



Federal Funding to Support Response to Intervention

by Anna M. Munson, MBA, St. Louis Public Schools

A plan without money is only a great idea.

— Anonymous

There is no dispute that Response to Intervention (RTI) is a great idea, but it takes money, or funding, to make an idea into a plan. Limited resources create difficulty as Local Education Agencies (LEAs) work to build and maintain RTI infrastructures. The focus of this article will be the available avenues of funding for development and implementation of RTI.

Budget Overview

Public school budgets are typically divided at a high level into two categories: state and local dollars, generally referred to as the general operating budget, and federal or grant dollars. These categories are very broad and there are exceptions to every rule, but for the purposes of this discussion, a few generalizations can be made.

The general operating budget is composed of primarily unrestricted dollars allocated to the district through their state funding formula and local tax revenue. These funds are used for salaries, transportation, capital improvements, and any other district expenditure.

Federal and grant dollars have specific purposes and are generally restricted to their stated purpose. These funding streams are granted to the states from the U.S. Department of Education based on a prepared formula. The states then subgrant these funds to the LEAs within their state, using developed calculation formulas. These formulas are different for each program and take into account several factors, such as the number of students with individualized education programs (IEPs) and the free and reduced lunch counts or poverty percentage. Three formula or entitlement grants offer opportunities for RTI funding: IDEA 2004 Part B (Special Education); Title I, Part A; and Title III.

Because features of an RTI model need to be responsive to each school community, there is no hard and fast way to indicate which parts of RTI can

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be funded by federal dollars. There are many customized approaches that individual schools and districts use to institute and implement the essential mechanisms of RTI. Customized programs need customized funding.

There are components of the multi-tier framework of RTI that are inappropriate for funding by any source other than the LEA's unrestricted general operating budget. All students are to receive high-quality, research-based core instruction in their regular classroom. Because core instruction is provided to all students, in small or large group settings, it generally may not be funded with any of the federal formula programs. The same rule is true for screening that is conducted for all students.

When the results of screening or other data indicate that an intervention program is warranted, we then begin to see opportunities for federal funding to assist in delivery of the program.

IDEA 2004 Part B

It is a common myth that RTI is a special education intervention rather than an intervention that involves both general and special education working collaboratively. This myth has perpetuated the belief that IDEA 2004 funding should fully support implementation of RTI. IDEA 2004 dollars, by nature, are to be spent only on supplemental services and supports for students who have been identified as having a disability. It is only through the allowance for districts to expend IDEA 2004 dollars on early intervening services (EIS) that an opportunity exists to assist general education with the implementation of RTI strategies.

The regulations define EIS as services to students who have not been identified as needing special education or related services, but who need increased academic and behavioral support to succeed in a general education environment (e.g., professional development for general education teachers and implementation of academic instruction). IDEA 2004 specifically references scientifically based literacy instruction.

The regulations permit an LEA to use not more than 15% of its IDEA 2004 Part B funds to develop and implement EIS. The regulations also indicate how EIS funds can be expended, for whom the EIS funds can be spent, how to report EIS spending, how disproportionality based on race and ethnicity affects an LEA's use of EIS funds, and the relationship of EIS to maintenance of effort.

Because RTI often involves tiers of increasingly intense levels of service for students, a model with a three-tier continuum of school-wide support might include the following tiers and levels of support:

- *Tier 1 (primary intervention), for all students.* It would not be appropriate to use EIS funds for these activities because students receiving these

services do not need additional academic and behavioral support to succeed in a general education environment.

- *Tier 2 (secondary intervention), for specialized small group instruction for students determined to be at risk for academic and behavioral problems.* It would be appropriate to use EIS funds to support these activities.
- *Tier 3 (tertiary intervention) for specialized, individualized instructional/behavioral support for students with intensive needs.* EIS funds could not be used if students receiving these services were currently receiving special education or related services. If that is not the case, EIS may be used to supplement Tier 3.

Once a student has been referred to special education and is undergoing the evaluation process, evaluation expenses are no longer EIS expenses. These are general IDEA 2004 program expenses associated with child find and evaluation, so they would not be included in the reporting of EIS costs.

There is nothing in IDEA 2004 that prohibits children with disabilities who are receiving special education and related services under IDEA 2004 from receiving instruction using RTI strategies, unless the use of such strategies is inconsistent with their IEPs. However, children with disabilities who currently are identified as needing special education and related services may not receive RTI services that are funded with IDEA funds used for EIS.

Title I, Part A

The purpose of Title I, Part A, is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education. Title I, Part A funds must be expended for programs, activities, and strategies that are scientifically based on research and that meet the needs identified in the site's comprehensive needs assessment process, which are listed in the site's improvement plan. These services must be concentrated to serve the students not meeting, or most at-risk of not meeting, state standards, and they must meet "supplement, not supplant" provisions of the law.

The federal supplement, not supplant provision is intended to ensure that services provided under Title I are in addition to, and not in place of, services that would otherwise be provided to participating students with state and local funds if Title I, Part A funds were not allocated to the school

site. Any program activity required by state law or local policy may not be funded with Title I funds. A statutory provision in Title I, known as the "exclusion provision," permits an LEA, under certain circumstances, to provide comparable services with nonfederal funds to non–Title I students while providing the same services with Title I funds to Title I students. This exclusion provision may be very helpful in supporting RTI implementation across schools and LEAs. Efforts must be carefully coordinated with federal program staff.

The key component in answering the question of how Title I funding can be involved starts with defining the school as a targeted assistance or school-wide program. In a Title I school-wide program, all resources, services, and personnel are blended to have a cohesive program that upgrades the educational opportunities for all students throughout the school. Therefore, if the school adopts an RTI methodology, then Title I would be an integral part of the process. Any activity would be allowable as long as it is addressed in the Title I school-wide plan.

If a building or site has been identified as targeted assistance, further considerations apply. There is less flexibility in this setting regarding the use of federal funds when they are not consolidated. As appropriate uses of Title I funding are reviewed, it is important to remember that all allowable uses apply only to those students who have been identified as Title I eligible and only for the grades supported by Title I services.

In a school-wide school, Title I funds may be used to provide services to any student. In a targeted assistance school, however, Title I funds may be used to provide services only to those students who are not meeting, or most at risk of not meeting, a state's academic achievement standards. In implementing RTI, therefore, a Title I targeted assistance school must identify which students are most at risk, determine what interventions will be used, and then use Title I funds to provide those interventions to the most at-risk students under the RTI framework being used. In effect, the eligibility criteria for the interventions could be the same as the eligibility criteria for Title I services in a targeted assistance school.

The table below listing allowable and not allowable expenses for a Title I targeted assistance school is certainly not all-inclusive but it should offer a starting point for discussions as an RTI framework is developed at an LEA.

Table 1: Allowable and Not Allowable Uses of Title 1 Funds

Allowable	Not Allowable
Professional development pertaining to interventions that can be applied to at-risk students by regular education teachers and other staff.	Use of Title I funds for professional development pertaining to the core curriculum, including the reading or math program.
Title I teachers providing supplemental assistance in reading and math to eligible at-risk students.	Title I teachers team-teaching with regular education staff.
Use of Title I staff to assist in the universal screening assessments that will identify which students are	Use of Title I funds to pay for the universal screening assessments that will identify which students are in

In need of Tier 2 services.	need of tiered services.
Title I teachers working with Title I eligible students in Tiers 2 and 3 whose parents have been notified.	Title I teachers working with all or any student within the classroom.
The classroom teacher rotating her time through several groups of students while the Title I staff give Title I students additional instructional time.	Regular education, special education, and Title I staff dividing students into three groups and each being responsible for providing instruction to their group.

Because of the supplement, not supplant requirement for Title I, personnel providing Title I services do not provide replacement services. They must always provide supplemental instruction or additional instruction that is not provided to students who are not identified as requiring Title I services.

Title III and Discretionary Grants

The purpose of Title III is to help ensure that students with limited English proficiency master English and meet the same challenging state academic achievement standards that all children are expected to meet. An LEA must use Title III funds to provide high-quality language instruction programs and high-quality professional development for classroom teachers. Title III does not advocate a particular instructional approach, such as English as a second language or bilingual education, but it does require LEAs receiving Title III funds to fund instructional approaches that are scientifically based.

Title III funds could be utilized in much the same manner as Title I funds, if specifically directed toward students who are eligible under the program guidelines. These funds would likely not support a full program or even a stand alone portion of a program on their own. Allocations would be useful, however, when braiding funds either in a school-wide program or as outlined in **Table 1** above.

Additionally, there are discretionary grants, such as Reading First, that offer opportunities for RTI support. Reading First and RTI overlap in their underlying principles, and the goals of the Reading First program are very similar to the most important goals of the RTI model of instruction. If an LEA has access to Reading First funds, more research should be done on allowable expenditures for the program and Reading First staff should be included in discussions of program implementation.

Conclusion

As plans are developed and funding is identified for implementation of RTI, the LEA must have clearly defined RTI components. RTI is a framework, not a specific intervention. Questions to address are as follows:

What is the core instruction?

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- 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 the tools be used?

The answers to these questions will drive the funding considerations and major factors that then must be addressed:

- Type of school (e.g., school-wide or targeted assistance)
- Eligibility of students
- Supplement, not supplant funding requirements

There are significant variables in any discussion when developing and continuing an RTI plan. Both the Title III and IDEA 2004 programs include legal mandates for which Title I dollars cannot be used because states and localities are required by law to provide them with their own funds. For example, students with disabilities are guaranteed a "free and appropriate public education," or FAPE, as a part of their IEPs. Title I can only fund services above and beyond these legal requirements. Likewise, if a state mandates that all schools implement RTI, this could eliminate Title I funds from being used because they would not be supplementary.

As with all federal program expenditures, proper documentation is critical and required. It is imperative that LEAs be able to respond appropriately to questions and maintain documentation to justify all expenditures as reasonable and necessary to carry out the intent and purpose of the program. Funds may be used alone or in combination with other sources to coordinate an RTI strategy only if the activity or program expenditure meets all requirements of the program from which funding has been allocated.

These are complicated provisions and LEAs must consider unique circumstances when discussing the use of federal funds to support RTI. With comprehensive preparation and collaboration, a great idea can become an executable plan.

References

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