

**West Virginia
Department of Education**

MEMORANDUM

TO: County Superintendents, County Special Education Directors
Superintendent Office of Institutional Education Programs,
Superintendent WV Schools for the Deaf and Blind
WV Advisory Committee for the Education of Exceptional

FROM: Steven L. Paine
State Superintendent of Schools

DATE: February 17, 2009

RE: Response to Intervention

As West Virginia approaches the July 1, 2009 timeline for implementation of response to intervention at the elementary level, and after input from superintendents, principals and teachers, WVDE will be submitting to the WVBE at its March meeting a restricted waiver of Policy 2419 regarding the implementation timeline included on Page 33 of the policy. The waiver will allow all elementary schools to continue using the traditional discrepancy formula through June 30, 2010 if considering eligibility for a student as learning disabled when the area of demonstrated weakness is solely in mathematics. The discrepancy formula is described on Pages 40 and 41 of the policy. Students whose learning disability is manifested solely in mathematics are rare. Schools are urged to review their recent history of students with this profile and to use that as a general standard when considering students for placement.

In addition, staff has advised me that research and practice continue to emerge for establishing a response to intervention process at the middle and high schools levels and that, in order to take advantage of that emerging information, timelines for implementation at those secondary levels should be revised. The restricted waiver, therefore, will include a revision to the timeline for these levels. The response to intervention process will be established by July 1, 2011 in middle schools and by July 1, 2012 in high schools.

Establishing the RTI process is complex and time consuming for all stakeholders. I want to thank everyone for their continued hard work to meet the needs of our students. I am encouraged by recent implementation status surveys completed by elementary principals suggest that as high as 88% report they are, implementing RTI in reading now or will be able to implement it by July 1.

Professional development related to establishing the response to intervention process and providing appropriate reading and mathematics interventions and progress monitoring will continue through the WVDE and RESAs. In addition, statewide training on the use of the RTI process in eligibility, with a focus on reading, will enter its second phase beginning in March and continuing through April. This training will be coordinated through RESAs.

The Office of Special Programs, Extended and Early Learning (OSP) has a blog available on its website <http://wvde.state.wv.us/osp> to answer continuing questions on implementation. You may also contact Dr. Lynn Boyer or Ms. Linda Palenchar at 558.2696.

SLP.LB.cm
Cc: RESA Special Education Directors
RESA RTI Specialists
Staff Office of Special Programs, Staff Office of Assessment and Accountability/Special Education
Staff Office of Assessment and Accountability/Title I