



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

☐ **Best Practice: Document reason for use of form**

This form is to be used to consider eligibility for all disability categories except Specific Learning Disability, Speech or Language Impairment, and Deaf-Blindness.

Adverse effect/Adversely affects definition (MUSER II.3)

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. An adverse effect on educational performance does not include a developmentally appropriate characteristic of age/grade peers in the general population.

☐ **Best Practice: Document conversation/completion of the form in Written Notice**

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

Compliance: Entire Form

☐ **Decision is based on a variety of sources**

☐ **Information from sources is documented for Yes or No**

Best Practice: Entire Form

☐ **Check the correct box for each question**

☐ **Include summaries and explanations according to form directions**

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? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> <u>3-5 yo: WPPSI, ADOS</u> <u>K-12: WJ, WIAT, OWLS, GORT, Test of Word Reading Efficiency</u>	Yes ☐	No ☐	N/A* ☐
2. Do standard or percentile scores on nationally-normed, group-administered achievement test(s), including nationally-normed, curriculum- based measures, demonstrate adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources: NWEA, PSAT, SAT</u>	Yes ☐	No ☐	N/A* ☐
3. Do any reports prepared by the SAU or presented by the parent/guardian that reflect academic or functional performance document adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> <u>3-5 yo: ABAS, CDS Eligibility Observation Summary</u> <u>K-12: Vinland scores, ABAS scores, academic grades, reports by parents or outside providers, reports of whether the child meets standards in standards-based system</u>	Yes ☐	No ☐	N/A* ☐

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? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> 3-5 yo: AEPS, HighScope Child Observation Record K-12: Maine Through Year Assessment, NWEAs, writing prompts, curriculum-based measures (DRA, DIBELS, Everyday Math, AIMSweb, curriculum unit tests)	Yes ☐	No ☐	N/A* ☐
5. Do criterion-referenced assessments of academic or functional performance demonstrate adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> VB-MAPP, ABLIS, Brigance Inventory of Early Development, School Function Assessment, NWEAs, Maine Through Year Assessment, classroom test scores	Yes ☐	No ☐	N/A* ☐
6. Do child work products, language samples, or portfolios demonstrate adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> Writing prompts, handwriting samples, portfolios of work, classroom work samples	Yes ☐	No ☐	N/A* ☐

7. Does disciplinary evidence, or rating scales based on systemic observations in more than one setting (whenever possible) by professionals or parents/guardians, demonstrate adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> Disciplinary reports/office referrals, FBA, BASC Rating Scales, BRIEF, behavior data sheets/logs, classroom observation(s)	Yes ☐	No ☐	N/A* ☐
8. Do the child's attendance patterns demonstrate adverse effect? Verification: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> Attendance records (school, program and/or class)	Yes ☐	No ☐	N/A* ☐
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: ☐ Compliance: Information from sources is documented ☐ Best Practice: include data source (evaluation/assessment) and data (scores) <u>Examples of data sources:</u> BASC, BRIEF, Achenbach, Connors Rating Scales, Multidimensional Anxiety Scale for Children, Piers-Harris Self-Concept Scale, Autism Rating Scales, observation	Yes ☐	No ☐	N/A* ☐
10. Other (add any other data sources) Verification:	Yes ☐	No ☐	N/A* ☐

Child's Name: _____

Date: _____

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

Yes ☐	No ☐
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☐ **Best Practice: Check the correct box (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:

☐ **Best Practice: If "Yes", explain why that was adequate**

II. Has the IEP Team determined that there is an adverse effect on educational performance resulting from the child's disability?

Yes ☐	No ☐
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☐ **Best Practice: Check the correct box (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 (MUSER) 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.

☐ **Best Practice: Check the correct box**

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.

☐ **Compliance: Must include a summary**

If the first box was checked, the child qualifies as a child with a disability under the 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.