

North Dakota Department of Public Instruction
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RTI – Questions and Answers

Q. How many schools in North Dakota employ the RTI concept?

- A.** The North Dakota Department of Public Instruction currently does not collect information regarding the number of schools that employ the RTI concept. Beginning with the 2008-2009 school year, districts will need to indicate on the Federal Title Programs Consolidated Application if any of their schools use the RTI model in conjunction with their Title I program.

According to our records, an unduplicated count of 75 districts and 102 schools have attended various department-sponsored RTI trainings within the past few years.

Q. Is RTI going to be mandated?

- A.** At this time, North Dakota has no plans to mandate the use of the RTI concept. If RTI were to be mandated, then certain federal funds, including Title I, would no longer be able to help support the model as it would violate the supplement not supplant regulation. The current IDEA regulations do not mandate RTI as a method of identifying students for special education. Unless mandated by the U.S. Department of Education in the future, RTI will remain optional in North Dakota.

Q. Can RTI work in a Title I targeted assistance program?

- A.** Most definitely, RTI can work in a Title I targeted assistance program. There are certain regulations that must be adhered to, but as long as there is specific Title I student selection criteria and Title I services are supplemental, the two can be coordinated quite easily.

Q. Given that Title I students are usually identified in the fall and remain in Title I for the year, and that students typically move in and out of tiers in a RTI model, how can these issues be resolved?

- A.** The issue of fluidity is a common question in discussions of coordinating Title I and RTI. There is no regulation stating how long students must receive Title I services. Students may move in and out of Title I as long as:
- ✓ Schools specify the assessments that will be used for progress monitoring which will determine if students are in need of more assistance
 - ✓ Schools clearly specify the selection criteria and exit criteria
 - ✓ Parents are notified upon selection and when exited from the program

Q. Can Title I teachers in a targeted assistance program provide intervention assistance within the classroom?

A. There is a section in the Title I law which states that Title I students may be served simultaneously and in the same educational setting as non-eligible children. This is typically referred to as the in-class model of instruction. What is important to remember is that the regular education teacher is responsible for the core instruction. Title I services should never be provided in the core instruction. After the core instruction, if students are assigned independent work or participate in center activities, Title I personnel may then work within the classroom to provide Title I students with supplemental assistance.

Q. Can Title I funds pay for RTI professional development?

A. Title I funds may be used to pay for RTI professional development if the following circumstances are met:

- ✓ The professional development is focused on at-risk students
- ✓ The cost is reasonable
- ✓ The participants are reflective of grades served in Title I
- ✓ The professional development supports the intervention, not the core instruction

Q. Can RTI be used in any school?

A. RTI fits very nicely with schools that are implementing Reading First, PBS, and Title I schoolwide programming. However, the RTI model can be used effectively in any school. The RTI model is a research-based effective method of identifying struggling learners, providing intervention services, and continuously monitoring progress. It is a common sense process which will benefit all schools.

Q. What if there are too many students for Title I staff to assist in Tier II?

A. Title I teachers must adhere to caseload requirements in targeted assistance schools. If there are too many students identified for Tier II interventions for Title I staff to assist, there are several options available.

One option would be for schools to use the 15% EIS funds for special education staff time to work with students in Tier II. Under this scenario, Title I and special education staff would both work together to serve students identified for Tier II services.

Another option would be for schools to utilize the exclusion provision under Title I which allows districts to withhold supplemental state or local funds for programs that meet the intent and purpose of Title I. Under this scenario, Title I staff and locally state-funded staff would work together to serve students identified for Tier II services.

Q. How can this message be brought to regular education (classroom) teachers in order to help facilitate RTI as a regular education initiative?

A. Having support and buy-in from all staff – Title I, special education, and regular education – is critical to the success of any RTI model. The state Title I office has created a handout that outlines suggestions for involving regular education teachers in the RTI process. Log on to www.dpi.state.nd.us/title1/response.shtm for access to this handout.

Q. Who should make up each individual's RTI team? Should Title I and special education staff be part of the team?

A. It is difficult to prescribe who should be on a RTI team, because each school has its own unique staff. Title I and special education staff play an important role in providing supplemental services to students in Tiers II and III. Depending on their role, it may be beneficial to have these staff as members of the RTI team.

Q. If testing materials were a shared purchase but Title I staff do the universal testing for identification, is that okay?

A. Title I funds cannot be used to purchase testing materials for the universal screening process or to determine which students are eligible for Title I services. However, Title I staff can most definitely be involved in testing students in the universal screening process to determine which students are in need of additional academic services.

Q. How long do you continue to implement RTI if a student is not making progress? What's next?

A. A referral for special education should occur when data from a minimum of two or three evidence-based interventions, implemented with fidelity and over time, indicates that the student is not achieving or progressing adequately for the student's age or meeting State approved grade-level standards. We recommend a minimum of two small group interventions and one individual intervention with at least four data points below the aim line prior to a referral for special education evaluation.

Q. Can the Title I teacher help general education students as well as Title I students when going into the classroom in a targeted assistance school?

A. No. In a targeted assistance school, Title I teachers are required to identify which students are at risk of not being proficient and then target additional instruction or intervention to those identified students.

Q. Do schools have actual RTI procedural handbooks and how were they compiled?

A. Bismarck and Fargo Public School Districts have addressed many of the

components related to RTI. They have written documentation of how their process should be carried out. There is also guidance provided in the ND State Guidelines: Identification and Evaluation of Students with Specific Learning Disabilities at www.dpi.state.nd.us/speced/guide/SLDGuide07.pdf.

Q. If RTI is not successful and the student really needs an IEP, how do they get onto one? Can the RTI just be rolled over to an IEP? How long should this process take?

A. If the student is not progressing adequately, the LEA may determine it is necessary to refer the student for an evaluation to determine if the child is eligible for special education. The data collected during the RTI process can be one component that is used to assist in determining eligibility for special education. The multidisciplinary team is still required to address the necessary elements of a comprehensive evaluation. There is no specific timeline set for how long the process should take. It may be different for each student.

Q. Can assessments/evaluations be paid for through schoolwide Title I funds?

A. As long as the RTI process is included in a schoolwide school's plan and consolidated application, it is allowable for assessments, evaluations, and any other costs to be paid with schoolwide Title I funds.

Q. How can a special educator work with students without an IEP?

A. Under IDEA 2004, school districts may use up to 15% of their Part B funds to develop and provide early intervening services to children who are not currently identified as "children with disabilities" but who need academic or behavioral support to succeed in a general education environment. Early intervening services (EIS) are about catching problems early in school-aged children. EIS are aimed at grades K-12, with an emphasis on K-3. EIS are about identifying children who are struggling to learn – especially apparent in the early grades and in tasks like reading and math – and quickly intervening to provide support. EIS are not services designated for children with disabilities – in fact, if a child has been determined eligible for special education and related services, that child would not be eligible for EIS. The rationale behind using IDEA funds to pay for EIS is that the earlier that school staff can identify children's learning problems or difficulties, the quicker and less expensive will be the task of helping those children catch up. The longer a child goes without assistance, the longer the remediation time and the more intense those services will have to be. From child, administrative, fiscal, and instructional perspectives, providing EIS makes very good sense.