



Proposed Amendments 704 KAR 3:095

The Use of a Multitiered System of Supports

Kentucky Board of Education
December 2023

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Associated Statutes

- **KRS 158.305(2)** requires the Kentucky Board of Education (KBE) to promulgate administrative regulations to further define a multitiered system of supports for individual students in K-3 that includes a tiered continuum of interventions, using evidence-based research, with varying levels of intensity and duration.
- **KRS 158.6459** requires the Kentucky Department of Education (KDE) to support schools and school districts in developing accelerated learning opportunities to address academic deficiencies of high school students prior to high school graduation.
- **KRS 156.488** requires the KDE to develop enhanced courses for students in grade 6, grade 9, grade 10, grade 11, and grade 12 that are academically behind.
- **KRS 158.791** requires the KDE to support school districts in developing teaching strategies to address academic deficiencies of students.

Proposed Amendments

704 KAR 3:095

Section 1: Definitions

- (1) Diagnostic assessment
- (2) Differentiation
- (3) Evidence-based
- (4) Implemented with fidelity
- (5) Intervention
- (6) Multitiered system of supports (MTSS)**
- (7) Tier 1 universal instruction**
- (8) Tier 2 targeted instruction**
- (9) Tier 3 intensive intervention**
- (10) Universal screener

Section 1(6)

"Multitiered system of supports" or "MTSS" means a multi-level prevention system designed to maximize student achievement and social and behavioral competencies through an integration of differentiated universal instruction, assessment, and intervention.

Section 1(7)(8)(9)

(7) "**Tier 1 universal instruction**" means instruction provided to all students based on the state's academic standards as set forth in 704 KAR 3:303 and 704 KAR Chapter 8 and aligned with KRS 158.6451.

(8) "**Tier 2 targeted intervention**" means supplemental evidence-based intervention, in addition to and in alignment with Tier 1 universal instruction, for students identified by universal screening and diagnostic assessment data as at-risk for not meeting grade-level academic or behavioral benchmarks.

(9) "**Tier 3 intensive intervention**" means that, in addition to Tier 1 universal instruction and Tier 2 targeted intervention, a student is provided evidence-based intervention services, based on diagnostic assessment and progress monitoring data, with an intensity and duration matched to the student's individualized academic and behavioral needs.

Section 2

Implementation of a district-wide K-12 comprehensive MTSS:

“Each local school district shall implement a comprehensive MTSS for K-12 that includes:

- (1) A tiered delivery system with a continuum of differentiated Tier 1 universal instruction, Tier 2 targeted intervention, and Tier 3 intensive intervention, delivered by individuals most qualified to provide the intervention services, in order to maximize each student’s academic and behavioral outcomes.”

Usage of data to monitor and report progress:

- (5)(d) “Individual student **progress** reports shared with the parents of each student in K-12 that summarize the student's **academic** skills, behavior, and any intervention plans and services being delivered.”

Section 3

Evidence demonstrating districtwide implementation of a comprehensive MTSS for K-12:

“Each local district shall submit to the Kentucky Department of Education by **October 1** of each year evidence demonstrating districtwide implementation of a comprehensive MTSS.

(a) Evidence provided by the district shall address implementation requirements as provided in Section 2 of this administrative regulation for grades K-12.

(b) The district shall also submit evidence of implementation for K-3 required by KRS 158.305(2).”

Questions