

A dark silhouette of a child sitting and reading a book, set against a dark blue background. The child's head is bowed, and their hands are holding an open book.

MAINE DEPARTMENT
OF EDUCATION

Developmental Delay What is it?

**Presented by: The Office of Special Services
and Inclusive Education**



CDS to SAU Transition



Erin Frazier

State Director of Special Services

Office of Special Services &
Inclusive Education



Dr. Sandy Flacke

*Deputy State Director of Special
Services*

Office of Special Services &
Inclusive Education



Dr. Megan Welter

*Associate Commissioner of Public
Education*

Commissioner's Office

Presenter Information



Lew Collins

Distinguished Educator

Office of Special Services &
Inclusive Education



Dr. Sandy Flacke

*Deputy State Director of Special
Services*

Office of Special Services &
Inclusive Education



The Regulations Defined

A child with a disability aged 3-5, may, at the discretion of the local educational agency, include a child experiencing developmental delays, as defined below and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development; and who, by reason thereof, needs special education and related services.

MUSER VII.1.A(1)(2)



Communication



Cognitive



Adaptive



Physical/ Motor



Social/ Emotional



Looking at Eligibility Criteria for Developmental Delay



Using the BDI or the DAY-C

- 1.5 Standard deviations below the mean (77) in at least two areas.
- 2.0 Standard deviations below the mean (70) in one area.
- Scores used must be the composite score; do not use sub test scores.

Developmental Delay is not determined under the following conditions:

1. The child has a recognized disability such as autism, speech/language impairment, other health impairment, etc. based on results of evaluations.
2. Results of evaluations determine a disability exists in one of the 14 categories of special education.
3. There is no adverse effect on participating in general education programming.





The IEP Team will determine if the child's delay adversely affects the child's educational performance.

Adverse Effect MUSER

From MUSER:

The identification of a young child with a developmental delay will include consideration of an observation of the child in the learning environment or an environment appropriate for a child of that age, to document educational performance and behavior in the areas of difficulty. The observation will be done by a certified special education personnel, other than the child's current provider).

MUSER VII.3

Adverse Effect Documentation



Form for the Determination of Adverse Effect on Educational Performance

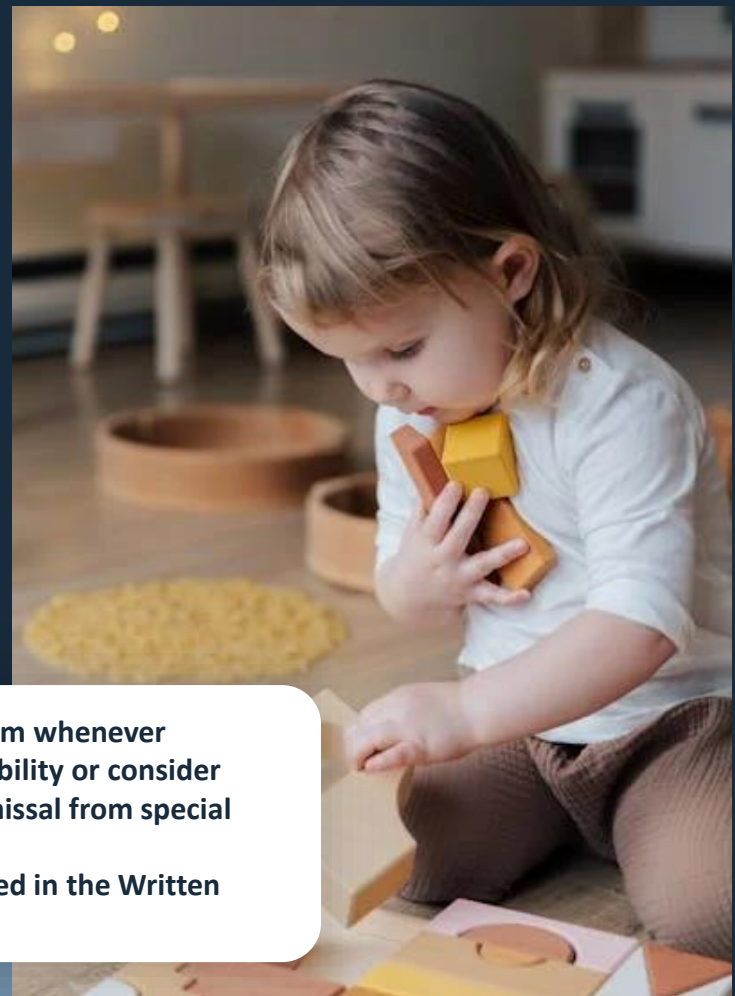
Maine Unified Special Education Regulations (MUSER VII.3)

Date of Meeting:			SAU:	
Child's Name:			School:	
Date of Birth:		Grade:	School Phone:	
Parent/Guardian Name:			School Address:	
Parent/Guardian Address:			City, State Zip:	
Parent/Guardian City, State Zip:			School Contact:	

Reason for use of form: ☐ Initial Eligibility ☐ Continuing Eligibility/Dismissal

Form 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).

Form to be attached to and referenced in the Written Notice.



Developmental Delay in Kindergarten

For a five-year-old who has transitioned from early childhood special education to a public school, and who has been determined eligible under developmental delay by CDS, *and* for whom the IEP Team cannot achieve consensus on Part B criteria for the kindergarten year, the SAU may continue the eligible child under the developmental delay criteria for that year.



During the kindergarten year, the IEP Team will determine by means of further evaluation, assessments and classroom observations., whether the child is eligible as a child with a disability under Part B criteria.



Keep in Mind.....

Every effort will be made to identify a child's primary disability under one of the other Part B eligibility criteria, reserving developmental delay for those situations in which a clear determination cannot be made under any other category.

Using the Developmental Section of the IEP

- Consider the broad functional areas.
- Where are the skill deficits or gaps?

Skill Deficits/Gaps –

Consider the following: Might Include (there are others)

<u>Broad Functional Areas</u>	<u>Specific Areas</u>
Physical	Walking, Running, Jumping, Balance, Climbing, or similar
Cognitive	Problem Solving, Self Awareness, Peer Interactions, Self Initiation or similar
Communicative	Articulation, Following Directions, Answering Wh-Questions, Turn-Taking, Grammar or similar
Adaptive	Toileting, Handwashing, Cooking, Eating, Dressing, Bathing or similar
Social/Emotional	Peer Interactions, Self Regulation, Communication, Pragmatic Skills or similar

Distinctly
Measurable and
Persistent Gaps
(Needs)



How
Statement

<u>Student Needs</u>	<u>How Statement</u>
(Physical) Jane's deficits in climbing	impact her ability to fully participate with same age peers on the playground.
(Cognitive) Mary's deficits in problem solving	impact her ability to safely engage with peers at grade level.
(Communicative) Sarah's articulation deficits	impact her ability to speak clearly with peers during play activities.
(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.



44

Putting together the Student Needs and the "How" Statement

Which is it?

Functional or Developmental?

- **Functional:** Lifelong skill deficit(s) that the IEP team feels the child will not "outgrow".
- **Developmental:** Lagging skill deficit(s) that the IEP team feels the child may "outgrow".

Functional and Developmental Goals

"Functional performance means how the child demonstrates his/her skills and behaviors in cognition, communication, motor, adaptive, social/emotional and sensory areas." (MUSER II.15)

Which is it?

Functional Goal(s)

Lifelong skills deficit(s) that the IEP team feels the child will not "outgrow".



This Photo by Unknown Author is licensed under CC BY

Developmental Goal(s)

Lagging skill deficit(s) that the IEP team feels the child may "outgrow".

Functional/ Developmental Goals

Compliance

- Must be measurable
- Must include measurable data
- Cannot be specific curriculum or standard scores

Best Practice

- Goal is focused on one skill deficit
- Measured using specific measurements/ assessments, data collected through teacher observations, checklists, work samples

Questions and Answers



Sandy Flacke

j.sandy.flacke@maine.gov

Lew Collins

Lewis.collins@maine.gov



Stay Connected!

Find Us Online!



www.maine.gov/doe



[@MaineDOEComm](https://www.youtube.com/@MaineDOEComm)



[@mainedepted](https://www.instagram.com/mainedepted)



[@mdoenews](https://twitter.com/mdoenews)



[@MaineDepartmentofEducation1](https://www.facebook.com/MaineDepartmentofEducation1)

