

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
February 21, 2019

OFFICE OF ELEMENTARY EDUCATION AND READING

- A. Approval to revise State Board Policy Part 3, Chapter 41, Rule 41.1 – Intervention
(Has cleared the Administrative Procedures Act process with public comments)

Background and Purpose: State Board Policy Part 3, Chapter 41, Rule 41.1 outlines the three-tier instructional model that schools must use to meet the behavioral and academic needs of all students through quality classroom instruction and opportunities for intervention. This policy is being revised to ensure that only students that are receiving Tiered interventions will be required to be assessed during the end-of-year (EOY) assessment window in third grade.

Recommendation: Approval

Back-up material attached

Part 3 Chapter 41

Rule 41.1 Intervention

Adoption Date: January 21, 2005

Revisions: August 18, 2016; December 20, 2018

1. The purpose of this policy is to ensure that the behavioral and academic needs of every student are met through an instructional model that is designed to address student learning with quality classroom instruction and opportunities for intervention. The Mississippi Department Education (MDE) shall require every school district to follow the instructional model, which consists of three (3) tiers of instruction:
 - a. Tier 1: Quality classroom instruction based on Mississippi Curriculum Frameworks
 - b. Tier 2: Focused supplemental instruction
 - c. Tier 3: Intensive interventions specifically designed to meet the individual needs of students
2. If strategies at Tier 1 and Tier 2 are unsuccessful, students must be referred to the Teacher Support Team (TST). The TST is the problem-solving unit responsible for interventions developed at Tier 3. Each school must have a Teacher Support Team (TST) implemented in accordance with the process developed by the MDE. The chairperson of the TST shall be the school principal as the school's instructional leader or the principal's designee. The designee may not be an individual whose primary responsibility is special education. Interventions will be:
 - a. designed to address the deficit areas;
 - b. evidence based;
 - c. implemented as designed by the TST;
 - d. supported by data regarding the effectiveness of interventions.
3. Teachers should use progress monitoring information to:
 - a. determine if students are making adequate progress,
 - b. identify students as soon as they begin to fall behind, and
 - c. modify instruction early enough to ensure each student gains essential skills.

Monitoring of student progress is an ongoing process that may be measured through informal classroom assessment, benchmark assessment instruments, and large-scale assessments.

4. After a referral is made, the TST must develop and begin implementation of an intervention(s) within two weeks. No later than eight weeks after implementation of the intervention(s) the TST must conduct a documented review of the interventions to

determine success of the intervention(s). No later than 16 weeks after implementation of the intervention(s), a second review must be conducted to determine whether the intervention(s) is successful. If the intervention(s) is determined to be unsuccessful, then the student will be referred for a comprehensive assessment.

5. In accordance with the Literacy-Based Promotion Act of 2013, each public school student who exhibits a substantial deficiency in reading at any time, as demonstrated through:
 - a. performance on a reading screener approved or developed by the MDE, or
 - b. locally determined assessments and teacher observations conducted in Kindergarten and Grades 1 through 3, or
 - c. statewide end-of-year assessments or approved alternate yearly assessments in Grade 3, must be given intensive reading instruction and intervention immediately following the identification of the reading deficiency. A student who was promoted from Grade 3 to Grade 4 under a good cause exemption of the Literacy-Based Promotion Act must be given intensive reading instruction and intervention. The intensive intervention must include effective instructional strategies and appropriate teaching methodologies necessary to assist the student in becoming a successful reader, able to read at or above grade level, and ready for promotion to the next grade.
6. A dyslexia screener must be administered to all students during the spring of their kindergarten year and the fall of their first-grade year. The screening must include the following components:
 - a. Phonological awareness and phonemic awareness;
 - b. Sound symbol recognition;
 - c. Alphabet knowledge;
 - d. Decoding skills;
 - e. Encoding skills; and
 - f. Rapid naming (quickly naming objects, pictures, colors, or symbols (letters or digits) aloud).

7. All students in Kindergarten and grades 1 through 3 shall be administered a state- approved screener within the first 30 days of school and repeated at mid-year and at the end of the school year, to identify any deficiencies in reading. EXCEPTION: Students in grade 3 who are not identified for intervention on mid-year screeners are not required to be screened again at the end of the school year. In addition to failure to make adequate progress following Tier 1 and Tier 2, students will be referred to the TST for interventions as specified in Response to Intervention guidelines developed by MDE if any of the following events occur:
 - a. Grades K-3: A student has failed one (1) grade;
 - b. Grades 4-12: A student has failed two (2) grades;
 - c. A student failed either of the preceding two grades and has been suspended or expelled for more than twenty (20) days in the current school year;
 - d. A student scores at the lowest level on any part of the Grade 3 or Grade 7 statewide accountability assessment; or
 - e. A student is promoted from Grade 3 to Grade 4 under a good cause exemption of the Literacy-Based Promotion Act.
8. Referrals to the TST must be made within the first twenty (20) school days of a school year if the student meets any of the criteria a-e stated above in Paragraph 7.
9. School districts must complete, at a minimum, documentation as required for all students in Tier 2 or Tier 3. All Tier 3 documentation must accompany the student's cumulative folder upon promotion or transfer to a new school.

Source: Miss. Code Ann. §§ 37-177-1, et seq., (Revised 12/2018)

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APA Comments received on State Board Policy Part 3, Chapter 41, Rule 41.1 – Intervention

Public Comment	MDE Response
<p>I am in agreement with the change to the policy; however, the addition should be in a separate section. Preferably under number #2. Where it is currently located, is confusing to me.</p>	<p>Number two defines the Tier process implementation and does not reference the screening requirements. The change is currently under number 7, which defines when a student should be assessed using a screening assessment.</p>
<p>It makes sense why the end of year screener for 3rd grade (whether in general or specific to those not identified previously in the mid-year screener) would be eliminated. With the Literacy Based Promotion Act requiring the end of year test to be passed, it effectively serves as the 3rd screener, allowing schools to recognize adequate progress (or the lack thereof). Therefore, I believe it would be beneficial to eliminate the 3rd screener (for all students, if possible), utilizing the MAAP assessment as the final measure of progress for these 3rd grade students.</p>	<p>No change is necessary.</p>
<p>After talking with our interventionists in the district, our consensus is the Starkville Oktibbeha School District would be in support of the proposed change to State Board Rule 41.1</p>	<p>No change is necessary.</p>

APA Comments received on State Board Policy Part 3, Chapter 41, Rule 41.1 – Intervention

From: Amanda Tullos <atullos@starkvillesd.com>
Sent: Friday, January 18, 2019 10:07 AM
To: Tenette Smith
Cc: Angie Abernathy
Subject: Public Comment: State Board Rule 41.1 – Intervention

Good morning Tenette,

After talking with our interventionists in the district, our consensus is the Starkville Oktibbeha School District would be in support of the proposed change to State Board Rule 41.1:

*All students in Kindergarten and grades 1 through 3 shall be administered a state- approved screener within the first 30 days of school and repeated at mid-year and at the end of the school year, to identify any deficiencies in reading. **EXCEPTION: Students in grade 3 who are not identified for intervention on mid-year screeners are not required to be screened again at the end of the school year.***

Best,
Amanda

Amanda Tullos
Literacy Curriculum and Intervention Specialist
Starkville-Oktibbeha Consolidated School District
401 Greensboro Street
Starkville, MS 39759
Office: 662.615.0055
atullos@starkville.k12.ms.us

From: Dr. Tracy Henshaw-Jackson <trjackson@gville.k12.ms.us>
Sent: Tuesday, January 8, 2019 10:14 AM
To: Tenette Smith
Cc: Dr. Janice Page
Subject: Public Comment on Rule 41.1 Change

I am in agreement with the change to the policy; however, the addition should be in a separate section. Preferably under number #2. Where it is currently located, is confusing to me.

Tracy H. Jackson Ed.D.
Academic Director

"Use Me in Your Service to Children Oh Lord!"

APA Comments received on State Board Policy Part 3, Chapter 41, Rule 41.1 – Intervention

From: Jay Cossey <jcossey@spanola.net>

Sent: Monday, January 7, 2019 11:18 AM

To: Tenette Smith

Subject: Comment Regarding 41.1

Tenette,

I am writing concerning:

<https://msachievers.mdek12.org/public-comments-state-board-rule-41-1-intervention/>

Thank you so much for the opportunity for comment.

It makes sense why the end of year screener for 3rd grade (whether in general or specific to those not identified previously in the mid-year screener) would be eliminated. With the Literacy Based Promotion Act requiring the end of year test to be passed, it effectively serves as the 3rd screener, allowing schools to recognize adequate progress (or the lack thereof). Therefore, I believe it would be beneficial to eliminate the 3rd screener (for all students, if possible), utilizing the MAAP assessment as the final measure of progress for these 3rd grade students.

Respectfully,

Jay Cossey, Ed. D

Principal

Pope School