



MAINE DEPARTMENT
OF EDUCATION

Evaluation, Eligibility, and the IEP under Developmental Delay

Presented by: Laura Mellits and Jackie Hersom CDS



Presenter Information



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Presentation Objectives:

- What is Developmental Delay?
- What are the criteria, tools and methods used for determination?
- How is this applied when developing IEPs?
- What should be considered for programming?

A close-up photograph of a child's hands, wearing a pink and white patterned sweater, stacking colorful plastic blocks (yellow, blue, green, orange) on a carpeted floor. The child is focused on the task, with their hands positioned to place a yellow block on top of a blue one. The background is slightly blurred, showing more of the child and the floor.

MUSER Definition: Developmental Delay, ages 3-5

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. [20 USC 1401(a)(3)(B)(i-ii)]

Key Factors in Eligibility Determination:

- The measured delays must be so significant as to adversely effect the child's educational performance or achievement in age-relevant, developmentally, and individually appropriate activities such that the child does not achieve or perform at a level commensurate with that of typically developing children of the same age.
- Every effort will be made to identify a child's primary disability under one of the other Part B eligibility criteria, reserving DD for those situations in which a clear determination cannot be made under any other category

Tools to Consider for Developmental Disability Eligibility Determination



Covers Five Developmental Domains:



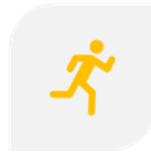
COMMUNICATION



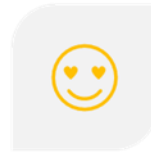
COGNITIVE



ADAPTIVE



PHYSICAL/MOTOR



SOCIAL/EMOTIONAL

Eligibility Criteria for Developmental Delay

- At least 1.5 Standard deviations below the mean (77) in two developmental domains

OR

- At least 2.0 Standard deviations below the mean (70) in one developmental domain

AND

- Observation in the learning environment (or other natural learning environment if not in a program), demonstrating adverse effect

AND

- The child requires special education rather than accommodations in order to progress in their development.



- Test scores **must be** full Standard or Composite scores. **No** subtest or scaled scores.
- All five domains must be covered.

When is the determination not DD?



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 or more of the other 13 categories of disability.
3. There is no adverse effect on participating in general education programming.
4. Accommodations would be enough to support the child's progress.

THE IEP:

- Adverse Effect Form
- Functional vs. Developmental
- Needs/ How Statements
- Developmental Goals
- Programming/ Least Restrictive Environment



Form for the Determination of Adverse Effect on Educational Performance, #1-4



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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A* <input type="checkbox"/>
Verification: Battelle Developmental Inventory-III (BDI-3) OR Developmental Assessment of Young Children-2 (DAYC-2)			

3. Do any reports prepared by the SAU or presented by the parent/guardian that reflect academic or functional performance document adverse effect?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A* <input type="checkbox"/>
Verification: Preschool Language Scale-5 (PLS-5)-TOTAL LANGUAGE SCORE Clinical Evaluation of Language Fundamentals-Preschool-3 (CELF-P3) Goldman-Fristoe Test of Articulation-3 (GFTA-3) Peabody Developmental Motor Scales-3 (PDSM-3)-NEED TOTAL MOTOR QUOTIENT Bruininks-Oseretsky Test of Motor Proficiency (BOT-3)- NEED TOTAL MOTOR SCORE—(age 4 and up only)			
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 <input type="checkbox"/>	No <input type="checkbox"/>	N/A* <input type="checkbox"/>
Verification: Observation Results			

Form for the Determination of Adverse Effect on Educational Performance, cont.



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?

Yes	No	N/A*
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Verification:

Devereux Early Childhood Assessment - Preschool, Second Edition (DECA-P2)

1.B. Was only one assessment/data source considered?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

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
<input type="checkbox"/>	<input type="checkbox"/>

+ IF "YES", continue to III., IF "NO", Stop. The child is not eligible.

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.

If First option, the child IS eligible. If the second option, the child IS NOT eligible. Then proceed to next section.

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 accommodations in the child's regular education program.

Explain why the child is eligible or not eligible.

Adverse Effect Form Reminders:

- 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.



Functional Vs. Developmental

Functional performance refers to a description of the child's ability to complete routine activities in relation to their functioning in the school environment.



Developmental performance refers to how the child is functioning in accessing a developmentally appropriate curriculum and activities in alignment with the State of Maine Early Childhood Learning and Development Standards.

Functional Vs. Developmental- Which is it?

Functional Goal(s)

Lifelong skills deficit(s) that the IEP Team feels the child will not “outgrow”.



Developmental Goal(s)

Lagging skill deficit(s) that the IEP Team feels the child may “outgrow”.

Section 4E: Developmental Needs/ How Statement



- Start with the **group of skills** that are delayed. (ex. Expressive language)
- Explain **how** that delay impacts the child in the classroom. (ex. Adversely affect ability to share their wants, needs, ideas, experience and knowledge).
- Bulleted list of the goals (**needs**) related to that skill area. (ex. *use words to express wants and needs. *expressively label a variety of pictured objects.)

Section 4E: Developmental Needs/ How Statement, cont.



- Jill's delay in expressive language skills adversely affects her ability to share her wants, needs, ideas, experiences and knowledge with her teachers and peers. She **needs** to work on:
 - *using words to express her wants and needs; and
 - *expressively labeling a variety of pictured objects.

Developmental Goals: Compliance and Best Practice

Compliance

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



Best Practice

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

Developmental Goals

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



Points to Ponder

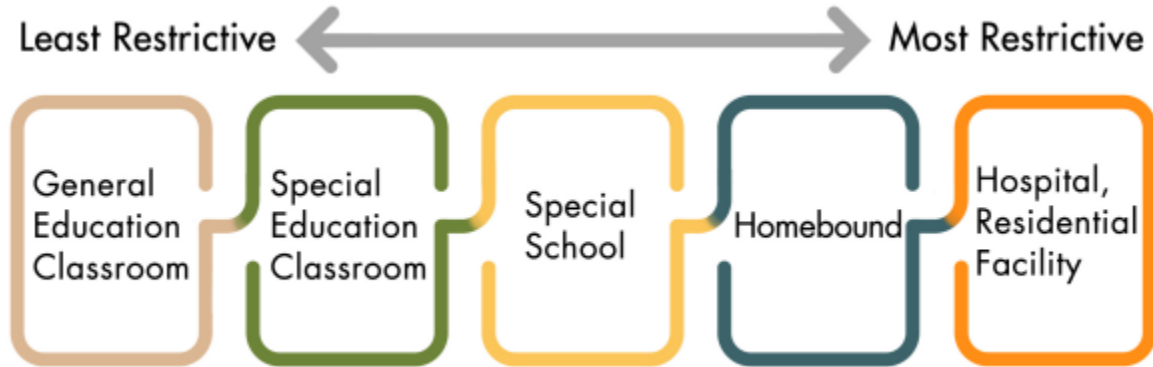
- Consider the broad developmental areas
- Where are the skill deficits or gaps?

Programming : What could it look like?

- Unique to each child
- Usually includes a combination of specialized services
- Uses a multidisciplinary team of professionals
- Aligns with goals that address specific identified skill gaps within the 5 domains



Least Restrictive Environment



QUESTIONS



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