

<h1>POLICY</h1>	2022	8460
	<b>Instruction</b>	

**Subject: Multi-Tiered Systems of Support Process**

For students suspected of having a potential learning disability, the District will provide appropriate MTSS interventions pursuant to Commissioner's Regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

**Minimum Requirements of District's MTSS Program**

The District's MTSS process shall include the following minimum requirements:

- a) Scientific, research-based instruction in academic and social/emotional learning provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's Regulations, shall mean scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, oral reading fluency and reading comprehension strategies;
- b) Screenings shall be provided to all students in the class to identify those students who are not making academic progress at expected rates and will include approved curriculum-based measures;
- c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
- d) Repeated assessments of student achievement will include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;
- e) The MTSS teams will be responsible for the review of information about the student's response to intervention and academic growth. This information will be used to make educational decisions about changes in goals, services, instructional strategies and/or other supports/services.
- f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:
  - 1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's Regulations;
  - 2. Strategies for increasing the student's rate of learning; and

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**Subject: Response to Intervention Process (Continued)**

3. The parents' right to request an evaluation for special education programs and/or services.

**Structure of Response to Intervention Program**

The District's MTSS program will consist of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

**Types of Interventions**

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Tier One Instruction

Tier One instruction is provided to all students. The use of scientific, research based instruction in all content areas with a focus on academic and social/emotional development will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction will consist of small group or one-to-one, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

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Tier Two instruction may be provided by the classroom teacher or specialized staff such as reading and math teachers, speech/physical/occupational therapists, nurse, school psychologists and/or school counselors as determined by the MTSS team.

At the conclusion of Tier Two instruction, the MTSS team will review the student's progress and make a determination as to whether Tier Two interventions should be maintained, discontinued or if the student should be referred for Tier Three instruction.

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the MTSS team, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the Committee on Special Education.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

**Monitoring**

The MTSS teams, whose members may include, but are not limited to, regular education teachers, special education personnel, school psychologist, reading specialists, designated administrators, and other individuals deemed appropriate by the District, will monitor the implementation of the District's MTSS program .

Students in Tiers I, II, and III will be monitored by the MTSS teams.

The MTSS team's responsibilities shall include, but are not limited to, the following:

1. Determining the level of interventions/student performance criteria appropriate for Tiers I, II and III of the MTSS model;

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2. Analyzing information/assessments concerning a student's response to intervention and making educational decisions about changes in goals, instruction and/or services;
3. Determining whether to make a referral for special education programs and/or services.

**Amount and Nature of Student Performance Data to be Collected**

The MTSS team will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic and social/emotional needs as warranted. Such data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's MTSS program and make modifications to the program as deemed necessary.

**Manner and Frequency for Progress Monitoring**

The MTSS team shall monitor the progress of those students receiving Tiers I, II and III intervention services beyond that provided to all students in the general education classroom. The team shall meet with the student's teacher(s) and will determine if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided.

Monitoring of student progress shall be an ongoing part of the MTSS program from the initial screening to completion of the MTSS process as applicable.

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the MTSS process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and progress will be monitored and reviewed

**CSE Referral**

If a student has not made adequate progress after being provided Tier Three instruction after an appropriate period of time, the MTSS team, through one of its designated members, shall initiate a referral to the

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Chairperson of the CSE for an individual evaluation of the student and determination of eligibility for special education programs and services. The CSE Chairperson shall promptly request parental consent to evaluate upon receipt of the referral.

**Staff Development**

All staff members involved in the development, provision and/or assessment of the District's MTSS program, including both general education and special education instructional personnel, shall receive appropriate training necessary to implement the District's MTSS program. Staff development will include the criteria and referral process for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, the manner and frequency for monitoring progress, and criteria for referring the student for evaluation for special education services.

34 Code of Federal Regulations (CFR) Sections 300.309 and 300.311  
Education Law Sections 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

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