

# RTI Litigation Checklist for SLD (Non-) Eligibility (Zirkel, 2008)

## RTI Process

- a. Scientific, research-based intervention
- b. Defined decision points/rules
- c. Continuous progress monitoring data
- d. Data to demonstrate appropriate instruction

## Evaluation Process

- a. Prompt request for consent and timelines followed
- b. Exclusionary factors ruled out, including lack of appropriate instruction
- c. At least 2 appropriately conducted observations
- d. Evaluation multifaceted, comprehensive, technically sound
- e. Student needs special education due to SLD

## Evaluation Report includes

- a. Statement of presence of SLD & basis for determination
- b. Relevant behavior noted & relationship to academic functioning
- c. Medical findings
- d. Achieve adequately or make sufficient progress
- e. Exclusionary factors
- f. Instructional strategies and student-centered data
- g. Documentation that parents notified of state policy, strategies, & rights
- h. Written certification by team members