

WAC 392-172A-03060 Process based on a student's response to scientific research-based intervention. (1) School districts using a process based on a student's response to scientific, research-based interventions to determine if a student has a specific learning disability shall adopt procedures to ensure that such process includes the following elements:

(a) Universal screening and/or benchmarking at fixed intervals at least three times throughout the school year;

(b) A high quality core curriculum designed to meet the instructional needs of all students;

(c) Scientific research-based interventions as defined in WAC 392-172A-01165 are identified for use with students needing additional instruction;

(d) Scientific research-based interventions used with a student are appropriate for the student's identified need and are implemented with fidelity;

(e) A multitiered model is developed for delivering both the core curriculum and strategic and intensive scientific research-based interventions in the general education setting;

(f) Frequent monitoring of individual student progress occurs in accordance with the constructs of the multitiered delivery system implemented in the school consistent with the intervention and tier at which it is being applied; and

(g) Decision making using problem solving or standard treatment protocol techniques is based upon, but not limited to, student centered data including the use of curriculum based measures, available standardized assessment data, intensive interventions, and instructional performance level.

(2) Such policies and procedures outlined in subsection (1) of this section shall be designed so that districts can establish that:

(a) The student's general education core curriculum instruction provided the student the opportunity to increase her or his rate of learning;

(b) Two or more intensive scientific research-based interventions, identified to allow the student to progress toward his or her improvement targets, were implemented with fidelity and for a sufficient duration to establish that the student's rate of learning using intensive scientific research-based interventions in the general education setting, in addition to or in place of the core curriculum, did not increase or allow the student to reach the targets identified for the student;

(c) The duration of the intensive scientific research-based interventions that were implemented was long enough to gather sufficient data points below the student's aim line to demonstrate student response for each of the interventions through progress monitoring to determine the effectiveness of the interventions.

(3) OSPI has developed guidelines for using response to intervention to assist districts in developing the procedures required under this section.

[Statutory Authority: RCW 28A.155.090(7) and 42 U.S.C. 1400 et. seq. WSR 07-14-078, § 392-172A-03060, filed 6/29/07, effective 7/30/07.]