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POSITION STATEMENT

Multi-Tiered System of Supports: The Integral Role of Special Education and Special Educators

CEC recognizes the positive influence that a Multi-Tiered System of Supports (MTSS) framework can have on improving the education of all children, the roles of special educators, and the special education system, by providing a structure to organize practices based on data, evidence and research.

The Council for Exceptional Children (CEC) recognizes the positive influence that a Multi-Tiered System of Supports (MTSS) framework can have on improving the education of all children, the roles of special educators, and the special education system, by providing a structure to organize practices based on data, evidence and research. MTSS is a districtwide and schoolwide prevention framework that uses data to continuously improve instructional practices, create and maintain positive learning environments, and select and implement evidence-based curriculum and practices to meet the academic, behavioral, and social-emotional needs of all students. The MTSS framework includes leadership by a team of knowledgeable and skilled stakeholders across disciplines at both the district and school levels.

Educators of students with disabilities play an integral role in the MTSS framework. To that end, CEC believes that any MTSS framework must include nonnegotiable guarantees related to special education and the key role of special educators. It is the position of CEC that an MTSS framework must include the following components:

Leadership

- Shall include educators (teachers and administrators) of students with disabilities as members of the leadership team and involve them in using their unique skills for serving exceptional children in the decision-making process at a district, school, and individual level.
- Shall engage families of exceptional children as partners at the leadership level to receive input on all instructional practices.
- Shall use a team process in which collaboration occurs in each tier and may involve educators, related service providers, administrators, and families. These expanded roles in team collaboration will ensure the needs of all learners are met. Additionally, at times, students with more intensive needs may require a level of expertise and intervention beyond that typically available in school and will require interagency or community involvement.

Comprehensive Assessment Systems

- Shall include a universal screening systems to measure student academic achievement , behaviors, and social-emotional health.
- Shall require the use of diagnostic data to determine the specific needs of students and guide the selection of the interventions to meet those needs.
- Shall include the collection of data beyond typical screening and diagnostic measures (e.g., interview, observation, archival reviews) to fully understand how students are performing and responding to instructional, behavioral and social emotional supports and programming.
- Shall require progress monitoring for students receiving their intervention services through any program to determine the responsiveness to instruction and movement in the three-tiered delivery system.
- Shall require all screening, progress monitoring, and assessment tools be technically sound, developmentally appropriate, and created in ways that minimize bias

The Council for Exceptional Children is the largest international professional organization dedicated to improving the educational success of children and youth with disabilities and/or gifts and talents.

Data-Based Decision Making

- Shall use a process that is embedded into the data-based decision-making framework to address the needs of students who struggle academically, behaviorally, and/or in social-emotional areas by providing evidence-based interventions and measuring the student's response through progress monitoring. The data collected can be used as one source of information in the comprehensive evaluation required for special education identification.
- Shall include families as partners in the process and, at a minimum, inform parents when a student is first identified as not making academic, behavioral, and/or social-emotional progress.
- Shall not delay the referral or evaluation of a student who is suspected of having a disability (U.S. Department of Education, 2011). Students with identified disabilities shall not be required to go through an MTSS process in order to be evaluated for special education services nor to receive special education and related services. The Individuals with Disabilities Education Act (IDEA) requires that the local education agency (LEA) and Part C (birth to age 3) agency must locate, identify, and evaluate children and youth through a child find process (20 U.S.C. § 1412 [a][3], 2004).
- Shall include provisions for referral for a comprehensive evaluation when a student is in any tier. Referrals shall include measures of academic achievement, behavioral improvement, and/or social-emotional growth, to determine if a child has a disability and is eligible for special education and related services and due process protections. Data from a student's responsiveness to instruction in tiers one, two, and three shall not be a substitute for a comprehensive special education evaluation.
- Shall not use MTSS data alone as a comprehensive evaluation for special education. MTSS data does not provide sufficient information to rule out or identify the presence of a disability. A comprehensive evaluation shall provide additional data to exclude other potential primary causative factors and inform individualized special instruction, including any accommodations, modifications, assistive technology, and behavioral/learning supports needed.
- Shall consider the educational needs of students with gifts and talents and their families, particularly related to the identification of students considered to be twice exceptional because they have gifts and talents and a disability. These learners shall be provided access to a challenging and accelerated curriculum, while also addressing the unique needs of their disability.
- Shall support the use of a data-based individualization (DBI) process for decision making for all students. In addition, MTSS frameworks supports the use of DBI to adapt or intensify interventions.

Three Tiered Delivery System

- Shall consist of a multi-tiered prevention and problem-solving process with multiple tiers (three tiers being the most common approach). MTSS usually involves a core program of evidence-based instruction and curriculum that is delivered and two tiers of increasing intensity of intervention.
 - Tier One: Tier one is comprised of evidence-based curriculum, instructional practices, and environmental supports provided to all students. In tier one positive, predictable, and safe environments are established (U.S. Department of Education, 2021). Tier one also includes differentiated educational programming through universal design for learning (UDL). Tier one services are used with all students and will typically be appropriate for 80% of students in a school.
 - Tier Two: Tier two is supplemental and aligned to tier one. In tier two interventions are provided to students who need additional academic, behavioral, and social-emotional support. Typically, tier two services may be needed by approximately 15% of students in a school.
 - Tier Three: Tier three interventions are aligned to both tier one and tier two curriculum and instruction. Tier three provides intensive, individually designed academic and functional interventions and supports for students who demonstrate significant learning and/or behavioral challenges. Typically, tier three services will be needed by approximately 5% of students in a school.
- Shall, in all tiers, provide instruction through a universal evidence-based core program. If the data indicate that a student needs additional support for success, then more intensive interventions must be provided. At the second tier, interventions are more intensive and supplement the universal core program. In the third tier individually designed instruction and supports are provided to students. This tier provides intensive services designed to meet the individual needs of all students who need such services to succeed academically, behaviorally, and social-emotionally.

- Shall, in the second and third tiers, increase the intensity of a student’s needs by collecting and analyzing data on students’ response to programming to the research-based and evidence-based interventions used in the tiers. Additionally, student movement among these tiers is determined by data that is collected and analyzed on students’ performance. Any student, including those with disabilities, may simultaneously be provided interventions in more than one tier. Tiers are not placement options; rather, services appropriate to a student’s needs are provided within the tiers. Movement between the tiers are fluid and flexible and based on student needs. Services at each tier supplement rather than supplant each other.
- Shall select culturally relevant programs and practices that address and are sensitive to the needs of a diverse group of learners within each tier of instruction.
- Shall, in all tiers, use universally-designed instruction to meet the needs of all learners.
- May recruit special education teachers, related service personnel and specialized general educators (e.g., teachers of English language learners, reading specialists, mental health specialists) as interveners at the higher tiers of services. CEC stresses that tier three services are not special education services.

Data-Based Evaluation

- Shall evaluate all academic, behavior, and social-emotional programs and practices by data collection and use the results to select new practices or de-select ineffective practices and programs
- Shall use program fidelity measures as part of the evaluation process to determine the effectiveness of programs and practices.
- Shall include data as part of program and practice evaluation that provides input from implementers, families, and students concerning implementation of the programs and practices.
- Shall require both school and district teams to respond to the evaluation data for students with exceptionalities and ensure research-based programs and high leverage practices are used within each tier of instruction.
- Shall look at data for the opportunities to see how particular marginalized groups may be responding to or not responding to the support being provided (e.g., office discipline referrals, attendance, academic performance, graduation rates, redesignation rates for English language learners).

Professional Knowledge and Skills

- Shall recognize that the knowledge and skill level of educators needed in each of the three tiers is very different, thereby supporting requirements that educators possess the appropriate level of knowledge and skills in such areas as:
 - identifying and implementing evidence-based intervention strategies;
 - monitoring academic, behavioral, and social-emotional progress;
 - selecting, implementing, and evaluating instructional and programmatic elements;
 - participating meaningfully and actively in the multidisciplinary comprehensive evaluation process.
 - designing, implementing, and evaluating problem-solving models that ensure fidelity and integrity. The more intensive tiers may require greater expertise of implementers and team members.
- Shall recognize what interventions that match the learner’s need - meaning what works with whom, by whom and under what circumstances.
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Research and Development

- Shall make a firm commitment to continuing program improvement through the process of structured monitoring, intensive ongoing evaluation, and systemic professional training based on evolving research and practice.
- Shall consider the intended and unintended consequences of moving toward more wide-scale implementation without more extensive research and development efforts that clearly demonstrate effectiveness in improving the achievement of students with exceptionalities over time.
- Shall engage in research and development to inform practice, particularly in the areas of implementation across all academic, behavioral, and/or social-emotional areas and age levels; movement back and forth from tiers and data needed to understand this movement; the use of tiers one and two data to help inform the identification of a disability; the problem-solving and standard treatment protocol approaches to instruction; the conceptual issues associated with nonresponsiveness; and measuring and defining nonresponsiveness.

Resources

- Shall ensure that sufficient resources are available to cover a substantial percentage of the costs that state, provincial, and local jurisdictions will incur to implement and institutionalize this initiative without reducing expenditures for other education programs.
- Shall ensure such funds do not come from federal and state funds appropriated for special education programming.
- Because the more intensive tiers may require a higher level of expertise of implementers and team members, CEC encourages continued federal funding of centers, such as the National Center on Intensive Intervention, the Center of Positive Behavioral Interventions and Supports, the National Implementation Network, and the Progress Center to assist in providing resources and implementation supports for schools' efforts in successfully implementing and MTSS framework.
- Shall train all staff in schools to fully support prevention and evidence-based programming in tier 1 and the increased intensity of interventions in tier 2. Additionally, school officials should designate staff with the responsibility for improving school climate, implementing wellness programs, coordinating tier two programming, and providing support for tier three services (U.S. Department of Education, 2021)

Referral to Special Education

- Shall include provisions for referral for a comprehensive evaluation in any tier, which includes measures of academic achievement and functional performance (e.g., behavior, social-emotional) to determine if a child has a disability and is eligible for special education and related services and due process protections.
- Shall include data from responsiveness to instruction in tiers one, two, and three as part of an assessment but this data shall not be a substitute for a comprehensive special education evaluation. MTSS data alone does not provide sufficient information to rule out or identify the presence of a disability. A comprehensive evaluation shall provide additional data to exclude other potential primary causative factors and inform individualized special instruction, including any accommodations, modifications, assistive technology, and behavioral/learning supports needed.

Conclusion

MTSS is a districtwide and schoolwide prevention framework that includes universal screening, evidence-based core programming for all students, data-based progress monitoring, and tiers of instruction that vary in intensity in order to meet the needs of all students. CEC recognizes the positive influence that MTSS can have on improving the education of all children, the roles of special educators, and the special education system, by providing a structure to organize practices based on data, evidence and research. At the same time, CEC also recognizes the potential misuses of an MTSS framework. A student's participation in MTSS should never be used to delay or deny evaluation for special education. Moreover, data from progress monitoring in an MTSS framework may be used as part of the comprehensive evaluation required for identification of students with disabilities, however, it must not be used as a primary or sole source of data for determining eligibility. All of the additional IDEA requirements for eligibility must be included in special education assessments. CEC believes that the MTSS framework provides the essential components to implement evidence-based practices and programs to improve academic, - behavioral, social-emotional outcomes for all students in educational settings.

References

Individual with Disabilities Education Act, 20 U.S.C. 104 et seq., 2004.

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