

TO: Gearl Loden, Ph.D.
FROM: Leigh B. Mobley, Ph.D.
DATE: September 7, 2016
RE: Board Policy Revisions

Pursuant to board Policy BDE:

The board policy manual will be reviewed on a regular basis under the direction of the superintendent or designee, in consultation with appropriate Directors, Principals and Staff, and reported to the superintendent according to a minimum schedule.

A review of district policies by district staff and staff counsel Kelly Stimpson has led to the request for the following policy revisions:

GADB	Overtime
GBAAA	Classified/Support Staff Salary Schedules
GBRM-2	Drug and Alcohol Testing Policy
IDE	Gifted Education Process
IEA	Intervention Process

The suggested revised policies are attached.

Please consider for approval revisions of the aforementioned policies.

Respectfully Submitted:



Leigh B. Mobley, Ph.D.

District: Tupelo Public School District
Section: G - Personnel
Policy Code: GADB - Overtime

OVERTIME PAY CLASSIFIED EMPLOYEES

The Tupelo Public School District encourages the completion of assigned tasks during the regular workday. Unauthorized overtime is prohibited. However, should emergency work beyond regular hours be necessary, it must be approved by the designee of the superintendent.

Eligible employees will receive additional compensation for time in excess of forty hours per week. The workweek shall be defined as 12:01 a.m. Sunday through midnight the following Saturday. Employees eligible to receive additional monetary compensation for work in excess of forty hours per week include ~~food service, bus drivers, teacher assistants, custodial and all maintenance personnel excluding supervisory and administrative staff.~~ **those identified as non-exempt.** Compensation for work performed in excess of forty hours in a workweek will be paid at the rate of one and one-half times. Eligible classified personnel employed in two or more positions in the district will be compensated for overtime work based upon a calculated average of applicable salaries.

Each supervisor shall maintain accurate records of all hours worked by each employee supervised.

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 5/1/2013
Approved/Revised Date:

District: Tupelo Public School District
Section: G - Personnel
Policy Code: GBAAA - Classified/Support Staff Salary Schedules

CLASSIFIED STAFF SALARY SCHEDULE

The Board desires to provide competitive salaries for the support staff of the District. The Board will annually review and approve the District support staff salary schedule.

The superintendent is authorized to establish administrative procedures consistent with this policy.

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

salary scale exhibits deleted

ADMINISTRATIVE PROCEDURES

1. Bus drivers

- a. Service time earned as a school bus driver in another school district may be considered in initial classification provided this experience can be verified to TPSD and that all other conditions of employment are met. ~~b. The starting rate of pay will be based on the TPSD Classified Hourly Pay Schedule, step 14-01. (delete)~~
- b. Drivers having had an at-fault accident, a safety violation, or violation of any of the TPSD Transportation Handbook policies may not be eligible to receive a salary increase during the following school year. The Director of Transportation shall be responsible to report such accidents and violations on an annual basis prior to the budgeting process.
- c. Substitute drivers will be paid on a per trip basis.

2. Assistant Teachers and ~~Teacher Aides—Medical Assistants~~

The salary schedule for assistant teachers/teacher aides shall be ~~attached to this policy as an exhibit and~~ updated as needed. The scale shall be based on the level of education attained.

3. Office Managers

The supplement for an office manager shall be ~~attached to this policy as an exhibit and~~ updated as needed.

Adopted Date: 5/1/2013

Approved/Revised Date:

District: Tupelo Public School District
Section: G - Personnel
Policy Code: GBRM-2 - Drug and Alcohol Testing Policy

ALCOHOL AND CONTROLLED SUBSTANCE TESTING

The Board prohibits the use of alcohol and controlled substances by employees in safety-sensitive positions, including but not limited to bus drivers and other District employees of commercial motor vehicles who are subject to commercial driver's license requirements. Such employees are prohibited (1) from possessing alcohol and/or a controlled substance while on duty, (2) from using alcohol and/or a controlled substance for a period beginning eight hours before going on duty and concluding when going off duty, and (3) from being under the influence of alcohol or drugs while on duty.

It is the intent of the Board to increase safety and to deter and detect the use of alcohol and controlled substances by employees employed in safety-sensitive positions such as bus drivers. To further this policy, the District will conduct random drug and alcohol testing of employees as required by regulations of the Federal Highway Administration (FHWA) and other agencies of the Department of Transportation.

Employees who test positive in violation of this policy will be terminated subject to a written appeal to the superintendent or designee. In addition, employees who test positive may not drive a commercial motor vehicle ~~for any employer~~ until they have been evaluated by a Substance Abuse Professional for potential treatment needs.

It shall be the responsibility of the superintendent, or designee, to develop written procedures for the implementation of this policy to comply with state and federal regulations. It will be the responsibility of all affected employees and prospective employees to review this policy and sign an agreement to be bound by its terms as a condition of employment.

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 2/22/2013
Approved/Revised Date:

District: Tupelo Public School District
Section: I - Instructional Program
Policy Code: IDE - Gifted Education Program

GIFTED EDUCATION PROGRAM

1. The Tupelo Public School District is committed to providing a continuum of differentiated instruction, including opportunities for the unique needs of intellectually gifted students. The Board's desire is to provide appropriate, qualitatively differentiated instruction through a multi-dimensional approach involving students in leadership, research, decision-making and problem solving.
2. Students will be identified through a referral to placement process in accordance with State Department of Education regulations. District guidelines shall outline a coordinated, comprehensive, and coherent process for student referral and assessment in order to determine eligibility for gifted services. The District shall provide professional development for all personnel involved in the assessment and identification of potentially gifted students.
3. The Board is committed to providing instructional resources, materials, and professional development for teachers to support and promote optimal learning experience in the gifted education program. Eligible students in grades ~~2-7~~ 2-6 will be served by the District's gifted education program.
4. The Board authorizes the superintendent to adopt procedures and guidelines consistent with this policy. LEGAL REF: MCA § 37-23-173 through 37-23-181

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

[IHBB-E1 - Gifted Education Program Parent Consent Form.pdf](#)
[IHBB-E2 - Gifted Education Program Refusal of Services.pdf](#)

ADMINISTRATIVE PROCEDURES

DEFINITIONS

- a. Gifted children shall mean children who are found to have an exceptionally high degree of intellect, and/or academic, creative or artistic ability.
- b. Local Survey Committee (LSC) is the committee that shall determine a student's eligibility for the gifted education program. The LSC shall include, but is not limited to the gifted education teachers and administrators; it may also include regular education teachers, school psychologist and parents.

CLASS HOURS

Gifted programming will include a minimum of four hours per week of differentiated instruction from an appropriately licensed and endorsed teacher.

Elective participation for eligible students will begin with written parental consent. The Parent Consent Form shall be attached to this policy.

MASS SCREENING

All first grade students are administered the Otis Lennon School Ability Test and the Raven Progressive Matrices. Students who obtain a full-scale score at or above the 90th percentile on the Otis Lennon or on the Raven shall move forward in the referral process. Students who scored at or above the 85th percentile but lower than the 90th percentile on the normed group measure of intelligence shall be subjected to an Emerging Potential for Gifted Referral Checklist. If these students meet the criteria on the checklist, they shall move forward in the referral process.

PROCESS FOR IDENTIFICATION OF GIFTED STUDENTS:

1. The student assessment process utilizes multiple assessment measures that include both objective and subjective measures.
2. This process involves students who are individually referred for gifted eligibility. A student may be referred by a parent, teacher, counselor, administrator, peer, self, or anyone else having reason to believe that the student might be intellectually gifted. The person initiating the referral shall sign the referral form and date it. Once the student is referred, the district personnel shall collect the data required to satisfy the referral criteria. Once a referral form has been initiated, signed, and dated, only the LSC or parents can stop the identification process.
3. A student shall satisfy three (3) of the following criteria at the referral process before moving forward in the identification process:
 - a. A score at or above the 90th percentile on a group measure of intelligence that has been administered within the past twelve months,
 - b. a score at or above the superior range on a normed published characteristics of giftedness checklist
 - c. a score at or above the superior range on a normed published measure of creativity,
 - d. a score at or above the superior range on a normed published measure of leadership,
 - e. a score at or above the 90th percentile on total language, total math, total reading, total science, total social studies, or the composite on a normed achievement test,
 - f. a score at or above the 90th percentile on a normed measure of cognitive ability,
 - g. a score at or above the 90th percentile on an existing measure of individual intelligence that has been administered within the past twelve months, and/or
 - h. other measures that are documented in the research on identification of intellectually gifted students.

LOCAL SURVEY COMMITTEE

Once the referral data have been collected, the LSC shall review all data and make one of the

following recommendations:

1. the student has satisfied minimal criteria on at least three measures and should move forward to the assessment stage, or
2. the student has not satisfied minimal criteria on at least three measures, however, the LSC feels strongly that additional data should be collected and the student reconsidered at that time, or
3. the student has not satisfied minimal criteria on at least three measures and the identification process should stop.

PARENTAL PERMISSION FOR TESTING

When a student is referred to the assessment stage, district personnel shall obtain written parental permission for testing. District personnel shall also notify parents in writing about their rights under FERPA.

ASSESSMENT

Once the LSC has determined that a student has satisfied minimal referral criteria in order to move forward to the assessment stage, district personnel shall review and compile all data available on the student. This data shall also be made available to a licensed examiner. The assessment stage is the individual test of intelligence, which shall be administered by a licensed examiner. In no case will the examiner be related to the student being tested. The examiner shall review all available data on the student, whether or not it satisfies minimal identification criteria, and use that information to select the most appropriate test of intelligence. Standard operating procedures should be followed during the selection and administration of all assessments as reflected in the examiner's manuals. The examiner shall provide a signed and dated report of the test administration to include testing conditions, scores on all subtests or subscales, and the strengths and weaknesses of the student. A student must score at or above the 91st percentile composite/full scale or the 91st percentile on approved subtests (as per publisher) in order to satisfy eligibility criteria.

EMERGING POTENTIAL FOR GIFTED

Emerging Potential for Gifted Students who have satisfied criteria on the Emerging Potential for Gifted Checklist who did not satisfy minimal acceptable criteria on an individual test of intelligence, but, did score at least at the 84th percentile or have a scale score that falls within the range of the 90th percentile confidence interval of the state minimum scale/percentile score, may be administered one of the following additional measures to determine eligibility:

1. A test of cognitive abilities with a minimal score at the 90th percentile,
2. A group intelligence measure with a minimal score at the 90th percentile, or
3. A MDE developed gifted identification matrix must be satisfied for a student to be ruled eligible by the LSC for the intellectually gifted education program.

POTENTIALLY TWICE EXCEPTIONAL STUDENTS

Students who already have an eligibility ruling under IDEA and are being assessed for an intellectually gifted eligibility, and who did not satisfy all of the required minimal acceptable referral criteria but did meet at least one referral criterion shall have their results reviewed by the LSC and a licensed examiner. If the student scores at or above the 91st percentile on the individual test of intelligence (composite score or approved subtest score) or in the opinion of the reviewing committee, would benefit from participation in the intellectually gifted program, the student may be granted a provisional eligibility for the intellectually gifted program for a

period of one year. At the end of that year, the student's teacher of the gifted shall meet with the review committee to discuss the student's performance in the program. If the student has demonstrated success in the program, the LSC shall change the eligibility status from provisional to regular eligibility. If the student has not been successful in the program, the provisional eligibility shall be revoked.

Parents will be provided with information regarding characteristics of giftedness and gifted programming options offered by the District.

MAKE-UP WORK

As a result of the necessity of students enrolled in the gifted education program having to be away from certain regular education classes, guidelines have been established to insure a system-wide procedure for make-up opportunities for those students. Students identified as gifted and actively enrolled in the District gifted program not be penalized or punished in any manner for their participation in that program. To that extent, the following guidelines have been established:

- b. Gifted students will be given two school days in which to complete and return appropriate make-up work.
- c. The regular education classroom teacher will establish a systematic and specific procedure for posting assignments either within the classroom or outside the classroom. Homework assignments for gifted education students should not be made a responsibility of another student.
- d. Gifted students will be required to make up class work only in those areas in which mastery has not previously been demonstrated.
- e. Gifted students may have fewer recorded grades as a result of participating in the gifted program.
- f. Classroom and homework assignments for gifted students may be compacted in which minimum quantities may be accepted.
- g. TPSD gifted program teachers will serve as a resource in responding to student, teacher, or parental questions concerning gifted program student make-up opportunities.

ANNUAL REASSESSMENT

A committee shall meet at least annually to reassess each gifted student's continuation in the program. The committee must include at least the student's teacher of the gifted and a designated administrative representative.

Since participation in the gifted program is an entitlement under law, the student should remain in the program as long as they are being successful in the program. Grades and/or success in the regular classroom should not be considered as a reason for removal from the gifted program.

In the event a student has difficulty keeping up with the regular classroom work, a conference will be held with the parent, classroom teacher, teacher of the gifted, and the student to discuss the problem and to determine an appropriate course of action. The conference and plan of action will be documented and follow-up conferences will be held as needed.

If the committee recommends that a student be removed from the gifted program, the student's parents must be notified and given an opportunity to discuss the decision before the student is removed. Should the parents not agree to the removal of the student, the local district shall grant the parent(s) a hearing.

HEARING PROCESS

Parent(s) who are not in agreement with the school based committee decision to remove their student from the gifted program will present their concerns, orally or in writing, to the principal of the school. The principal and parent will attempt to resolve the matter informally.

If the parent(s) is not satisfied with the action taken by the principal, the parent(s) shall, within five (5) school days after meeting with the principal, put their concerns in writing and present them to the contact person for gifted programming within the district.

The gifted program contact person will schedule a meeting of the Gifted Hearing Committee within five (5) school days or a timeframe agreed upon by the parent(s). Parent(s) will be extended an invitation to attend the Gifted Hearing Committee Meeting that consists of the central office coordinator for gifted education, a district administrator to be appointed, and a teacher of gifted program education other than the student's current teacher. The Gifted Hearing Committee will render a written decision based on information shared during the meeting. The decision of the committee is final.

REINSTATEMENT FOLLOWING HEARING PROCESS

Students will be considered for reinstatement in the gifted program at the request of the parents and with the recommendation of classroom teachers no sooner than one year after the hearing. Consideration and arrangements for reinstatement in the program will be made through the LSC, with parent(s) in attendance, and documented in the minutes. Parent's signature on minutes will provide documentation of parental permission to reinstate the student in the program.

REINSTATEMENT FOLLOWING REMOVAL DUE TO ANNUAL REASSESSMENT

Students will be considered for reinstatement in the gifted program at the request of the parent(s), teacher, counselor, administrator, or self after the first nine weeks of the next school year. Consideration and arrangements for reinstatement in the program will be made by the gifted education program teacher and administrator. Parent(s) will sign and date a placement form if student is reinstated.

REINSTATEMENT FOLLOWING PARENT(S) DECISION TO REMOVE

Students will be considered for reinstatement in the gifted program at the request of the parent(s). Consideration for reinstatement should occur within two weeks of the next semester. Consideration and arrangements for reinstatement in the program will be made by the gifted education program teacher and administrator. Parent(s) will sign and date a placement form if student is reinstated.

POTENTIALLY TWICE-EXCEPTIONAL STUDENTS

Students who already have an eligibility ruling under IDEA and are being assessed for an

intellectually gifted eligibility, and who did not satisfy the minimal acceptable criteria on the individual test of intelligence shall have their results reviewed by the LSC and a licensed examiner. The district will follow procedure as outlined by the *Regulations for the Gifted Education Programs in Mississippi (2013)*.

OUT-OF-STATE ELIGIBILITY

As each state has a unique set of eligibility criteria for placement in a gifted program, a student moving to Mississippi with a gifted eligibility from another state must satisfy Mississippi eligibility criteria before being considered for placement in the gifted program. The eligibility ruling from another state may be used to initiate the referral process in Mississippi.

There is no temporary placement in the gifted program while the student goes through the eligibility process within district.

Adopted Date: 2/22/2013

Approved/Revised Date:

District: Tupelo Public School District
Section: I - Instructional Program
Policy Code: IEA - Intervention Process

PURPOSE

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.

BOARD POLICY

Three Tier Instructional Model Policy (~~TST Policy~~) **(MTSS Policy)**

1. The ~~Tupelo Public School District~~ **Board** is dedicated to providing high quality instruction and behavioral support to all students. The District requires schools to use a Three Tier Instructional Model to meet the needs of every student enrolled in the District, as supported by educational research and dictated by State Board Policy 4300, **which** ~~Each school will collect and analyze data on student performance in math, reading, and behavior at least three times per year using instruments (such as curriculum based measures) and procedures adequately designed for universal screening. Universal screening measures consist of brief assessments focused on target skills (e.g., phonological awareness) that are highly predictive of future outcomes.~~

~~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. requires every school district to follow the instructional model, consisting 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. Teachers and data analysis teams will use universal screening information to: (a) determine if students are making adequate progress, (b) identify students who are likely to fall behind based on risk factors, and (c) modify instruction early enough to ensure each student gains essential skills to be successful in school and on high stakes assessments. Behavioral screeners will include an analysis of office discipline referrals and completion of rating scales by classroom teachers. For students needing further assessment, other tools such as observations; interviews with teachers, parents, students, and staff; direct assessments of students; and other data collection methods will be utilized in conducting functional behavioral assessments (FBAs). Behavior intervention plans (BIPs) will be developed and implemented for students in Tier 2 and Tier 3 for behavior improvement.~~

~~2. If strategies at Tier 1 and Tier 2 are unsuccessful, students must be referred to the Multi-tiered System of Support Team (MTSS team). Interventions will be:~~

- ~~a. designed to address the deficit areas;~~**
- ~~b. research based;~~**

- c. implemented as designed by the MTSS;**
- d. supported by data regarding the effectiveness of interventions**

- 3. Teachers ~~should~~ will 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.**
- 4. Monitoring of student progress is an ongoing process that may be measured through informal classroom assessment, benchmark assessment instruments and large scale assessments.**

5. Parental consent will not be required for students in general education settings when the following types of instruments are used for the purpose of improving general education instruction: hearing and vision screening, universal screeners, curriculum based assessment, progress monitoring, parent or teacher questionnaires/ interviews, student observations, diagnostic assessments, functional behavioral assessments, behavioral intervention plans, and academic interventions. Exceptions could include students with Individualized Education Programs (IEPs). All requirements under the Individuals with Disabilities Education Act (IDEA) will be followed for those students, including sending Written Prior Notice (WPN) and obtaining informed written parental consent for reevaluation when conducting hearing/vision screening, FBAs/BIPs, student observations, achievement testing and other diagnostic testing as part of a reevaluation as defined by IDEA and state policy, or as clarified by the Office of Special Education Programs.

6. Parents of general education students may expressly deny consent in writing for any of these tools, instruments, screeners, assessments, or interventions. Parents of children with IEPs have procedural safeguards under IDEA and are encouraged to discuss their rights with a special education teacher or administrator if they have questions or concerns. The District strongly encourages any parent to speak with an administrator before denying consent for any action under this policy, as this policy is designed to help every child achieve academic and behavioral success in school. The District is strongly vested in being a partner with parents and resolving concerns as quickly as possible to achieve the best outcomes for students.

7. After a referral is made, the MTSS must develop and begin the implementation of an intervention(s) within two weeks.

- 8. 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. through locally determined assessments and teacher observations conducted in Kindergarten and Grades 1 through 3, or**
 - c. through 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.

9. 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.**

10. 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 mid year and at the end of the school year to identify any deficiencies in reading. In addition to failure to make adequate progress following Tier 1 and Tier 2, students will be referred to the MTSS team for interventions as specified in the Response to Intervention Guidelines developed by MDE if any of the following events occur:

- a. Grades 1-3: A student has failed (1) grade**
- b. Grades 4-12: A student has failed (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;**
OR
- d. A student scores at the lowest level on any part of the Grade 3 or Grade 7 statewide accountability assessment.**
- e. A student is promoted from Grade 3 to Grade 4 under a good cause exemption of the Literacy- Based Promotion Act.**

11. Referrals to the MTSS team must be made within the first twenty (20) school days of a school year if the student meets any of the criteria a-d stated above.

12. The Board authorizes the superintendent to establish administrative procedures consistent with and in furtherance of this policy.

Last Review Date: _____

Review History:[1/1/1900][1/1/1901]

ADMINISTRATIVE PROCEDURES

The Three Tier Instructional Model

1. Tier 1

A. Tier 1 consists of evidence-based behavior supports and high quality classroom instruction based on Mississippi Curriculum Frameworks and/or Common Core and State Standards. Tier 1 includes lesson plans designed and implemented to increase student motivation and engagement, including use of multi-media materials; scaffolding; and differentiated instruction, including activities appropriate for individual, small group, and whole group instruction; school, setting-specific, and classroom rules; routines and procedures; and positive behavior interventions and supports (PBIS) to promote success for all students. Use of TPSD pacing guides and lesson plan template are recommended for planning instruction.

B. If the Tier 1 strategies chosen are ineffective, the teacher must implement additional Tier 1 techniques, and/or consider whether Tier 2 and/or Tier 3 strategies are required. The teacher must maintain ongoing documentation regarding which Tier 1 strategies are implemented, data that are continually collected and analyzed, and evidence that decisions are made for individual students based on the data.

C. All students enrolled in the District receive Tier 1 instruction for academics and behavior.

2. Tier 2

A. Tier 2 consists of focused supplemental instruction for small groups of students with similar strengths and needs. Grade level, subject area, and/or behavior teams will be utilized to design, deliver, and monitor Tier 2 supplemental instruction. Supplemental academic instruction is delivered two to three times per week for 15 minutes per session. Tier 2 supplemental academic instruction does not replace core instruction. Behavior supports are ongoing. Data are analyzed and graphed at least twice per month. Data will be used to determine whether to continue Tier 2 strategies, discontinue the Tier 2 strategies, modify the strategies, and/or request individualized support in the form of Tier 3 strategies from the ~~Teacher Support Team (TST)~~ **Multi Tiered Systems of Support Team (MTSS)**.

B. Tier 2 Referral Criteria The following students are considered to be “at risk” for academic failure, behavior problems, and drop out. These students should be *considered* for Tier 2 and/or Tier 3 supports as early as possible:

- 1) Students who have scored Basic on a ~~Mississippi Curriculum Test (MCT)~~ **Mississippi Assessment Program (MAP)** or their equivalent;
- 2) Students who fall at, or below, the 25th percentile on nationally- or locally-normed standardized assessments;
- 3) Students who have failed, been retained, or been socially promoted at

least once;

- 4) Students who have ever been suspended (In-School Suspension and/or Out-of-School Suspension) and who are currently exhibiting problematic behavior;
- 5) Students who do not attend school on a regular basis;
- 6) Students who obtain outlying scores on behavior screeners; and
- 7) Other students with unique problems who require academic and/or behavior supports beyond Tier 1.

C. If strategies at Tiers 1 and 2 do not substantially improve student academic and/or behavioral functioning within a reasonable amount of time, students **must be** referred to the ~~TST~~ **MTSS team**.

3. Tier 3

A. Tier 3 consists of intensive, individualized, scientifically research-based instructional and behavioral supports designed to effectively address **all** deficit areas for each student supported by the ~~TST~~ **MTSS team**. The ~~TST~~ **MTSS team** is the problem-solving unit responsible for designing and monitoring Tier 3 strategies in the general education setting. Each school must have a ~~TST~~ **MTSS team** consistent with the process developed by the Mississippi Department of Education as required by State Board Policy 4300.

B. The chairperson of the ~~TST~~ **MTSS team** is the school principal, as the school's instructional leader, or the principal's designee. ~~The designee must be a general education professional who has authority to assign district and local resources—including personnel, funds, and professional development activities—to carry out the interventions and associated activities prescribed by the TST.~~ **The designee may not be an individual whose primary responsibility is special education.** Each member of the team must have strong working knowledge of: grade level and subject area curriculum and expectations for individual students referred; diagnostic procedures; research-based academic and behavioral techniques designed to effectively remediate specific student needs; data collection and analysis; and effective consultation principles. Membership of the team can change based on the grade-level of the student and their specific academic and/or behavioral needs. However, there will be a mechanism to assure consistency, such as one or more members who maintain membership, such as the Chairperson, a counselor, an academic coach, and/or a behavior specialist.

C. Tier 3 Referral Criteria The following students are considered to be “at substantial risk” for academic failure, behavior problems, and drop out. These students should be considered immediately for Tier 3 supports:

- 1) Students who fall at, or below, the 10th percentile on nationally- or locally-normed assessments;
- 2) Students who have scored “Minimal” on the MCF **MAP** or who have failed a Subject Area Test; Students who have failed, been retained, or been socially

promoted two or more times;

- 3) Students who have ever been expelled or suspended more than 10 days in a school year;
- 4) Students who have experienced 11 or more negative contacts with school officials due to behavioral issues since entering school;
- 5) "Over-age" students;
- 6) Students with a significant history of excessive and/or prolonged absences;
- 7) Students who obtain extreme outlying scores on behavior screeners; and
- 8) Other students with unique problems who require academic and/or behavior supports beyond Tier 2.

D. After a ~~Tier 3~~ referral is received, the ~~TST~~ **MTSS team** must meet as soon as possible to analyze all available information. If the student is at substantial risk and/or the teacher has exhausted his/her repertoire of strategies, the ~~TST~~ **MTSS team** must develop and assure implementation of academic and/or behavioral supports within two weeks of receiving the ~~TST~~ **MTSS team** referral. Generally Tier 3 instruction is delivered daily for 30 minutes per day. Behavior interventions are ongoing. The primary instructor(s) must be closely involved with the personnel delivering the academic and behavioral supports for generalization, transfer, maintenance, and practice in all classroom settings.

E. **No later than eight weeks after implementation of the intervention(s) the MTSS team must conduct a documented review of the intervention 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.** ~~—data will be collected 2 times per week, or~~ **In addition, data will be collected as often** as prescribed by the research-based intervention; behavioral data will be collected as often as necessary, depending on the PBIS technique(s). Data will be analyzed and graphed by a qualified member of the ~~TST~~ **MTSS team** once per week, or as often as prescribed by the research-based intervention(s). The ~~TST~~ **MTSS team** will meet and review the data on each child in Tier 3 at least twice per intervention cycle, or more frequently if circumstances warrant. Parents must be notified about the results of formal data reviews and all ~~TST~~ **MTSS team** decisions that result in significant changes in the student's educational program. The ~~TST~~ **MTSS team** will make genuine attempts to meaningfully involve parents in the Tier 3 process.

F. If the student is not making adequate progress, the ~~TST~~ **MTSS team** must determine whether to modify the intervention(s). The ~~TST~~ **MTSS team** should consider, at a minimum, the following modifications: 1) change the amount of time in the intervention (frequency, duration, and/or intensity; 2) change interventions; 3) add an intervention; 4) conduct more frequent integrity checks; 5) conduct diagnostic assessment(s) to assure the intervention is at instructional level and targeting the appropriate deficits; 6) change interventionist(s), 7) change primary instructor(s), 8) change the setting, time, materials, etc., and/or 9) change the reinforcer(s), reinforcement schedule, graphing/reporting techniques.

4. Referral to the Local Survey Committee (LSC)

A. Generally, a student who has not made *any* progress after eight weeks of intensive scientifically research-based interventions, implemented with integrity, with adequate reviews, data-based decision-making, changes in interventions, etc., in an area of significant concern, should be referred to the LSC for review.

B. Students who are suspected of having a Specific Learning Disability who have not made adequate progress after an appropriate period of time when provided with appropriate instruction **must** be referred by the LSC for a comprehensive evaluation.

C. If Tier 3 instructional and/or behavioral supports have not been implemented prior to the request to the MET, the ~~TST~~ **MTSS team** must meet with the MET to review the data simultaneously. Together the MET and the ~~TST~~ **MTSS team** will consider the need for comprehensive evaluation and plan intensive individualized instructional and behavioral supports in general education, including implementation of integrity checks and data-based decision-making. It is possible that intensive interventions and a comprehensive evaluation will be implemented *simultaneously* in this instance.

5. Discontinuation Criteria

All students enrolled in the District are expected to receive appropriate Tier 1 instruction in reading and math and behavior supports from highly qualified personnel when placed in general education settings. Students no longer require Tier 2 or Tier 3 supports from District personnel when:

- 1) They continue to exhibit success in the Tier 2 or Tier 3 interventions for a length of time prescribed by the intervention(s);
- 2) They score six (6) consecutive data points on or above the goal line that projects them to a “normal” level;
- 3) The data review team (grade level team, subject area team, behavior team, and/or ~~TST~~ **MTSS team**) deems them successful;
- 4) They continue to exhibit success following the downward titration or cessation of Tier 2 or Tier 3 interventions;
- 5) They graduate from high school with a standard high school diploma;
- 6) They are 21 years of age on September 1; or
- 7) They withdraw from District.

NOTE: Students with an Individualized Education Program (IEP) are included in the District Three Tier Instructional Model, but federal Coordinated Early Intervening Services (CEIS) funds may not be used to provide general education interventions to students with IEPs. Therefore, local, state, and/or District funds must be used to provide general education instructional and behavioral interventions needed by students with disabilities to assist them in gaining access to the general education curriculum in the least restrictive environment. The ~~TST~~ **MTSS team** and IEP committee must work together to determine which supports are necessary from general education personnel, and what constitutes specially designed instruction and related services to be delivered by special education personnel.

Adopted Date:

8/12/2014

Approved/Revised Date: