Beliefs Survey

1. **Your PS/RtI Project ID:** ⟶

   Your PS/RtI Project ID was designed to assure confidentiality while also providing a method to match an individual's responses across instruments. In the space provided (first row), please write in the last four digits of your Social Security Number and the last two digits of the year you were born. Then, shade in the corresponding circles.

⓪	⓪	⓪	⓪	⓪	⓪
①	①	①	①	①	①
②	②	②	②	②	②
③	③	③	③	③	③
④	④	④	④	④	④
⑤	⑤	⑤	⑤	⑤	⑤
⑥	⑥	⑥	⑥	⑥	⑥
⑦	⑦	⑦	⑦	⑦	⑦
⑧	⑧	⑧	⑧	⑧	⑧
⑨	⑨	⑨	⑨	⑨	⑨

Directions: For items 2-5 below, please shade in the circle next to the response option that best represents your answer.

2. Job Description:

   ○ PS/RtI Coach   ○ Teacher-General Education   ○ Teacher-Special Education

   ○ School Counselor   ○ School Psychologist   ○ School Social Worker

   ○ Principal   ○ Assistant Principal

   Other (Please specify): _____

3. Years of Experience in Education:

   ○ Less than 1 year   ○ 1 – 4 years   ○ 5-9 years

   ○ 10 – 14 years   ○ 15-19 years   ○ 20-24 years

   ○ 25 or more years   ○ Not applicable

4. Number of Years in your Current Position:

   Less than 1 year   1 – 4 years   5-9 years

   10 – 14 years   15-19 years   20 or more years

5. Highest Degree Earned:

   ○ B.A./B.S.   ○ M.A./M.S.   ○ Ed.S.   ○ Ph.D./Ed.D.

   Other (Please specify): _____

Directions*: Using the scale below, please indicate your level of agreement or disagreement with each of the following statements by shading in the circle that best represents your response.*

    ① = **Strongly Disagree (SD)**
    ② = **Disagree (D)**
    ③ = **Neutral (N)**
    ④ = **Agree (A)**
    ⑤ = **Strongly Agree (SA)**

	SD	D	N	A	SA
6. I believe in the philosophy of No Child Left Behind (NCLB) even if I disagree with some of the requirements.	①	②	③	④	⑤
7. Core instruction should be effective enough to result in 80% of the students achieving benchmarks in					
7.a. reading	①	②	③	④	⑤
7.b. math	①	②	③	④	⑤
8. The primary function of supplemental instruction is to ensure that students meet grade-level benchmarks in					
8.a. reading	①	②	③	④	⑤
8.b. math	①	②	③	④	⑤
9. The majority of students with learning disabilities achieve grade-level benchmarks in					
9.a. reading	①	②	③	④	⑤
9.b. math	①	②	③	④	⑤
10. The majority of students with behavioral problems (EH/SED or EBD) achieve grade-level benchmarks in					
10.a. reading	①	②	③	④	⑤
10.b. math	①	②	③	④	⑤
11. Students with high-incidence disabilities (e.g. SLD, EBD) who are receiving special education services are capable of achieving grade-level benchmarks (i.e., general education standards) in					
11.a. reading	①	②	③	④	⑤
11.b. math	①	②	③	④	⑤
12. General education classroom teachers should implement more differentiated and flexible instructional practices to address the needs of a more diverse student body.	①	②	③	④	⑤

	SD	D	N	A	SA
13. General education classroom teachers would be able to implement more differentiated and flexible interventions if they had additional staff support.	①	②	③	④	⑤
14. The use of additional interventions in the general education classroom would result in success for more students.	①	②	③	④	⑤
15. Prevention activities and early intervention strategies in schools would result in fewer referrals to problem-solving teams and placements in special education.	①	②	③	④	⑤
16. The "severity" of a student's academic problem is determined not by how far behind the student is in terms of his/her academic performance but by how quickly the student responds to intervention.	①	②	③	④	⑤
17. The "severity" of a student's behavioral problem is determined not by how inappropriate a student is in terms of his/her behavioral performance but by how quickly the student responds to intervention.	①	②	③	④	⑤
18. The results of IQ and achievement testing can be used to identify effective interventions for students with learning and behavior problems.	①	②	③	④	⑤
19. Many students currently identified as "LD" do not have a disability, rather they came to school "not ready" to learn or fell too far behind academically for the available interventions to close the gap sufficiently.	①	②	③	④	⑤
20. Using student-based data to determine intervention effectiveness is more accurate than using only "teacher judgment."	①	②	③	④	⑤
21. Evaluating a student's response to interventions is a more effective way of determining what a student is capable of achieving than using scores from "tests" (e.g., IQ/Achievement test).	①	②	③	④	⑤
22. Additional time and resources should be allocated first to students who are not reaching benchmarks (i.e., general education standards) before significant time and resources are directed to students who are at or above benchmarks.	①	②	③	④	⑤
23. Graphing student data makes it easier for one to make decisions about student performance and needed interventions.	①	②	③	④	⑤
24. A student's parents (guardian) should be involved in the problem-solving process as soon as a teacher has a concern about the student.	①	②	③	④	⑤

	SD	D	N	A	SA
25. Students respond better to interventions when their parent (guardian) is involved in the development and implementation of those interventions.	①	②	③	④	⑤
26. All students can achieve grade-level benchmarks if they have sufficient support.	①	②	③	④	⑤
27. The goal of assessment is to generate and measure effectiveness of instruction/intervention.	①	②	③	④	⑤

THANK YOU!

Perceptions of RtI Skills Survey

1. **Your PS/RtI Project ID:** ⟶

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⓪	⓪	⓪	⓪	⓪	⓪
①	①	①	①	①	①
②	②	②	②	②	②
③	③	③	③	③	③
④	④	④	④	④	④
⑤	⑤	⑤	⑤	⑤	⑤
⑥	⑥	⑥	⑥	⑥	⑥
⑦	⑦	⑦	⑦	⑦	⑦
⑧	⑧	⑧	⑧	⑧	⑧
⑨	⑨	⑨	⑨	⑨	⑨

Directions: Please read each statement about a skill related to assessment, instruction, and/or intervention below, and then evaluate YOUR skill level within the context of working at a school/building level. Where indicated, rate your skill separately for academics (i.e., reading and math) and behavior. Please use the following response scale:

① **= I do not have this skill at all (NS)**
② **= I have minimal skills in this area; need substantial support to use it (MnS)**
③ **= I have this skill, but still need some support to use it (SS)**
④ **= I can use this skill with little support (HS)**
⑤ **= I am highly skilled in this area and could teach others this skill (VHS)**

The skill to:	NS	MnS	SS	HS	VHS
2. *Access* the data necessary to determine the percent of students in core instruction who are achieving benchmarks (district grade-level standards) in:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
3. Use data *to make decisions* about individuals and groups of students for the:					
a. Core academic curriculum	①	②	③	④	⑤
b. Core/Building discipline plan	①	②	③	④	⑤

The skill to:	NS	MnS	SS	HS	VHS
4. Perform each of the following steps when identifying the problem for a student for whom concerns have been raised:					
a. Define the referral concern in terms of a replacement behavior (i.e., what the student should be able to do) instead of a referral *problem* for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
b. Use data to define the current level of performance of the target student for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
c. Determine the desired level of performance (i.e., benchmark) for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
d. Determine the current level of peer performance for the same skill as the target student for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
e. Calculate the gap between student current performance and the benchmark (district grade level standard) for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
f. Use gap data to determine whether core instruction should be adjusted or whether supplemental instruction should be directed to the target student for:					
• Academics	①	②	③	④	⑤
• Behavior	①	②	③	④	⑤
5. Develop potential reasons (hypotheses) that a student or group of students is/are not achieving desired levels of performance (i.e., benchmarks) for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
6. Identify the most appropriate type(s) of data to use for determining reasons (hypotheses) that are likely to be contributing to the problem for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤

The skill to:	NS	MnS	SS	HS	VHS
7. Identify the appropriate supplemental intervention available in my building for a student identified as at-risk for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
8. Access resources (e.g., internet sources, professional literature) to develop evidence-based interventions for:					
a. Academic core curricula	①	②	③	④	⑤
b. Behavioral core curricula	①	②	③	④	⑤
c. Academic supplemental curricula	①	②	③	④	⑤
d. Behavioral supplemental curricula	①	②	③	④	⑤
e. Academic individualized intervention plans	①	②	③	④	⑤
f. Behavioral individualized intervention plans	①	②	③	④	⑤
9. Ensure that any supplemental and/or intensive interventions are integrated with core instruction in the general education classroom:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
10. Ensure that the proposed intervention plan is supported by the data that were collected for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
11. Provide the support necessary to ensure that the intervention is implemented appropriately for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
12. Determine if an intervention was implemented as it was intended for:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤
13. Select appropriate data (e.g., Curriculum-Based Measurement, DIBELS, FCAT, behavioral observations) to use for progress monitoring of student performance during interventions:					
a. Academics	①	②	③	④	⑤
b. Behavior	①	②	③	④	⑤

The skill to:	NS	MnS	SS	HS	VHS
14. Construct graphs for large group, small group, and individual students:					
a. Graph target student data	①	②	③	④	⑤
b. Graph benchmark data	①	②	③	④	⑤
c. Graph peer data	①	②	③	④	⑤
d. Draw an aimline	①	②	③	④	⑤
e. Draw a trendline	①	②	③	④	⑤
15. Interpret graphed progress monitoring data to make decisions about the degree to which a student is responding to intervention (e.g., positive, questionable or poor response).	①	②	③	④	⑤
16. Make modifications to intervention plans based on student response to intervention.	①	②	③	④	⑤
17. Use appropriate data to differentiate between students who have not learned skills (e.g., did not have adequate exposure to effective instruction, not ready, got too far behind) from those who have barriers to learning due to a disability.	①	②	③	④	⑤
18. Collect the following types of data:					
a. Curriculum-Based Measurement	①	②	③	④	⑤
b. DIBELS	①	②	③	④	⑤
c. Access data from appropriate district- or school-wide assessments	①	②	③	④	⑤
d. Standard behavioral observations	①	②	③	④	⑤
19. Disaggregate data by race, gender, free/reduced lunch, language proficiency, and disability status	①	②	③	④	⑤
20. Use technology in the following ways:					
a. Access the internet to locate sources of academic and behavioral evidence-based interventions.	①	②	③	④	⑤
b. Use electronic data collection tools (e.g., PDAs)	①	②	③	④	⑤
c. Use the Progress Monitoring and Reporting Network (PMRN)	①	②	③	④	⑤
d. Use the School-Wide Information System (SWIS) for Positive Behavior Support	①	②	③	④	⑤
e. Graph and display student and school data	①	②	③	④	⑤
21. Facilitate a Problem Solving Team (Student Support Team, Intervention Assistance Team, School-Based Intervention Team, Child Study Team) meeting.	①	②	③	④	⑤

THANK YOU!

B-6. How do schools verify and document that instruction and interventions were "well-delivered" with reliable "evidence of implementation fidelity"?

C-1. What is a "comprehensive" evaluation?

C-4. Is the school required to obtain a "positive" response to the intervention from the student, prior to the comprehensive evaluation, before it can determine eligibility?

C-5. What is meant by "intensive interventions are effective but require sustained and substantial effort"?

C-6. Are schools responsible for providing general education interventions for students who demonstrate continued need for supportive interventions but do not qualify to receive special education services?

C-7. If schools are to continue problem-solving efforts until the student successfully responds to instruction/interventions, how is the school to respond when a parent requests an evaluation?

C-8. What is meant by "appropriate period of time"?\

C-9. Can a student be found eligible for services as a student with an SLD if the problem-solving team does not have enough information about the student's response to intervention at the end of the 60-day timeline to determine whether the student needs specially designed instruction?

C-10. What impact will the extension of the 60-day timeline by "mutual written agreement of the student's parents and a group of qualified personnel" have on the State Performance Plan requirement for meeting the 60-day timeline?

C-11. How do teams identify well-delivered scientific, research-based instruction?

C-12. How does the school determine the "date of evaluation" if the evaluation includes on-going progress monitoring?

D-1. What are the eligibility criteria for SLD?

D-2. How does the group determine that the student "does not achieve adequately" in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving?

D-3. What are examples of ways to identify "level of performance and rate of progress"?

D-5. How does the group of qualified professionals determine that the student's learning difficulties are not primarily due to one or more of the following factors: visual, hearing, motor, intellectual, or emotional/behavioral disabilities; limited English proficiency; classroom behavior; irregular pattern of attendance and/or high mobility rate; or environmental, cultural, or economic factors as specified in Rule 6A-6.03018(4)(a)3., F.A.C.?

D-6. How will eligibility be determined for English language learners?

D-7. Why was the requirement for a process deficit eliminated?

E-2. What is meant by "the student's academic performance is significantly discrepant"?

E-3. What data sources can be used to compare the student's performance to the "peer subgroup, classroom, school, district, and state level comparison groups"?

E-5. What is considered documentation of insufficient rate of progress?

B-6. How do schools verify and document that instruction and interventions were "well-delivered" with reliable "evidence of implementation fidelity"?

If instruction and interventions are effective in addressing the targeted behavior or skill measurable by positive student response, then evidence exists demonstrating that the instruction was well-delivered. Documentation that the same instruction and interventions are effective for large numbers of other students in the same setting helps establish that instruction and interventions are being well-delivered, especially if they are effective with students from similar demographic backgrounds.

Well-delivered instruction and interventions have documentation of implementation fidelity, to include:
- The level of support/training provided to the implementer
- The frequency and intensity of intervention
- Evidence that the intervention followed protocol and was delivered for a sufficient period of time to generate sufficient data to determine a student's response to the intervention (i.e., degree of effectiveness in addressing the problem)

Implementation fidelity means the quality of the instruction delivered and is evident through documentation of the specific instructional interventions used, the support provided to the individual(s) implementing interventions, adherence to the critical elements of the intervention design and delivery methods, the duration and frequency of intervention implementation (e.g., number of weeks, minutes per week, sessions per week), and the student-centered data collected. Verification should occur through multiple approaches that include direct observations of core instruction, intervention implementation, and fidelity of intervention. It is the responsibility of the school-based problem-solving team (including the administrator) to determine who will monitor fidelity as part of the intervention planning process. It is important that intervention fidelity be observed at each tier of the general education instruction/intervention process. Teams should plan for the observation and documentation of intervention fidelity in advance. The problem-solving team should determine which member of the team will conduct a direct observation of the intervention. Direct observations record the presence of critical elements of instruction/intervention in real time, while instructional behavior rating scales are completed after observing an entire instructional session. In addition to observations and lesson plans, completed procedural checklists may assist in assessing treatment and problem-solving team integrity (e.g., walk-throughs, Differentiated Accountability Plan, Problem Solving/RtI Project Documentation of Intervention Fidelity). Finally, providing professional support to the person delivering the interventions increases implementation fidelity. This support includes review of the student's response to intervention, identification and resolution of any barriers to the implementation of the intervention, and a review of the critical components of the intervention. Self-reports may be used to record the amount of instruction/intervention delivered and permanent products evidencing the occurrence of instruction/intervention sessions may be reviewed. Examples may be found at http://www.aea11.k12.ia.us:16080/idm/checkists.html.

C-1. What is a "comprehensive" evaluation?

The comprehensive evaluation includes all the existing information on the student (e.g., graphic representations of the student's rate of progress and level of performance using progress-monitoring tools; observations; reports; parent input; local, state, and district assessments; etc.) as well as any additional assessments that the group of qualified professionals determines necessary to: (1) determine whether a student is a student with a disability and (2) identify the special education needs of the student. Rule 6A-6.0331(5)(g), F.A.C., requires that an evaluation be sufficiently comprehensive to identify all of a student's exceptional education and related services needs. A comprehensive evaluation uses a variety of assessment tools and strategies, does not rely on a single measure or assessment, assesses the student in all areas related to the suspected disability, and identifies the student's individual educational needs. It is important to note that psycho-educational testing is not the same as a comprehensive evaluation. Though in isolated cases psycho-educational testing may be a helpful part of the comprehensive evaluation process, school-based problem-solving teams must make the determination of what type of information is needed to inform the problem-solving effort and what type of assessments would provide that information on a student-by-student basis.

C-4. Is the school required to obtain a "positive" response to the intervention from the student, prior to the comprehensive evaluation, before it can determine eligibility?

No, although obtaining a positive response is the continual goal and ideally occurs prior to determining eligibility so that the student's needs are known, documented, and may be used to inform the individual educational planning (IEP) process. Consistent with Rule 6A-6.03018, F.A.C., eligibility can be determined if: 1) there is documentation that the student has received scientific, research-based instruction delivered with fidelity by qualified personnel, 2) the student does not make adequate progress when given individualized interventions of sufficient intensity and duration to satisfactorily address discrepancies in level of performance and rate of progress, and 3) discrepancies in level of performance and rate of progress are not primarily the results of one of the exclusionary factors. The two primary purposes of comprehensive evaluation are: 1) to determine whether the student is a student with a disability, and 2) to determine the educational needs of the student (34 Code of Federal Regulations [CFR] § 300.301(c); Rule 6A-6.0331(3)(c), F.A.C.]. An evaluation is incomplete if it only establishes the existence of a disability without determining the special education needs of the student. The evaluation procedures require that the evaluation be "sufficiently comprehensive to identify all of a student's exceptional student education (ESE) needs, whether or not commonly linked to the disability category in which the student is classified" (Rule 6A-6.0331(5)(g), F.A.C.). Determining what intervention(s) the student responds to, and to what degree, is essential for establishing the "need" for exceptional education and identifying the specific exceptional education needs. Ideally, the student will be responding

positively to the intervention(s) and the team may determine that it is necessary to sustain the intensive interventions through the provision of special education and related services. However, some cases will require making a decision that the student needs resources available through special education because the student has only minimal (poor or questionable) response to the interventions that have been provided so far, but it is clear that the student will require tier 3 level services on an on-going basis. In either case, it is expected that the problem-solving process and pursuit of the intervention(s) that will close the gap will continue at the intensive level for students who are found eligible for special education. For further explanation of poor, questionable, and positive levels of student response to interventions provided, see question E-5.

C-5. What is meant by "intensive interventions are effective but require sustained and substantial effort"?

Interventions that require sustained and substantial effort are interventions that effectively improve a student's level of performance and rate of progress; however, when the intervention is faded (i.e., the intensity of the intervention is reduced), the level of performance and rate of progress decline significantly. Progress-monitoring data provide evidence of the effectiveness of the intervention but may also indicate that maintenance of growth requires intensive supports, which may reflect exceptional education services.

C-6. Are schools responsible for providing general education interventions for students who demonstrate continued need for supportive interventions but do not qualify to receive special education services?

Yes. In accordance with Rule 6A-6.0331(1), F.A.C., the district is responsible for developing and implementing a coordinated system of supports that address the academic and behavioral needs of students in order for students to be successful in the general education environment. Approximately 15–20 percent of students in our schools will need additional support on an ongoing basis to make adequate progress. The majority of these students are not identified as eligible for services as a student with a disability under the IDEA or Section 504. The on-going work of the problem-solving teams will focus on solutions for these students through general education resources.

C-7. If schools are to continue problem-solving efforts until the student successfully responds to instruction/interventions, how is the school to respond when a parent requests an evaluation?

If a parent requests an evaluation, the problem-solving/response to intervention process should continue concurrently with the evaluation. If, at the end of the 60-day evaluation timeline, the group of qualified professionals does not have enough evidence to determine eligibility, the group can propose an extension of the evaluation timeline or conclude that the eligibility decision must be made with the

currently available information. The school's responsibility is to meet the student's instructional/intervention needs as informed by the student's on-going response to what is being implemented and adjusted accordingly. Thus the problem-solving/response to intervention cycle continues with or without an eligibility determination.

C-8. What is meant by "appropriate period of time"? The instructional strategies/interventions must be delivered for a period of time sufficient to gather enough data to determine effectiveness. The determination of what is an appropriate period of time cannot arbitrarily be established but must be decided individually based on a number of factors, including:

• Discrepancy in level of performance and rate of progress
• Intensity of the intervention
• Length of the implementation in a standard protocol intervention
• Rate of progress that can be realistically expected

These decisions are the responsibility of the group of qualified personnel who know the student and are knowledgeable about instruction and intervention. The length of time necessary to respond to interventions may vary as a function of age, skill, and prior experience. Although response to a specific intervention can be determined in a relatively short period (if the measure is sensitive to changes in growth and there are enough data points to establish a reliable slope/trend line), the problem-solving cycle is a process that requires persistent, on-going effort. Ultimately, it is the student's response to intervention that will determine the length of time that the student should be exposed to the specific interventions. If a student evidences a positive response to intervention, then the intervention should be continued. If a student is improving, but not at a rate necessary to ultimately reach grade-level standards, then increasing the intensity of the intervention should be considered. However, if a student is evidencing a poor response to intervention, then the school-based team should return to the problem-solving process to identify alternative interventions.

C-9. Can a student be found eligible for services as a student with an SLD if the problem-solving team does not have enough information about the student's response to intervention at the end of the 60-day timeline to determine whether the student needs specially designed instruction?

No. A student cannot be found eligible unless there is sufficient information acquired to establish the existence of a disability and need. Problem-solving/RtI does not "start" and "end" like the traditional "pre-referral" process. It is an on-going, cyclical way of work that applies to all students enrolled in school and continues for students who are receiving special education and related services. Even in circumstances where minimal data are available at the time of consent to evaluate, 60 school days (which is approximately three months of school) should provide sufficient time to collect the RtI data necessary to determine whether the student needs specially

designed instruction. If the team has insufficient RtI, or other evaluation data required to make decisions about eligibility and need, the 60-day timeline can be extended by "mutual written agreement." This extension is a unique allowance for the SLD evaluation process and is specifically established in the IDEA regulations. C-10. What impact will the extension of the 60-day timeline by "mutual written agreement of the student's parents and a group of qualified personnel" have on the State Performance Plan requirement for meeting the 60-day timeline? In accordance with IDEA, the option to extend the timeline by mutual agreement is unique to the program for specific learning disabilities. Students for whom the 60-day timeline is extended by mutual written agreement will not be counted in the 60-day timeline data. Districts will need to individually track these students and report the number of students whose timeline has been extended by mutual agreement and the number of days beyond the 60-day timeline within which the evaluation is completed.

C-11. How do teams identify well-delivered scientific, research-based instruction?

Teams are encouraged to use interventions that meet federal guidelines for scientifically based research (Sec. 9101 (37) of the No Child Left Behind Act of 2001 and Rule 6A-6.03411(ff), F.A.C.). Scientific, research-based interventions are those that involve the application of rigorous systematic and objective procedures to obtain reliable and valid knowledge relevant to educational activities and programs. In addition, scientific, research-based interventions involve research that employs systematic methods that draw on observation or experiment and rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn. It is the responsibility of the team selecting the evidence-based interventions to ensure that those interventions were validated through students with similar demographics to the student targeted for the interventions and that the instructional conditions were similar.

For reading, there should be evidence that the intervention addresses the essential components of reading instruction. The What Works Clearinghouse and the Florida Center for Reading Research (FCRR) are examples of centers that evaluate research for practitioners. The intervention should have evidence of validity for the specific population, problem, and setting to which it is applied. It is also important to note that implementation fidelity and sufficiency should be documented and shared with parents as often as this information is used to make decisions.

C-12. How does the school determine the "date of evaluation" if the evaluation includes on-going progress monitoring?

The date of the evaluation is the date the group reviews all of the available information on the student, including response to intervention data. Response to intervention is not an "evaluation" in the traditional sense but an evaluation of all available data collected over time. There will be a date when the team decides to consider the question, "Is this student eligible for special education?" In order to

answer the question, the team must also determine whether sufficient data exist to make this decision and, if not, what specific data must be gathered and how it will be gathered. If more information is needed, a new "evaluation date" is set so that the additional information can be added to the body of evidence for review. The date of evaluation will be the same as the date the eligibility decision is made.

D-1. What are the eligibility criteria for SLD?

A group of qualified professionals and the parent can determine eligibility for a specific learning disability if there is evidence of the following three criteria: 1) The student does not achieve adequately (for age- or grade-level standards) when provided with instruction and learning experiences appropriate for his or her grade placement. 2) The student does not make adequate progress based on a response to intervention process, or interventions are effective but require sustained and substantial efforts that exceed what can be offered through general education resources (districts may also require a pattern of strengths and weaknesses in addition to the RtI process until July 1, 2010). 3) Discrepancies in level of performance and rate of progress are not primarily the result of one of the following factors:

• A visual, hearing, or motor disability
• Intellectual disability
• Emotional/behavioral disability
• Cultural factors
• Irregular pattern of attendance and/or high mobility rate
• Classroom behavior
• Environmental or economic factors
• Limited English proficiency

D-2. How does the group determine that the student "does not achieve adequately" in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving?

There should be multiple measures from multiple assessment instruments and procedures, such as standardized assessment batteries and curriculum-based progress-monitoring instruments, establishing the level of performance discrepancy in each area of concern. Progress-monitoring measures are needed to assess the student's response to intervention and measure the rate of progress and to document that inadequate achievement persists with appropriate instruction and intervention over time. The student's level of performance and rate of progress are significantly discrepant from age- or grade-level standards/expectations and from the performance of peers using a combination of curriculum-based screening measures and progress-monitoring measures (e.g., Florida Assessments for Instruction in

Reading), individual and group norm-referenced tests, and both district and state assessments. The Department of Education is not establishing a "cut-off" score, but, in most cases, a student whose performance is in the broad average range and whose slope of progress is similar to that of demographically similar peers would not need special education. Appendix A of the district's ESE Policies and Procedures document lists selected evaluation instruments that can be used to assess reading, math, written language, and oral language achievement relative to age peers.

D-3. What are examples of ways to identify "level of performance and rate of progress"?

Level of performance is established by comparing an individual student to grade- or age-level benchmarks and peer performance using universal screening measures, district and state criterion or norm-referenced assessments, and other norm-referenced measures of achievement. Districts have flexibility with respect to assessment instruments. A variety of tools can be used such as formal, standardized measures, curriculum-based measurements, and other assessment tools that measure the student's level of performance on state standards. Rate of progress can only be established by ongoing progress-monitoring tools that assess the student's response to intervention. These measures must be brief, repeatable, sensitive to growth, and able to be graphically represented for decision making. A number of comprehensive, commercially available progress-monitoring systems are on the market. The National Center on Student Progress Monitoring provides a review of progress-monitoring tools at http://www.studentprogress.org/chart/chart.asp. Additionally, the National Center on Response to Intervention at http://www.rti4success.org/ has released a Progress Monitoring Tools Chart. National and state efforts continue to evolve in this area of development. The Florida Center for Reading Research, in partnership with Just Read, Florida!, has developed the Florida Assessments for Instruction in Reading (FAIR). The FAIR include tools for screening, progress monitoring, and diagnostic assessment for students in grades K–12 (including comprehension and vocabulary) and will be implemented at the beginning of the 2009–2010 school year. Scores from the grades K–2 assessments and the grades 3–12 computerized assessments will be directly imported into the Progress Monitoring Reporting Network (PMRN) thereby supporting data analysis. The Florida Center for Research in Science, Technology, Engineering, and Math (FCR STEM) is also in the process of developing assessment tools. Currently, the focus is on formative assessment tools aligned with the Next Generation Sunshine State Standards for primary grades in mathematics. Florida will continue its progress toward developing assessment tools that inform instruction and intervention, a common data system, and a unified system of education.

D-5. How does the group of qualified professionals determine that the student's learning difficulties are not primarily due to one or more of the following factors: visual, hearing, motor, intellectual, or emotional/behavioral disabilities; limited English proficiency; classroom behavior; irregular pattern

of attendance and/or high mobility rate; or environmental, cultural, or economic factors as specified in Rule 6A-6.03018(4)(a)3., F.A.C.?

As part of the process for documenting that the SLD eligibility criteria have been met, the group must determine that its findings are not primarily the result of these factors. It is the group's responsibility to identify the data sources necessary to rule these factors out as a primary cause of learning difficulties. This can be accomplished through a variety of methods, including review of records, observations, classroom performance, RtI/progress-monitoring data and rating scales. In some cases, a formal evaluation may be necessary if there is insufficient information to rule out a particular factor. Formal assessment may be indicated if there are questions about sensory deficits, intellectual disabilities, or emotional/behavioral disabilities. Rule 6A-6.0331(4), F.A.C., states that, "students shall be assessed in all areas of the suspected disability including, if appropriate [emphasis added], health, vision, hearing, social and emotional status, intelligence, academic performance, communicative status, and motor disabilities." Response to intervention does not replace the requirement to rule out other causes of learning difficulties. However, in many cases the data gathered during the problem-solving/RtI process may be sufficient to rule out environmental, cultural, or economic factors and limited English proficiency if there is documentation that the majority of students from similar demographics, to the extent possible, are meeting expectations. A student should not be considered disabled unless there is empirical evidence of sufficient opportunities to learn and that instruction/interventions are effective for their peer group. A problem-solving/RtI approach provides empirical evidence of the effectiveness of core instruction and both small group and individual interventions.

D-6. How will eligibility be determined for English language learners?

A problem-solving/RtI approach to SLD identification holds promise as a more culturally fair practice for English language learners by focusing on evaluating the effectiveness of core instruction for English language learners as a group prior to examining deficits in the level of performance of an individual English language learner. Core instruction and targeted interventions must be effective for English language learners as a group. An English language learner would not be considered disabled unless there is empirical evidence that instruction is effective for other English language learners with similar exposure to English and that the student's rate of progress and level of performance are discrepant from both grade-level expectations and English language learners' peer performance. Because English language learners are subject to the same academic performance expectations as other students, their performance should be measured with the same progress-monitoring tools. Studies suggest that English language learners make similar rates of progress on progress-monitoring measures, but it is important to select monitoring tools that are sensitive to academic growth in English language learners. Learning Disability Quarterly published a special issue on English language learners and RtI in the Summer 2007 (Vol. 30), which addresses many of the instructional and

research issues surrounding implementation of RtI with students who are English language learners.

D-7. Why was the requirement for a process deficit eliminated?

The process test requirement was eliminated from the Florida rule to align the rule with the requirements of IDEA and because there is a lack of evidence that such assessments are necessary or sufficient for identifying SLDs. The federal regulations have no requirement to assess process deficits when determining the existence of a specific learning disability (34 CFR §300.309). In the commentary section of the Federal Register (p. 46,651), the United States Department of Education states that, "an assessment of intra-individual differences in cognitive functions does not contribute to identification and intervention decisions for children suspected of having an SLD" and states that, "The Department does not believe that an assessment of psychological or cognitive processing should be required in determining whether a child has an SLD" [because] "in many cases...assessments of cognitive processes simply add to the testing burden and do not contribute to interventions."

E-2. What is meant by "the student's academic performance is significantly discrepant"?

At the point of eligibility determination, multiple factors from multiple data sources must be evaluated in order for the group to determine whether the level of performance and rate of progress are significantly discrepant from expectations and comparison groups. In most cases, a student whose performance is in the broad average range and whose slope of progress is similar to that of demographically similar peers would not need special education.

E-3. What data sources can be used to compare the student's performance to the "peer subgroup, classroom, school, district, and state level comparison groups"? In order to assure that a student's difficulties are unique to the student and not reflective of the need for systemic adjustments in instruction, curriculum, or the learning environment impacting groups of students, it is necessary to compare individual student performance with the performance of student peers. There are two broad types of comparisons: student to grade-level standards and student to comparison student groups. If the student is meeting grade-level standards, there is no need to engage in additional comparisons. However, in order to determine eligibility, the group of professionals must analyze relationships of the student's level of performance and rate of progress to each of the student's comparison groups listed in the rule, which include the peer subgroup, classroom, school, district, and state-level student comparison group. Determination of appropriate comparison tools and methods is the responsibility of the group of professionals analyzing the data. If the student's poor performance is consistent with the subgroup's performance, the problem-solving team must address the problem as it concerns the entire subgroup. Data sources appropriate for use are those that provide a systemwide view of

student performance. For instance, universal screening data or systemwide standardized assessments allow comparisons between individual student performance and group performance. Available data sources would include the Progress Monitoring Reporting Network, Florida Comprehensive Assessment Test (FCAT) reports, curriculum-based measures, and other districtwide assessments.

E-5. What is considered documentation of insufficient rate of progress?

The specific types of instruction, intervention, and assessment are unique to each school setting, which requires unique metrics appropriate to that setting. However, decision rules must be applied as part of the problem-solving process consistently across the state. Decision rules describe levels of student response and decisions regarding next steps can be made in accordance with those levels. The three levels of student response are identified as positive, questionable, and poor. Positive response to intervention is evidenced when the rate of student learning is such that the gap between expected student performance and current student performance is closing and the point at which the student's performance will "come in range" of target can be extrapolated. Questionable response is indicated when the gap stops widening but eventual closure is not predicted. Poor response to intervention occurs when there is little to no change in rate of student growth after implementation of instruction/intervention. Documentation of rate of progress would reflect the following actions:

- **Positive RtI**
    - Continue intervention with current goal.
    - Continue intervention with goal increased.
    - Fade intervention to determine if student has acquired functional independence.

- **Questionable RtI** – First, determine if instruction/intervention was implemented with fidelity.
    - If no – Employ strategies to increase implementation fidelity
    - If yes – Increase intensity of current intervention for a short period of time and assess impact. If rate improves, continue. If rate does not improve, return to problem solving.

- **Poor RtI** – First, determine if instruction/intervention was implemented with fidelity.
    - If no – Employ strategies to increase implementation fidelity.
    - If yes – Revisit steps of problem solving:
        - Is intervention aligned with the verified hypothesis? (Intervention Design)
        - Are there other hypotheses to consider? (Problem Analysis)
        - Was the problem identified correctly? (Problem Identification)