.wi.gov/sped_id
- Frequently Asked Questions about making SLD eligibility decisions: <http://sped.dpi.wi.gov/files/sped/pdf/sld-faq.pdf>

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