

**SUBJECT: PRE-REFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION  
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)**

The School District shall establish a plan for implementing school-wide approaches and pre-referral interventions in order to remediate a student's performance *prior to referral* for special education.

The provision of programs and/or services for students starts with consideration/implementation of instruction in the general education curriculum, with appropriate supports and/or modifications as may be necessary. In implementing pre-referral intervention strategies, the District may utilize resources/strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973, and Educationally Related Support Services and Academic Intervention Services as defined in Education Law and/or Commissioner's Regulations. All of these programs may be considered as possible components of Pre-referral/ Response to Intervention Plans. The District will ensure that they have a system in place, with appropriate personnel, for developing, implementing and evaluating pre-referral intervention strategies.

The District will provide general education support services, instructional modifications, alternative instructional approaches, or alternative program options to address a student's performance prior to a referral to a Committee on Special Education (CSE). Response to Intervention Teams (RtI), or other multi-disciplinary teams, will be formed in accordance with law and/or regulations as may be applicable as well as District guidelines. The RtI plan may include representatives from general and special education as well as other disciplines and include individuals with classroom experience. Parents or persons in parental relation to students will be involved in developing pre-referral strategies to address the educational needs of their child. Additionally, the District may seek collaboration between outside agencies and the school prior to a referral of the student to the CSE in order to address necessary student support services.

Administration shall ensure that appropriate opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents or persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

The determination of prevention and pre-referral intervention strategies/services shall consider the student's strengths, environment, social history, language and cultural diversity in addition to the teacher's concerns. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating an RtI team.

Pre-referral/ Response to Intervention Plans will be proactive in their strategies to meet the broad range of student needs and to improve student performance. Pre-referral/Intervention strategies and/or Response to Intervention Plans are to be reviewed and evaluated to determine their effectiveness, and modified as may be appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented shall be maintained.

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**SUBJECT: PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION  
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION) (CONT'D.)**

However, should a referral be made to the CSE during the course of implementing pre-referral/ RtI services, the CSE is obligated in accordance with law to continue its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program, if applicable.

### **Educational Related Support Services**

*Educational related support services (ERSS)* means curriculum and instructional modification services; direct student support team services; assessment and non-career counseling services; special instruction to eligible students with disabilities as defined in Education Law Section 4401, which does not generate excess cost aid including related services but excluding transportation and transition services; and to eligible, qualified students pursuant to Section 504 of the Rehabilitation Act of 1973. These services are provided to eligible students, individually or in groups, and may include those related consultation services provided to their families and related school personnel in order to enhance the academic achievement and attendance of such students. Educational related support services shall also mean speech and language improvement services as defined in Commissioner's Regulations.

ERRS Services may be utilized as a component of any Pre-referral/Intervention Instructional Support Plan.

### **Section 504 of the Rehabilitation Act of 1973**

For students who are qualified for services pursuant to Section 504 of the Rehabilitation Act, but are not classified as students with disabilities as defined in Education Law Section 4401, Section 504 Accommodation Plans may address instructional support services that can be utilized as components of any pre-referral/intervention strategies as deemed necessary and/or appropriate.

### **Response to Intervention Services**

Please refer to Policy 7215 *Response to Intervention Process* for a description of these services.

Education Law §§ 3602(32), 4401 and 4401-a  
8 NYCRR §§ 100.1(g),(p),(r),(s), and (t);  
100.2(v); 100.2(dd)(4); 200.2(b)(7); 200.4(a)(2) and (9); 200.4(c); and Part 154  
Section 504 of the Rehabilitation Act of 1973,  
29 U.S.C. 794 et seq.

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