



Wyoming Department of Education

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MEMORANDUM NO. 2007 - 187

TO: School District Superintendents
Principals and Special Education Directors

FROM: Edie Ring, RtI Consultant *ER*

DATE: November 30, 2007

SUBJECT: Response to Intervention (RtI) as a Component of SLD Eligibility

INFORMATION TO SHARE

Wyoming Chapter 7 Rules, *Education Rules Governing Services for Students with Disabilities*, Part 4, Section 10(c)(B) allow two ways of determining that a student may have a Specific Learning Disability (SLD) and be eligible for special education. School districts may use either the traditional discrepancy formula (between intellectual ability and achievement) or a Response to Intervention (RtI) process for the determination of an SLD. The RtI process may be used for SLD eligibility determination at the individual school level with approval by the WDE. In a recent clarification from the Office of Special Programs (OSEP), districts that have schools that are implementing the RtI process may be allowed to use RtI as a part of the SLD eligibility determination while the remainder of the district “scales up” implementation district-wide.

The WDE convened a stakeholder group to develop a draft guidance document, *WDE Guidelines for Identifying Children with Specific Learning Disabilities*. This document describes the process and criteria for school districts to follow in order to use the data from the RtI process as a component in determining SLD eligibility. The document is a working draft to be used during this school year. It may be downloaded from the WDE website at www.k12.wy.us under the Special Education Unit.

The WDE is inviting districts whose schools have been implementing RtI to field-test the use of these procedures. A district must submit an application to the WDE that clearly describes the school’s policy and procedures for these RtI components:

- Tier I scientific, research-based curriculum in reading, writing and math
- Scientific or evidence-based Tier 2 and Tier 3 interventions and strategies
- An on-going professional development plan for all staff to support the use of scientific, research-based and evidence-based instructional strategies

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- A data management system that documents the benefit or effect of the use of the RtI process that includes universal screening and progress monitoring
- A process for assessing fidelity of implementation of interventions and strategies
- Procedures for parent notification regarding the amount and nature of data collection and the provision of information about the RtI process

Additional criteria for site selection will include the results of a school staff Self-Assessment survey and a site visit by WDE staff to assure that a process for fidelity of implementation is in place. Schools involved in the piloting of eligibility determination will be asked to provide recommendations to the stakeholder group for consideration in the final guidance document.

If schools and/or districts have not received WDE approval of their procedures for determining SLD using Response to Intervention, the use of the severe discrepancy in determining eligibility is the only allowable method.

If you have additional questions or concerns, please contact Peg Brown-Clark, 307-777-2555.

PBC/by