Reason for use of form: Child’s Name:

 Date:



**Form for the Determination of Adverse Effect on Educational Performance**

Maine Unified Special Education Regulations (MUSER VII.3)

This form is to be completed by the IEP Team whenever there is a meeting to determine eligibility or consider a change in eligibility (including dismissal from special education). Record data (e.g., scores, grades, etc.) for each category that supports the finding (Yes or No). **This form will be attached to and referenced in the Written Notice** so that the data sources reviewed and the specific findings associated with the determinations of adverse effect and the need for special education will be documented.

**I.A.** The IEP Team has reviewed the following assessment(s) or data source(s) to determine adverse effect resulting from the child’s disability [check one of the boxes in each category and provide verification by describing the data that supports the determination as to whether or not adverse effect is demonstrated]:

\* N/A=not available

|  |  |  |  |
| --- | --- | --- | --- |
| 1. Do standard or percentile scores on nationally-normed, individually- administered achievement test(s), or for children ages 3 to 5, appropriate multi-domain nationally-normed test(s) or rating scale(s), demonstrate adverse effect? | **Yes**☐ | **No**☐ | **N/A\***☐ |
| Verification: |
| 2. Do standard or percentile scores on nationally-normed, group- administered achievement test(s), including nationally-normed, curriculum- based measures, demonstrate adverse effect? | ☐ | ☐ | ☐ |
| Verification: |
| 3. Do any reports prepared by the SAU or presented by the parent/guardian that reflect academic or functional performance document adverse effect? | ☐ | ☐ | ☐ |
| Verification: |

|  |  |  |  |
| --- | --- | --- | --- |
| 4. Does the child’s performance on comprehensive assessments based on a system of learning results, or the Common Core as of 2014, or measurements of indicators within the Early Childhood Learning Guidelines, demonstrate adverse effect? | YES☐ | NO☐ | N/A\*☐ |
| Verification: |
| 5. Do criterion-referenced assessments of academic or functional performance demonstrate adverse effect? | ☐ | ☐ | ☐ |
| Verification: |
| 6. Do child work products, language samples, or portfolios demonstrate adverse effect? | ☐ | ☐ | ☐ |
| Verification: |
| 7. Does disciplinary evidence, or rating scales based on systemicobservations in more than one setting (whenever possible) by professionals or parents/guardians, demonstrate adverse effect? | ☐ | ☐ | ☐ |
| Verification: |
| 8. Do the child’s attendance patterns demonstrate adverse effect? | ☐ | ☐ | ☐ |
| Verification: |
| 9. Do the child’s social or emotional deficits (if any), as observed by professionals or parents/guardians in multiple settings (whenever possible), on clinical rating scales or in clinical interviews, demonstrate adverse effect? | ☐ | ☐ | ☐ |
|  Verification: |
| 10. Other (add any other data sources) | ☐ | ☐ | ☐ |
| Verification: |

|  |  |  |
| --- | --- | --- |
| **I.B.** Was only one assessment/data source considered?  | YES☐ | NO☐ |

If the answer to the question is “Yes”, state the IEP Team’s rationale for the determination that the single assessment/data source is adequate for the determination of adverse effect on educational performance:

|  |  |  |
| --- | --- | --- |
| **II.** Has the IEP Team determined that there is an adverse effect on educational performance resulting from the child’s disability? | YES☐ | NO☐ |

If the answer to this question is “Yes”, proceed to section III. If the answer to this question is “No”, the child does not qualify as a child with a disability under Maine Unified Special Education Regulations and is not entitled to an Individualized Education Program.

**III.** The adverse effect that results from the child’s disability is, (check one)

☐ of such a degree or kind that the child requires special education in order to benefit from his/her education program.

☐ correctible through accommodations in the child’s regular education program.

Summarize the basis for the determination as to whether the child requires special education in order to benefit from his/her education program or the adverse effect is correctible through accommodation.

If the first box was checked, the child qualifies as a child with a disability under Maine Unified Special Education Regulations and is entitled to an Individualized Education Program. If the second box was checked, the child does not qualify as a child with a disability under Maine Unified Special Education Regulations and is not entitled to an Individualized Education Program.