



## Changes coming to Special Education Eligibility in 2028-29

### In 2028-29, OSPI will change the evaluation process to determine student eligibility for special education under the category of a Specific Learning Disability (SLD).

Washington state currently allows two methods for determining special education eligibility under a Specific Learning Disability: the severe discrepancy method or a process based on scientific research-based methods, which is implemented in many states through a process called Response to Intervention (RTI).

Research has shown that the severe discrepancy method can result in overidentification of students furthest from educational justice, continuing stigma for marginalized communities through the harmful use of intelligence tests.

### Response to Intervention (RTI) for SLD Evaluation & Eligibility

The severe discrepancy method relies on cognitive and achievement tests by trained professionals like school psychologists. Additional data are collected from parents, teachers, and providers. However, using standardized cut-off scores for SLD determination can lead to students being misidentified despite significant academic struggles.

By contrast, the Response to Intervention (RTI) method identifies SLD by assessing the student's progress compared to peers and grade-level expectations after tiered interventions are implemented with fidelity.

OSPI is collaborating with the Washington Administrators Improving MTSS (AIMS project at the UW Bothell), Goodlad Institute, and education partners statewide to develop resources and provide professional development supports for districts to adopt an RTI approach for SLD evaluations.

### Educator Roles Under an RTI SLD Evaluation

RTI promotes collaborative decision-making for more equitable eligibility determinations. Data based decision making includes both special education and general education staff, who collaboratively assess intervention effectiveness, student level and rate of progress, and determine student eligibility for special education in the category of SLD.

WAC 392-172A-03060 defines the process based on a student's response to scientific research-based intervention (RTI). This approach also enables special education staff to focus on specialized instruction, social-emotional learning, counseling, and consultation. Teams will continue to conduct comprehensive evaluations as outlined in WAC 392-172A-03020.





## Information for Higher Education Partners

### Workforce Preparation for SLD Evaluation Under RTI

Under a Response to Intervention (RTI) approach for Specific Learning Disability (SLD) evaluations, data-based decision making is a collaborative effort between special education and general education staff. Multi-disciplinary teams assess intervention effectiveness, evaluate student level and rate of progress, and determine student eligibility for special education in the category of SLD. Within an Multi-Tiered System of Supports (MTSS), an RTI approach for special education evaluations is prevention-focused, as compared with the discrepancy model of SLD eligibility. This change in practice will allow educators to focus on providing evidence-based tiered instruction to meet the academic, social, emotional, and behavioral needs of all students.

To meet the future needs of Washington school districts, courses of study should prepare general and special education teachers, ESA professionals, and school administrators for the shift away from the discrepancy method of SLD evaluation and eligibility to an RTI approach within an MTSS framework. Institutions of higher education in Washington should ensure, as part of special education degree and certification programs, course curriculum around MTSS and eligibility under an RTI SLD evaluation methodology.

### What Should Professional Educator Programs Do Right Now?

Future Washington educators will need knowledge and skills related to implementation of MTSS, evidence-based practices, data-based decision making, collaborative teaming practices, and solving complex problems to achieve equitable student outcomes.

### Resources

[Washington State Multi-Tiered System of Supports \(MTSS\)](#)

[Center on Multi-Tiered Systems of Supports](#)

[UW Bothell: Administrators Improving Multi-Tiered Systems of Support \(AIMS\)](#)

[National Center on Intensive Intervention: MTSS](#)

[National Center on Intensive Intervention: Data-Based Individualization](#)

