

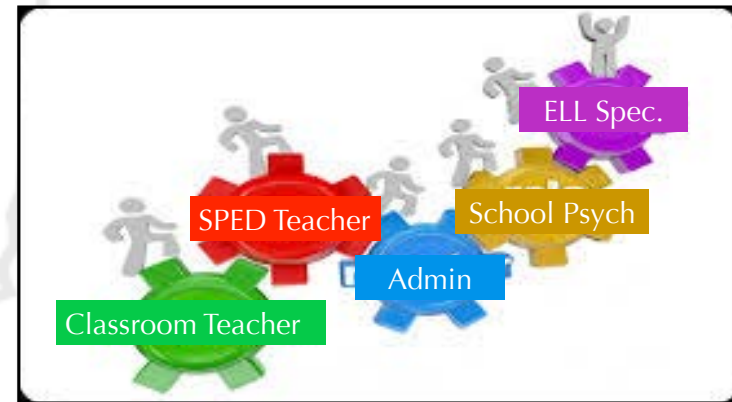
Vision: Every child in every district receives the instruction that they need and deserve...every day.

English Learners with Learning Disabilities in an RTI System

Nicole Kaye, ORTI Implementation Coach
Sally Helton, ORTI Implementation Coach

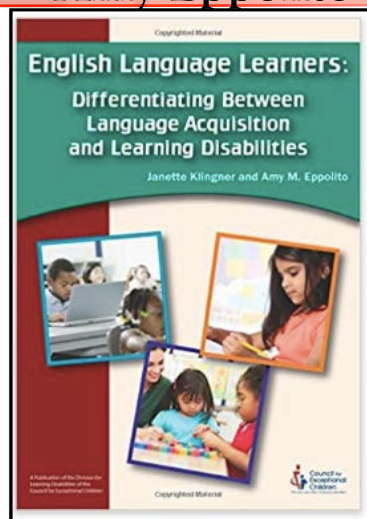


What's your role?



Did you attend the Using RTI for Initial SLD Eligibility Training?

Thanks to Janette Klingner and Amy Eppolito



Purpose

- Highlight key considerations for each step of the SLD eligibility evaluation process for English Learners in an RTI System:
 - Low skills
 - Slow progress
 - Instructional need
 - Exclusionary factors



Keep in mind...

- This presentation is NOT intended as a comprehensive nor exhaustive resource on supporting EL students, but is intended as an initial guide and resource.
- This presentation builds on an earlier session (“**Using RTI for Determining Initial SLD Eligibility**”) that contains an overview of the comprehensive evaluation process

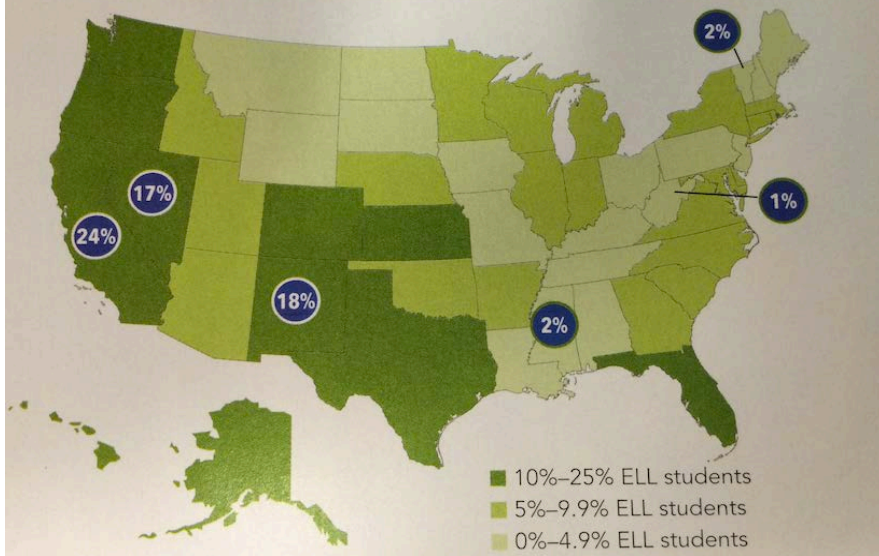


Key Ideas

- There is **NO ABSOLUTE** in SLD Determination. It is always about pulling together information and looking at it in a continuum with a team.
- A key question throughout is the ability to separate cultural and linguistic differences from true disabilities.

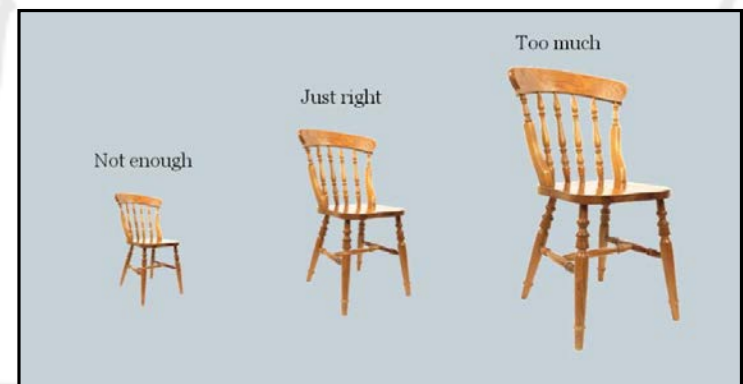


Numbers of Note



Finding the ‘right’ support!

It’s critical that we identify students appropriately. RTI provides the process and framework to do this.





Why is this an issue?



“At least they will get some help”

- If ELs are failing in general ed., there *MAY* be harm in placing them in special ed. IF:
 - Unwarranted services and supports
 - Inadequate teacher preparation to support ELs
 - Student lose access to language instruction
 - False impression of the child’s intelligence and academic potential

Eppolito 2014

Identify the ‘right’ students

- Some ELLs truly *do* have LD and would benefit from the extra support they would receive in special education.

Just right



Reasons EL Students Struggle

- **Insufficient English language development support** in their learning/teacher environment
- **Other difficulties:** (interrupted schooling, limited formal education, medical problems, low attendance, high transiency, etc.)
- **Truly have a disability and deserve Special Education**

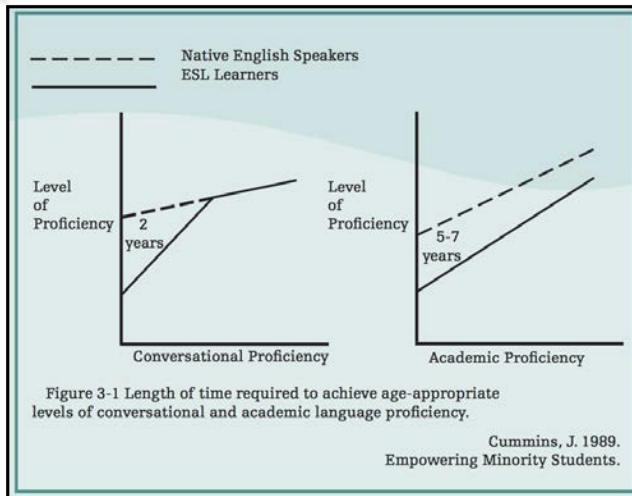
• (Artiles & Ortiz, 2002)

A Bilingual Metaphor



(Amy Eppolito, 2014)

It takes time to learn a new Language!



Getting to Know your EL Students

- *Language (native)*
- *Level of native language proficiency*
- *Level of English language proficiency*
- *Length of time in school*
- *Length of time in country*
- *Family Context*
- *Acculturation*



Acculturation

Acculturation: the process of adopting the cultural traits or social patterns of another group.

WHY THIS Matters?

AQS III Scoring Form

☐ Newcomer
☐ Continuing
☐ AQS Baseline

Date: _____
 NAME/ID#: _____ SCHOOL: _____
 DATE OF BIRTH: _____ SEX: _____ GRADE: _____ AGE AT ARRIVAL IN U.S.: _____
 LANGUAGE(S) SPOKEN AT HOME: _____

CULTURAL/ENVIRONMENTAL FACTORS	Information	Scores
1. Time in United States/Canadian schools		
2. Time in Your School District		
3. Time in ESL or Bilingual ELL Education		
4. Home/Native Language Proficiency		
5. School/English Language Proficiency		
6. Bilingual Balance		
7. Ethnicity/Cultural Identity		
8. % in School Speaking Student's Language(s)		
Score Total:		
1. Time in US/Canadian schools: Less than 180 days (1 year/good at start) = 1 Between 180 - 360 days (2 year/good at start) = 2 Between 360 - 540 days (3 year/good at start) = 3 More than 540 days (4 year/good at start) = 4		
2. Time in Your School/District: Less than 180 days (1 year/good at start) = 1 Between 180 - 360 days (2 year/good at start) = 2 Between 360 - 540 days (3 year/good at start) = 3 More than 540 days (4 year/good at start) = 4		



Remember, RTI support includes:

- **Developing and following decision rules and supports *specifically* for ELs – BEFORE a referral**
 - SIOP in core
 - ELD instruction (in addition to core)
 - Universal screening (in language of instruction)
 - Evidence based interventions (at least 3 sessions)
 - Decision rules specific to ELs (for example, longer intervention session length)
 - Progress monitoring (in language of instruction and English)
 - Parents informed throughout process

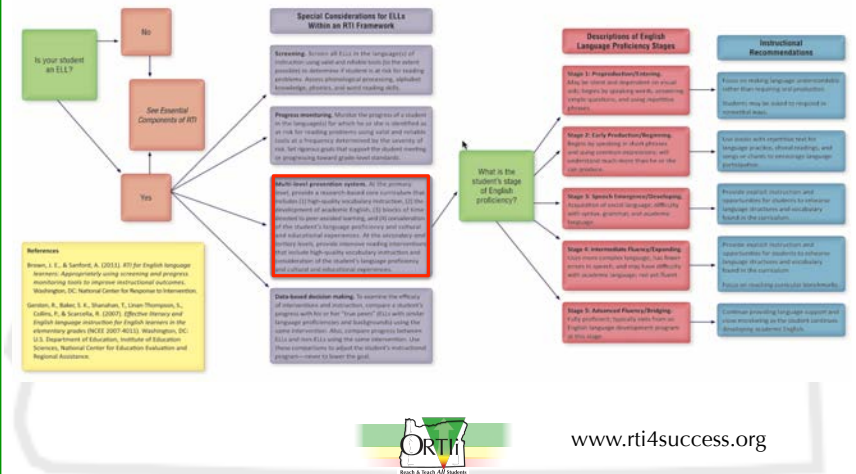


Through Each Tier

- The team, including the EL Specialist, compares the student's growth against peers.



Instruction for ELs in RTI



Multi-Level Prevention System

- At the *Primary level*, provide a research-based core curriculum that includes
 1. high quality vocabulary instruction
 2. The development of academic English
 3. Blocks of time devoted to peer-assisted learning
 4. Consideration of the student's language proficiency and cultural and education experiences

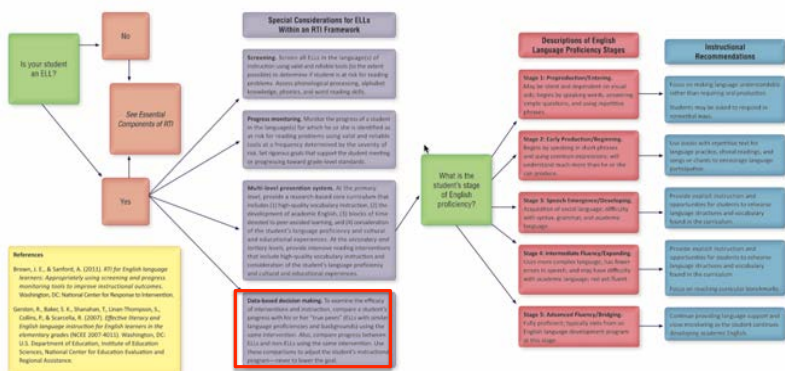


Multi-Level Prevention System

- At the *secondary and tertiary levels*
 1. Provide intensive reading interventions that include
 - high-quality vocabulary instruction and
 - consideration of the student's language proficiency and cultural and educational experiences.



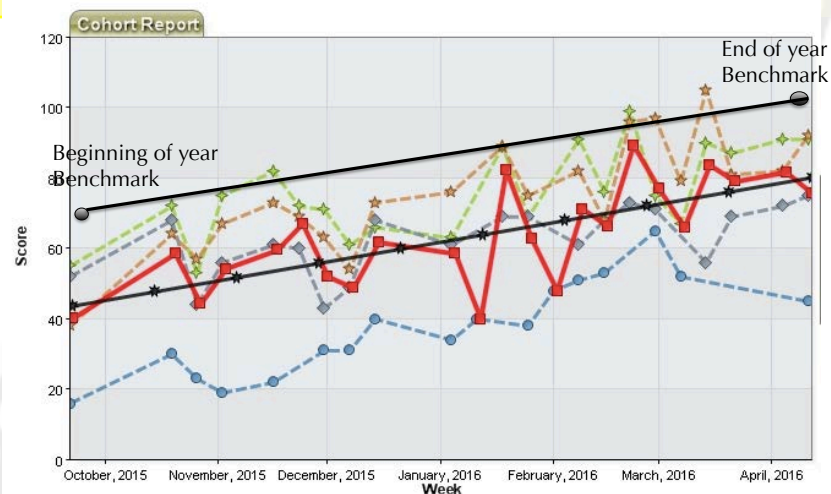
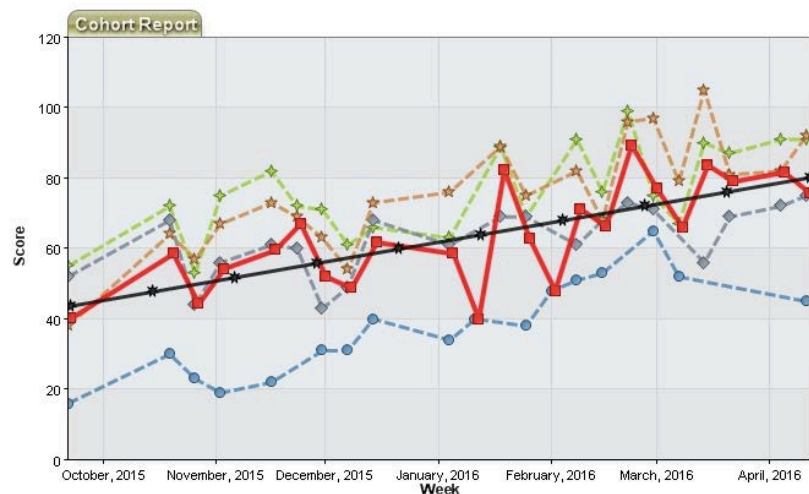
Instruction for ELs in RTI



www.rti4success.org

Data-Based Decision Making

- To examine the efficacy of interventions and instruction
 - Compare a student's progress with his or her "true peers" (ELs with similar language proficiencies and backgrounds) using the same intervention
 - Compare progress between ELs and non-ELs using the same intervention
 - Use these comparisons to adjust the student's instructional program – **Never to lower the goal!**





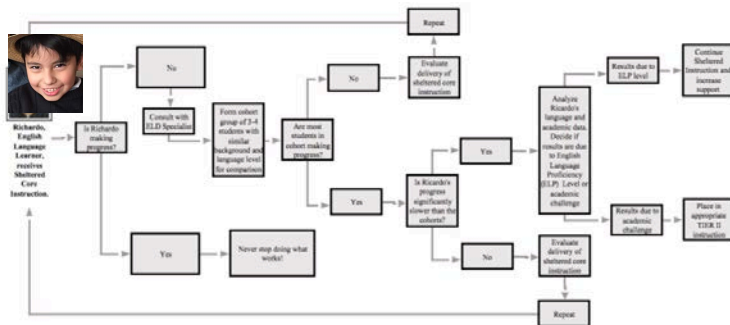
Ricardo, English Learner receives Sheltered Core Instruction

If Ricardo is not making progress

- Consult with ELD Specialist
- Form cohort group of 3 to 4 students with similar background and language level for comparison
- If most of the students in the cohort are **not** making progress, evaluate and enhance delivery of the sheltered core instruction

Reich & Smith 2010, 10/10/10

Flowchart for English Language Learners in the RTI process



Ricardo, English Learner receives Sheltered Core Instruction

- If most of the students in the cohort are making progress but Ricardo isn't
 - Analyze Ricardo's language and academic data and decide if results are due to EL Proficiency (ELP) Level or academic Challenge

ELP: **Continue sheltered instruction and increase support**

Academic: **Place in appropriate Intervention**

Reich & Smith 2010, 10/10/10

In RTI

We assess the instructional program prior to assessing the child.

If "true peers" are thriving in core, then it's likely the instruction is appropriate.

Remember in RTI we focus on

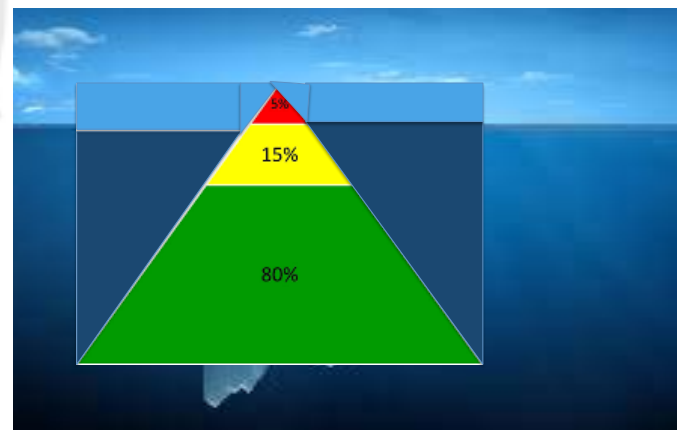
The ICE:

- Instruction
- Curriculum
- Environment

Throughout all Tiers!



So there's a lot of support when we get to the top!



If student is still struggling

- Team referral
- Parent referral*

**Parent referral alone is not sufficient to start the SPED evaluation process – team may decline if evidence suggests that an evaluation is not warranted*



A *Team* Makes the Referral

Step 4: Plan Implementation & Evaluation (Did it work?)

*Attach graphed data

Attendance:	# of intervention days attended:	Total # of intervention days:	% of intervention sessions attended:
--------------------	----------------------------------	-------------------------------	--------------------------------------

Intervention fidelity data: Minimum standard met? Yes No

Student rate of progress:	Peer/Expected rate of progress:
<input checked="" type="checkbox"/> Less progress than expectation/peers <input type="checkbox"/> More progress <input type="checkbox"/> Same progress	
Student level of performance:	Expected student level of performance:
Magnitude of discrepancy:	
<input type="checkbox"/> Less discrepant than expectation/peers <input checked="" type="checkbox"/> More discrepant <input type="checkbox"/> Same level of discrepancy	
If less discrepant/good progress: Continue current intervention? Yes No Fade intervention support? Yes No	
If more discrepant/poor progress: Was the intervention implemented as planned? Yes No Do we need to intensify supports? Yes No Refer for special education evaluation? Yes No	
If discrepancy the same/average progress: Was the intervention implemented as planned? Yes No Do we need to intensify supports? Yes No Refer for special education evaluation? Yes No	
Comments/Actions/Next Steps:	

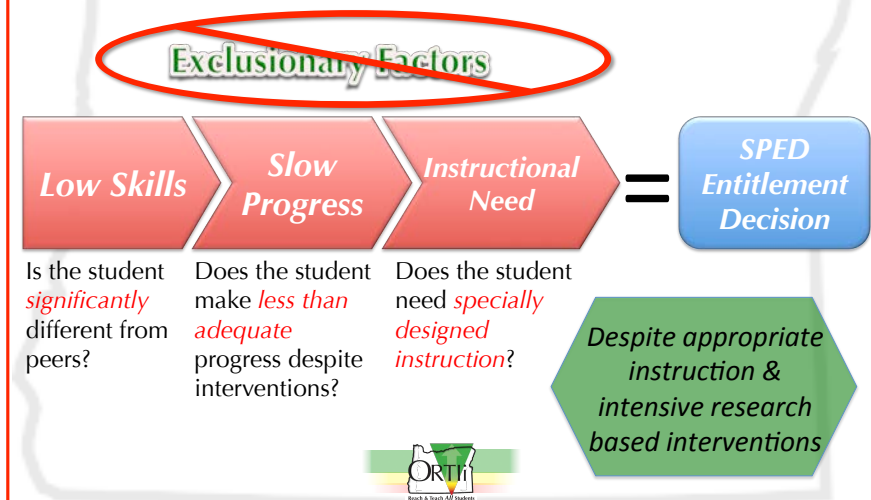


Before you begin

- Gather information
 - Parent input (make them comfortable, have translator, background information)
 - Acculturation data
 - Language Level
 - Assessment Data previously collected
 - Progress monitoring data



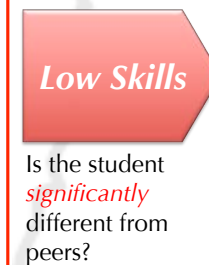
Three key questions



Guidelines for Comprehensive Evaluation

SLD Comprehensive Evaluation Implementation Checklist	
When using a Response-to-Intervention (RTI) process for identifying students with Specific Learning Disabilities (SLD), all items in the left column should be checked for a student to be found eligible.	
Date:	Evaluator Name:
Exclusionary Factors	
OAR Eligibility Requirement: A determination of whether the primary basis for the suspected disability is (i) a lack of appropriate instruction in reading (including the essential components of reading) or math; or (ii) Limited English proficiency (SAR 415-2178 (3)(g))	
Appropriate instruction: Has student had ample opportunity to learn?	Data Sources: Review, Interview, Observe, Test
<input type="checkbox"/> Appropriate instruction provided in general education setting (core & intervention instruction) <input type="checkbox"/> Concerns pervasive (exist across settings or providers) <input type="checkbox"/> Consistent attendance during instruction <input type="checkbox"/> Primary cause is not limited English Proficiency <input type="checkbox"/> Primary cause is not visual, hearing, or motor impairment, mental retardation, emotional disturbance, cultural factors, or environmental or economic disadvantage.	<input type="checkbox"/> Cumulative Records <input type="checkbox"/> Attendance Records <input type="checkbox"/> Report Cards <input type="checkbox"/> Parent/Teacher/Child/Provider Interview <input type="checkbox"/> Observation of general education instruction <input type="checkbox"/> Progress monitoring data from cohort students Intervention documentation <input type="checkbox"/> Other:
Low Skills	
OAR Eligibility Requirement: The child does not achieve adequately for the child's age or to meet Oregon grade-level standards in one or more of the following areas (basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving, written expression, oral expression, listening comprehension) when provided with learning experiences and instruction appropriate for the child's age or Oregon grade-level standards (SAR 415-2178 (3)(a))	
Significantly Discrepant from Peers: Is the student's performance significantly below peers?	Data Sources: Review, Interview, Observe, Test
<input type="checkbox"/> Smarter Balanced score is at a Level 1 or a 2 <input type="checkbox"/> Universal screening scores (or CBMs) are significantly low as compared to: <input type="checkbox"/> National percentile rank for proficiency or research-based benchmark <input type="checkbox"/> Typical performance of school/district peers <input type="checkbox"/> Core program assessment scores are significantly low as compared to district/school peers (if available) <input type="checkbox"/> Other Achievement Test results are significantly low as determined by district guidelines <input type="checkbox"/> Other Intervention/Instructional data is significantly low compared to peers in instructional/intervention group(s) <input type="checkbox"/> Assessment data converge	<input type="checkbox"/> Smarter Balanced Test Results <input type="checkbox"/> Universal Screening data (CBMs) <input type="checkbox"/> District Wide Core Program Assessment Data <input type="checkbox"/> Other standardized achievement tests or results <input type="checkbox"/> Group Intervention Data (CBMs, Intervention Assessments etc.) <input type="checkbox"/> Observation Summaries <input type="checkbox"/> Other:

First Question



Low Skills: Is the student *significantly* different from peers?

OAR Eligibility Requirement: The child **does not achieve adequately** for the child's age or to meet Oregon grade-level standards in one or more of the following areas (basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving, written expression, oral expression, listening comprehension) when provided with learning experiences and instruction appropriate for the child's age or Oregon grade-level standards [581-015-2170 (3)(a)]

Significantly Discrepant from Peers	Is the student's performance significantly below peers?	Data Sources: Review, Interview, Observe, Test
<input type="checkbox"/> Smarter Balanced score is at a Level 1 or a 2 <input type="checkbox"/> Universal screening scores (or CBMs) are significantly low as compared to: <input type="checkbox"/> National percentile rank for proficiency or research-based benchmark <input type="checkbox"/> Typical performance of school/district peers <input type="checkbox"/> Core program assessment scores are significantly low as compared to district/school peers (if available) <input type="checkbox"/> Other Achievement Test results are significantly low as determined by district guidelines <input type="checkbox"/> Other Intervention/Instructional data is significantly low compared to peers in instructional/intervention group(s) <input type="checkbox"/> Assessment data converge		<input type="checkbox"/> Smarter Balanced Test Results <input type="checkbox"/> Universal Screening data (CBMs) <input type="checkbox"/> District Wide Core Program Assessment Data <input type="checkbox"/> Other standardized achievement tests (if needed) <input type="checkbox"/> Group Intervention Data (CBMs, Intervention Assessments etc.) <input type="checkbox"/> Observation Summaries <input type="checkbox"/> Other:

Evaluating Low Skills

Low Skills

How far behind are they?
AND

How do they compare to their peers?
despite...

...being provided with appropriate learning experiences & instruction



HOW do we Evaluate Low Skills?

Low Skills

Is the student *significantly* different from age and grade level **peers**?

Percentile Rank
(ex. 6th percentile)

Is the student *significantly* different from age and grade level **standards**?

Discrepancy Ratio
(ex. 50% of expected level of performance)
Or

Low Performance
(ex. SBAC Level 1 or 2)

WHAT data do we use?

Universal Screener

SBAC

Curriculum Assessments

Individual Diagnostic Assessments

Achievement Tests

Use multiple data sources

Start with existing data

Percentile Rank

Discrepancy Ratio



Determine Expected Performance

Data	Expected Performance
Universal Screener	Performance in Average range Benchmark/Standard
SBAC	At least Level 3
Curriculum & Individual Diagnostic Assessments	Grade level performance & criteria set by district or school
Achievement Tests	Average Range (above 25 th percentile)



Determining Significantly Low Performance

Data	Guidelines for Significantly Low	
	How do they compare to their peers?	How far behind are they?
Universal Screener	Significantly below average on National & Local Norms (15 th percentile or lower)	Discrepancy Ratio around 50% or less
SBAC	Significantly below average	Level 1 or 2
Curriculum & Individual Diagnostic Assessments		Significantly below peers
Achievement Tests	15 th percentile or lower	

**Disclaimer: These criteria are meant to provide general guidance but should not be used as rigid cutscores*

Curriculum & Individual Diagnostic Assessment

- How far behind is the student?
 - What are the skill deficits?
- Is the curriculum & instruction at the appropriate level for the student to learn?
 - What is the student's instructional level?
 - Mastery, instructional, frustration
- *Helps rule out lack of appropriate instruction & useful for instructional planning*



Distinguishing Low Skills with EL Students

- Evaluation teams must consider how language and cultural factors may be impacting a student's academic skill attainment.



Reading Component	Potential Challenges for ELs
Phonological Awareness	<p>When the student's first language doesn't include some English phonemes:</p> <ul style="list-style-type: none"> • Student is not accustomed to hearing these sounds • Can be quite difficult to distinguish between sounds • Pronouncing new sounds can be difficult • Phonological tasks in general become more challenging
Alphabetic Principle	<p>Some orthographics are very different from English. Even when they are similar, differences can be confusing</p> <ul style="list-style-type: none"> • Letters might look the same but represent different sounds • Unfamiliar English sounds & their various spellings make decoding difficult • Not knowing the meaning of words limits the EL reader's ability to use context clues
Fluency	<p>ELs typically have fewer opportunities to read aloud in English and receive feedback than their English speaking peers</p> <ul style="list-style-type: none"> • ELs may read more slowly, with less understanding

Klingner & Eppolito 2014

Behaviors Associated with LD	Behaviors When Acquiring L2
Difficulty carrying out a series of directions, generally because of poor short-term memory or a lack of attention	Difficulty carrying out a series of directions because the directions were not well understood. IT can be harder to remember directions in a second language.
Difficulty with phonological awareness even though the student knows the sounds.	Difficulties distinguishing auditory between unfamiliar sounds not in one's first language, or that are in a different order than in the first language.
Slow to learn sound- symbols correspondence; may seem to know letters' sounds one day but not the next	Confusion with sound-symbol correspondence when it is different than in one's first language. Difficulty pronouncing sounds not in the first language.
Difficulty remembers sight words; may know word one day but not the next.	Difficulty remembering sight words when word meanings are not understood. "or when irregular patterns are used (ex: EA can have both the long e and short e sounds)".
Difficulty retelling a story in sequence. This may be because of poor short-term memory or retrieval skills.	Difficulty retelling a story in English without the expressive skills to do so. Yet the student might understand more than he or she can convey (receptive skills vs expressive skills).

Klingner et al (2008)

SLD Evaluation Decision Making Form

Low Skills?

Questions	Evidence from Assessments/Score	Low?	Discrepant from Peers?
Does the student exhibit LOW SKILLS?	CBM Screening assessments:	National Norms Y N	Y N > 2.0 discrepant 1.1- 1.9 discrepant < or = 1.0 Discrepant
		Local Norms Y N	Y N
	Curriculum assessments: Core:	Y N	Y N
	Intervention:	Y N	Y N
	Individual Diagnostic Assessments:	Y N	Y N
	SBAC:	Y N	Y N
	Achievement Tests:	Y N	Y N
	Other:	Y N	Y N
Pattern of Low Skills?		Y	N
Additional Information Needed?			

Is there a pattern of low skills?

Question	Evidence from Assessment/Score	Low?	Discrepant From Peers?
Does the student exhibit LOW SKILLS?	CBM/Screening & Progress Monitoring: All Intensive	Y N	Y N
	Core Program: 40% average, class average 90%	Y N	Y N
	Intervention: Passed 65% of checkouts, peers passed 70%	Y N	Y N
	SBAC: Did not meet (8th %ile)	Y N	Y N
	Achievement Tests: 29th %ile overall (SS: 92), 40th %ile on 2 reading subtests (SS: 96)	Y N	Y N
	Other: Phonics Screener: 15% of sounds correct Survey Level Assessment: Instructional Level 3 grades below	Y N	Y N
Preponderance of Evidence?		Y	N
Additional Information Needed?	???		

Second Question

Low Skills

Slow Progress

Is the student *significantly* different from peers?

Does the student make *less than adequate* progress despite interventions?



Slow Progress: Does the student make *inadequate progress* despite intervention?

OAR Eligibility Requirement: The student does not make sufficient progress to meet age or Oregon grade-level standards based on the student's response to scientific, research-based intervention [581-015-2170 (a)(b)]

Slow Progress Despite Interventions: Is the student making slower than expected progress when appropriate instruction is provided?

Data Sources: Review, Interview, Observe, Test

Slow Progress...

➤ Rate of progress during intervention is significantly less than expected:

- ☐ Student Rate of Improvement (ROI) is less than **typical student ROI**
- ☐ Student Rate of Improvement (ROI) is less than needed **to close the gap between student performance and typical/benchmark performance**
- ☐ Student Rate of Improvement (ROI) is less than that of **district/school peers**
- ☐ Student Rate of Improvement (ROI) is less than that of **peers receiving similar intervention support**

...Despite Research-Based Interventions

- ☐ Tier 2/Tier 3 instruction meets requirements of time & intensity
- ☐ Tier 2/Tier 3 instruction matched to student needs
- ☐ Tier 2/Tier 3 instruction provided as designed (fidelity)
- ☐ Resources required to support sufficient growth differ

- ☐ Cumulative Records
- ☐ Report Cards
- ☐ Progress Graph
- ☐ Intervention Plan
- ☐ Intervention Fidelity Data
- ☐ Problem Analysis/Diagnostic Data
- ☐ Instructional Program Data
- ☐ Parent/Teacher/Child/Provider Interview
- ☐ Interview Interventionist
- ☐ Observation during intervention
- ☐ Other:

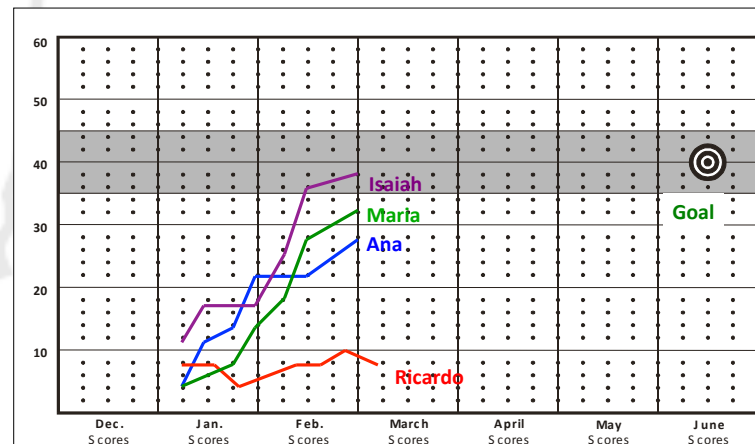
How much progress is *enough*?

In order to answer know how much progress is enough, we need to compare

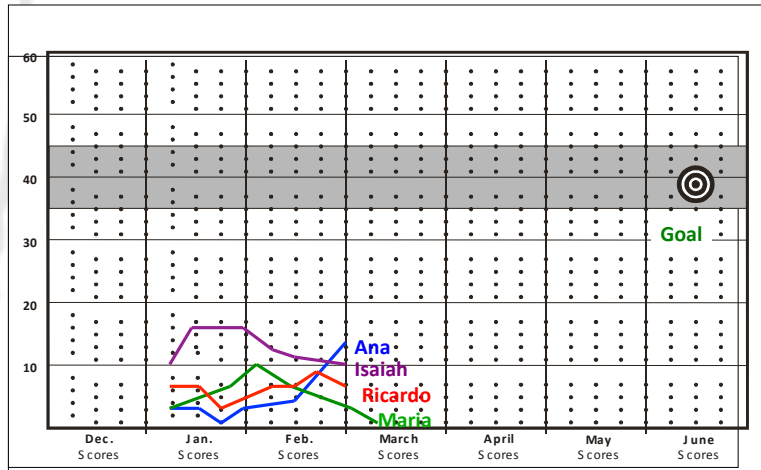
Rates of Improvement (ROI's):

Attained ROI	Actual growth of the target student
<i>as compared to</i>	
Typical ROI	Expected growth of a student who starts the year at benchmark and remains at benchmark through Winter and Spring
Targeted ROI	Growth needed for the student to meet the end-of-year benchmark
Peer ROI	Growth of students receiving the same instruction as the target student

Cohort Data



Cohort Data



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Calculating Rates of Improvement (ROIs)

Directions and Formulas

- Step 1:** Determine the *beginning performance* and *ending performance*
- For the **Target Student** this can be done using the student's benchmark score(s), or the median of the most recent 3 progress monitoring scores
 - For a **Comparison Group** (e.g. district/school, intervention group, or ELL Cohort), this can be done by taking the average beginning and ending score of the group. For example, you could take the average Fall Benchmark score and the Average Spring Benchmark score.
- Step 2:** Calculate the difference between the *beginning performance* and *ending performance* to get the **TOTAL GROWTH**
- Step 3:** Calculate the # OF INSTRUCTIONAL WEEKS between *beginning performance* and *ending performance*
- For the **Target Student** this will be the number of weeks the intervention(s) have been provided
 - For a **Comparison Group** (e.g. district/school, intervention group, or ELL Cohort), this could be either the total number of instructional weeks in the school year if using a full year of data **OR** it could be the number of weeks the comparison group has received similar intervention support
- Step 4:** Divide **TOTAL GROWTH** by # OF INSTRUCTIONAL WEEKS to get the weekly **RATE OF IMPROVEMENT (ROI)**

		(TOTAL GROWTH)					
GROWTH FORMULA	(Ending performance	-	Beginning performance)	÷	# of Instructional Weeks	=	Rate of Improvement (ROI)
ATTAINED ROI		-		÷		=	
TYPICAL ROI		-		÷		=	
TARGETED ROI		-		÷		=	
DISTRICT/SCHOOL ROI		-		÷		=	
INTERVENTION GROUP ROI		-		÷		=	
ELL COHORT ROI (if applicable)		-		÷		=	
If a student's Attained ROI is significantly less than most of the comparison ROI's, they are not making adequate progress							

Comparisons

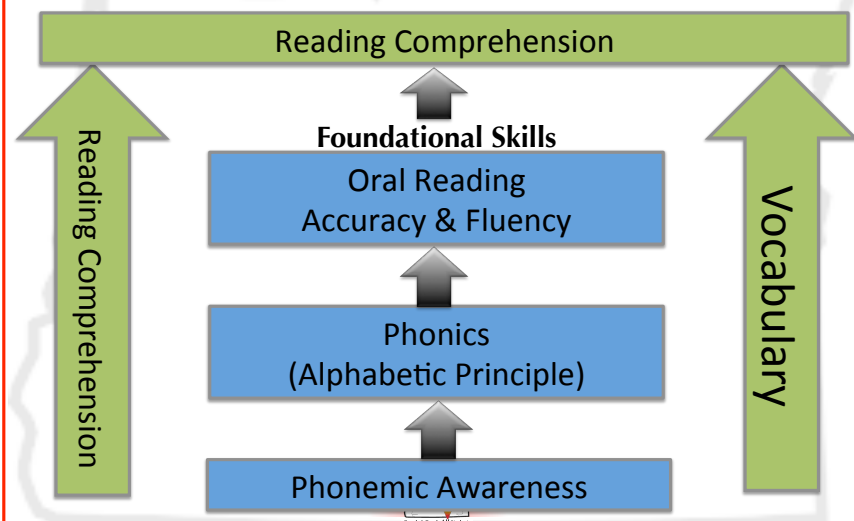
Comparison	ROI (WCPM/week)
Targeted ROI	1.77
Peer ROI (Intervention Group)	1.4
Peer ROI (Similar ELL)	1.25
Peer ROI (All District)	1
Attained ROI	0.9
Typical ROI	0.83



Slow Progress

Questions	Does the student make "adequate" progress?			
Does the student exhibit SLOW PROGRESS?	What is the student's Attained Rate of Improvement (ROI)?:			
	End performance	-	Beginning performance	/ # of Instructional Weeks = Attained ROI
	23 WCPM	-		/ 22 = 1.04
	(Circle One)			
	The Typical ROI is:	1.2	which is...	...Less than the Attained ROI
	Target ROI is:	1.75	which is...	...Less than the Attained ROI
	Peer (District) ROI:	1.3	which is...	...Less than the Attained ROI
	Peer (Intervention Group) ROI:	1.4	which is...	...Less than the Attained ROI
Intervention Matched to student need?				Y N
Intervention time & intensity appropriate?				Y N
Intervention delivered with fidelity?				Y N
Preponderance of Evidence?				Y N
Additional Information Needed				

Intervention Matched to Student Need



Intervention Matched to Student Need: ELL Considerations

- Did they also receive a language intervention?
 - “Not all currently used interventions in literacy (especially for primary grade students) include adequate attention to these areas [listening & reading comprehension], and thus they may need to be augmented for English learners.”
Institute for Education Sciences, 2004
- Is there a high degree of “fluidity” of instruction for ELL’s across the day?
- Do we have decision rules for placement and movement of ELL’s in interventions?
 - Did we follow them?



Slow Progress

Questions	Does the student make “adequate” progress?			
Does the student exhibit SLOW PROGRESS?	What is the student’s Attained Rate of Improvement (ROI)?:			
	End performance	- Beginning performance	/ # of Instructional Weeks	= Attained ROI
	23 WCPM		/ 22	= 1.04
	(Circle One)			
	The Typical ROI is:	1.2	which is...	...Less than the Attained ROI
	Target ROI is:	1.75	which is...	...Greater than the Attained ROI
	Peer (District) ROI:	1.3	which is...	...Less than the Attained ROI
	Peer (Intervention Group) ROI:	1.4	which is...	...Greater than the Attained ROI
	Intervention Matched to student need?		Y	N
	Intervention time & intensity appropriate?		Y	N
	Intervention delivered with fidelity?		Y	N
	Preponderance of Evidence?		Y	N
Additional Information Needed				

Slow Progress

Questions	Does the student make “adequate” progress?			
Does the student exhibit SLOW PROGRESS?	What is the student’s Attained Rate of Improvement (ROI)?:			
	End performance	- Beginning performance	/ # of Instructional Weeks	= Attained ROI
	23 WCPM		/ 22	= 1.04
	(Circle One)			
	The Typical ROI is:	1.2	which is...	...Less than the Attained ROI
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	Peer (District) ROI:	1.3	which is...	...Less than the Attained ROI
	Peer (Intervention Group) ROI:	1.4	which is...	...Greater than the Attained ROI
	Intervention Matched to student need?		Y	N
	Intervention time & intensity appropriate?		Y	N
	Intervention delivered with fidelity?		Y	N
	Preponderance of Evidence?		Y	N
Additional Information Needed		???		

Third Question



Is the student *significantly* different from peers?

Does the student make *less than adequate* progress despite interventions?

Does the student need *specialty designed instruction*?



Does the student need **Specially Designed Instruction**?

Instructional Need	
OAR Eligibility Requirement: The child needs special education services as a result of the disability [581-015-2170 (4)(b)]	
Instructional Need: Does the student have instructional needs that require specially designed instruction: content, methodology, and/or delivery?	Data Sources: Review, Interview, Observe, Test
<input type="checkbox"/> Instructional needs beyond core instruction are identified <ul style="list-style-type: none"> • More frequent repetition of concepts & skills, more explicit instruction, etc. <input type="checkbox"/> Curriculum content needs (concepts & skills) are identified as below grade level <input type="checkbox"/> Environmental needs are identified (or are not applicable) <ul style="list-style-type: none"> • Reduced teacher/staff ratio, different setting, etc. <input type="checkbox"/> Learning supports needed are identified (or are not applicable) <ul style="list-style-type: none"> • Individualized reinforcement system 	<input type="checkbox"/> Review of curricula <input type="checkbox"/> Problem Analysis/Diagnostic Data <input type="checkbox"/> Teacher/Child/Parent/Provider Interview <input type="checkbox"/> Observation in instructional setting <input type="checkbox"/> Work samples <input type="checkbox"/> Other:



What is Specially Designed Instruction?

- Federal Definition: *adapting the.....*
 - Content
 - Methodology
 - and/or
 - Delivery of instruction



What is Specially Designed Instruction?

Additional components:

- Needs to be truly *necessary* rather than merely beneficial
- Designed or implemented by certified special education personnel
- Not available regularly in general education



Instructional Need?

Question:	Evidence/Data of Need	Different than typically provided in general ed?	
Does the student have an Instructional Need for special education services?	Instruction/Methodology	Y	N
	Curriculum/Content	Y	N
	Environment/Delivery	Y	N
Additional Information Needed?	Beyond what general ed can provide?		
	Y N		

How you determine instructional need?

- It comes down to the balance: How does the *weight* of the intervention compare to the *rate of progress*?



Rule out Exclusionary Factors

~~Exclusionary Factors~~

Low Skills

Slow Progress

Instructional Need

Is the student *significantly* different from peers?

Does the student make *less than adequate* progress despite interventions?

Does the student need *specialty designed instruction*?



Exclusionary Factors: Has the student had ample opportunity to learn?

Exclusionary Factors

OAD Eligibility Requirement: A determination of whether the primary basis for the suspected disability is (i) a **lack of appropriate instruction** in reading (including the essential components of reading) or math; or (ii) **Limited English proficiency** [581-015-2170 (5)(g)]

Appropriate instruction: Has student had ample opportunity to learn?

Data Sources: **Review, Interview, Observe, Test**

- ☐ Appropriate instruction provided in general education setting (core & intervention instruction)
- ☐ Concerns pervasive (exist across settings or providers, etc.)
- ☐ Consistent attendance during instruction
- ☐ Primary cause is not limited English Proficiency
- ☐ Primary cause is not visual, hearing, or motor impairment, mental retardation, emotional disturbance, cultural factors, or environmental or economic disadvantage.

- ☐ Cumulative Records
- ☐ Attendance Records
- ☐ Report Cards
- ☐ Parent/Teacher/Child/Provider Interview
- ☐ Observation of general education instruction
- ☐ Progress monitoring data from cohort students
- ☐ Intervention documentation
- ☐ Other:



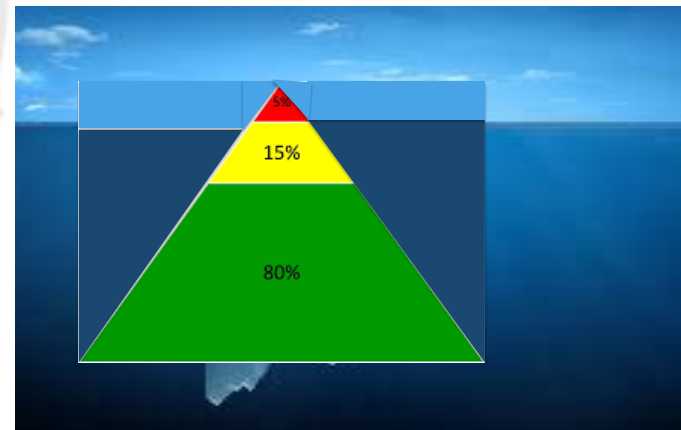
Has the student had ample opportunity to learn?

- ☐ Appropriate instruction provided in **general education setting** (core & intervention instruction)
- ☐ Concerns pervasive (exist across settings or providers, etc.)
- ☐ Consistent attendance during instruction
- ☐ **Primary cause** is not **limited English Proficiency**
- ☐ Primary cause is not visual, hearing, or motor impairment, mental retardation, emotional disturbance, cultural factors, or environmental or economic disadvantage.

- English language development
- Acculturation
- Cohort groups
 - *How do their skills and growth compare to students with similar language, acculturation, etc.?*



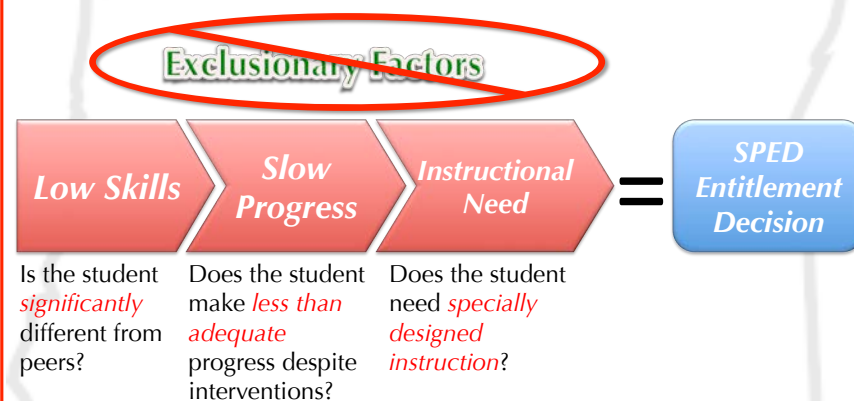
Remember, You've already collected most of this data!



It Comes Down to a Preponderance of Evidence



Three key questions



Putting it ALL Together



Regularly Analyze Implementation

- Review Disaggregated Outcome Data
- Ensure teachers are trained and using effective instructional strategies
- Ensure Decision Rules are being followed
- Focus on what students need from the school in order to be successful



RTI is the Most Equitable Approach

"The implementation of a multitiered instruction and assessment model such as response to intervention (RTI) facilitates a more equitable process of identifying struggling learners, especially when they are ELLs... and is effective in reducing inappropriate referrals of ELLs to special education"

Klingner and Eppolito, 2014

