



# Implementing RTI Using Title I, Title III, and CEIS Funds

## Key Issues for Decision-makers



**U.S. Department of Education**



# The Context

This presentation addresses how funds under Title I and Title III of the Elementary and Secondary Education Act (ESEA) and Coordinated Early Intervening Services (CEIS) funds under the Individuals with Disabilities Education Act (IDEA) may be used to support Response to Intervention (RTI) in public schools.

This presentation does not address equitable participation of private school students under Title I and Title III of the ESEA or equitable participation of parentally placed students in private schools under IDEA.



# Purpose of Title I

The purpose of Title I is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education. Title I provides funds to improve achievement of the lowest-achieving students – those who are failing, or are most at risk of failing, to meet State academic achievement standards – enrolled in high-poverty schools.



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# Use of Title I Funds

§§ 1114 and 1115 of ESEA  
34 CFR §§ 200.25-200.29

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- ◆ **Schools with schoolwide programs** use Title I funds to implement comprehensive strategies for improving the educational program of the whole school in schools with 40% or more poverty to increase the achievement of all students, particularly at-risk students.
- ◆ **Schools with targeted assistance programs** use Title I funds to provide supplemental instructional services for specific students who have been identified as failing, or most at risk of failing, to achieve academic proficiency.



# Purpose of Title III

The purpose of Title III is to help ensure that limited English proficient (LEP) students master English and meet the same challenging State academic achievement standards that all children are expected to meet.



# Use of Title III Funds

§§ 3111 and 3115(c) of ESEA



A local educational agency (LEA) must use Title III funds to:

- Provide high-quality language instruction educational programs.
- Provide high-quality professional development for classroom teachers.



# Purpose of IDEA

The purpose of IDEA is to ensure that students with disabilities have access to a free appropriate public education (FAPE).

FAPE must include special education and related services designed to meet a student's unique needs and prepare him or her for further education, employment, and independent living.



# IDEA: Coordinated Early Intervening Services (CEIS)

§ 613(f) of IDEA; 34 CFR § 300.226(a)

CEIS is a set of coordinated services for students in kindergarten through grade 12 (with a particular emphasis on students in K-3) who are **not** currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.





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# IDEA: Use of CEIS Funds

§ 613(f) of IDEA; 34 CFR § 300.226(b)

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CEIS funds may be used for:

- ◆ Professional development for teachers and other school staff to enable personnel to deliver scientifically based academic and behavioral interventions;
- ◆ Direct interventions, such as educational and behavioral evaluations, services, and supports; and
- ◆ Services aligned with activities funded under the ESEA.



# Response to Intervention (RTI)

- ◆ There are multiple approaches to RTI.
- ◆ The Department does not support one particular approach.
- ◆ Solely for the purpose of this presentation, the following slides establish common terms regarding the components of RTI.



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# Response to Intervention (RTI)

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RTI is a multi-level framework to maximize student achievement by providing support to students at risk for poor learning outcomes. The approach\* includes:

- ◆ Core instruction for all students;
- ◆ Universal screening;
- ◆ Increasingly intensive instructional interventions for students who need extra help; and,
- ◆ Progress monitoring.

\*RTI can be used to improve academic achievement and improve classroom behavior. For the purposes of this presentation, the focus is on academic content.



# Core Instruction for All Students

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- ◆ All students receive high-quality, research-based core instruction in their regular classroom.
- ◆ Core instruction includes whole-group and small-group instruction (such as reading groups) provided to all students.
- ◆ Because core instruction is provided to all students, whether in whole-group or small-group settings, it generally may not be funded with Title I, Title III, or CEIS funds.



# Universal Screening

- ◆ School staff screen students by assessing the academic performance of all students during the school year. This screening is used to identify students who are struggling and who may need specific interventions.
- ◆ Screening that is conducted for all students generally cannot be funded with Title I, Title III, or CEIS funds.



# Increasingly Intensive Instructional Interventions for Students Who Need Extra Help

- ◆ When results of screening or other data indicate that a student is struggling, an intervention to help with the specific problem is implemented. These research-based interventions are provided for a specific duration and increase the intensity of instruction in order to improve the student's achievement.
- ◆ These interventions may sometimes be funded with Title I, Title III, or CEIS funds.



# Progress Monitoring

- ◆ Progress monitoring is a scientifically based practice that is used to assess students' academic performance and evaluate the effectiveness of instruction and instructional interventions.
- ◆ Generally, Title I, Title III, and CEIS funds may be used to fund progress monitoring if the progress monitoring is used to determine the response to an intervention that is supportable with Title I, Title III, or CEIS funds.

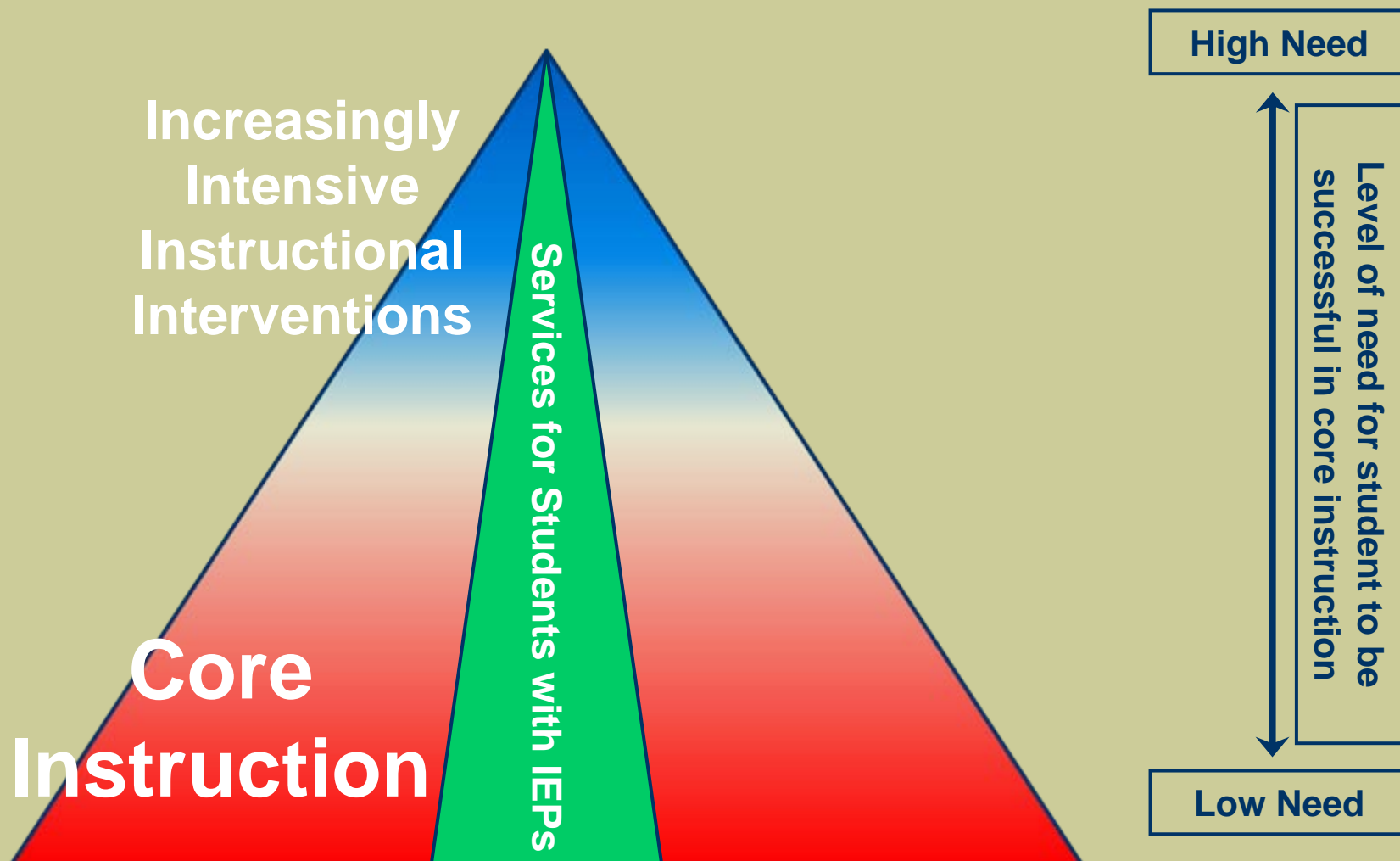


# Other Components of RTI

- ◆ Parental involvement
- ◆ Professional development



# A Conceptual Framework for RTI



Students may receive services from all areas of the pyramid at any one point in time



# A sample student:

Throughout the interventions, Lisa's progress was monitored and by mid-winter her reading rate had increased to the 55<sup>th</sup> percentile



Lisa received targeted interventions specifically designed to address her weaknesses



Like all 1<sup>st</sup> graders, Lisa was screened in the fall and her reading rate was at the 20<sup>th</sup> percentile



Even with Core Instruction, Lisa struggled with decoding words



Lisa now functions successfully with only Core Instruction. A spring rescreening of all students found that Lisa did not require any additional interventions

# A second student

Progress monitoring results indicate that Keith is slowly beginning to understand fractions, but is acquiring skills at a much slower rate than his 3<sup>rd</sup> grade peers. Keith will receive more intensive interventions for the rest of the year and his progress will be monitored on a regular basis.



At a parent-teacher conference, Keith's teacher shared the results. Keith's mother and special education teacher proposed interventions coordinated by the district's math specialist in addition to Core Instruction.



Unrelated to his disability, Keith began struggling with the concept of fractions, and screening indicated that Keith was now six months behind.



Keith is a 3<sup>rd</sup> grade student and is a child with a disability. Keith is hearing impaired and receives special education, speech, and audiology services.





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# Before Using Title I, Title III, or CEIS Funds to Support RTI

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Define RTI:

- ◆ What is the core instruction?
- ◆ What interventions will be provided?
- ◆ What criteria will be used to determine who receives interventions?
- ◆ What will be the intensity, frequency, and duration of the interventions?
- ◆ What tools will be used for universal screening and progress monitoring and how often will they occur?



# Before Using Title I, Title III, or CEIS Funds to Support Implementation of RTI

Three major factors to consider when using Title I, Title III, or CEIS funds to implement RTI:

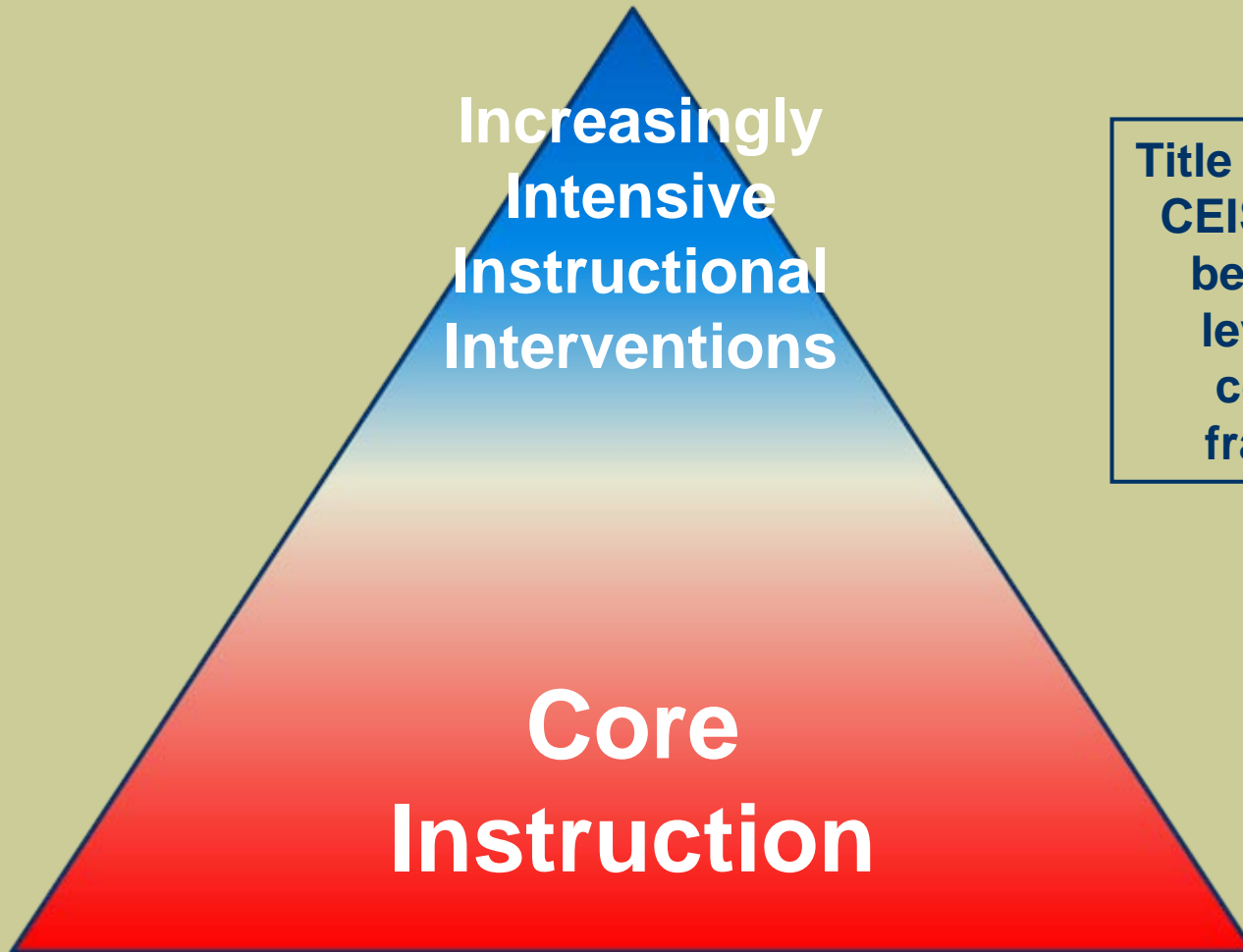
- ◆ Type of school (e.g., Title I status)
- ◆ Eligibility of students
- ◆ Supplement not supplant funding requirements



# Major Considerations

## Type of School

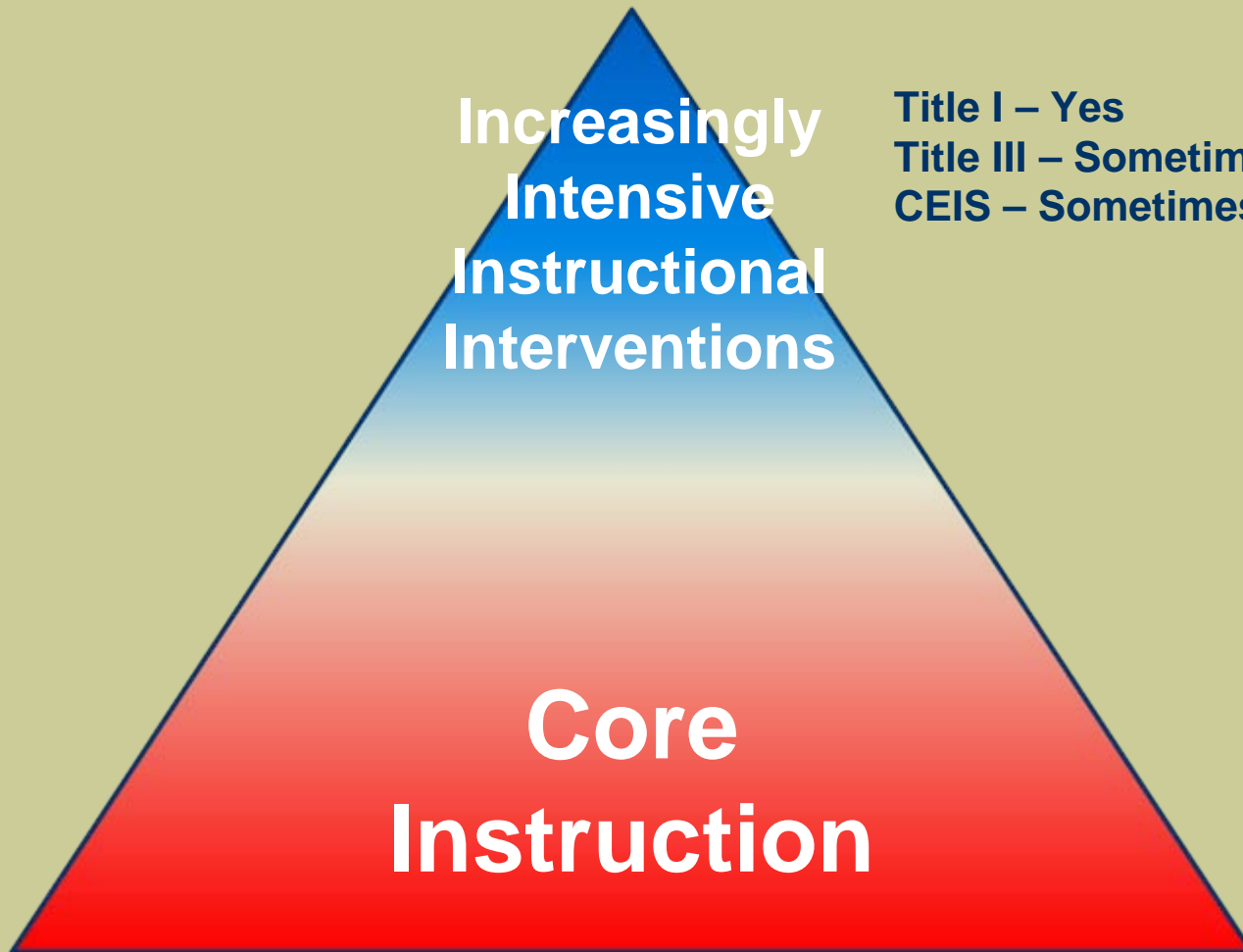
# Using Title I, Title III, and CEIS Funds for RTI in a Title I Schoolwide School that Consolidates Federal Funds



Title I, Title III, and CEIS funds may be used at all levels of our conceptual framework.\*

*\*A schoolwide school must receive all of the non-Federal funds it would otherwise receive if it were not operating a schoolwide program, including those funds necessary to provide services required by law for students with disabilities and LEP students.*

Using Title I, Title III, and CEIS Funds for RTI in a Title I Schoolwide School that Does Not Consolidate Federal Funds\*



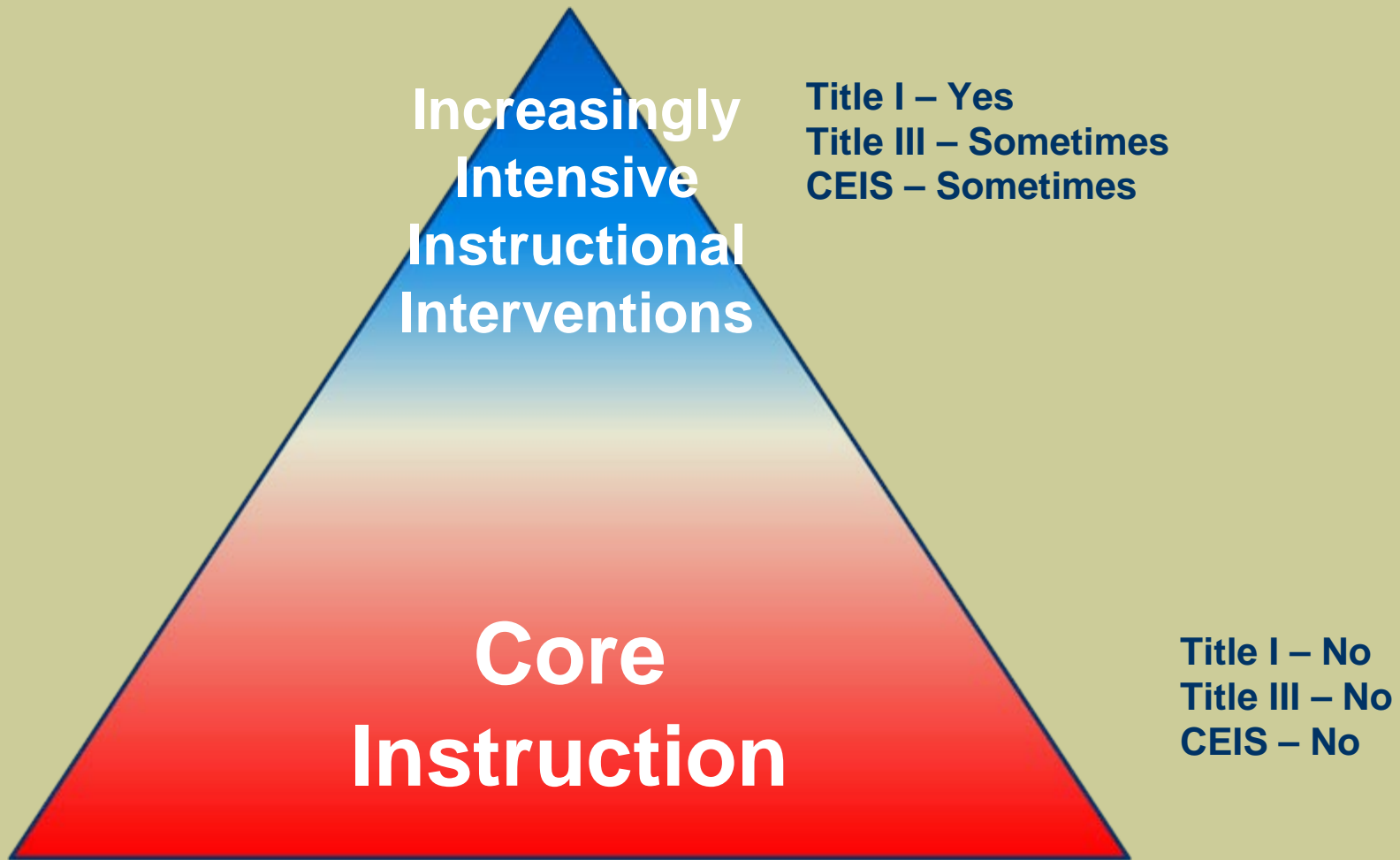
Title I – Yes  
Title III – Sometimes  
CEIS – Sometimes

Title I – Yes  
Title III – No  
CEIS – No

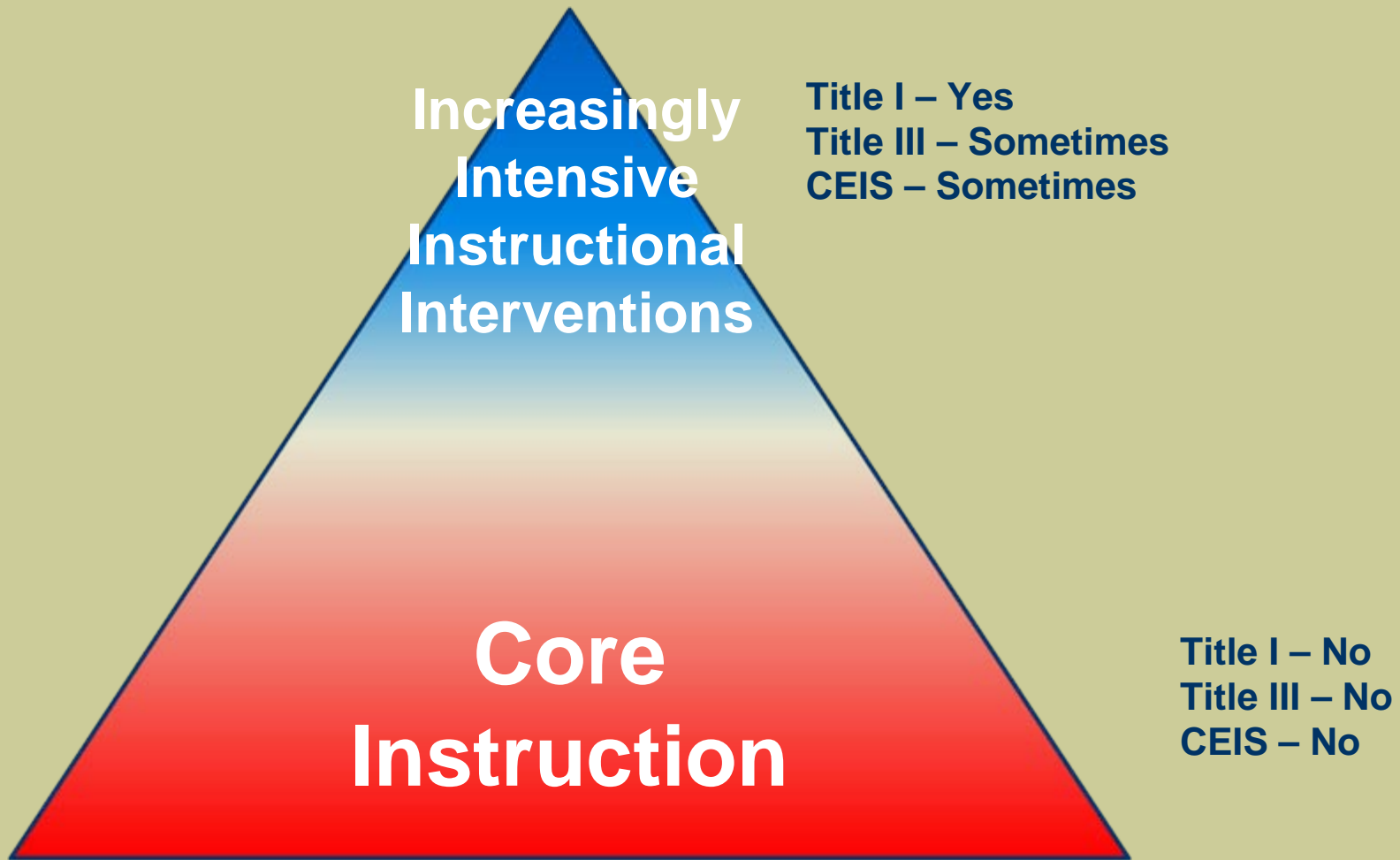
*\*The school must receive the amount of State and local funds it would otherwise receive if it were not a schoolwide school.*



# Using Title I, Title III, and CEIS Funds for RTI in a Title I Targeted Assistance School



# Using Title III and CEIS Funds for RTI in a non-Title I School





# Major Considerations

## Eligible Students



# Eligible Students Under Title I

- ◆ In a Title I schoolwide school, Title I funds may be used to provide services to any student.
- ◆ In a Title I targeted assistance school, Title I funds may only be used to provide services to eligible students identified as having the greatest need for special assistance.
  - Eligible students are students who are failing, or most at risk of failing, to meet the State's challenging student academic achievement standards on the basis of multiple, educationally related, objective criteria.

# Title I Most at Risk – Example 1

Increasingly  
Intensive  
Instructional  
Interventions

Targeted Assistance School

Title I  
Services

Less intensive  
interventions provided  
with State and local funds

Core  
Instruction

# Title I Most at Risk – Example 2

Increasingly  
Intensive  
Instructional  
Interventions

Targeted Assistance School

CEIS

Title I Services

Less intensive  
interventions provided  
with State and local funds

Core  
Instruction



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# Eligible Students Under Title III

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- ◆ Title III funds must be used to provide services to LEP students.



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# Eligible Students under CEIS

§ 613(f) of IDEA; 34 CFR § 300.226(a)

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- ◆ CEIS funds may only be used to provide interventions to students who need academic or behavioral support to succeed in the general education environment.
- ◆ CEIS funds may not be used to provide interventions to students who are currently identified as needing special education and related services.





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# Major Considerations

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Supplement Not Supplant



# Supplement Not Supplant

- ◆ Title I, Title III, and CEIS each has a supplement not supplant requirement that affects the use of funds to implement RTI.
- ◆ In general, the supplement not supplant requirement is intended to ensure that services provided with Federal funds are in addition to, and do not replace or supplant, services that students would otherwise receive.



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# The First Test of Supplanting

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The Department assumes supplanting exists if –

- ◆ An LEA uses Federal funds to provide services that the LEA is required to make available under State or local law, or other Federal law.



# The Second Test of Supplanting

The Department assumes supplanting exists if –

- ◆ An LEA uses Title I funds to provide services that it provided in the prior year with non-Federal funds; or,
- ◆ An LEA uses Title III or CEIS funds to provide services that it provided in the prior year with State, local, or other Federal funds.

This assumption may be rebutted.

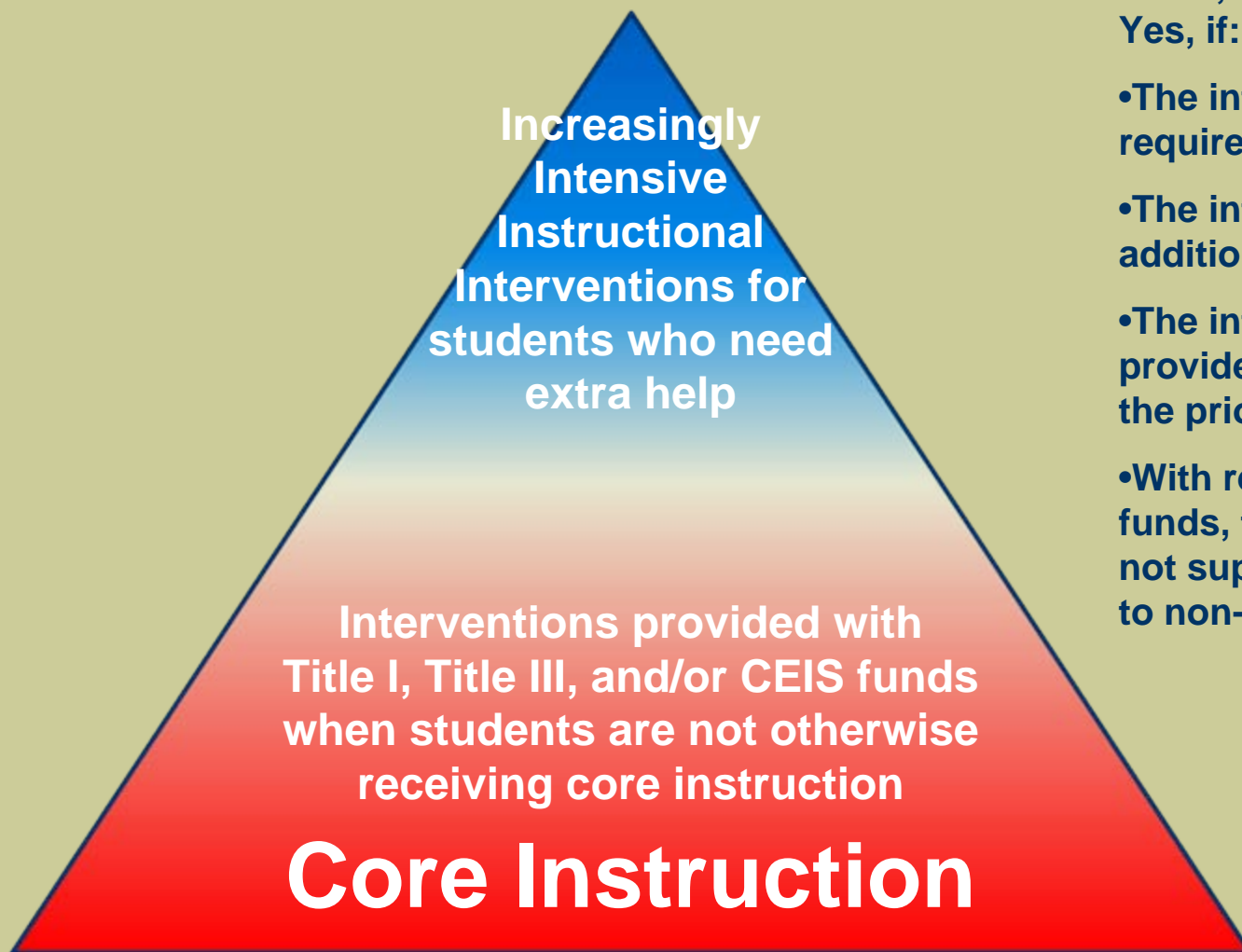


# The Third Test of Supplanting (Title I funds only)

The Department assumes supplanting exists if –

- ◆ An LEA uses Title I funds to provide services for children participating in a Title I program that it provides with non-Federal funds to non-participating children or to children in non-Title I schools.

## Using Title I, Title III, and/or CEIS Funds for Interventions in a Targeted Assistance School Consistent with Supplement not Supplant



**Title I, Title III, and CEIS –  
Yes, if:**

- The interventions are not required by law
- The interventions are in addition to core instruction
- The interventions were not provided with other funds in the prior year
- With respect to Title I funds, the interventions do not supplant those provided to non-Title I students.



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# Title I: Exclusion from Supplement Not Supplant

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- ◆ An LEA may exclude, for purposes of complying with the Title I supplement not supplant requirement, State or local funds spent in any school for programs that meet the intent and purposes of Title I, Part A.
- ◆ Title I regulations govern what constitutes a program that meets the intent and purposes of Title I, Part A.



# Title I: Exclusion from Supplement Not Supplant “Targeted Assistance-like” Programs

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A “targeted assistance-like” program meets the intent and purposes of Title I if the program:

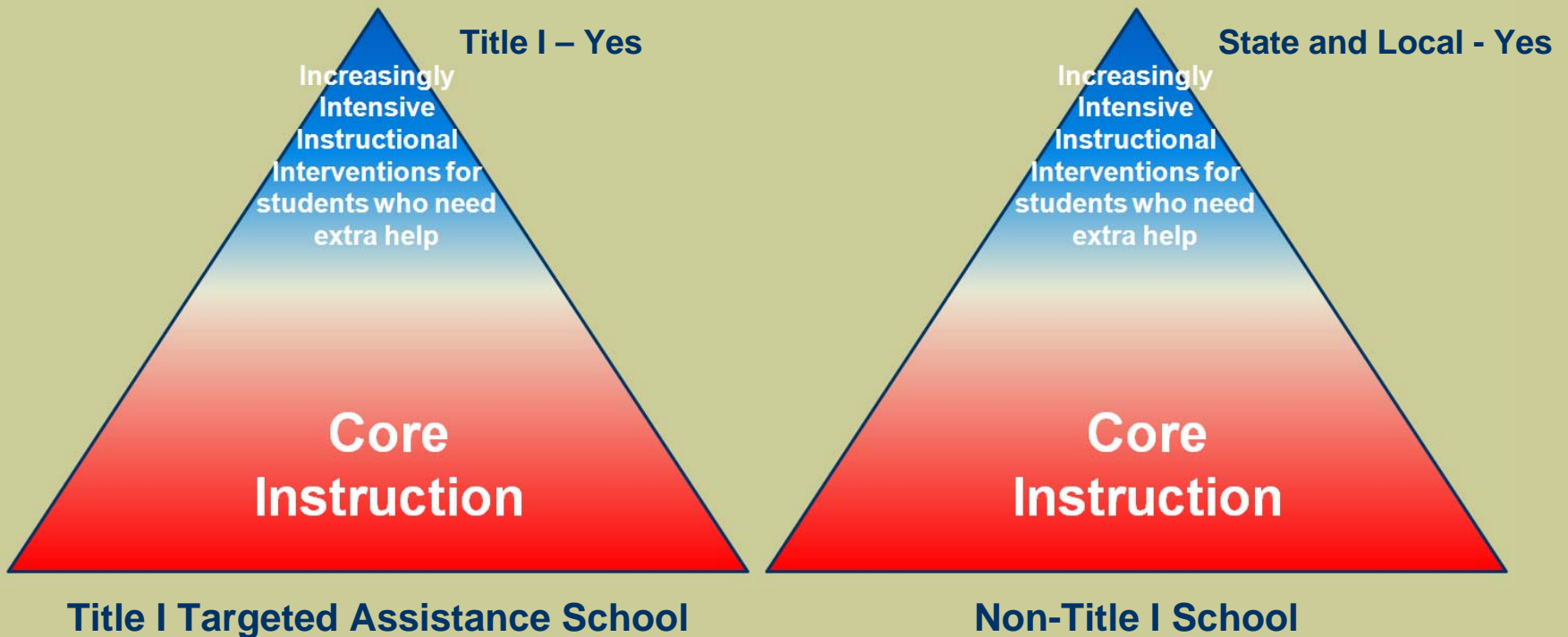
- Serves only children who are failing, or most at risk of failing, to meet the State’s academic achievement standards;
- Uses supplemental state and local funds to provide supplementary services designed to meet the specific educational needs of the children who are participating in the program; and
- Uses the State's assessment system to review the effectiveness of the program. 34 CFR §200.79(b)(2)



# Title I Exclusion for Supplement not Supplant in an LEA:

*Implementing RTI with non-Federal funds in a non-Title I school & with Title I funds in a Title I school*

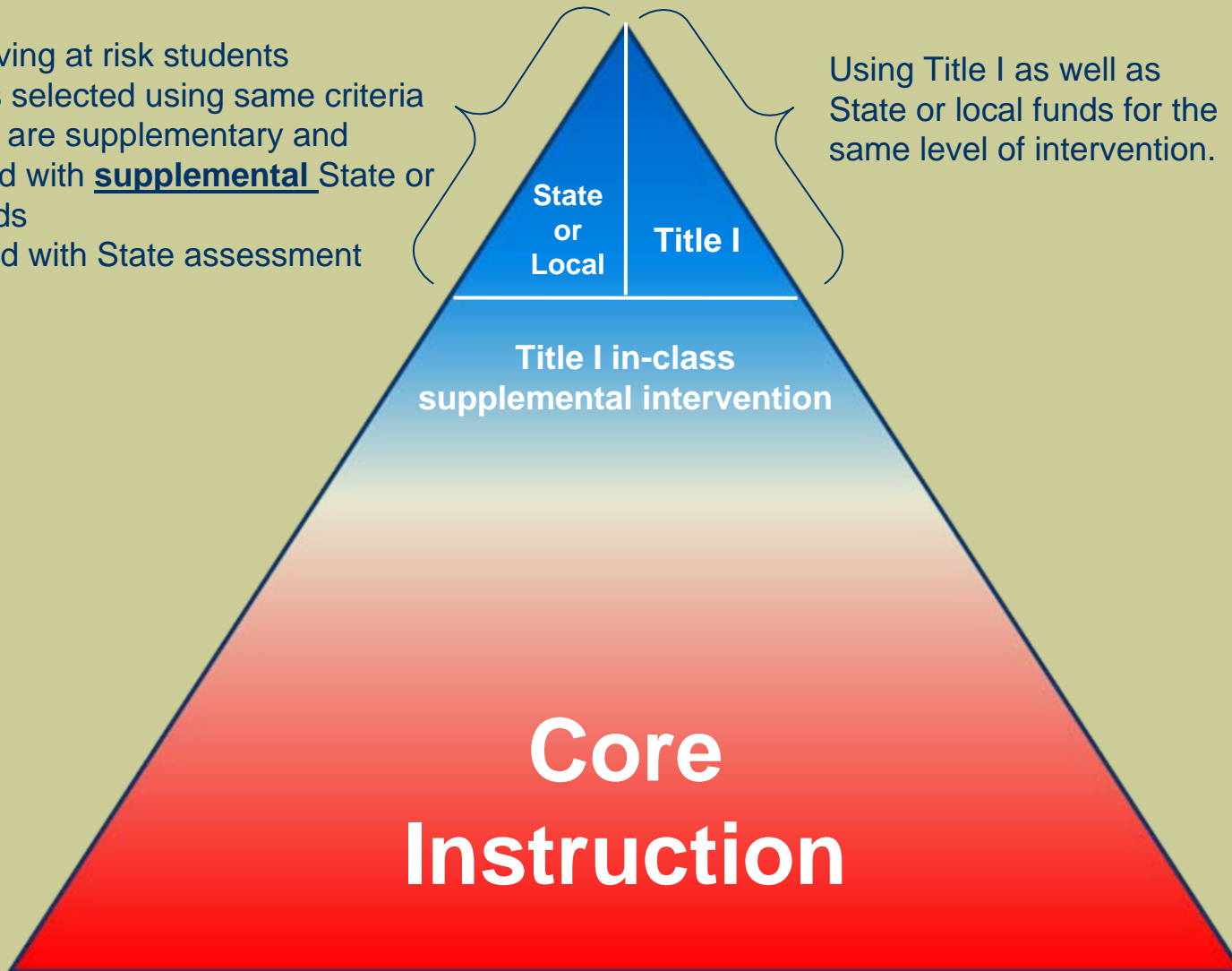
- Only serving at-risk students
- Students selected using same criteria
- Services are supplementary and supported with supplemental State or local funds
- Evaluated with State assessment



# Title I Exclusion for Supplement not Supplant in a Title I Targeted Assistance School

- Only serving at risk students
- Students selected using same criteria
- Services are supplementary and supported with supplemental State or local funds
- Evaluated with State assessment

Using Title I as well as State or local funds for the same level of intervention.





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# IDEA: CEIS Reporting Requirement

34 CFR § 300.226(d)(2)

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- ◆ Each LEA that implements CEIS must report to the State on the number of children who received CEIS and the number who subsequently receive special education and related services under Part B of IDEA within two years after receiving CEIS.



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# IDEA: Required Use of CEIS Funds

34 CFR § 300.646(b)(2)

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- ◆ In the case of a determination of significant disproportionality based on race or ethnicity with respect to the identification, placement, or discipline of students with disabilities in an LEA, the LEA is required to reserve the maximum amount of funds to be used for CEIS for children in the LEA, particularly, but not exclusively, children in the overidentified group.



# In Summary

- ◆ Before using Title I, Title III, or CEIS funds to support RTI
  - Define RTI (including core instruction, screening, interventions, and progress monitoring);
  - Consider the type of school;
  - Consider eligible students for each program; and,
  - Consider the supplement not supplant requirement for each program.



# Resources

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- ◆ Department of Education
  - [www.ed.gov](http://www.ed.gov)
- ◆ RTI Center
  - [www.rti4success.org](http://www.rti4success.org)