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This Training is being Recorded.

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

Please 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
Busy Remarkable INNOVATIVE Brave
Creative on the fly Forward Thinkers
Resourceful Innovative Adaptable

Writing Compliant IEPs – Functional Skill Gaps and How Statement

Maine DOE

Office of Special Services

Monitoring Team

Updated 10/27/2021

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Colette Sullivan – Federal Programs Coordinator
colette.sullivan@maine.doe

Leora Byras – Special Education Consultant
leora.byras@maine.gov

Jennifer Gleason – Special Education Consultant
jennifer.Gleason@maine.gov

Julie Pelletier – Secretary Associate
julie.pelletier@maine.gov

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Procedural Manual in Chat Box

Maine Department of Education

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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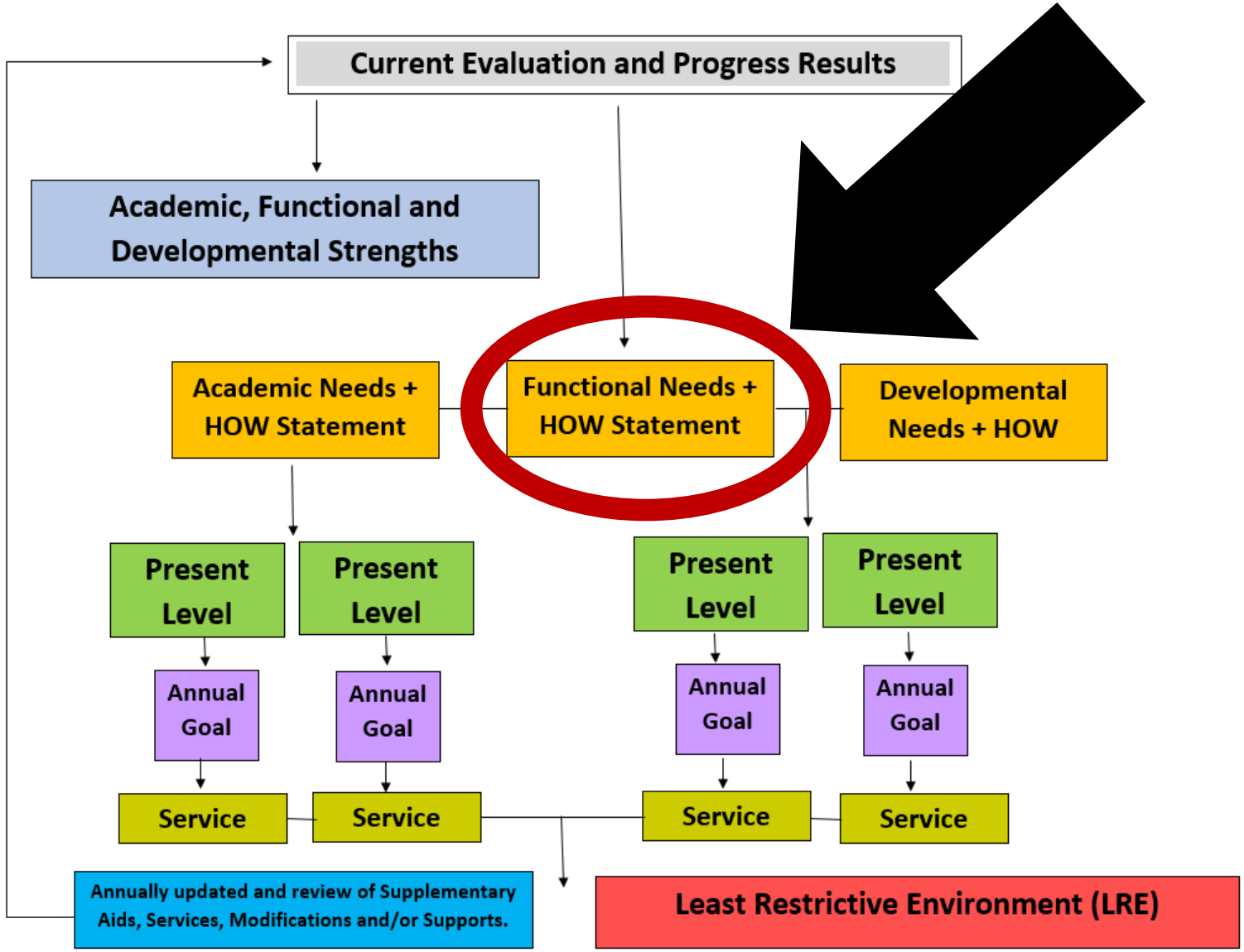
Individualized Education Plan IEP Alignment



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

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Procedural Manual
Pg. 22-23

Section 4D: FUNCTIONAL/DEVELOPMENTAL NEEDS AND "HOW" STATEMENT

D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional 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 functional/developmental needs and how they affect the child's involvement and progress in the general education.

Directions:

- Identifies specific functional/developmental 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. Functional/developmental skill deficits can be identified based on formal or informal evaluations, functional/developmental performance and observation, and formative and summative assessments. Related services (e.g. OT, Speech/Language) would be reflected in this section. Ensure that each identified functional/developmental need, including a need being addressed through a related service, is being addressed through at least one functional/developmental annual goal.
- For each Need, explain how the disability adversely affects the child's access to the general education curriculum. This is not a restatement of LRE and should identify the how the child's needs are adversely affecting his/her involvement in the general education curriculum.

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Functional

- Cognitive
- Communicative
- Motor
- Adaptive
- Social/Emotional
- Sensory

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Section 4D: Distinctly Measurable and Persistent Gaps in Functional Performance and "How" Statement

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

Section 4D 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 Functional 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) –

- Cognitive: Problem Solving, Self Awareness, Peer Interaction, Self Initiation, etc.
- Communicative: Receptive Language, Expressive Language, Pragmatic Language, Articulation, etc.
- Motor: Fine Motor, Gross Motor, Coloring, Cutting, Walking, Stairs, etc.
- Adaptive: Toileting, Handwashing, Cooking, Eating, Dressing, etc.
- Sensory: Processing, Attention to Task, Self Regulation, Self Advocacy, 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
(Cognitive) Mary's deficits in problem solving	impact her ability to safely engage with peers at grade level.
(Communicative) Sarah's expressive language deficits	impact her ability to speak clearly with peers during play activities.
(Motor) Michael's fine motor deficits	impact his ability to maintain appropriate grasp on writing tools during writing time.
(Adaptive) Beth's deficits in personal care	impact her ability to engage socially with same aged peers.
(Social/Emotional) Tom's self regulation deficits	impact his ability to comprehend and apply social rules in the general education setting.
(Sensory) Barb's tactile defensiveness	impact her ability to stay on task in all grade level activities.

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

Mary has problem solving deficits. These delays impact her ability to safely engage with peers at grade level.

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

Sarah's expressive language deficits impact her ability to speak clearly with peers during play activities.

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

Michael's fine motor deficits impact his ability to maintain appropriate grasp on writing tools during writing time.

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

Beth's deficits in self-care impact her ability to engage socially with same aged peers.

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

Tom's self-regulation deficits impact his ability to comprehend and apply social rules in the general education setting.

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

Barb's tactile defensiveness impacts her ability to stay on task in all grade level activities.

Let's Review…

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

Michael's standard score on the Goldman-Fristoe Evaluation showed errors in articulation.

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What's wrong?

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

Michael's standard score on the Goldman-Fristoe Evaluation showed errors in articulation.

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

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What's wrong?

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

Michael's standard score on the Goldman-Fristoe Evaluation showed errors in articulation.

- **Referenced Standard Score on an evaluation**
- **No How statement**

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Instead…

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

Michael's deficits in articulation impact his ability to communicate effectively with peers in the general education curriculum.

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Let's Review…

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

Keith often refuses to come to school. Attendance is a concern.

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What's wrong?

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

Keith often refuses to come to school. Attendance is a concern.

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

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What's wrong?

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

Keith often refuses to come to school. Attendance is a concern.

- **Outcome based (age-appropriate expectation)**
- **We want all kids to come to school**
- **No skill deficits**
- **No How statement**

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<u>Instead</u>…

D. Based on evaluative information in **4A**, what are the child's distinctly measurable and persistent gaps in **functional performance**, and **how** do they affect the child's involvement and progress in the general education curriculum? **Keith has anxiety and self-regulation deficits.** **These deficits impact his ability to attend school and participate in grade level activities.**

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You could document Skill Deficits (needs) in bullet form. *Remember* your How statement as well.

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Academic

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?

- **Reading Fluency**
- **Spelling**
- **Reading Comprehension**

These deficits impact her ability to access and participate in all grade level Reading curriculum.

Functional

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

- **Self-Regulation**
- **Expressive Language**
- **Fine Motor**

These deficits impact his ability to engage socially with peers in all grade level activities and to complete grade level activities that require fine motor control.

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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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Chat Box Check In

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Center on the Developing Child at Harvard University (2014)

Activities Guide: Enhancing and Practicing Executive Function Skills with Children from Infancy to Adolescence

https://developingchild.harvard.edu/resources/activities-guide-enhancing-and-practicing-executive-function-skills-with-children-from-infancy-to-adolescence/

Content in This Guide

Step 1: Executive Function 101

- Executive Function & Self-Regulation
- Executive Function: Skills for Life and Learning

Step 2: The Science of Executive Function

- Building the Brain's "Air Traffic Control" System
- Video: How to Build Core Capabilities for Life

Step 3: Building Executive Function Skills

- **You Are Here:** Activities Guides: Practicing Executive Function Skills
- Building the Core Skills Youth Need for Life
- Building the Skills Adults Need for Life

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Activities Guide: Enhancing and Practicing Executive Function Skills with Children from Infancy to Adolescence

Includes Activities for:

- 6–18-month-olds
- 18–36-month-olds
- 3–5-year-olds
- 5–7-year-olds
- 7–12-year-olds
- Adolescents

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Activities Guide: Enhancing and Practicing Executive Function Skills with Children from Infancy to Adolescence

Activities for 6- to 18-month-olds

Download PDF

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Activities Guide: Enhancing and Practicing Executive Function Skills with Children from Infancy to Adolescence

Executive Function Activities for 6- to 18-month-olds

These activities encourage infants to focus attention, use working memory, and practice basic self-control skills. During this stage of development, infants are actively developing their core executive function and self-regulation (EF/SR) skills. Supportive, responsive interactions with adults are the foundation for the healthy development of these skills. However, particular activities can strengthen key components of EF/SR.

In using these activities, adults should attend to the infant's interests and select activities that are enjoyable, while also allowing the infant to determine how long to play.

Lap games for younger infants

Generations of families have engaged babies in games while holding them in the lap. Different games practice different skills, but all are predictable and include some basic rules that guide adult and child behavior. Repetition helps infants remember and manage their own behavior to fit the game's rules.

- Peekaboo — Hide-and-find games like this exercise working memory, because they challenge the baby to remember who is hiding, and they also practice basic self-control skills as, in some variations, the baby waits for the adult to reveal him or herself. In other versions, the baby controls the timing of the reveal; this provides important practice regulating the tension around an expected surprise.
- Trot, Trot to Boston; This is the Way the Farmer Rides; Pat-a-Cake — Predictable rhymes that end with a stimulating yet expected surprise are well-loved. Infants exercise working memory as they develop familiarity with the rhyme and practice anticipating a surprise, inhibiting their anticipatory reactions while managing high levels of stimulation.

Hiding games

Hiding games are a great way to challenge working memory.

- Hide a toy under a cloth and encourage the infant to look for it. Once infants can find the toy quickly, hide it, show the child that you have moved it, and encourage the child to find it. Make more moves to increase the challenge. As the child remembers what was there and mentally tracks the move, he or she exercises working memory.
- Older infants may enjoy hiding themselves and listening to you search loudly for them while they track your location mentally.
- You can also hide an object without showing an older infant where it is and then allow the infant to search for it. He or she will practice keeping track of searched locations.
- Another challenging version of these games involves putting a set of cups on a turntable (or "lazy Susan"), hiding an object under a cup, then spinning the turntable. Hiding more than one object can also increase the challenge.

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developingchild.harvard.edu 2

Imitation or copying games

Infants love to copy adults. When they imitate, they have to keep track of your actions, remember them, wait their turn, and then recall what you did. In doing so, they practice attention, working memory, and self-control.

- These games have a variety of forms, from taking turns making simple gestures (e.g., waving) to organizing toys in certain ways and asking children to copy you (e.g., placing toy animals in a barnyard) or building simple buildings by putting one block on top of another and perhaps knocking them down to rebuild.
- As infants' skills improve, make the patterns they copy more complicated.
- Adults can also demonstrate ways to play with toys, like making a toy horse gallop or rocking a baby doll. This introduces the concept of using toys as symbols for real objects.

Simple role play

Older children in this age range enjoy doing the tasks they see you do.

- Take turns with any activity that interests the child, such as sweeping the floor, picking up toys, dusting, etc. These games introduce the basics of imaginary play and practice working memory, self-control, and selective attention, because the toddler must hold the activity in mind to complete it while avoiding distractions and inhibiting the impulse to do other things.
- Children can remember and play out more complicated roles as they get older. They will also begin to initiate activities. Providing the necessary materials (e.g., a broom, a toy box, a dustcloth) can help children enjoy and sustain this type of play.

Fingerplays

Songs or chants with simple hand motions are a lot of fun for infants, and develop self-control and working memory as well as language. Infants can learn to copy the movements to a song and, with practice, will remember the sequence. *Eensy Weensy Spider*; *Where is Thumbkin?*; and *Open, Shut Them* are examples, but these fingerplays can be found in many languages and cultures.

Conversations

Simply talking with an infant is a wonderful way to build attention, working memory, and self-control.

- With younger infants, start by following the infant's attention and naming aloud the things holding his or her attention. The infant will likely maintain his or her attention a little longer, practicing actively focusing and sustaining attention.
- As infants get older, pointing out and talking about interesting objects or events can help them learn to focus their attention on something the adult has identified. As babies learn language, they also develop their memory of what is said, eventually mapping words to objects and actions.
- Conversations in any language besides English are also helpful. It has been found that bilingual children of many ages have better executive function skills than monolingual children, so experience using an additional language is an important skill.

Resources

Songs and games

- *www.piercecountylibrary.org/files/library/wigglesticklesoll.pdf*
- *www.turben.com/media-library/8702756_infanttoddlerplaybook.pdf*
- *www.zerotothree.org/child-development/grandparents/play-0-12-mths-final.pdf*

EXECUTIVE FUNCTION ACTIVITIES FOR 6- TO 18-MONTH-OLDS

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Case Study

Walter

Maine Department of Education

Case Study

Walter is a 2nd grade student identified with Other Health Impairment.

Evaluations completed by Jane Doe on 10/15/21 and 10/17/21:

BASC – (Average T scores are in the range of 40 to 60)

- Hyperactivity – T Score 80
- Attention Problems – T Score 70
- Withdrawal – T Score 65
- ADLs – T Score 65

WJ-R – (Average standard scores are 90-110)

- Passage Comprehension – SS 98
- Written Expression – SS 70
- Writing Fluency – SS 78
- Word Attack – 79

Walter loves to read and has strong comprehension. He works very hard and is friendly. He struggles with spelling and writing, and has executive function skills deficits, including self-initiation and organization.

Maine Department of Education

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Strengths are.

What might that look like in Section 4B
(Academic, Functional/Developmental strengths)

B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?

Maine Department of Education

Case Study

Walter is a 2nd grade student identified with Other Health Impairment.

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Walter loves to read and has strong comprehension. He works very hard and is friendly. He struggles with spelling and writing, and has executive function skills deficits, including self-initiation and organization.

Maine Department of Education

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Strengths are.

What might that look like in Section 4B
(Academic, Functional/Developmental strengths)

B. Beyond the evaluative information in **4A**, what are the academic, functional, and/or developmental **strengths** of the child?

Walter has strong comprehension skills and loves to read. Walter is friendly and works hard in school.

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Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Academic Skill Deficits are.

What might that look like in 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?

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Case Study

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- Written Expression – SS 70
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- Word Attack – 79

Walter loves to read and has strong comprehension. He works very hard and is friendly. He struggles with spelling and writing, and has executive function skills deficits, including self-initiation and organization.

Maine Department of Education

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Academic Skill Deficits are.

What might that look like in 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?

- **Spelling**
- **Writing Fluency**
- **Written Expression**

These deficits impact Walter's ability to access and participate in all grade level curriculum in the areas of Writing.

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Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Functional Skill Deficits are.

What might that look like in Section 4D.
(distinctly measurable and persistent gaps in Functional performance and How statement)

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

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Case Study

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Maine Department of Education

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Functional Skill Deficits are.

What might that look like in Section 4D.
(distinctly measurable and persistent gaps in Functional performance and How statement)

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

- **Self-Initiation**
- **Organization**

These deficits impact his ability to engage socially with peers in all grade level activities.

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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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Colette Sullivan – Federal Programs Coordinator
colette.sullivan@maine.gov

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leora.byras@maine.gov

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julie.pelletier@maine.gov

Education