



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

OCT 18 2007

Congressman David Dreier
233 Cannon House Office Building
Washington, DC 20515
Attn: Ryan Maxson

Dear Congressman Dreier :

You forwarded a letter from your constituent, Judy McKinley, to the Office of Legislation and Congressional Affairs in the U.S. Department of Education. The letter was referred to the Office of Special Education Programs (OSEP) for response. Mrs. McKinley expressed concern about the use of Response to Intervention (RTI) for the identification of students with learning disabilities.

The 2004 Individuals with Disabilities Education Act (IDEA) allows the use of response to scientific, research-based interventions as an alternative to the discrepancy approach for identifying students with specific learning disabilities (SLD). RTI, which involves a multi-tiered approach to instruction, has demonstrated promise for identifying students who may be at risk of a disability. Effective RTI models are comprised of a number of key components, including universal screening, progress monitoring, data-based instructional decision-making, multi-tiered instruction using research-based interventions, seamless collaboration across school staff and programs, and parental involvement.

An RTI model involves tiers of instruction with increasingly more intensive interventions and individualized attention to students. Tier 1 typically occurs in a general education setting where all students receive high-quality instruction in a research-based core curriculum. If students do not progress, or do not meet grade level benchmarks in Tier 1, they may receive more intensive instruction at Tier 2. When students continue to experience difficulty in mastering skills, they may receive instruction with even greater frequency and/or duration, or they may be identified for referral to special education. In some 3 Tier models, Tier 3 is special education. It should be noted that at any time during the RTI process, parents may request an evaluation for special education, and school staffs must fulfill the request within the time limits specified in the regulations.

OSEP has funded a number of projects that have implemented RTI models in schools across the country, and the schools have reported numerous positive outcomes. A few of these reported outcomes are listed below.

- Early and universal screening of students helps prevent students from failing for several years before getting assistance. Therefore, students receive assistance earlier and students with SLD may be identified earlier.
- Data based decision making enables parents and teachers to assess students' progress on a regular basis to ensure they are meeting grade level benchmarks.
- Teachers learn how to make data based instructional decisions to meet the individual needs of all their students.
- Schools using RTI models are out-performing other non-RTI schools in their state accountability measures.

OSEP has recently funded a National Center on RTI, which is charged with providing support to states to help districts and schools implement effective RTI models. States are at various stages of implementation, and we expect continued positive outcomes as this initiative moves forward.

I hope this information is helpful. If you have further questions or need additional information, please do not hesitate to contact me.

Sincerely,



Patricia J. Guard
Acting Director
Office of Special Education
Programs