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This Training is being Recorded.

When you enter the meeting, you've been put on mute.

Please feel free to unmute yourself and ask questions as they come up

or

drop any questions in the Chat Box and we will answer them.

Department of Education

Teachers are…

Caring Understanding FUNNY Sharing

Compassionate determined Passionate

OCD Patient Reliable Family Hard Working

AMAZING Flexible AVAILABLE RESILIENT

patient DYNAMIC CHAMPION dedicated

Role Models WONDERFUL Possess Purpose

problem solvers Resilient Flexible

Oriented MOTIVATED

Writing Compliant IEPs – Academic Skill Gaps and How Statement

Maine DOE
Office of Special Services
Monitoring Team

Updated 10/6/2021

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Procedural Manual in Chat Box

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Maine Unified Special Education Regulations (MUSER) in Chat Box

05-071 Chapter 101

Maine Unified Special Education Regulation
Birth to Age Twenty

Effective Date:

August 25, 2017

Italicized text signifies State requirements
Non-italicized text signifies federal statutory or regulatory requirements

What is the Purpose of an IEP?

The Individuals with Disabilities Education Act (IDEA) says the purpose of an ***Individualized*** Education Program (IEP) is “to ensure that all children with disabilities have available to them a ***free appropriate public education*** (FAPE) that emphasizes ***special education*** and related services designed to meet their ***unique needs*** and ***prepare them*** for further education, employment and independent living”, *and to promote movement back to general education.*

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Section 2: Disability

A child with a Disability is an Individual Who –

- Has reached the age of 3 years;
- Has neither graduated from a secondary school program with a regular HS diploma nor reached nor reached 20 years of age at the start of the school year;
- Has been observed in the learning environment/classroom setting; and
- Has been evaluated according to these rules and has been determined to have a disability which requires the provision of special education and supportive services.
- A child with a disability shall have one or more of the disabilities listed in MUSER VII.2.A-M

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An Administrative Letter was issued January 21, 2021 outlining the Change in Ending Age for Special Education Eligibility

https://mainedoenews.net/2021/01/21/administrative-letter-change-in-the-ending-age-for-special-education-eligibility-effective-immediately/

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Section 2: Disability

2. DISABILITY

☐ Autism	☐ Deaf-Blindness	☐ Deafness
☐ Developmental Delay (3-5)	☐ Developmental Delay (Kindergarten)	☐ Emotional Disturbance
☐ Hearing Impairment	☐ Intellectual Disability	☐ Visual Impairment (including Blindness)
☐ Other Health Impairment	☐ Orthopedic Impairment	☐ Speech/Language Impairment
☐ Specific Learning Disability	☐ Traumatic Brain Injury	☐ Multiple Disability *(check all applicable concomitant disabilities)*

MUSER –
Maine Unified Special Education Regulations

MUSER VII.2.A-M outlines all Disability Categories, including the **Definition** and the **Procedure for Determination**.

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<u>MUSER</u> – Maine Unified Special Education Regulations

MUSER II.3

Adverse effect/Adversely affects. *The word "adverse" commonly means "harmful, impeding, obstructing, or detrimental." To "adversely affect" means to have a negative impact that is more than a minor or transient hindrance, evidenced by findings and observations based on data sources and objective assessments with replicable results.*

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MUSER – Maine Unified Special Education Regulations

MUSER VII.2

A child must need special education. Although federal regulations do not define "needs," the word commonly signifies something necessary, something exigent or the "lack of something essential." A child "needs" special education and related services when, because of the disability, the child can neither progress effectively in a regular education program nor receive reasonable benefit from such a program in spite of other services available to the child.

The need is best established through evidence of a distinctly measurable and persistent gap in the child's educational or functional performance that cannot be addressed through services or accommodations available through the general education program.

MUSER – Maine Unified Special Education Regulations

MUSER IX.3.A.(1)(a)(i)

How the child's disability affects the child's involvement and progress in the general education curriculum;

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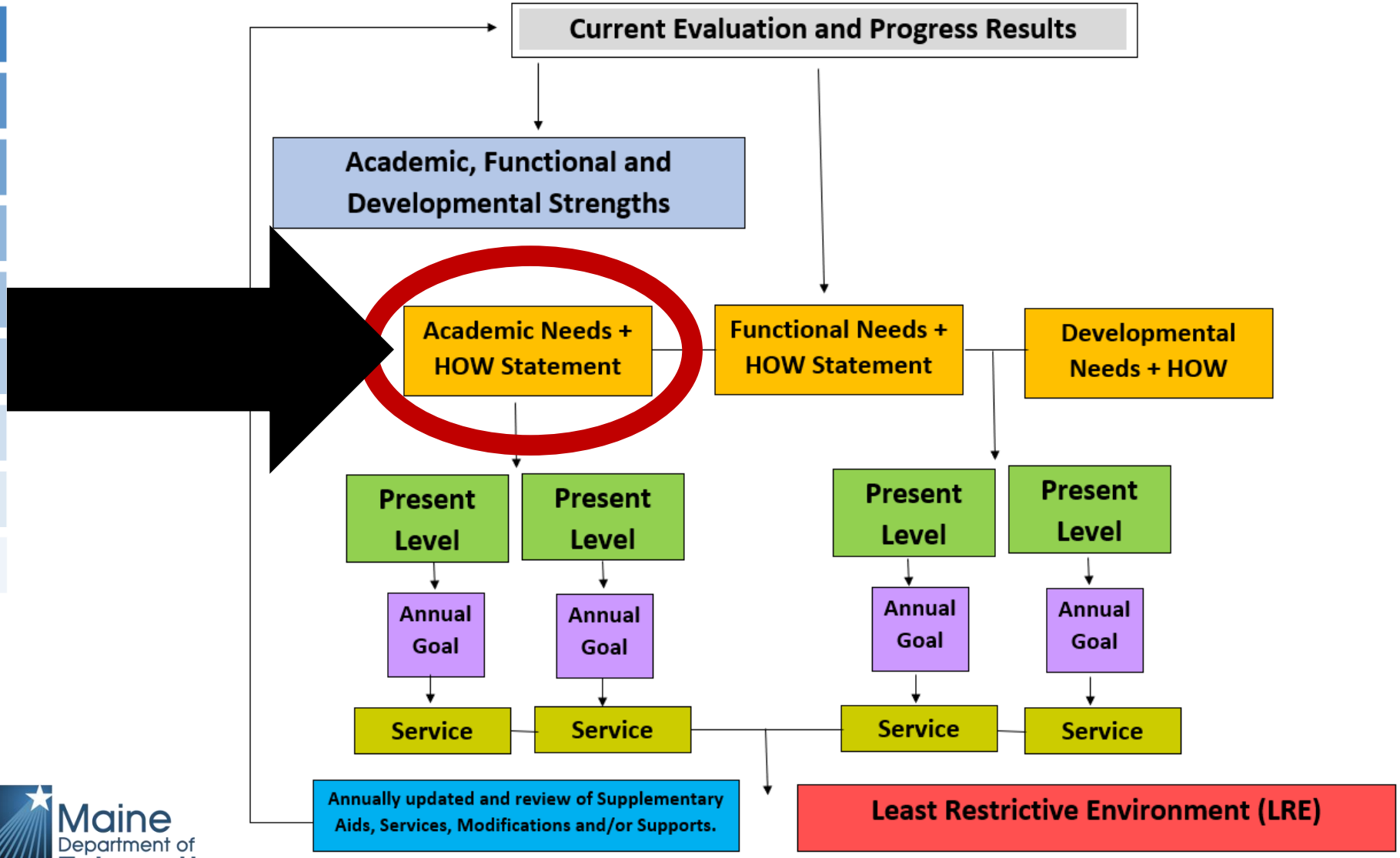
Individualized Education Plan IEP Alignment



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Section 4 – Academic and Functional/Developmental Evaluations, Strengths, and Needs (MUSER IX.3.C.(1))

4. **ACADEMIC AND FUNCTIONAL/DEVELOPMENTAL EVALUATIONS, STRENGTHS, AND NEEDS** (MUSER IX.3.C.(1))	
A.	Results of all initial evaluations or most recent evaluations of the child:
B.	Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?
C.	Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?
	and **how** do they affect the child's involvement and progress in the general education curriculum?
E.	If appropriate, what are the **developmental needs** of the child, and how do they affect the child's involvement and progress in the general education curriculum?

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Procedural Manual
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Section 4C: ACADEMIC NEEDS AND "HOW" STATEMENT (Part B, ages 3-20)

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

This section is used to:

- Identify the child's academic needs and how they affect the child's involvement and progress in general education.

Directions:

- Identify (list) specific academic skill deficits that are to such a degree, that they need to be aligned to an annual goal and addressed through a provision of service. Academic skill deficits can be identified based on formal or informal evaluations, academic performance and observation, and formative and summative assessments. Ensure that each identified academic need is being addressed through at least one academic annual goal.
- For each Need, explain what it is about the child's needs that prevent the child from being involved and making progress in the general education curriculum that affect the child's participation in appropriate activities.

Example:
Reading comprehension impedes the child's ability to comprehend grade level text and accurately provide details and events described in the text within the general education curriculum.

Ma
Depar
Education

Academic

- Reading
- Writing
- Listening
- Speaking
- Mathematical Problem Solving

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Section 4C: Distinctly Measurable and Persistent Gaps in Academic Performance and "How" Statement

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Identification of the distinctly measurable and persistent gaps in Academic performance

AND

How the deficit has an adverse impact on the child accessing the general education curriculum

Distinctly Measurable and Persistent Gaps + **How Statement**

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Section 4C MUST include *both*
Distinctly Measurable and Persistent Skill Gaps
AND
the How Statement

Distinctly Measurable and Persistent Gaps

(Needs)

+

How Statement

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Skill Deficits/Gaps – What are those specific areas?

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- Be very specific
- Do not include or reference:
  - Broad Academic Areas
  - Evaluation Results
  - Standard Scores

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Skill Deficits/Gaps – What are those specific areas?

Consider the following:

Might Include (there are others) –

- Reading: Decoding, Encoding, Fluency, Comprehension, Sight Words, Phonemic Awareness, Vocabulary, etc.
- Writing: Sentence Structure, Paragraph Development, Organization, Details, Proofreading, etc.
- Listening/Speaking: Story Retell, Collaboration, Language, Context, Describe, Summarizing, etc.
- Mathematical Problem Solving: Addition/Subtraction, Multiplication/Division, Word Problems, Fluency, Measurement, etc.

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How Statement – What is the Impact of the Disability?

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Consider the following:

How do the skill deficits impact the child's:

- involvement in general education
- access to the general education curriculum
- progress in the general education curriculum

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Distinctly Measurable and Persistent Gaps (Needs) + **How Statement**

Student Needs	How Statement
(Reading) Jimmy's reading fluency deficits	impact his ability to access grade level reading material.
(Writing) Sarah's spelling deficits	impact her ability to complete grade level writing prompts.
(Listening) Michael's listening comprehension deficits	impact his ability to paraphrase and restate grade level material.
(Speaking) Beth's inability to retell stories in a sequential manner	impacts her ability to engage with grade level material.
(Mathematical Problem Solving) Tom's deficits in addition/subtraction	impacts his ability to participate in grade appropriate math activities.

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Jimmy's reading fluency deficits impact his ability to access grade level reading material.

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Sarah's spelling deficits impact her ability to complete grade level writing prompts.

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Michael's listening comprehension deficits impact his ability to paraphrase and restate grade level material.

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Beth's inability to retell stories in a sequential manner impacts her ability to engage with grade level material.

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Tom's deficits in addition/subtraction impact his ability to participate in grade appropriate math activities.

Georgia Department of Education

Defines Disability Categories

and

Impact of Specific Disability Categories on:

Curriculum/Instruction

Social/Emotional Behavior

Independent Functioning

Communication

Employment

PowerPoint Presentation - ELIGIBILITY CRITERIA (gadoe.org)

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Example:

IMPACT OF ASD ON CURRICULUM AND INSTRUCTION

- May perseverate on a topic
- May appear not to be paying attention
- May call out answers
- May have difficulty attending
- May have very limited interests
- May have interfering behaviors

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Example:

IMPACT OF ASD ON SOCIAL/EMOTIONAL BEHAVIOR

- May have difficulty sharing items
- May be distracted by background noise, or visual details
- May not understand the “big picture”
- May have difficulty with transitions

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Example:

IMPACT OF ASD ON INDEPENDENT FUNCTIONING

- May be unusually resistant to change
- Routines may develop quickly
- May not understand importance of the abstract (money, eating a well balanced meal)
- May have limited special interests that are highly developed

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Example:

IMPACT OF ASD ON COMMUNICATION

- May lack communicative reciprocity
- May have difficulty perceiving, understanding or using non-verbal cues
- May use jargon or gibberish when speaking
- May be very concrete or literal
- May not understand abstract language

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Example:

IMPACT OF ASD ON EMPLOYMENT

- Inability to filter input/instructions
- Difficulty deciphering what is relevant
- May not be able to generalize between supervisors
- May be compulsive (often overdo a task or job)
- May have difficulty taking breaks

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Let's Review…

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Michael's standard scores on the WJ-R in Reading was a 78.

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What's wrong?

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C.	Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum? **Michael's standard scores on the WJ-R in Reading was a 78.**

Tell us in the Chat Box why this is not compliant.

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What's wrong?

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Michael's standard scores on the WJ-R in Reading was a 78.

- **Referenced Standard Score on an evaluation**
- **No specific skill deficit: Reading is too broad**
- **No How statement**

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<u>Instead</u>…

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Michael's reading comprehension deficits impact his ability to access and engage in grade appropriate reading activities.

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Let's Review…

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Benny's Math deficits impact his ability to access grade level math curriculum.

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What's wrong?

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Benny's Math deficits impact his ability to access grade level math curriculum.

Tell us in the Chat Box why this is not compliant.

Maine Department of Education

What's wrong?

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C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum?

Benny's Math deficits impact his ability to access grade level math curriculum.

- **No specific skill deficit: Math is too broad**

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Instead…

C. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **academic performance**, and **how** do they affect the child's involvement and progress in the general education curriculum? **Benny's deficits in addition/subtraction facts impact his ability to access grade level math curriculum.**

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Remember, if you've identified
Specific Skill Deficits,
they must Align
to ***Present Level***
to ***Goals***
to ***Services***

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Questions?

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Resources

Professional Development Calendar –

https://www.maine.gov/doe/calendar

Link for Recordings and Power Points –

https://www.maine.gov/doe/learning/specialed/covid19/Administrators/Virtual%20Meeting%20Archives

Special Education Resources –

https://www.maine.gov/doe/learning/specialed/resources

Special Education Laws and Regulations –

https://www.maine.gov/doe/learning/specialed/laws

Special Education Forms and Reporting –

https://www.maine.gov/doe/learning/specialed/data

Contact Hour

A certificate for contact hour(s) is in the chat box.

If you are watching this as a recording, please email:
Jennifer.Gleason@maine.gov
for a contact hour.

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Education