HEC & TRIPSCY TRAINING

• Comprehensive Evaluation Process - How to Ask the Right Questions and Get the Answers you Need.

– Jennifer Pattenaude, M.A.

ADVERSE EFFECT

GATHERING EVIDENCE

VERMONT SPECIAL EDUCATION RULE 2362

“To conclude that a disability has an adverse effect on the student’s educational performance, the Evaluation and Planning Team (EPT) shall determine and document that, as a result of his or her disability, the student is functioning significantly below age and grade norms for age and grade peers in one or more of the basic skills defined in Rule 2362(c)(2)(f)’”

Basic Skill Areas:
• Basic Reading Skills
• Reading Comprehension
• Written Expression
• Mathematics Calculation
• Mathematics Reasoning
• Oral Expression
• Listening Comprehension
• Motor skills (only for adverse effect, not SLD)

Vt. Rule 2362 continued

“Significantly below age or grade norms” means the 15th percentile or below, or a -1.0 standard deviation or more below the mean, or the equivalent, as reflected by performance on three or more of the following measures of school performance, generally over a six month period of time.”

Measures of School Performance:
1. Individually administered nationally normed achievement test
2. Grades
3. Curriculum Based Measures
4. Criterion Referenced tests
5. Group-administered norm referenced assessments
6. Student work, language samples, or portfolios

Vt. Rule 2362 continued

• Three different pieces of evidence need to be documented for at least one basic skill area of concern.
• Three pieces from three different types of measures - no exceptions.
• The three pieces of evidence need to be for the same basic skill area.
• This is true for all of the disabilities – there are no differences for adverse effect.

Measures of School Performance

<table>
<thead>
<tr>
<th>Formal Measures</th>
<th>Informal Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Individually Administered Standardized Tests</td>
<td>3.) Criterion Referenced Tests</td>
</tr>
<tr>
<td>2.) Group Administered Standardized Tests</td>
<td>4.) Grades</td>
</tr>
<tr>
<td>5.) Curriculum Based Measures</td>
<td>6.) Other</td>
</tr>
</tbody>
</table>
GRADES

- Grades indicate that the student is not meeting the standard or is showing little evidence of meeting the standard for that stage of development.
- Grades need to be a measure of ability versus effort/motivation. Teachers need to indicate in writing that the students grades are reflective of performance that is below grade level expectations.
- For emotional disturbance, no evidence is evidence. Document lack of work completion or refusal as being related to the student’s disability.

GRADES (continued)

- If the student’s grades are okay but the student is receiving considerable support to achieve these grades, document the student’s grades prior to this support and the direct correlation between the student’s success and the level of support needed to achieve this success – this includes placement in an alternative program which is evidence itself of adverse effect.
- Associations should be made between the student’s poor grades in a content area (such as Social Studies) and difficulty within a basic skill area. (Ex. Poor quiz grades result from difficulty comprehending the reading assignments)

Individually administered nationally normed achievement test

- Any standardized achievement test given only to that student that offers results in the form of standard scores or percentiles.
- Look for standard scores that are 85 or lower which represents 1.0 standard deviation below the mean of 100 (for tests with a standard deviation of 15)
- Look for percentile ranks that are at the 15th percentile or lower – consider the confidence band (Standard Error of Measurement)
- Standard scores of 85 are typically reported at the 16th percentile – report the standard score as 1.0 SD below the mean.
- Use cluster scores that align with basic skill areas – avoid using single subtests

Individually administered nationally normed achievement test (continued)

Examples:
- Woodcock Johnson Tests of Achievement-Third Edition
- Gray Oral Reading Tests – Fourth Edition
- Test of Written Language – Third Edition
- Test of Early Mathematics Ability – Third Edition
- Test of Word Reading Efficiency
- Test of Reading Comprehension

Group administered norm referenced assessments

- Group administered norm referenced assessments refer to standardized tests that are given to all students in a group format. Results provide national percentile ranking.

Examples:
- Stanford Achievement Test
- Terra Novas
- Otis Lennon School Ability Test

Curriculum based measures

- Data that reports the student’s performance over an extended period of time – data is reported in reference to a grade level expectation. Information is not quantified in a standard score format.
- Materials that demonstrate where the student is functioning as compared to grade level expectations/benchmarks or the performance of other students at that grade level
- Evidence exists when the student’s performance indicates that he/she is among the lowest 15% of grade level peers and displays basic skill deficits
Curriculum based measures (continued)

Examples:
- Charts, graphs compared to the Grade Level Expectations
- Classroom, teacher developed tests
- Running Records
- Fluency measures (Words Correct Per Minute)
- Math Mad Minutes

Criterion referenced tests

Examples:
- Tests that not standardized but are scored on a level of expected development.
- Test results indicate that the student is performing well below what is expected for a student at that age/grade level which helps to identify performance that is below a level that will allow the student to manage classroom expectations
- Sometimes the results of these tests are reported in a generalized fashion (ex. Reading) versus by basic skill area (Ex. Basic Reading Skills). Look at other pieces of evidence to support the likely cause for the score or look within the individual test profile to identify problem areas

Criterion referenced tests (continued)

Examples:
- Qualitative Reading Inventory-4
- Brigance Developmental Inventory of Basic Skills
- Developmental Reading Assessment (DRA)
- Danville Reading Assessment (DRA)
- Primary Observation Assessment (POA)
- New England Common Assessment Program (NECAP)

Other individualized measures of adverse effect

Classwork that demonstrates limited ability when compared to the performance of average grade level peers on the same measure

Examples:
- Math portfolio scoring
- Writing portfolio scoring
- Work samples compared to peers
- Language samples
- Portfolios
- Enrollment within an alternative program where the curriculum is presented at a lower level

With respect to each basic skill considered:

- Identify each type of measure considered by the Team
- Identify the finding of the Team, with respect to each measure considered, as to whether and why the measure met (or did not meet) the 15th percentile, -1.0 standard deviation, or equivalent standard, in order to support a finding of adverse effect
- Document the specific testing data/scores, student work, and/or education records relied upon by the Team to support its finding that a measure did or did not meet the standard – attach copies.
- Within the conclusion section, include a statement of each basic skill area in which the disability was determined to have an adverse effect.

With respect to each basic skill considered: (Continued)

Example of a statement:
- “John’s performance on the Written Expression cluster of the Woodcock Johnson (SS 80 – 9th percentile) indicates performance below the 15th percentile which provides evidence of adverse effect within the basic skill area of written expression”