



## Letter to the Editor

**TO:** John Desrochers, Communiqué Editor  
Steven Landau, Associate Editor  
Mark Roth, Associate Editor  
Karen Stoiber, Associate Editor

**CC:** Matthew Burns, PhD.  
T. Chris Riley-Tillman, PhD.

**FR:** Kurt Wasser, Psy.S, NCSP, BASP President

**RE:** **Communiqué Article**

In the September 2009 Communiqué published by NASP, there was an excellent article entitled ***Response to Intervention and Eligibility Decisions: We Need to Wait to Succeed*** by Matthew Burns and T. Chris Riley-Tillman. The article reminds the reader of the benefits of RTI for both students and school psychologists but highlights the need for guidelines so the RTI model does not lead to harmful outcomes. The authors address the nationwide ineffectiveness of the problem-solving model and warn of difficulties of implementing RTI data for eligibility decisions. Specifically, "...schools that use RTI data for special education eligibility decisions before RTI is properly implemented will likely make eligibility decisions that are either erratic, inconsistent, or far to frequent."

The article then encourages school districts to follow the Florida Department of Education's (FLDOE) example. A July 23, 2007 memorandum is cited to demonstrate that in Florida "schools can use RTI data to make eligibility decisions when they have data to support that an RTI model was implemented, that it was implemented as designed, and that the interventions at all three levels occurred." Between the date that memorandum was written and March 23, 2009, the state and local school districts had been slowly and methodically setting the framework for an RTI model to be successful. However, due to inadequate resources, poor understanding of RTI, and a seemingly limited desire to change, little progress has been made throughout the state. (There are exceptions of course, but few counties have actually implemented RTI with fidelity.)

March 23, 2009 is used as a benchmark because that was date the new Florida eligibility rule for students with Specific Learning Disabilities (6A-6.03018) became effective. According to this rule, the discrepancy model becomes obsolete on July 1, 2010; thereafter, eligibility will be based on the student's response to scientific, research-based intervention. In addition, each school district must identify the applicable process used to implement this rule on a school-by-school basis. Due to this rule, the inverse of the intent of July 23, 2007 memorandum (and the advice of Burns and Riley-Tillman) is occurring throughout Florida: the movement to implement RTI is now in response to the state mandated change in SLD eligibility. School districts and individual schools are scrambling to put the processes in place. School-based administrators are contacting district personnel asking, "What is a TIER II intervention?" and district personnel are continuously contacting the state for further clarification on the rule.

To make matters worse, the FLDOE has taken a limited role in advancing the understanding of how to use RTI data in eligibility determination. There are several schools in the state that are currently serving as "pilots," but the rest are left to their own devices to come up with a plan. Many district leaders view RTI as another unfunded state mandate that is the same thing as the problem-solving model. The FLDOE's own training materials on RTI gives no guidance on how to use RTI data for eligibility purposes. (<http://www.florida-rti.org/RtI.pdf>). At a recent "Train the RTI Trainers" session in Palm Beach Gardens, the presenters from the University of South Florida did not address eligibility decisions. In fact, the participants were told that the presenters were not there to discuss eligibility decisions.

Bambi Lockman certainly had it correct when she advised the state's local educational agencies to continue using the traditional discrepancy model until RTI implementation was complete. However, between then and now, the FLDOE has put districts and school-based teams in a position where the pitfalls of using RTI data for eligibility that Burns and Riley-Tillman eloquently point out are directly in front of us. It is important that NASP members have this additional information before looking to the FLDOE for guidance in regards to using RTI data in eligibility decisions.

The Broward Association of School Psychologists has over 100 members and includes current and retired School Psychologists practicing in Broward County Schools. Other BASP members include School Psychologists in private practice, graduate degree candidates enrolled in School Psychology programs, and University faculty. Our goals are to promote professional growth through group discussion, individual presentations, films, and workshops; to function as child advocates by discussing concerns regarding the evaluation, placement, and educational programming of Broward County Public School students; to function as a clearinghouse for pertinent information and to provide information and speakers to interested parties; and to advocate on behalf of our members to improve school psychology services within the district.