This Training is being Recorded.

Please feel free to ask questions as they come up, but we will have several Chat Box Check-Ins throughout the training.

Maine 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

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Maine Department of Education

Maine Department of Education

Present Level of Performance

Maine Department of Education

Special Services Team

11/10/2021

Maine Department of Education

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.

Maine Department of Education

Procedural Manual in Chat Box

Maine Department of Education

Special Education Required Forms Procedural Manual Page 24

- Academic performance refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking, and mathematical problem solving* in the school environment.
- Include statement(s) of the child's current academic performance (baseline data) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

Maine Department of Education

Special Education Required Forms Procedural Manual Page 25

- Developmental performance refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.
- Functional/Developmental performance refers to how a child is managing daily activities in *cognitive, communicative, motor, adaptive, social/emotional* and *sensory areas.*
- Include statement(s) of the child's current functional/developmental performance (baseline data) above each functional/developmental annual goal. The present level and annual goal should be addressing the same skill. The IEP should include a present level and annual goal for all identified functional/developmental skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's functional/developmental performance.

Maine Department of Education

Special Education Required Forms Procedural Manual
Page 24

IDEA requires that a statement of the present level of academic performance must be included in each IEP even if the child does not exhibit any academic deficits that require special education services. If the child does not exhibit academic deficits, the present level statement should be included above the first goal only.

Example:

"The child is academically commensurate with his/her peers."

Maine Department of Education

Section 5: Academic Performance – Present Level

IDEA requirement – ***MUST*** fill

§300.320 Definition of individualized education program.

(a) *General.* As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.324, and that must include—

(1) A statement of the child's present levels of academic achievement and functional performance, including

5. MEASURABLE ANNUAL GOAL(S) (MUSER IX.3.A.(1)(b) & (c))

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking,* and *mathematical problem solving* in the school environment.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Child is on academic grade level with their peers.

OR

Child is academically commensurate with their peers.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? ☐ Yes ☐ No

By date, given service, child's name will skill as measured by evidence.

Special Education Required Forms Procedural Manual
Page 26

IDEA requires that a statement of the present level of functional performance must be included in each IEP even if the child does not exhibit any functional deficits that require special education services. If the child does not exhibit functional deficits, a present level statement should be included above the first goal only.

Example:
"Child is functionally commensurate with his/her peers."

Maine Department of Education

Section 5: Functional/Developmental Performance – Present Level

IDEA requirement – MUST fill

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE refers to how the child is managing daily activities in *cognitive*, *communicative*, *motor*, *adaptive*, *social/emotional* and *sensory areas*. **Developmental performance (ages 3-5)** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Child's functional/development performance is commensurate with their peers.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)

Progress:

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? ☐ Yes ☐ No

By date, given service, child's name will skill as measured by evidence.

Maine Department of Education

Endrew F. v. Douglas County School District

The Supreme Court emphasized the requirement that *"every child should have the chance to meet challenging objectives*."

https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/qa-endrewcase-12-07-2017.pdf

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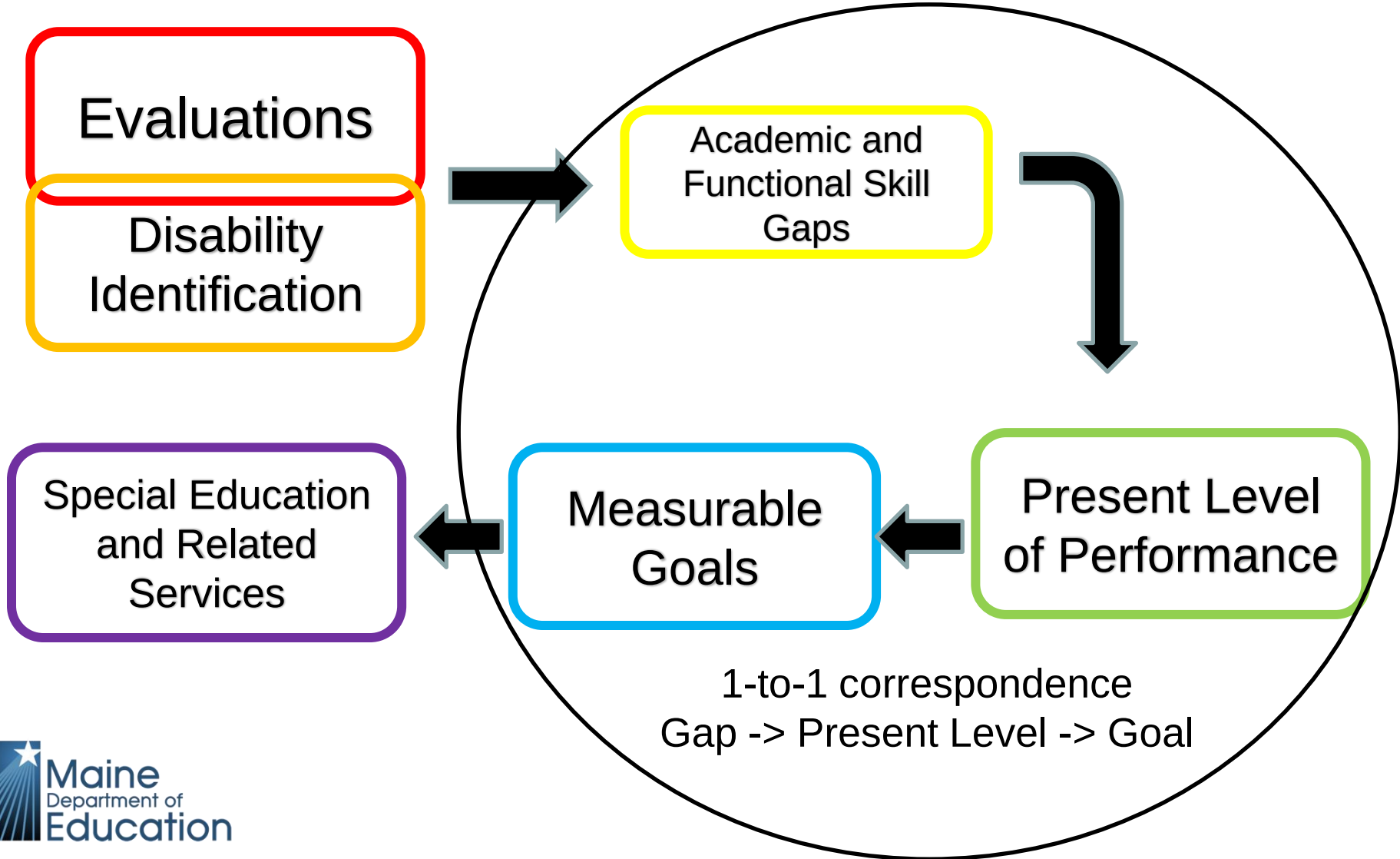
Alignment throughout the IEP document



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Use of Data

Data should be used to:

- ✓ assist in program effectiveness
- ✓ determining the need for change

Maine Department of Education

Present Level of Performance is:

Present Level Of Performance

=

Understandable to all, including parents

Include statement(s) of the child's current academic performance (baseline data) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

- Procedural Manual page 24 & 25

Maine Department of Education

Present Level of Performance is:

Present Level Of Performance

=

Aligned with <u>each</u> Skill Gap in Sections 4C & 4D

Include statement(s) of the child's current academic performance (<u>baseline data</u>) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

- Procedural Manual page 24 & 25

Maine Department of Education

Present Level of Performance is:

Present Level Of Performance

=

Aligned with Goal Immediately Following

Include statement(s) of the child's current academic performance (baseline data) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

- Procedural Manual page 24 & 25

Maine Department of Education

Present Level of Performance is:

Present Level Of Performance

=

Baseline Data for Specific Skill Gap

Include statement(s) of the child's current academic performance (baseline data) above each academic annual goal. The present level and annual goal should be aligned to the same skill. The IEP should include a present level and annual goal for all identified academic skill deficits listed in the Needs section. This statement should be written in a way that all members of the IEP Team can understand the current uniqueness of the child's academic performance. This should not include specific levels of programs and curriculum as not all IEP Team members will have foundational knowledge of the program being used and its unique leveling.

- Procedural Manual page 24 & 25

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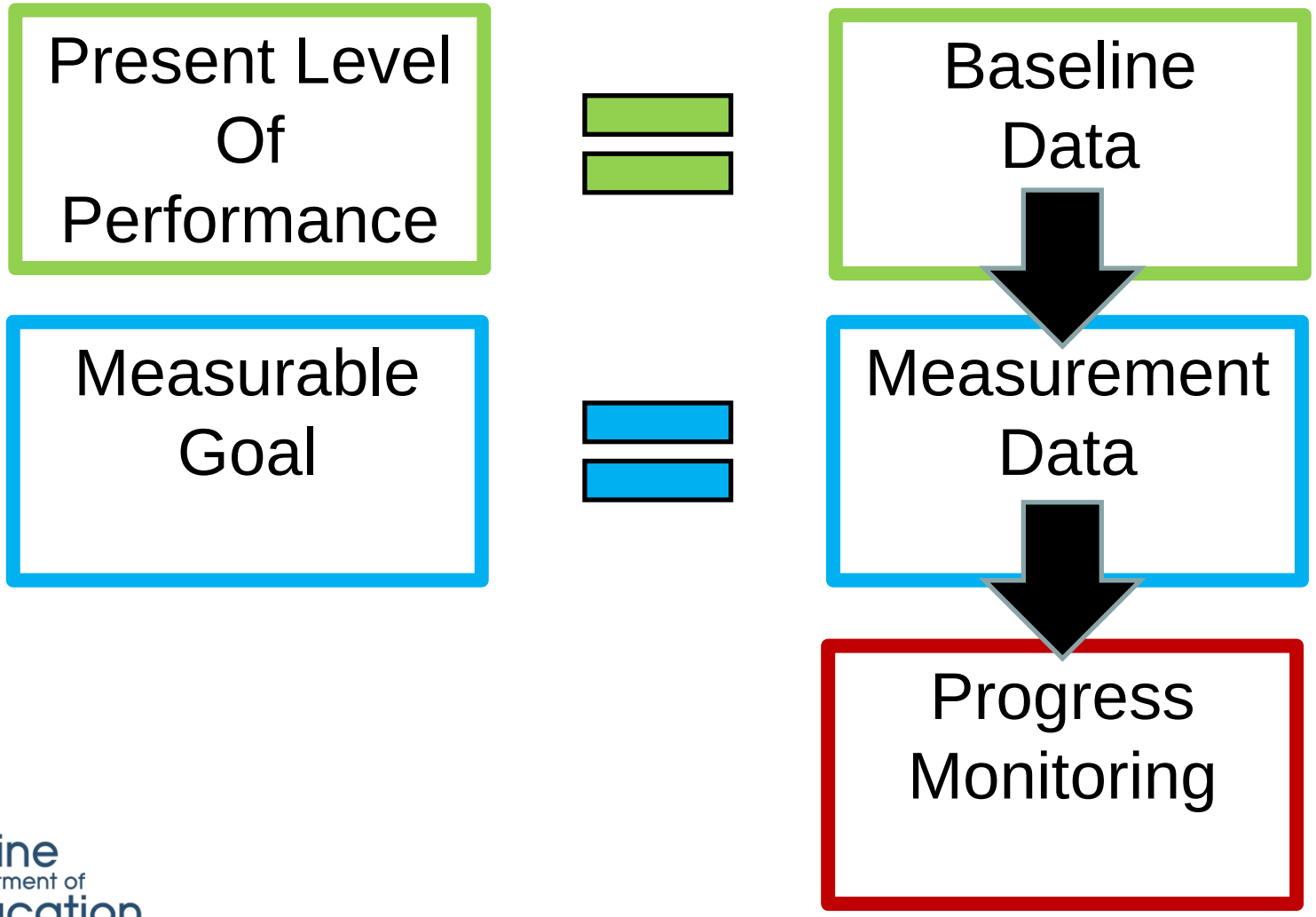
Same Data Point



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Present Level of Performance is not:

Present Level Of Performance ≠ Subjective:

- "struggles with"
- "about"
- "sometimes"

Present Level Of Performance ≠ Multiple Skills

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Present Level of Performance Data is:

- Skill specific curriculum-based measurements/assessment
- Qualitative data through teacher observation
- Checklist or daily log
- Running record
- Work samples
- Rubric (attach rubrics to the IEP)

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Present Level of Performance Data is <u>not</u>:

- Eligibility / Evaluation Data
- State and Local Assessments
- Grades or Report Card
- Specific Curriculum

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Specific Program Data

Level 3	Level 4
Fluency: 83 words per minute at 3rd Grade Level	Fluency: 90 words per minute at 3rd Grade Level
Reading Comprehension: 85% accuracy at 3rd Grade Level	Reading Comprehension: 92% accuracy at 3rd Grade Level

Remember:
a goal should only include 1 skill;
if the child has skill deficits in BOTH Reading Fluency and Reading Comprehension, these would be two different goals.

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Present Level / Goal / Progress Monitoring: Same Data Point

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?

- **Addition with regrouping**
- **Single digit subtraction**

XXXX's gaps in math computation affect their involvement in the general education curriculum xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
XXXX solves 2-digit addition problems with regrouping in 0% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)
By date, given service, child's name will skill as measured by evidence.
By (date), given (service), XXXX will solve 2-digit addition problems with regrouping in 50% of opportunities over 5 consecutive presentations as measured by (evidence).

Objective(s) required? ☐ Yes ☐ No
By date, given service, child's name will skill as measured by evidence.

Progress:
(date1) XXXX solves 2-digit addition problems with regrouping in 18% of opportunities.
(date2) XXXX solves 2-digit addition problems with regrouping in 34% of opportunities.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
XXXX can solve single-digit subtraction problems in 40% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)
By date, given service, child's name will skill as measured by evidence.
By (date), given (service), XXXX will solve single-digit subtraction problems in 80% of opportunities over 5 consecutive presentations as measured by (evidence).

Objective(s) required? ☐ Yes ☐ No
By date, given service, child's name will skill as measured by evidence.

Progress:
(date1) XXXX solves single-digit subtraction problems in 58% of opportunities.
(date2) XXXX solves single-digit subtraction problems in 72% of opportunities.

If you are having trouble determining baseline data for a skill gap:

Ask yourself:

- Am I looking at a <u>specific</u> skill gap or is it too broad?
- Does the gap encompass multiple skills?
- Is the gap outcome-based or skill-based?

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Remember:
Academic & Functional Present Level
MUST include Data.

Avoid statements that include words like:
often, sometimes, seems to, etc.

Do not make statements like:
"Student sometimes does multiplication problems."
"Student often misspells words."

Baseline Data = Present Level → **Measurable Goal** → **Progress**

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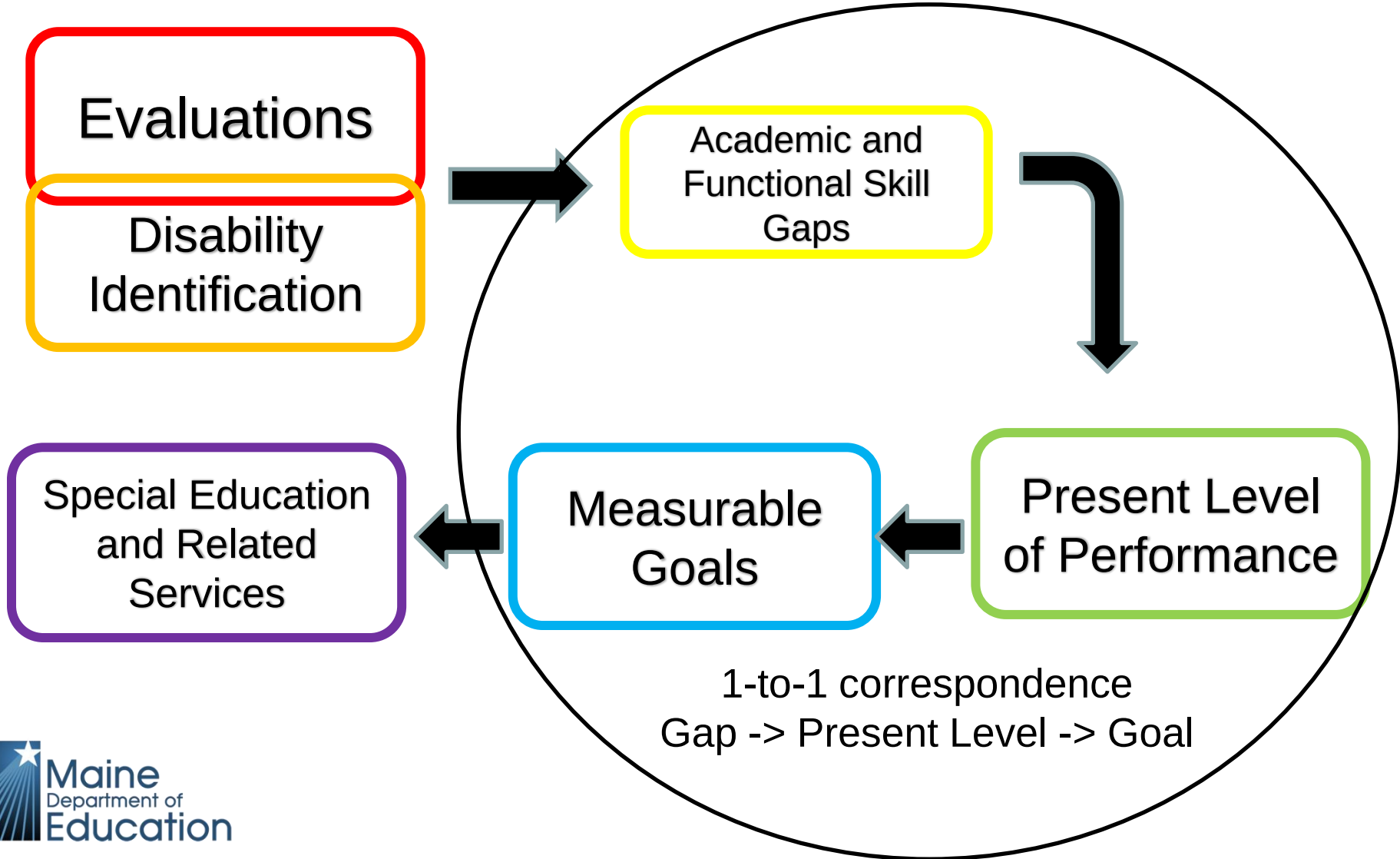
Alignment throughout the IEP document



Maine Department of Education

What's wrong?

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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Stanley struggles with addition and subtraction.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)
By date, given service, child's name will skill as measured by evidence.
By June 2022, given specially designed instruction, Stanley will add two-digit numbers without regrouping in 80% of opportunities over 3 consecutive presentations as measured by data collection and work samples.

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

Maine Department of Education

What's wrong?

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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Stanley struggles with addition and subtraction.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)
By date, given service, child's name will skill as measured by evidence.
By June 2022, given specially designed instruction, Stanley will add two-digit numbers without regrouping in 80% of opportunities over 3 consecutive presentations as measured by data collection and work samples.

- **Subjective language**
- **No data**

Maine Department of Education

Instead…

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Stanley can add two-digit numbers without regrouping in 40% of opportunities.

Measurable Goal (MUSER IX.3.A.(1)(b) & (c)
By date, given service, child's name will skill as measured by evidence.
By June 2022, given specially designed instruction, Stanley will add two-digit numbers without regrouping in 80% of opportunities over 3 consecutive presentations as measured by data collection and work samples.

Maine Department of Education

What's wrong?

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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Reading: Accuracy: 90%; Fluency: Level 2; Rate: 33 cwpm; Comp: literal 1/1 inferential 2/3 Instructional. Leora is currently reading level O text with 90% accuracy and reading at a fluency level of 2. She reads primarily in 3 or 4-word phrase groups with some expressive interpretation, however; this is inconsistent across the text. She is able to fully comprehend a Level 0 text and was able to correctly answer 3 out 4 questions on her last reading inventory, including 1/1 literal and 2/3 inferential type questions. On the Level 3 text from the Qualitative Reading Inventory-6 Leora read at a 90% accuracy rate and he is reading at a rate of 33 correct words per minute. She scored in the "Instructional Level" for comprehension correctly answering 8 out of 10 questions.

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

Maine Department of Education

What's wrong?

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Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):

Reading: Accuracy: 90%; Fluency: Level 2; Rate: 33 cwpm; Comp: literal 1/1 inferential 2/3 Instructional. Leora is currently reading level O text with 90% accuracy and reading at a fluency level of 2. She reads primarily in 3 or 4-word phrase groups with some expressive interpretation, however; this is inconsistent across the text. She is able to fully comprehend a Level 0 text and was able to correctly answer 3 out 4 questions on her last reading inventory, including 1/1 literal and 2/3 inferential type questions. On the Level 3 text from the Qualitative Reading Inventory-6 Leora read at a 90% accuracy rate and he is reading at a rate of 33 correct words per minute. She scored in the "Instructional Level" for comprehension correctly answering 8 out of 10 questions.

- **Multiple skills**
- **Specific curriculum**
- **Not understandable to all team members**

Maine Department of Education

Instead…

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Leora reads 33 words correct per minute using a 2nd grade passage.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Leora answers wh questions with 80% accuracy after reading a 2nd grade passage.

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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.

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Case Study

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:

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 **Withdrawal – T Score 65**

Attention Problems – T Score 70 **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

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. He is friendly and works hard in school.

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.

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 Walter's ability to engage socially with peers in all grade level activities.

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?

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Academic Present Levels might look like.

ACADEMIC PERFORMANCE (Part B, ages 3 - 20) refers to a child's ability to perform age appropriate (comparable to same age/grade peers) tasks and demonstrate appropriate skills in *reading, writing, listening, speaking,* and *mathematical problem solving* in the school environment.
Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)): **Measurable Goal** (MUSER IX.3.A.(1)(b) & (c) By date, given service, child's name will skill as measured by evidence. **Objective(s)** required? ☐ Yes ☐ No By date, given service, child's name will skill as measured by evidence.

Maine Department of Education

Case Study

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:

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 **Withdrawal – T Score 65**

Attention Problems – T Score 70 **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

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. He is friendly and works hard in school.

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.

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 Walter's ability to engage socially with peers in all grade level activities.

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?

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Academic Present Level might look like.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Walter spells CVC words with 35% accuracy.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Walter writes sentences with 3 words or fewer.

Present Levels of Academic Performance (MUSER IX.3.A.(1)(a)(i) & (ii)):
Given a definition, Walter expresses the correct vocabulary word with 50% accuracy.

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Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Functional Present Levels might look like.

FUNCTIONAL/DEVELOPMENTAL PERFORMANCE: Functional performance refers to how the child is managing daily activities in *cognitive*, *communicative*, *motor*, *adaptive*, *social/emotional* and *sensory areas*. **Developmental performance** refers to how the child is performing developmentally (comparable to same age/grade peers) in physical, cognitive, communicative, social, emotional, and/or adaptive areas.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):

Measurable Goal (MUSER IX.3.A.(1)(b) & (c) **Progress:**

By date, given service, child's name will skill as measured by evidence.

Objective(s) required? ☐ Yes ☐ No

By date, given service, child's name will skill as measured by evidence.

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Case Study

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:

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 **Withdrawal – T Score 65**

Attention Problems – T Score 70 **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

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. He is friendly and works hard in school.

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.

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 Walter's ability to engage socially with peers in all grade level activities.

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?

Case Study

Based on the provided information, identify in the Chat Box what you think Walter's Functional Present Levels might look like.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):
Walter initiates work tasks within 10 minutes with 2 adult prompts in 70% of opportunities.

Present Levels of Functional/Developmental Performance (MUSER IX.3.A.(1)(a)(i) & (ii):
Walter seeks tools required for a task (i.e. pencil, crayons, scissors), by independently retrieving or asking for the tool, in 25% of opportunities.

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Maine Department of Education

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

The certificate for 1 contact hour 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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Upcoming Office Hours
2nd & 4th Wednesdays, 3:00-4:00

- **December 8**: Measurable Goals
  - Avoiding Outcome Goals
- **December 22:** Supplementary Aids, Services, Modifications, and/or Supports
- **January 12:** Services
- **January 26:** Least Restrictive Environment

Open Q&A: January 28, 11:30-12:00
No Q&A in November or December

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

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Education