

Multi-Tiered Systems of Support Question and Answer Webinar

Q1: Will TEA continue to use the term Response to Intervention (RtI), or do we all need to move to Multi-Tiered Systems of Support (MTSS)?

A1: Multi-Tiered Systems of Support (MTSS) is a term that encompasses supports for the whole child, and takes into account academics, behavior, and social/emotional supports. TEA has already begun using the term MTSS and will continue to help districts transition to this term. MTSS is the term that is being used more and more nationwide. Response to Intervention (RtI) is a term that you may continue to hear to describe academic supports under the larger umbrella of MTSS. Or you may hear the term academic MTSS. These terms mean the same thing, and they include the same basic constructs (e.g., a tiered model, universal screening, progress monitoring, intensified intervention, data-based decision making, etc.). Intervention Best Practices is one of our new Statewide Leadership Networks that will begin in the 2019-2020 school year. This Network will develop guidance, including professional development modules, about MTSS.

The U.S. Department of Education, Office of Special Education and Rehabilitative Services, clarified the term MTSS in a "Dear Colleague" letter dated October 23, 2015, which states:

For those students who may need additional academic and behavioral supports to succeed in a general education environment, schools may choose to implement a multi-tiered system of supports (MTSS), such as response to intervention (RTI) or positive behavioral interventions and supports (PBIS). MTSS is a schoolwide approach that addresses the needs of all students, including struggling learners and students with disabilities, and integrates assessment and intervention within a multi-level instructional and behavioral system to maximize student achievement and reduce problem behaviors.

USDE, Office of Special Education and Rehabilitative Services, "Dear Colleague" letter: <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>

Q2: Will TEA determine an MTSS minimum standard/process? Will this be in rule?

A2: The statewide lead for the Intervention Best Practices Network will help TEA develop a framework and trainings about MTSS and its components. These materials will include best practices and an MTSS framework that districts may use to guide their implementation of MTSS. The MTSS framework and guidance will begin to be released during the first part of the 19-20 school year. At this time, there is no plan to mandate MTSS or any specific minimum standard or process.

Current TEA-sponsored guidance for MTSS can be found at:

- The TEA Response to Intervention (RtI) page: https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/Response_to_Intervention/
- Building RtI Capacity Website: <https://buildingrti.utexas.org/>

- Texas Behavior Support Website: <https://www.txbehaviorsupport.org/>

Q3: Who “owns” MTSS? What are some best practices on well-functioning programs?

A3: MTSS should be provided through the collaborative efforts of general and special education. Students with disabilities should have access to all tiers in MTSS.

Best practices for an MTSS system should include universal screening, evidenced-based practices done with fidelity, progress monitoring, and data-based decision making. Well-functioning practices should have high quality Tier 1 which includes research-based curriculum, includes all students (English learners, special education, gifted and talented, etc.) small groups, differentiation, scaffolding, and accommodations. Tiers 2 and 3 should use evidence-based interventions and supplement Tier 1. Fidelity of MTSS implementation is critical throughout Tiers 1, 2, and 3. Local Education Agencies (LEAs) should have MTSS teams that review and use instructional data combined with staff member expertise to make decisions with the students’ best interests in mind.

The Building Rtl Capacity website provides a campus needs assessment and tools for planning and monitoring Rtl implementation.

Campus Needs Assessment Tools: <https://buildingrti.utexas.org/resource-pages/campus-needs-assessment-tools>

Instructional Decision-Making Procedures: Ensuring Appropriate Instruction for Struggling Students In Grades K-12: <https://buildingrti.utexas.org/booklets/instructional-decision-making-procedures-ensuring-appropriate-instruction-for-struggling>

Moreover, in accordance with the Individuals with Disabilities Education Act (IDEA), an LEA may generally use up to 15% of its IDEA Part B (IDEA-B) funds for any fiscal year to develop and implement coordinated, early intervening services (CEIS) for students in kindergarten through grade 12 (with an emphasis on students in kindergarten through grade 3). These students are not currently identified as needing special education or related services but need additional academic and behavioral support to succeed in a general education environment (20 United States Code (U.S.C.) §1413(f), 34 Code of Federal Regulations (C.F.R.) §300.226). An LEA identified as having significant disproportionality based on race or ethnicity must reserve the maximum amount of 15% of IDEA-B funds to be used for CEIS.

In implementing CEIS under 34 C.F.R. §300.226, an LEA may carry out activities that include:

- Professional development (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically-based academic and behavioral interventions, including scientifically-based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
- Provision of educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction (34 C.F.R. §300.226(b)).

Q4: How does MTSS work with behavior challenges? Please offer some best practices.

A4: MTSS for behavior operate on the same framework as MTSS for academics. Tier 1 includes classroom and school-wide expectations, such as behavior expectations in common areas of the school. Universal screeners should be used to proactively find students who need intervention. Data from teachers and parents should be examined by the student support team. A hypothesis is developed based on analysis of the function of the behavior and an evidence-based intervention is selected. Ongoing progress monitoring is implemented in order to determine the effectiveness of the intervention. If the student does not respond to the intervention as expected, additional functional assessments and data analysis should be done and the interventions should be intensified. The school team should continue to progress monitor and adapt the intervention or change intervention as needed. The decision to move between tiers should be made in a collaborative team approach, and must be driven by data gathered through ongoing progress monitoring.

- The National Center for Intensive Intervention (NCII) provides case studies and further guidance on behavior interventions in an MTSS framework at: <https://intensiveintervention.org/resource/taxonomy-intervention-intensity-case-example-building-intervention-intensity-behavior>
- Here is a link to the NCII Tools Chart for Behavior Screeners: <https://charts.intensiveintervention.org/chart/behavior-screening>
- Here is a link to the NCII Tools Chart for Behavior Interventions: <https://charts.intensiveintervention.org/chart/behavioral-intervention-chart>
- Here is a link to the NCII Tools Chart for Behavior Progress Monitoring: <https://charts.intensiveintervention.org/chart/behavioral-progress-monitoring-tools>

Q5: How does the MTSS process relate to students with dyslexia?

A5: Dyslexia is a term used to describe a disorder of constitutional origin that results in the difficulty to learn to read, write, or spell. Students who are struggling with reading, or showing early risk factors associated with dyslexia, may receive interventions through a tiered intervention model such as MTSS. Tiered intervention programs play an important role in providing access to research-based interventions for struggling students. MTSS might also be an important component of the full individual and initial evaluation (FIIE) used by LEAs for determining whether a student has a specific learning disability (SLD) under the IDEA.

LEAs must ensure that students in MTSS are carefully monitored and that when a student is suspected of having both a disability and the need for specially designed instruction, a timely referral for evaluation under the IDEA is made. This referral can occur at any point in the MTSS process, and MTSS is not required prior to any referrals for special education services. MTSS and an FIIE can also occur simultaneously. It is critical that LEAs are mindful that dyslexia is considered a condition that may qualify a student as a student with an SLD under the IDEA and is included within our Child Find mandate. Every LEA has an obligation to refer any student who is suspected of having a disability and needing special education services for an evaluation under the IDEA.

Below is a link to a TAA letter titled "Provision of Services for Students with Dyslexia and Related Disorders":

https://tea.texas.gov/About_TEA/News_and_Multimedia/Correspondence/TAA_Letters/Provision_of_Services_for_Students_with_Dyslexia_and_Related_Disorders/

Q6: Who should be on a student support team?

A6: Student support teams might include general education teachers, special education teachers, interventionists, specialists (reading specialist, math specialist, behavior specialist, etc.), administrators, school counselors, social workers, and evaluation personnel (diagnosticians, LSSPs). Each of these people may not be necessary or able to attend every meeting, but schools can be thoughtful about the team members that are needed. For example, if the team is going to be meeting about a student that has difficulties with reading and behavior, you may want to have the reading specialist and behavior specialist there along with the teachers and any person who has been providing intervention.

Q7: Should an FIIE be conducted while a student is receiving MTSS? When is the right time to test?

A7: The right time to test is when there is a suspicion that a student has a disability and needs special education and related services. That is why it is so important for schools to have good procedures for universal screening, providing evidence-based interventions with fidelity, progress monitoring, and making data-based decisions. Schools should also establish explicit guidelines to help them make decisions, such as cut scores, decision matrices, enter/exit criteria, and other processes. These procedures, along with the expertise of the educators involved with the student and information from the parents, all help student support teams make the best decisions possible for the student.

If a student is receiving MTSS services and there is a decision to perform an FIIE, best practice dictates that the student should continue to receive intervention services while the evaluation is being conducted.

Q8: 19 TAC 89.1011(a) states:

- a. Referral of students for a full individual and initial evaluation for possible special education services must be a part of the district's overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to evidence-based intervention; and other academic or behavior support services. If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student for a full individual and initial evaluation. This referral for a full**

individual and initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student.

How does this rule fit with the requirement that MTSS may not be used to delay an evaluation of a student suspected to have a disability and the need for special education services?

A8: The key phrase in the rule is ". . . students experiencing difficulty in the general classroom should be **considered** for all support services available to all students . . ." It does not state that the student **must** receive these supports. If the student receives general education support services, and if the student continues to struggle, then the student must be referred for a full individual and initial evaluation (FIIE). But, at any time, if a student is suspected of having a disability and needing special education services, the student must be referred for an FIIE.

Ideally, intervention should be provided as soon as a child displays an instructional need. Beginning the intervention as soon as a gap in learning or performance is being displayed increases the likelihood that the student will close the gap between their current level of performance and grade level expectations. Building Rtl Capacity, a website operated by The Meadows Center for Preventing Educational Risk, provides information and resources on the relationship between Rtl implementation and IDEA, including an online professional development module entitled "Connecting Rtl Implementation and IDEA: What School Leaders Need to Know." This resource can be found at:

<https://buildingrti.utexas.org/modules/connecting-rti-implementation-and-idea-what-school-leaders-need-to-know-0>

Q9: How does MTSS show whether there is an "educational need" for special education?

A9: MTSS, if done with fidelity and using evidence-based interventions, can provide useful data about the level of support a student needs. If a student is responding positively and closing the gap between their performance and their same aged peers, the intervention is succeeding and the student probably is not a student that would need the specially designed instruction of special education. If a student is not responding sufficiently, or closing the gap between their performance and their peers' performance, the student may be a student with a disability and a need for special education services.

An FIIE helps the Admission, Review, and Dismissal (ARD) committee determine the educational need for special education and related services. Data collected from MTSS can and should be used as part of that evaluation.

The Building Rtl Capacity website also offers a resource called "[Resource for Student Evaluation Personnel Working in Schools Implementing Response to Intervention \(Rtl\)](#)." This guide provides many references and resources from TEA, the U.S. Department of Education, and nationally recognized organizations and individuals.

Q10: Is MTSS automatically “over” once a student is determined eligible for special education?

A10: MTSS is a schoolwide framework meant to provide varying levels of support to meet the needs of students. Students that qualify for special education services in reading may still need some Tier 2 support in mathematics, for example. Similarly, students that qualify for special education services in behavior, may need access to Tier 2 or 3 for academics. Students with disabilities should be able to access the level of support they need, regardless whether the supports in question are general or special education supports. Something that schools need to be cognizant of is making sure the level of support the student receives doesn't *decrease* if the student qualifies for special education services from what they were getting in tiered services.