

## Chapter 6 – SST Driven Learning

### Section 6.1 Tier 3

#### SST-DRIVEN LEARNING:

In addition to Tier 1 and Tier 2, targeted students participate in learning that is different by including:

- Intensive, formalized problem solving to identify individual student needs.
  - Targeted research based interventions tailored to individual needs.
  - Frequent progress monitoring and analysis of student response to intervention(s).
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- Tier 3 in Georgia is a unique individual, diagnostic, data driven instructional problem solving process where the question about a student expands to include the “why” as well as the “what”. This is the point where specialists (school psychologists, intervention specialists, behavior specialists, counselors, social workers, speech-language pathologists, etc.) often participate in the problem solving process if they have not already been involved at Tiers 1 and 2.
  - Problem solving at this stage is more in depth and intensive and usually requires gathering and analyzing additional information about the student, his/her performance strengths and weaknesses, background information, etc.
  - Appraisal of various types is usually initiated by the SST team, including vision and hearing testing. Whereas Tier 2’s supplemental activities will have been programs designed to strengthen targeted skills for a range of students, the Tier 3/SST process employs scientific analysis to discover the reason(s) for an individual student’s difficulties. This knowledge guides the design of individualized interventions that attempt to best fit the student.
  - Many students will be satisfactorily helped by the careful analysis and interventions of the Tier 3/SST process. Their cases will revert to Tier 2 or Tier 1 with the benefit of key discoveries that have enabled the student to experience success. These may be in academics or in behavior, and often in both.
  - In rare cases, some students may present problems for which even the most effective known interventions appear to be inadequate. It is a combination of supporting data and use of professional judgment as to when or if their cases are referred for a comprehensive evaluation to investigate for a possible disability. One alternative might be to pursue Section 504 eligibility and its individual accommodation plan.

#### **Uniqueness of Tier 3/SST in Georgia: the Marshall Court commitment**

- In 1984, the state of Georgia resolved a class-action court case, Marshall vs. Georgia, with a set of actions that it committed to federal district court to implement permanently.
- One of the commitments was that a Student Support Team (SST) would be required in every public school in Georgia. Thus, no matter the current and future organizational framework of Georgia education, there will always be a requirement for at least one Student Support Team (SST) in every public school.
- The exact language of the state’s court commitment regarding Student Support Teams is reproduced in Appendix [X]
- At that time, the single, formal avenue to individual help was a referral to Special Education. The SST was intended to fill this gap in services, thus *SST’s original purpose was to prevent inappropriate referral to Special Education.*
- In contrast, there are occasionally situations that are so compellingly appropriate for Special Education that it would be unacceptable to delay needed services by having to go through SST processes. The State Board rule allows for exceptions to SST in such cases, and a referral to

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Special Education is initiated immediately. (See Appendix) Interventions should be put in place during the evaluation process.

### **How is SST different now as compared to pre-RTI/Pyramid/IDEA 2004?**

- SST still has, and will always have, its core mission of providing an individualized, diagnostic analysis and intervention for students. But now that there will be a set of RTI procedures in place in Tiers 1 and 2, many of the routine causes of underperformance will be formally addressed earlier than before. This will, in effect, screen them and allow the SST to do a more thorough job on a smaller but needier set of cases. SST has already incorporated RTI as a necessary process when a possibility exists for an eventual diagnosis of Specific Learning Disability under IDEA 2004 rules. With the full use of the Pyramid of Interventions structure, RTI will be even more central to the functioning of the team, particularly in more extensive progress monitoring, documentation of results and analysis.

### **Issues and Procedures in Tier 3/SST**

- The appraisal nature of SST lent itself not only to preventing inappropriate referrals (by solving problems) but also to helping meet a requirement for those that were indeed appropriate. That is, Special Education law required that schools must prove that regular education is unable, with commonly accepted and well documented interventions, to solve the student's problem; therefore, Special Education was indicated.
- This requirement still exists today, and SST's role in Georgia's Student Achievement Pyramid of Interventions still addresses it. But SST is no longer the sole generator of evaluative and performance data. Some of its functions are being embraced by Tiers 1 and 2, so that by the time SST actively addresses a student case, there is substantial data already available.
- The most recent reauthorization of IDEA states not only that a student's response to intervention must not only be allowable as a component of eligibility, but also that the interventions themselves must have been proven effective. Thus, if a student had not had a fair chance to learn in response to solid teaching, then it would be premature to fault the student or suspect a disability. This is a critical consideration in our on-going attempts to remedy the problem of disproportionate placement of minorities in Special Education. [Note: a unique subset of this is the case of English Language Learners. *See Chapter 8.*]
- In any given school or school system, there must be accountability for the soundness of the data gathered on a student in Tiers 1 and 2 before the case can proceed to the SST.
- Interventions must have been implemented with *fidelity*, that is, consistently implemented following the delivery method and program originator's design (time, frequency, etc). Tier 3/SST must verify the integrity of existing data. Some cases will require extensive evaluation at Tier 3/SST; others will already have substantial, verified data that can help guide the team's intervention design.
- Once an intervention is initiated, at least four data points, and preferably many more, will need to be generated to measure progress. Best practice supports progress monitoring the student's response to the intervention one to three times per week.
- At Tier 3, the length of the intervention will vary by case, but most cases will occur over a six to twelve week period. For students who may eventually be considered for Specific Learning Disabilities (SLD) eligibility, note that the required time period for data collection is twelve weeks. Interventions must be implemented for 12 weeks before a student can eventually be found eligible for special education services for a learning disability, but it does not all have to take place in Tier 3/SST. Additional weeks of interventions can take place during the specified evaluation period for special education eligibility. Interventions from Tier 2 may also count

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toward the required 12 weeks for students being considered for SLD eligibility. For students being considered for eligibility in areas other than SLD, the key consideration is that interventions have been given a reasonable amount of time to work and that there are enough data points over time to provide a sound basis for making decisions about how the student is responding to the intervention.

- Prior to the widespread use of the RTI process, it was not uncommon for certain students to be on the active SST caseload for more than a year. With differentiated instruction, RTI and the expanded options for skill strengthening in Tiers 1 and 2, the typical time of active SST status should be substantially less.

### **Referral from Tier 3/SST to Special Education evaluation**

- Tier 2 and to an extent Tier 3 try to address systemic, institutional factors related to a student's situation in order to fill gaps, strengthen skills, engender confidence, and find a new way of successful functioning by the student.
- The Tier 3/SST team must go beyond that and consider that there may be one or more factors *internal* to the student (e.g., needs, fears, attitudes, serious weaknesses, processing problems) that are the primary reasons for lack of adequate success.
- If the team finds solutions for these supposed factors, then the student proceeds back down the pyramid tiers to on-going progress. The Tier 3/SST team closes the case and terminates it from their active caseload.
- But if after educational/behavioral evaluation, analysis, and intervention their best efforts at remediation repeatedly fail, then they must consider that the student may have a disability. It is at that point that a referral for a Special Education comprehensive evaluation is appropriate.
- Subsequently, due process determines the path of the case, but the student still needs instructional support during the evaluation-eligibility period.
- It is important to note that this is not to say that the SST team has, by referring, *diagnosed* a disability. However, it is also not their prerogative to decline to refer a student because they doubt that the student would qualify for a disability category.
- In some cases, students may not meet special education eligibility criteria. The student may return to Tier 3/SST team because eligibility was denied for Special Education.
- Cases where severity or type of condition does not qualify for Special Education must still be addressed as best as possible. This is where the team would want to consider possible eligibility for Section 504. In such a case, it may be that a Section 504 Individual Accommodation Plan (IAP) can be crafted that will effectively diminish the effects of the student's condition. Here, the legal issue is not reaching individual goals in the classroom, but having an equal *opportunity* to do so that is comparable to that of the student's nondisabled peers. It would be up to a Section 504 evaluation team to decide whether to pursue this course of action. In some systems, the SST team is assigned to be that team.

### **Referral from Tier 3/SST to ESOL Evaluation**

- Tier 2 and to an extent, Tier 3, try to address systemic, institutional factors related to a student's situation in order to fill gaps, strengthen skills, engender confidence, and find a new way of successful functioning by the student.
- The Tier 3/SST team must go beyond that and consider that there may be one or more factors *internal* to the student (e.g., needs, fears, attitudes, serious weaknesses, processing problems) that are the primary reasons for lack of adequate success.

- If the team can find solutions for these supposed factors, then the student can proceed back down the pyramid tiers to on-going progress. The Tier 3/SST team closes the case and terminates it from their active caseload.
- The Tier 3/SST team must determine if an English language learner (ELL) exhibits a language difficulty or a language disorder. A language delay or difficulty must be present in both languages to be considered as a possible disability
- The Tier 3/SST team must determine if a speech language impairment adversely affect the educational performance of the student and only if there is evidence to support this would the Tier 3/SST team refer the student for additional evaluation.
- If after educational/behavioral evaluation, analysis and intervention their best efforts at remediation repeatedly fail, then the team must consider that the child may have a disability. It is at that point that a referral for a Special Education comprehensive evaluation is appropriate.
- Subsequently, due process determines the path of the case but the student still needs instructional support during the evaluation-eligibility period.
- It is important to note that this is not to say that the SST team has, by referring, *diagnosed* a disability. However, it is also not their prerogative to decline to refer a student because they doubt that the student would qualify for a disability category.
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- Cases where severity or type of condition does not qualify for Special Education must still be addressed as best as possible. This is where the team would want to consider possible eligibility for Section 504. In such a case, it may be that a Section 504 Individual Accommodation Plan (IAP) can be crafted that will effectively diminish the effects of the student's condition. Here, the legal issue is not reaching individual goals in the classroom, but having an equal *opportunity* to do so that is comparable to that of the student's nondisabled peers. It would be up to a Section 504 evaluation team to decide whether to pursue this course of action. In some systems, the SST team is assigned to be that team.

Examples of Tier 3/SST	Non-examples of Tier 3 SST
Student is given additional drill and practice on specific area(s) of weakness in math which were targeted after an analysis of several formative assessments and interviews with the student. Progress toward goal is graphed on a weekly basis.	Student is given extra work in specific area(s) of math weakness.
Student is given a diagnostic reading test to determine specific instructional needs. A plan for the student is developed which recommends continuing the current Tier 2 reading intervention with the addition of tutoring sessions (3x a week) focused on his primary weakness. Progress monitoring established in Tier 2 is continued in Tier 3 with greater frequency.	Student is given additional reading assignments in lower level readers.
Data shared by teacher on the student's classroom behavior after trying several behavioral strategies led the team to develop an individualized student behavior management plan. After five days of gathering baseline data, the teacher will implement the plan as developed. SST member is assigned to follow-up with teacher to answer any questions on data time sampling and to check fidelity of implementation.	Misbehaving student is moved to front of class. Teacher is directed to increase eye contact with student in order to decrease behavior incidents. Teacher is asked to keep data.
Student homework notebook is created with sections for assignments, teacher signatures, parent signatures. Student is assigned a mentor who checks notebook at school each morning and at end of day. Mentor instructs student in the use of an organizational protocol for classroom work and homework. Protocol shared with parent. Together, student and mentor track (progress monitor) the effectiveness of the intervention.	Parent is instructed to make sure student completes homework assignments.
Team invites school psychologist to consult on case to discuss threshold for suspecting a disability as primary cause.	Team refers student for consideration of special education eligibility without involving school psychologist.

### Tier 3/SST Records

According to the Family Educational Rights and Privacy Act of 1974 (FERPA), any records that a system officially maintains on a student that could be shared with others for the purpose of educating the student are, *collectively*, the student's cumulative folder, permanent record, etc. This includes SST records. It does not matter how widely the records may be scattered throughout the school or school system—they all are part of the student's record, and therefore are: 1.) accessible to parents and 2.) confidential.

**When may SST records be purged?** The answer may lie in the system's Records Retention Schedule, where it can specify a time period after which they should be removed and destroyed (i.e., when they are no longer useful). If not addressed there, then they are a permanent part of the student's record and should follow the student from school to school. They can only be destroyed when the rest of the records are thus scheduled. Obviously, it would be beneficial to include them in a system's Records Retention Schedule, which can be done by the local Board of Education.

**When are SST records no longer useful?** This varies from case to case, but it is fair to assume that the findings of the SST are only useful for a limited time. As students mature and consolidate skills, their SST records are of diminishing usefulness to subsequent teachers. This is more pronounced the younger the student was when the process occurred. Whatever decision a system makes about the “shelf life” of SST records, it must be consistent, not arbitrary.

**Additional Information:** [http://www.gadoe.org/tss\\_learning.aspx?PageReq=TSSLearningSupport](http://www.gadoe.org/tss_learning.aspx?PageReq=TSSLearningSupport)

