

Response to Intervention: Improving Achievement for ALL Students

The Three-Tier Model of Student Intervention: New Mexico's Response to Intervention (Rtl) Framework Frequently Asked Questions

Question List

Question #	Question
1	<i>What is Response to Intervention (Rtl)?</i>
2	<i>What else is important to know?</i>
3	<i>Are there other terms that have the same meaning as Rtl? I am confused.</i>
4	<i>Is using an Rtl framework federally mandated?</i>
5	<i>What is New Mexico's Rtl framework? Is it state mandated? How are students assessed?</i>
6	<i>Do students move between the tiers?</i>
7	<i>Are the percentages of students served at each tier as shown on page 4 compliance indicators, or is it possible for them to be different?</i>
8	<i>How does Rtl relate to identification of students with disabilities?</i>
9	<i>What does the term "Tier 2" mean?</i>
10	<i>Can a student be considered as one who is served at both Tier 1 and Tier 2?</i>
11	<i>Are <u>all</u> students in Title programs considered as ones being served in Tier 1?</i>
12	<i>Are <u>all</u> students receiving special education services considered as ones who are being served in Tier 3?</i>
13	<i>Can students receiving special education services also be receiving Rtl services?</i>
14	<i>Does the Rtl framework apply to high school?</i>
15	<i>What can you do if your SAT (Tier 2) is experiencing a referral rate of more than 15–20%?</i>
16	<i>What are the mandated student-teacher ratios for "intervention" classes or groups?</i>
17	<i>What constitutes an intervention?</i>
18	<i>The STARS manual asks schools to report data related to the Rtl framework. Can you clarify this?</i>
19	<i>What are some resources for research-based or evidence-based interventions?</i>
20	<i>Where can a district or a school get help for implementing a behavioral system and interventions?</i>
21	<i>What are other good resources on the web for the Rtl framework?</i>
22	<i>Why is the state's Rtl framework manual so big? Must schools use it?</i>

Answers

Question 1: *What is Response to Intervention (Rtl)?*

Answer: **Rtl is a framework** being used across the country for how schools organize and deliver instruction and behavior support services to **all** students within a learning community. The framework consists of a multi-tiered model that uses a set of increasingly intensive academic and/or behavioral supports based on the data resulting from progress monitoring of student's response to instruction and/or intervention. How the students respond then serves as a guide for making educational decisions. Although *Rtl* is a relatively new term, it simply represents a best practice for educating students using a scientifically-based and system-wide approach. *Rtl* signifies a shift in the way we deliver and assess instruction as we focus on ways to improve schools and student achievement.

Question 2: *What else is important to know?*

Answer: *Rtl* is **not** any of the following:

- A service
- A program or piece of technology
- A course or class
- A classroom
- A teacher, a student, or group of students
- Something we “do” to students

Do not mistakenly use terms such as *Rtl reading class*, *Rtl teacher*, or *Rtl services*. Do not say things such as *We have some Rtl kids* or *We are Rtl-ing that class*. Remember, **Rtl is an overarching organizational framework** that describes how all students in a school community are being served.

Question 3: *Are there other terms that have the same meaning as Rtl? I am confused.*

Answer: You may come across the following terms that are generally the same concept:

1. problem-solving model
2. tiered model
3. early intervention model
4. school improvement model
5. continuous improvement model

However, in New Mexico, the Rtl framework is called *The Three-Tier Model of Student Intervention*. See also Question 5.

Question 4: *Is using an Rtl framework federally mandated?*

Answer: The federal government **does not** mandate the use of an Rtl framework. However, in the face of increasing pressure to meet proficiency standards set by the federal No Child Left Behind (NCLB) Act, the federal government strongly encourages and supports that states do so because research has shown that using an Rtl framework approach holds promise for improving student achievement. Therefore, the federal government has allowed states to develop their own state-defined characteristics for an Rtl framework.

Question 5: *What is New Mexico's Rtl framework? Is it state mandated? How are students assessed?*

Answer: Each state has defined its own Rtl framework and collectively they share many commonalities. In New Mexico, the Rtl framework is known as ***The Three-Tier Model of Student Intervention***.

Yes, it is state mandated. State rule at Subsection D of 6.29.1.9 NMAC requires that schools must organize and operate using the three-tier model to match students with an appropriate level of instruction and/or intervention.

- In **Tier 1**, all students receive appropriate, standards-based instruction including any grade-level or school-wide interventions (called **universal interventions**), as well as universal screening for potential problems. Tier 1 universal interventions are provided in the general education classroom and may consist of programs that have a mild, moderate, or intense instruction (i.e., differentiated or tiered instructional programs). Tier 1 universal interventions are determined and monitored by the classroom teacher, a grade-level team, and/or a building team.
- In **Tier 2**, students who have not responded significantly over time to Tier 1 core programs with universal interventions may be referred to the school's Student Assistance Team (SAT) and may receive a written, individual SAT Intervention Plan. **These students are ones who have shown over time a significant deviation from their grade-level peers or exhibit a much slower learning rate and/or persistent behavioral problems.** The SAT Intervention plan could include more intense instruction in terms of nature, frequency, and duration, provided individually or in small groups, and happens in addition to the general education curriculum. Tier 2 services are designed to supplement, enhance, and support Tier 1 programs, and are provided by the classroom teacher, unless the SAT determines otherwise. Students with disabilities who do not qualify for special education may also be served at Tier 2 through a Section 504 accommodations plan. In this case, the school's SAT wears the hat of the Section 504 team, as necessary.
- In **Tier 3**, a student qualifies for special education services under the IDEA or the state criteria for gifted. This student receives specially-designed instruction and related services through an Individualized Education Program (IEP) that is developed and monitored by the student's IEP team.

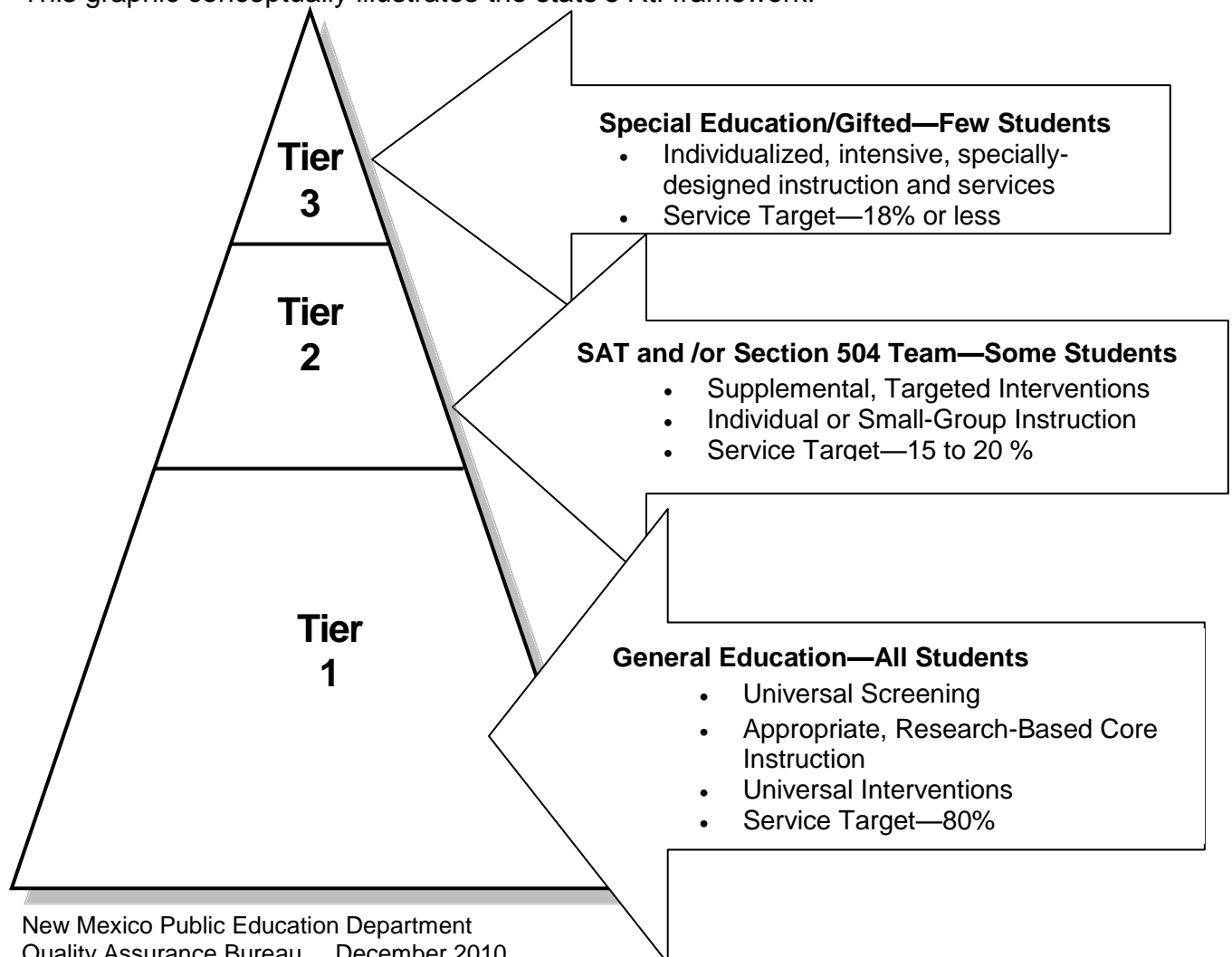
In New Mexico, students are assessed through **universal screening** and **progress monitoring** measures. They are **universally screened** through short-cycle assessments to predict the likelihood of success on the yearly standards-based assessment. Some students may also be **progress monitored** between short-cycle assessments to determine rates of improvement so instructional changes can be made, if necessary.

In **Tier 1, universal screening** occurs through short-cycle assessments administered to all students three times a year. Between the universal screenings, a school may also, at its discretion, use some other type of brief **progress monitoring** assessment administered more frequently to groups of struggling students, and then adjust the intensity of instruction for them.

In **Tier 2**, progress monitoring data is collected every few weeks for individual students as decided in the student's written SAT Intervention Plan.

In **Tier 3**, the IEP team determines if it will collect data weekly, biweekly, monthly, or annually to progress monitor the student's growth towards IEP goals. At any point, if a student is not responding well to the IEP services, the team meets to review that data and adjusts the IEP, as necessary.

This graphic conceptually illustrates the state's Rtl framework.



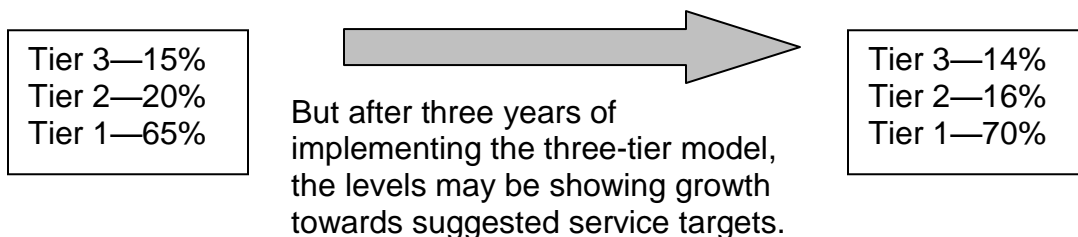
Question 6: *Do students move between the tiers?*

Answer: **No, students do not physically move as the Rtl framework is not a placement or location model. Rather the services to the students may change.** As a student data shows a lack of response to the instruction at a given tier, the student may be referred to and served through the process and by the team at a higher tier. Conversely, if the student is responsive to the higher level of intervention (such as a student who is exiting special education at Tier 3), then he or she may be served through the Tier 2 process (SAT) while transitioning out of an intense level of instruction/intervention. Thus, some change of services between tiers is expected and normal.

Question 7: *Are the percentages of students served at each tier (as shown on the triangle graphic on page 4) compliance indicators or it is possible for them to be different?*

Answer: The ranges of percentages shown on the graphic were based on models developed by national experts and researchers, and are meant as guidelines, or service target goals. Although the model seems straightforward, the degree to which each school in the state is presently aligned with these percentages may vary depending on the length of time the school has been implementing the three-tier model, the extent of implementation, the quality of implementation, and/or the specific nature of the school population. As schools begin the journey to implement the three-tier model, we recommend they conduct a self-assessment or audit to determine their present, or baseline, levels in this regard.

For example, a beginning school self-audit may show that the school's population is being served as shown below.



The key for schools to move towards service target percentages is for them to focus on improvements to the core program with universal interventions at Tier 1, so that Tier 1 functions as a **prevention mechanism** allowing the percent of students requiring more intense support to decrease over time.

So, if data from core program assessments and/or short-cycle assessments show that at least 80% of students **are not proficient with grade-level benchmarks or making satisfactory progress towards them**, then the school needs to take a good, hard look at the core program and how it is being delivered. Then it needs to identify action steps designed to impact the core program for better results—making sure they are research-based, backed with professional development, delivered with fidelity by quality educators, and that less effective programs/universal interventions are improved or replaced with different ones, if necessary. **This is an ongoing endeavor through the school's EPSS (school improvement) process.**

A fundamental tenet of the Rtl framework is not to look “within” an individual child until you can document that the core curriculum and instruction are sufficiently sound for the vast majority of the students. However, for any student who is obviously disabled or in a crisis a referral for a comprehensive initial evaluation for consideration of special education services must not be delayed.

Question 8: *How does Rtl relate to identification of students with disabilities?*

Answer: As a related prong of the Rtl framework, the federal Individuals with Disabilities Education Act (IDEA) permits that public education agencies may choose to use an Rtl process **as one of a variety of measures** used in evaluations and eligibility determinations for specific learning disabilities (SLD).¹

However, state rule at Subsection C (2) of 6.31.2.10 NMAC set forth a mandate. It provides that effective July 1, 2009, public agencies in New Mexico must implement what is known as a ***dual discrepancy*** model of identification for SLD in grades K-3 only.

This represents a departure from former identification methods where a student was identified as SLD based on a test that measured IQ and compared it to actual performance. The more severe the discrepancy between these two measures, the more likely it is that a student is learning disabled. Under the state’s dual discrepancy model, a K-3 student suspected of having a learning disability would still be given the standard IQ/performance test as part of a comprehensive evaluation. However, data from the student’s response to interventions provided at Tiers 1 and 2 would also be incorporated into the evaluation and eligibility determination.

Experts think that that the dual discrepancy model will give educators a broader view of how the student learns compared to the snapshot obtained from utilizing a single discrepancy model. One advantage is that the progress monitoring utilized in the Rtl framework process yields data directly relevant to instructional design and delivery. In this way, educators can better plan an effective program to meet the specialized needs of a student with disabilities, or distinguish a student who truly has a learning disability from one whose learning difficulties could be resolved with scientifically-based, general education interventions.

Question 9: *What does the term “Tier 2” mean?*

Answer: Under the state’s three-tier model of student intervention described in state rule and guidance, *Tier 2* means that a student has been referred to the school’s Student Assistance Team (SAT) and is receiving interventions through a written, individualized plan developed by the SAT. Students with disabilities who do not qualify for special education can also be served at Tier 2 through a Section 504 accommodations plan. State guidance provides that the school’s SAT wears the hat of the Section 504 team, as necessary.

We offer this clarification as there has been an apparent misunderstanding about this term. It has been used to describe groups of students who are getting some type of universal intervention (differentiated or “tiered” instructional program) in addition to core program *within* Tier 1. We emphasize that the term *Tier 2* in the state’s Rtl framework means as described in the paragraph above.

¹ See the IDEA at 34 CFR Sec. 300.307.

Question 10: *Can a student be considered as one who is served at both Tier 1 and Tier 2?*

Answer: No. Once a student has been referred the SAT (Tier 2), and the SAT has conducted the child study process for that student and then developed an individualized SAT Intervention Plan, he or she is considered to be a student being served at Tier 2.

Question 11: *Are all students in Title programs considered as ones being served in Tier 1?*

Answer: It depends. In New Mexico, most students receiving services through Title programs are considered as being served in Tier 1. However, on a case-by-case basis, some students receiving services at Tier 2 through a SAT Intervention Plan or a Section 504 Accommodations Plan may also be receiving Title program services, if they are eligible.

Question 12: *Are all students receiving special education services considered as ones who are served in Tier 3?*

Answer: In New Mexico, yes. Under the state's Rtl framework, all students identified as disabled or gifted are considered to be as ones being served at Tier 3.

Question 13: *Can students receiving special education services also be receiving Rtl services?*

Answer: This question cannot be answered as it represents confusion about the Rtl framework. Remember, **Rtl is not a service**—it's an overarching organizational framework for how the school serves all students. To clarify, students who qualify as disabled or gifted are served through Tier 3 of the state's Rtl framework.

Question 14: *Does the Rtl framework apply to high school?*

Answer: Yes. State rule provides that the Rtl framework is applicable to all public schools in New Mexico K–12. See the state's Rtl framework guidance manual at <http://www.ped.state.nm.us/sat3tier/sat3tierModelComplete.pdf> starting on page 69 for resources and ideas for implementing Tier 2 at the high school level. The key is creating a master schedule that allows for Tier 2 "intervention classes" to increase time and intensity of instruction. Please also see the *High School Tiered Interventions Initiative* at the National Center for Response for Intervention at www.rti4success.org.

Question 15: *What can you do if your SAT (Tier 2) is experiencing a referral rate of more than 15–20%?*

Answer: The school needs to look at two things:

1. The size of the school. It may be that the total enrollment is too high to support just one SAT. For instance, in a K–6 school with an enrollment of 800, a SAT caseload of 10% would amount to 80 students which may be more than one team can effectively handle on an annual basis. In that case, a school might want to have two SATs—one for K–3 and one for 4–6. One administrator should oversee and participate on both teams to ensure that both are operating in the same manner, and to ensure that there is a smooth transition as students move from one SAT to the next.

2. The core program and/or school behavioral system. Examine them to ensure they are effective. Rule out any deficit areas in the curriculum, instruction, and the school behavioral system before considering whether the issue is student specific. It is difficult to demonstrate that a student needs SAT intervention or may have a disability when that student is struggling in a class where, for example, 50% of the students are not achieving grade-level benchmarks or behavioral expectations. **Please also see answer to Question 7.**

Question 16: *What are the mandated student-teacher ratios for “intervention” classes or groups?*

Answer: Aside from state rules about class size and teacher loads at Subsection G of 6.29.1.9 NMAC, (the Standards for Excellence rule) and any current allowable waivers of that rule, there are no federal or state mandates for class size and/or teacher-student ratios for intervention groups or classes under an Rtl framework. Best practice about a tiered instructional program (not the same as the tiered-model of student intervention) is that students who do not respond to the core program get more *intensity* which could mean more duration, more frequency, a smaller group size, a higher level of instructor quality, or a change in an alterable instructional component. (Please see pages 96 to 97 of the state’s Rtl framework guidance manual at this link: <http://www.ped.state.nm.us/sat3tier/sat3tierModelComplete.pdf>.)

So, the student-teacher ratio will depend on many factors, including grade level and scheduling factors. The higher the student need, the smaller the group. A suggested ideal size for students who have a moderate need for support is 5–8 students per teacher, but again, this depends on many factors. The Rtl framework has flexibility to allow schools to define the nature of the universal interventions at Tier 1 and individualized interventions at Tier 2, along with dimensions of instructional intensity, frequency of delivery (minutes, days), frequency of progress monitoring, and group size.

Question 17: *What constitutes an intervention?*

Answer: An *intervention* is any change to increase the intensity of **instruction**—that is, ones that differ from the student’s normal general education program in the areas of instructional duration, frequency, or grouping. See also pages 96 to 105 of the state’s guidance manual at <http://www.ped.state.nm.us/sat3tier/sat3tierModelComplete.pdf>.

An intervention is **not** any of the following:

- Preferential seating
- Shortened assignments
- A basal reader
- Advice and consultation that are not targeted to specific academic or behavioral concerns
- Retention
- Doing simply more of the general classroom assignments
- Extra homework

Question 18: *The STARS manual asks schools to report data related to the Rtl framework. Can you clarify this?*

Answer:

- There are a variety of data required to be reported to STARS about students receiving special education services (Tier 3).
- The Program Facts Template on page 84 of the 2010–11 STARS Vol. 1 manual provides that students receiving Coordinated Early Intervening Services (CEIS) are reported. See page 17 of the state’s Rtl framework manual at to determine the appropriate use of CEIS funds for serving students at Tiers 1 and 2.
<http://www.ped.state.nm.us/sat3tier/sat3tierModelComplete.pdf>
- Although a referral to the SAT is not an assessment, schools are asked to report in the Assessment Fact Template if a student has been referred to the SAT. Please see page 22 of the 2010–11 STARS Vol. 1 manual.
- If you have questions, please email the STARS Help Desk at starshelpdesk@state.nm.us.

Question 19: *What are some resources for research-based or evidence-based interventions?*

Answer: In addition to www.interventioncentral.org and reviewed tools and interventions at www.rti4success.org , look at the ones below. Outside of federally-funded sites, we are not endorsing these sites, but passing along available information which may interest and assist schools.

1. **Hawthorne Educational Services, Inc.**, who publishes various manuals like the Pre-Referral Intervention Manual (PRIM), has developed a paper which outlines research support for general categories interventions like those in its manuals. Find the paper at the following link:
http://hawthorne-ed.com/images/home%20page/research_based.pdf
2. **What Works Clearinghouse**—a central, independent source of scientific evidence of what works in education from the U.S. Department of Education. <http://ies.ed.gov/ncee/wwc/>. See also the companion website **Doing What Works** <http://dww.ed.gov/>.
3. **Best Evidence Encyclopedia**—a free web site created by the Johns Hopkins University Center for Data-Driven Reform in Education (CDDRE) under funding from the Institute of Education Sciences, U.S. Department of Education. It is intended to give educators and researchers fair and useful information about the strength of the evidence supporting a variety of programs available for students in grades K–12. <http://www.bestevidence.org>
4. **The Promising Practices Network (PPN)**—operated by the Rand Corporation. The PPN is dedicated to providing quality evidence-based information about what works to improve the lives of children, youth, and families. The PPN features summaries of programs and practices that are proven to improve outcomes for children. All of the information on the site has been screened for scientific rigor, relevance, and clarity.
<http://www.promisingpractices.net/default.asp>

Question 20: *Where can a district or school get help for implementing a behavioral system and interventions?*

Answer: To learn more about purchasing a program of Positive Behavioral Interventions and Supports (PBIS), please contact REC #9 at (575) 257-2368.

Question 21: *What are other good resources on the web for the Rtl framework?*

Answer: Besides the Rtl framework link on the PED's website at www.ped.state.nm.us, here are two sites we frequently check. Both have free e-newsletters that you can subscribe to. **However, keep in mind that Rtl frameworks vary from state, so you will want to put the information in context with New Mexico's three-tier model.**

- **Rtl Action Network** www.rtinetwork.org. It is dedicated to the effective implementation of Response to Intervention (RTI) in school districts nationwide. The RTI Action Network is a program of the National Center for Learning Disabilities, funded by the Cisco Foundation and in partnership with the nation's leading education associations and top Rtl experts.
- **National Center on Response to Intervention** www.rti4success.org. This website is supported by the U.S. Department of Education.

Question 22: *Why is the state's Rtl framework guidance manual so big? Must schools use it?*

Answer: You can find the state's Rtl framework guidance manual at <http://www.ped.state.nm.us/sat3tier/sat3tierModelComplete.pdf>. It is a large manual because an Rtl framework is very complex and has a lot of interconnected elements within each tier. Therefore, this manual sets forth the language, the procedures, and the tools for districts and charter schools to design and build their local implementation plan within each tier. **The manual is aligned with the New Mexico School Improvement Framework and rubrics.**

Yes, schools must use this official state guidance. State rule at Subsection D (4) of 6.29.1.9 NMAC requires that this manual entitled *The Student Assistance Team and the Three-Tier Model of Student Intervention* "shall be the guiding document for districts/schools to use in implementing the student intervention system."



For more information and resources about the state's Rtl framework, please browse the PED's Rtl website at www.ped.state.nm.us Look for it under "R" of the A–Z Directory.

The Quality Assurance Bureau is available to answer other questions related to the Student Assistance Team (SAT), the Response to Intervention (Rtl) framework, and Section 504. Please call our Help Desk at (505) 827-4296 for assistance.

For questions related to STARS and data reporting, please call (505) 827-6532.

For questions related to special education, call (505) 827-1457.