



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 Principals

Professional Development

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). The Response to Intervention (RTI) approach to Specific Learning Disability (SLD) evaluation and identification requires strong collaboration between general education and special education staff requires evidence-based tiered instruction across all content areas within a Multi-Tiered System of Support (MTSS) framework. School based teams ensure all students meet grade-level expectations, review and provide supports to students who need intensification of instruction. All educators will need professional development to gain knowledge and skills for successful MTSS implementation and RTI practices.

It is important to remember that the Individuals with Disabilities Education Act (IDEA) includes a Child Find mandate, which requires school districts to identify, locate, and evaluate all children with disabilities, ages birth to 22. Districts may not use RTI to delay or deny an evaluation for a child suspected of having a disability. When a district receives a referral for special education evaluation, they should review existing data and the concerns raised about the student and document a decision whether to evaluate.

State-Level Actions & Supports

OSPI is partnering with higher education and professional organizations to develop resources for district MTSS implementation and RTI evaluations for SLD identification. The Washington Administrators for Improving MTSS (AIMS) project at UW Bothell's Goodlad Institute is completing a guidance document and supporting technical assistance papers to assist districts in using an RTI approach for SLD identification.

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](#)

[Unlocking Federal and State Program Funds to Support Student Success](#)

