



The systemic framework for ensuring all students are challenged and achieving to high standards both academically and behaviorally is referred to as the Kansas Multi-Tier System of Supports (MTSS). The MTSS is a set of evidence-based practices implemented across a system to meet the needs of all learners. The MTSS is a thoughtful and intentional redesign of educational practices and supports provided by general education and entitlement programs, such as Title I and special education to ensure that the needs of all students are being met in the most effective and efficient way possible.

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- Myth:** *The MTSS is a plan to disregard the need for special education and/or related services mandated by IDEA.*
- Fact:** **The MTSS systematically develops a continuum of increasingly intense instruction built from research-based curricula and instruction taught by highly qualified staff. If the instructional needs of an identified student (as determined by the IEP team) cannot be met within the MTSS, specially designed instruction is developed and included in the IEP.**

The Kansas State Department of Education encourages the use of the Multi-Tier System of Supports for all children, encompassing school-wide support for both academics and behavior. However, whether a school chooses to implement the Multi-Tier System of Supports or not, the requirements for special education as outlined in the Individuals with Disabilities Education Act 2004 and the Kansas State Statute (K.S.A. 72-961-997) do not change.

What does change is that the MTSS creates a culture in a district/building in which everyone is responsible for the learning of each student. General and special educators work closely together to instruct students, to collect and analyze data, and to plan, organize, and deliver appropriate supports for student learning. Research-based instruction is provided by highly qualified staff and a comprehensive assessment system produces meaningful student data which guides instructional decision making. This feedback loop, known as the Self-Correcting Feedback Loop in the MTSS model, should result in constant refinement of both the system and supports for individual students.

As schools intentionally redesign curriculum, instruction and assessments and put in place research-based instructional strategies at Tiers I, II and III, what once was identified as “specially designed instruction” offered through services on an IEP may now be available to all students within the multi-tier system of supports. In this case, the student’s IEP team may choose to reconvene to review/revise the IEP.

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- Myth:** *The MTSS is a plan to put students with exceptionalities into classroom situations in which they will fail.*
- Fact:** **The MTSS provides students with exceptionalities research-based instruction by highly qualified staff in the core and additional skill-based instruction in subsequent tiers in addition to the specially designed instruction indicated in the IEPs of the students.** *Note: In Kansas students with disabilities and those identified as gifted are included in special education regulations and are referred to as students with exceptionalities.*
- Myth:** *The MTSS is a plan to diminish the need for highly qualified special education teachers.*
- Fact:** **The MTSS provides research-based instruction provided by core content specialists to all students,**

**which allows the highly qualified special education provider to focus on delivering the specially designed instruction indicated in the IEP of students with exceptionalities.**

The MTSS is a redesign of the educational system with shared responsibility and collaboration between general education and special education. Kansas Regulation (K.A.R. 91-20-1) addresses the least restrictive environment as “the educational placement in which, to the maximum extent appropriate, children with disabilities . . . are educated with children who are not disabled.” The MTSS advocates for the participation of all students in the core (Tier I). In the MTSS the core instruction has three components: 1) a core program based on scientific research; 2) universal screening of all students three times a year to identify the need for additional instruction; and 3) on-going professional development to provide teachers with the necessary tools to ensure every student receives quality research-based instruction. Examples of these research-based instructional practices are: co-teaching, scaffolding, and explicit, systematic, and differentiated instruction. Core instruction would also include instruction in small and large groups. If a student with exceptionalities requires additional support during the core, those services are indicated on the student’s IEP.

In the MTSS, students with intensive needs including, but not limited to, students with exceptionalities, attend the core with differentiated instruction and an additional 60 minutes of skill-based instruction. Typically, this is much more instruction than they would receive in the old model and allows the highly qualified special education provider to focus on the specially designed instruction indicated on the IEP.

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- Myth: The MTSS is a plan to make special education funds available for general education purposes.*
- Fact: The MTSS provides for a continuum of instruction to meet the needs of all students, including students with exceptionalities. The district leadership team is charged with the efficient and appropriate use of state and federal funding to provide a system of instruction to meet the needs of all students.**

As stated earlier in this brief, the requirements for special education as outlined in the Individuals with Disabilities Education Act 2004 and the Kansas State Statute (K.S.A. 72-961-997) do not change when a school implements the MTSS. Special education services are provided to students in accordance with the IEPs. However, both the federal and state regulations allow some flexibility when determining which students can benefit from special education funding.

Federal Regulation § 300.208 allows for “funds provided to an LEA under Part B of the Act to be used for the following activities: (1) Services and aids that also benefit nondisabled children. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP of the child, even if one or more nondisabled children benefit from these services.” Additional federal regulations such as Coordinated Early Intervening Funds-CEIS (§ 300.226) and School-wide Consolidation of Federal Funds (§ 300.206) address additional ways that special education funds can be used to support all students. Kansas Special Education State Statute and Regulations and the Special Education Reimbursement Guide (8/5/2010) also include a variety of ways to use special education funding for all students such as with co-teaching, child find (GEI), CEIS, and school-wide consolidation of federal funds.

In order to create an educational system in which every leader is responsible for every child, general and special education administrators must openly communicate and collaborate about ways to efficiently and effectively meet the needs of each student and use the flexibility afforded them in the federal and state laws. In a well-functioning MTSS, members of the district leadership team will make funding decisions that are in the best interest of all district students.