

Special Education Eligibility Changes in Washington State by 2028–29

By the 2028–29 school year, Washington will no longer use the *severe discrepancy* methodology to determine special education eligibility under a Specific Learning Disability (SLD). Instead, every school district will use a more effective and timely approach based on instructional data—so students get help earlier and fewer fall through the cracks, especially students of color and multilingual learners who may have a learning disability.

Why This Matters

This change matters because the discrepancy model is a *wait-to-fail* system. Students must struggle for years before a large enough achievement gap appears on test scores. This delays services, contributes to inequities, and does not reflect how students actually learn. Shifting to an instructional, data-based model aligns eligibility decisions with what we know works: strong core instruction, targeted interventions, and ongoing progress monitoring.

What This Means for Districts

Since 2019, OSPI has supported districts through a multi-year transition plan that includes:

- Updated SLD guidance and rules
- Practical decision-making tools for evaluation teams
- Professional learning aligned with a Multi-Tiered System of Support (MTSS)
- Technical assistance and regional support
- Accessible resources for families and educators

What This Means for Students and Families

This shift ensures students receive support based on their learning needs—not just their test scores. Families will see:

- Earlier identification when students struggle
- More instructional support before and during evaluation
- Decisions that are based on ongoing classroom learning, not a single test
- Clearer communication about a child's progress and needs



This change prioritizes educational access and reduces long-standing inequities in eligibility decisions.

What's Next?

OSPI will continue releasing updated guidance, templates, professional learning, and decision tools throughout the 2025–26 and 2026–27 school years. Districts are already beginning phased implementation by updating policies and procedures, preparing staff through professional learning, and aligning evaluation practices. Full implementation of Response to Intervention for eligibility under a Specific Learning Disability is required by the 2028–29 school year. OSPI will provide continued transition support statewide.

This is not just a compliance change—it is a shift toward earlier intervention, stronger instruction, and more accurate decisions for students. Our goal is simple: *students should not have to fail before they get help.*

How Can I Learn More?

OSPI's [Special Education Resource Library](#), under the subsection titled *Specific Learning Disability*, offers tools to support district implementation, including eligibility guidance, professional learning modules, evaluation forms, decision-making tools, and family-friendly materials. There are also fact sheets to support district leaders, school principals, special education staff, general education staff, and families.

For questions or additional support, please contact OSPI Special Education at speced@k12.wa.us.