

**The Common Lore about RTI**  
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1. The various state and local provisions for general education interventions, such as instructional support teams and school-based problem solving teams, legally qualify as RTI.

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2. The IDEA provides specific requirements for RTI, such as the number of tiers and the duration of the intervention at each tier.

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3. The IDEA provides for the use of RTI beyond identification of students with specific learning disabilities (SLD).

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4. The IDEA requires the use of RTI.

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5. RTI equates to or subsumes the IDEA's required eligibility evaluation for SLD.

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6. The use of RTI for SLD identification generally requires parental consent.

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7. The provision in the IDEA regulations for “a pattern of strengths and weaknesses” for SLD identification refers to RTI.

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8. With or without RTI, the IDEA requires—or, alternatively, prohibits—IQ testing to determine whether the child qualifies as SLD.

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9. For SLD identification, the IDEA requires the use of either RTI or severe discrepancy (or the third research-based alternative) alone; it does not permit a combination of these approaches.

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10. The RTI approach for identifying students with SLD will generate a spate of losing litigation concerning “child find” under the IDEA.

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11. Regardless of child find and the winning/losing outcome, RTI has accounted for several published court decisions that provide generalizable guidance as to the implementation of this approach to SLD identification.

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12. RTI as a legal matter federally is solely a matter of the IDEA; Section 504 offers no alternative relief.

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For the full version of this document, including citations, and for related “legal dimension” documents, go to <http://rtinetwork.org/learn/ld>

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