

THE MAJORITY REPORT FOR LD 2136

Both aspects below are incorporated into the majority report as requirements.

Stakeholder Group Definition for Rule

The term “adverse effect on educational performance” is broad in scope. An adverse effect is defined as a negative impact on educational performance.

Educational Performance includes performance in academic areas (for example, written literacy skills, math, communication), functional areas of performance (how the child demonstrates his/her skills and behaviors in cognition, communication, motor, adaptive, social/emotional and sensory areas), and for a child age 3-5, age appropriate developmental activities across five domains of development (communication, physical, cognitive, selfhelp/adaptive, and social/emotional) in the educational setting/learning environment.

Consideration of all facets of the student’s condition that adversely affect educational performance involves determining negative influences that the disability has on the student’s academic, functional or developmental (for children ages 3-5) activities.

Additional Stakeholder Group Recommendation

We recommend that the Commissioner provide administrative guidance that explains the importance of using assessments that are appropriate to identify any area of educational performance that may be negatively influenced by the child’s disability.