

INFORMAL ASSESSMENT

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 Diagnostic Center, Northern California, CDE

Diagnostic Center, Northern California California Department of Education



3 Diagnostic Centers California Department of Education



- ❖ Diagnostic Center-Northern
- Diagnostic Center-Central
- Diagnostic Center-Southern

Diagnostic Center North Services

- Student Assessments
 - Special education students ages 3-22 *at no cost to the district/family*
- Professional Development Trainings
- Special Projects



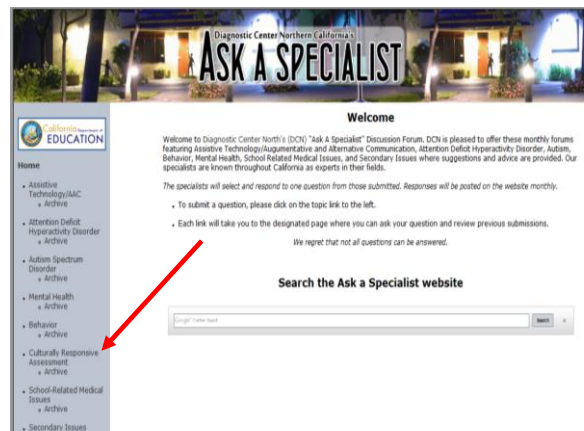
www.dcn-cde.ca.gov

DIAGNOSTIC CENTER RESOURCES

Have a Question?
Ask a Specialist
WWW.ASKASPECIALIST.CA.GOV

Questions Answered by Specialists in the Areas of:

- | | |
|----------------------------------|---------------|
| ASD | AAC/AT |
| AD/HD | MENTAL HEALTH |
| MEDICAL | BEHAVIOR |
| TRANSITION | |
| CULTURALLY RESPONSIVE ASSESSMENT | |



RESOURCES



www.pent.ca.gov

California Positive Behavior Initiative that provides information and resources for educators striving to achieve high educational outcomes through the use of proactive positive strategies.

North Forum: February 5-6, 2013-Stockton

South Forum: March 21-22, 2013-Rancho Cucamonga

**PENT Forums by invitation only*

- Graduate of California Public Education Elementary to Graduate School
- Approaching 20 years working in public education
- Substitute Teacher, School Psychologist, Assistant Professor, Director for Masters and Doctoral Programs, Twice Elected School Board Member
- Worked in large SF Bay Areas Districts (primarily Santa Clara Unified)
- Best Practice Guidelines for the Assessment of African American Students-Cognitive Ability & Projects



We want you leave this workshop with:

- Guidance on what districts need to consider when determining if a test is "OK" to use
- The knowledge that there is no definitive banned test list and most likely never will be
- Description of a Best Practice Guidelines Model (MATRIX) developed and used by the Diagnostic Center, Northern California
- In depth look at the MATRIX view of Information Assessment

CAPTAIN

California Autism Professional Training and Information Network



- In the works!
- Trainer of Trainers Model
 - Forums in Fall of 2013
 - SELPA ASD Specialists
 - Regional Ctr. ASD Reps
 - Family Empowerment Ctr. Reps
- Website
- Trainings
- Coaching/Technical Assistance



We want you leave this workshop with:

- Rules specific to the special education assessment of African American students for Special Education in California
- A clear understanding of the laws that govern the identification of a Specific Learning Disability (SLD)
- Some healthy skepticism of relying on standardized tests

We want you leave this workshop with:

- An opportunity to participate/observe in various activities to develop Informal Assessment skills
- Explanations of why a student may or may not be eligible for Special Education and next steps

Why is there concern about intelligence testing of African Americans for Special Education?

In 1927, Associate Justice of the U.S. Supreme Court, Oliver Wendell Holmes, Jr.

"We have seen more than once that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence.

Associate Justice of the U.S. Supreme Court, Oliver Wendell Holmes, Jr. (continued)

It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccinations is broad enough to cover cutting the fallopian tubes. Three generations of imbeciles are enough."

Associate Justice of the U.S. Supreme Court, Oliver Wendell Holmes, Jr. (continued)

Holmes wrote the 1927 majority opinion (8 to 1) upholding *Buck v. Bell* and the Virginia, Eugenic Sterilization Act of 1924. This case upheld the Superintendent of the Virginia State Colony for Epileptics and Feeble Minded decision to have Carrie Buck sterilized.

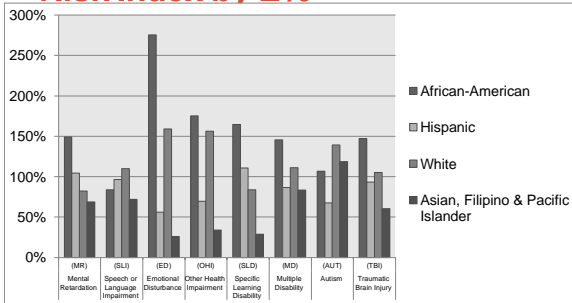
Disproportional Identification in California

Over 30 years after the original Larry P decision...How are doing?

For this we'll need data...

• Easily obtainable from...
<http://data1.cde.ca.gov/dataquest>

Disproportionality Chart Risk Index by E%



What does this chart really say?

African Americans are overrepresented by:

- 150% in Emotional Disturbance (ED).
- 75% in Other Health Impaired (OHI).
- 65% in Specific Learning Disability (SLD).
- 50% in Mental Retardation (MR now ID)
- 45% in Multiple Disability (MD)
- 45% Traumatic Brain Injury (TBI)

So IQ testing is vindicated because we are still disproportionate, right?

The answer is, “No!”

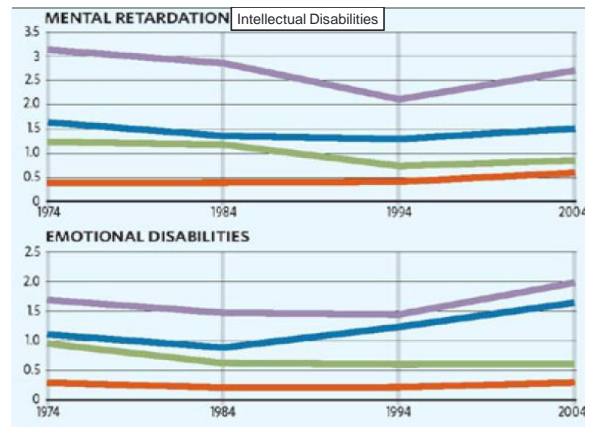
The National Association of School Psychologists
Communiqué, Vol. 38, #1
September 2009
Multicultural Affairs

“Disproportionality is an issue of equity and access in general and special education. It refers to “the extent to which membership in a given ... group affects the probability of being placed in a specific disability category” (Oswald, Coutinho, Best, & Singh, 1999, p. 198).”

Figure 1

Relative Risk of Identification by Category and Race Compared to White Students Nationally

Adapted from Donovan and Cross (2002) and USDOE (2009).



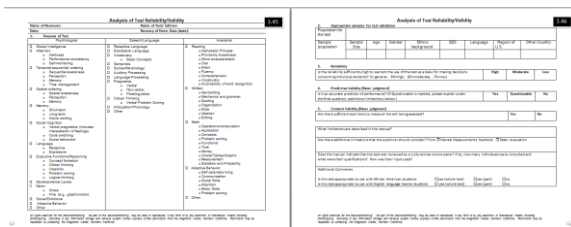
“As Figure 1 shows, nationally, Black students, particularly those identified as mentally retarded/intellectual disability or emotionally disabled, have been consistently overrepresented for more than 3 decades. “

Confronting Inequity in Special Education, Part I: Understanding the Problem of Disproportionality

By Amanda L. Sullivan, Elizabeth A'Vant, John Baker, Daphne Chandler, Scott Graves, Edward McKinney, & Tremaine Sayles *NASP Communiqué*, Vol. 38, #1 September 2009

A little bit on Reliability and Validity

Reliability and Validity



Taking A Look At The Norm Sampling Data Of Some Of Our Most Often Used Tests of Intelligence/Cognitive Ability/General Ability

Actual "N" (number of subjects) represented for the Development of Each Test's Normative Tables by Age

Age Group By Year	WISC-IV Integrated (US March 2000 Census by sex, parent education level and geographic region, in addition to ethnicity/race and age)	WJ-III NU (2005 US Census data weighted by region, community size, sex, Hispanic origin, and place of birth, over sampled American Indian to ensure more accurate contributions to the overall norms).	KABC-II (Current Population Survey 2001) parental education closely matches US population, education placement was a stratification variable based on National Center for Educational Statistics (2002)	DAS-II (stratified sample based on 2002 US Census Bureau data by sex, parent education level and geographic region, in addition to ethnicity/race and age)	CAS (stratified sample based on 1990 US Census Bureau data (sex, parent education level and geographic region, in addition to ethnicity/race and age)
10	200	579	200	200	200
11	200	428	200	200	200
12	200	352	200	200	200

Predictive Validity

- The APA's 1996 report stated that *g* correlated with school grades $r = .50$, which was about the same for social status (25% of variance) and with income ($r = .41$, 16.67% of variance).
- However when parental SES is controlled for it eliminates about a quarter of this predictive power. Therefore *g* in and of itself is at best only one of many factors that influence social outcomes.
- *g* is a very poor predictor of happiness and only slight better than chance at predicting law abidingness.

Ulrich Neisser, et al. "Intelligence: Known and Unknowns," *American Psychologist* 51(2) 1996:77-101.

Group differences have been shrinking.

Fact:

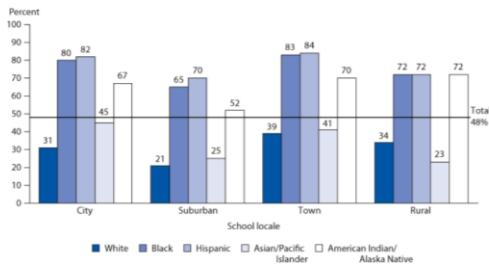
•The “racial” IQ gap has been shrinking. “Over the last 30 years, the measured I.Q. difference between black and white 12-year-olds has dropped from 15 points to 9.5 points.”

Nisbett, R. E. (2009) *Intelligence and how to get it*. W.W. Norton & Company

Wait a minute...

If the difference is shrinking, shouldn't disproportionality be decreasing?

Figure 7.5a. Percentage of public school 4th-graders eligible for free or reduced-price lunch, by school locale and race/ethnicity: 2009

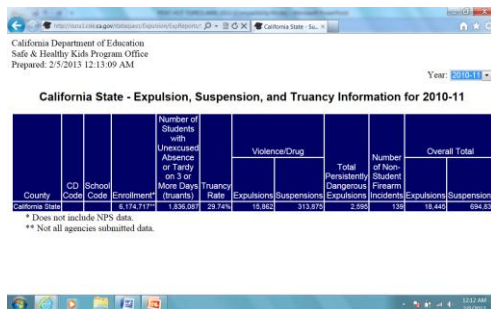


NOTE: To be eligible for the National School Lunch Program, a student must be from a household with an income at or below 185 percent of the poverty level for reduced-price lunch or at or below 130 percent of the poverty level for free lunch. Race categories exclude persons of Hispanic ethnicity. For definitions of locales, see Appendix 4: Guide to Sources.
SOURCE: U.S. Department of Education, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2009 Mathematics Assessment, NAEP Data Explorer.

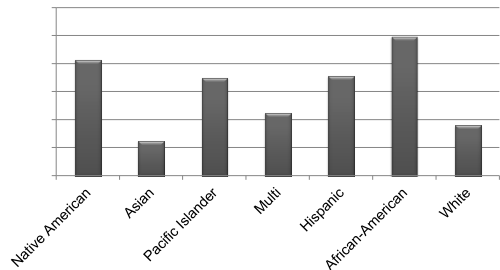
As all of us in this room know, disproportionality is not just a Special Education Issue

Most Recent Data

<http://data1.cde.ca.gov/dataquest/>



Dropout Rate in California 2010



Want more data?
<http://ocrdata.ed.gov/>



What Does the Law Say?

Given all of this information, what is expected of us when we conduct an assessment on an African American student for special education?

Specific Learning Disability (SLD) California Ed. Code 30 EC 56337

“(a) A specific learning disability, as defined in Section 1401(30) of Title 20 of the United States Code, means a disorder in one or more of the basic psychological processes involved in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or perform mathematical calculations, **and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas...**”

Specific Learning Disability (SLD) California Ed. Code 30 EC 56337

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Specific Learning Disability (SLD) Cont.

“The term "specific learning disability" includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. That term does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disabilities, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

Specific Learning Disability (SLD) Cont.

(b) Notwithstanding any other law and pursuant to Section 1414(b) (6) of Title 20 of the United States Code, in determining whether a pupil has a specific learning disability as defined in subdivision (a), a local educational agency is not required to take into consideration whether a pupil has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning.

Specific Learning Disability (SLD) Cont.

(c) In determining whether a pupil has a specific learning disability, a local educational agency may use a process that determines if the pupil responds to scientific, research-based intervention as a part of the assessment procedures described in Section 1414(b)(2) and (3) of Title 20 of the United States Code and covered in Sections 300.307 to 300.311, inclusive, of Title 34 of the Code of Federal Regulations.

So if the discrepancy model isn't in Ed Code where did it go?

It is part of the California Code of Regulations Title 5 Sec 3030j

- j) A pupil has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an impaired ability to listen, think, speak, read, write, spell, or do mathematical calculations, **and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas specified in Section 56337(a) of the Education Code.** For the purpose of Section 3030(j):

(1) Basic psychological processes include attention, visual processing, auditory processing, sensory-motor skills, cognitive abilities including association, conceptualization and expression.

(2) Intellectual ability includes both acquired learning and learning potential and shall be determined by a systematic assessment of intellectual functioning.

(3) The level of achievement includes the pupil's level of competence in materials and subject matter explicitly taught in school and shall be measured by standardized achievement tests.

(4) The decision as to whether or not a severe discrepancy exists shall be made by the individualized education program team, including assessment personnel in accordance with Section 56341(d), which takes into account all relevant material which is available on the pupil. No single score or product of scores, test or procedure shall be used as the sole criterion for the decisions of the individualized education program team as to the pupil's eligibility for special education. In determining the existence of a severe discrepancy, the individualized education program team shall use the following procedures:

(A) When standardized tests are considered to be valid for a specific pupil, a severe discrepancy is demonstrated by: first, converting into common standard scores, using a mean of 100 and standard deviation of 15, the achievement test score and the ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the standard criterion which is the product of 1.5 multiplied by the standard deviation of the distribution of computed differences of students taking these achievement and ability tests. A computed difference which equals or exceeds this standard criterion, **adjusted by one standard error of measurement, the adjustment not to exceed 4 common standard score points**, indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations and work samples, as appropriate.

(B) When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the assessment plan.

(C) If the standardized tests do not reveal a severe discrepancy as defined in subparagraphs (A) or (B) above, the individualized education program team may find that a severe discrepancy does exist, provided that the team documents in a written report that the severe discrepancy between ability and achievement exists as a result of a disorder in one or more of the basic psychological processes. The report shall include a statement of the area, the degree, and the basis and method used in determining the discrepancy. The report shall contain information considered by the team which shall include, but not be limited to:

1. Data obtained from standardized assessment instruments;
2. Information provided by the parent;
3. Information provided by the pupil's present teacher;
4. Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores;
5. Consideration of the pupil's age, particularly for young children; and
6. Any additional relevant information.

(5) The discrepancy shall not be primarily the result of limited school experience or poor school attendance.

When was the last time CCR Title 5 Sec 3030 updated?

HISTORY

1. New Article 3.1 (Sections 3030 and 3031) filed 1-31-83; effective thirtieth day thereafter (Register 83, No. 6).
2. Amendment filed 2-11-86; effective thirtieth day thereafter (Register 86, No. 7).
3. Amendment filed 3-21-88; operative 4-20-88 (Register 88, No. 15).

5 CCR § 3030, 5 CA ADC § 3030

This database is current through 3/8/13 Register 2013, No. 10

The Discrepancy Model AKA "Wait to Fail" Cannot be Forced on LEA's to Determine Eligibility for a Specific Learning Disability by the State

§ 300.309 Determining the existence of a specific learning disability

(a) The group described in § 300.306 may determine that a child has a specific learning disability, as defined in § 300.8(c) (10), if

(1) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards:

- (i) Oral expression. (ii) Listening comprehension. (iii) Written expression. (iv) Basic reading skill. (v) Reading fluency skills. (vi) Reading comprehension. (vii) Mathematics calculation. (viii) Mathematics problem solving.

meet age or State-approved grade-level standards in one or more of the areas identified in paragraph (a)(1) of this section when using a process based on the child's response to scientific, research-based intervention; or

(ii) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments, consistent with Sec. Sec. 300.304 and 300.305; and

(3) The group determines that its findings under paragraphs (a)(1) and (2) of this section are not primarily the result of—

- (i) A visual, hearing, or motor disability;
- (ii) Mental retardation;
- (iii) Emotional disturbance;
- (iv) **Cultural factors;**
- (v) **Environmental or economic disadvantage; or**
- (vi) **Limited English proficiency.**

(b) To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in § § 300.304 through 300.306

- (1) Data that demonstrate that prior to, or as a part of, the referral process, **the child was provided appropriate instruction in regular education settings, delivered by qualified personnel;** and
- (2) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

(c) The public agency must promptly request parental consent to evaluate the child to determine if the child needs special education and related services, and must adhere to the time frames described in § § 300.301 and 300.303, unless extended by mutual written agreement of the child's parents and a group of qualified professionals, as described in § 300.306(a)(1)

- (1) If, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described in paragraphs (b)(1) and (b)(2) of this section; and
- (2) Whenever a child is referred for an evaluation.
(Authority: 20 U.S.C. 1221e-3; 1401(30); 1414(b)(6))

Courts and the CDE

- Larry P.
- 1979 Court ruled ban on IQ tests to place students in EMR classes or “substantial” equivalent
- 1986 Decision modified to expand previous ruling to ban use of IQ testing for all African American students for special education
- Crawford v. Honig (1992)
- District court summary vacated the ‘86 modification to the Larry P. injunction

CDE in 1994 Issued a Legal Advisory

Stated that regardless of the **Crawford v Honig** decision, districts should use in lieu of IQ tests, alternative means of assessment to determine identification and placement. “Such techniques should include, and would not be limited to:

- Assessments of the pupil's personal history and development
- Adaptive behavior
- Classroom performance
- Academic achievement
- Evaluative instruments designed to point out specific information relative to a pupil's abilities and inabilities in specific skill areas”

There is No Banned Test List

Contrary to popular belief, since the 1994 Memorandum, there has not been an updated list.

1997 CDE Legal Memorandum

- "No other list of tests has been recognized by the Department of Education for the purpose of finding school districts out of compliance in testing African-American students for special education...**the original Larry P. decision was not limited to a specific set or sets of standardized intelligences tests,**

1997 CDE Legal Memorandum

- school districts should be advised that any standardized measure of intelligence should not be used with African-American students until such time as they are validated as unbiased by the State Board of Education and approved by the court. There should be no "on-the-spot" judgments that result in finding districts out of compliance for using tests that are not listed."

Why No Updated List?

Isn't there a difference between measures of general ability, tests of intelligence and IQ?

- No, they are synonymous. In the literature they are used interchangeably.
- Test makers want us to think there is...!

Differential Ability Scales (DAS)

- "The DAS estimates the **g** factor only by those subtests that are the best estimators of **g**, in contrast to virtually all other cognitive batteries. **The DAS does not refer to g by the terms intelligence and IQ, but by the descriptive term General Conceptual Ability (GCA).**" Elliott (2005)

Cognitive Assessment System (CAS)

- “The Planning, Attention, Simultaneous, and Successive (PASS; Naglieri & Das, 1997) theory is rooted in the work of A. R. Luria (1966, 1973a, 1973b, 1980) on the functional aspects of brain structures. We used Luria’s work as a **blueprint for defining the important components of human intelligence** (Das, Naglieri, & Kirby, 1994).

- As most recently as Dec. 13, 2011 a school district argued in front of an administrative law judge that the Naglieri Nonverbal Ability Test (NNAT) isn’t a test of intelligence and won.

How can you say it is wrong when the Administrative Law Judge says it’s ok?

On Page 2 of the NNAT Manual (2000):

“The NNAT-I is a nonverbal measure of general ability that is predictive of academic success. Like traditional tests of general ability (e.g., *Wechsler Intelligence Scales for Children-Third Edition*, Wechsler, 1991) the NNAT-I is designed to measure general ability.”

Clarification By the Test Maker Himself:

- “The concept of *general ability*, as measured by a traditional IQ test such as the Wechsler Scales, has had a long and successful history in psychology and education - so much so that the tests have been used to define intelligence...
- The greatest advantage of a nonverbal test of general ability is that it measures intelligence without using test questions that are unduly reliant on verbal skills...”

But if the Judge says it’s okay, then it’s okay, right?

No!

When case law does not follow the CDE Legal Memorandum, it does not give license to break the rules.

Remember the 1997 Memorandum states, “until such time as they are validated as unbiased by the State Board of Education and approved by the court.”

That has not happened!

But we’ve been through a Verification Review (VR) by the state and they didn’t say anything about the DAS II, etc....so we’re OK right?

“There should be no “on-the-spot” judgments that result in finding districts out of compliance for using tests that are not listed.” 1997 CDE Memorandum.

In this area we are to police ourselves, until such a time as the courts and the state department of education agree that a specific test can be used.

So what do we do in the meanwhile?

How are we to know what we can and can't use?

We think Riverside County SELPA has a very good way to make this determination.

Riverside County SELPA Guidelines for Assessing African-American Students

In making a determination of whether a test falls under the IQ test ban for African-American student one should consider:

- (a) Is the test standardized and does it purport to measure intelligence (cognition, mental ability or aptitude)?
- (b) Are the test results reported in the form of IQ or mental age?

Riverside County SELPA Guidelines for Assessing African-American Students (continued)

(c) Does evidence of the (construct) validity of the test rely on correlations with IQ tests?

An affirmative answer **to any** of these questions indicates that use of the test may fall within the ban (A Report of the Larry P. Task Force, 1989).

What if we just do not report the standard score?

- No measures of intelligence, means no measures, period.
- Nothing from these tests:
 - No age equivalents,
 - No grade equivalents,
 - No percentile ranks.

What if we just don't report the standard score?

- If a competent school psychologist can figure out the standard scores from that information don't use it.
- And yes, the subtests of an intelligence test represent measures of intelligence.

What about children of mixed ethnicity?

Can you use IQ tests with them?

But, to answer the question ... the answer is a definite “maybe”...

- Parents can identify the racial identification of their children.
- If they designate their child as other than African American, you may be able to conduct the assessment, and may be required (depending upon parent request) to do so, as the child is not by parent report African American.
- If the box is left blank by the parent, according to federal regulations the school clerk is authorized to fill it in.

What do you do if an African American student comes to your district with an IQ score in their file?

The CDE issued a directive (Campbell, 1987):

“...a qualified professional should identify appropriate data to be copied and purged of all IQ scores or references to information from IQ tests.”

The term purged has been interpreted as redacted (eliminating the reference by black pen making what is underneath unreadable).

See also, Student v. New Haven Unified Sch. Dist. (OAH 2007)

Now to the assessments themselves. What are we at the DCN using?

- It is not just one thing, a new test, a new protocol, or survey.
- It is a process.
- A process that is as conscientiously, comprehensive as possible, culminating in the IEP team mapping out significant processing areas to determine if eligibility has been met or not.
- We call it the MATRIX.

MATRIX					
Domains	Identify Strengths/Weaknesses under each domain:		note emerging skill/important information in Comments		
	Reasoning	Language/Communication	Social Cognition	Executive Function	Visual-Spatial
Description	<ul style="list-style-type: none"> • Problem Solving • Abstract Thought • Deductive Thinking • Inductive Thinking • Inferential Thinking 	<ul style="list-style-type: none"> • AAC • Abstract Language/Reasoning • Articulation/Phonological/Oral Motor • Fluency/Prosody/Voice • Language Literacy • Language Processing • Semantic Abilities • Social Communication/Pragmatics • Syntax & Morphology • Verbal Formulation 	<ul style="list-style-type: none"> • Knowledge acquired, directly attributed to observations of others in context of social interaction/experience • Cultural Competency • Learns Social Rules 	<ul style="list-style-type: none"> • Selective Attention • Sustained Attention • Organization • Strategizing • Flexibility/Shifting • Cognitive Sets • Multiple Perspectives • Self-Monitoring • Working Memory 	<ul style="list-style-type: none"> • Pattern Completion • Spatial Analysis • Part-to-Whole Reasoning • Visual Memory • Visual Motor Integration
Strengths					
Weaknesses					
Comments					

Using the Matrix to Determine Specific Learning Disability (SLD) Eligibility

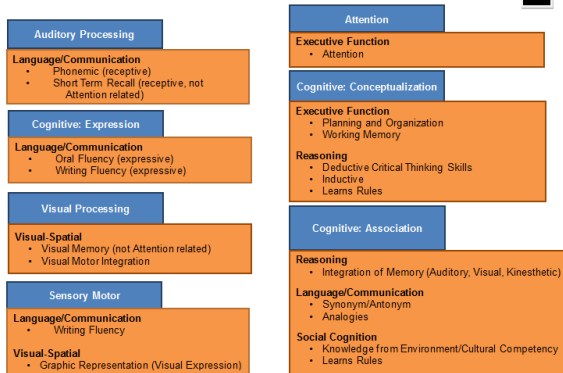
- Per the Larry P Mandate, we can't use standardized tests of intelligence, so we can't use the discrepancy model
- The MATRIX provides another method to determine SLD much like the strengths and weakness model
- The MATRIX complements RTI

National Association of School Psychologists Position Statement on Specific Learning Disability (2007)

- “Relying primarily upon an ability-achievement discrepancy as the means of identifying children with specific learning disabilities is at odds with scientific research and with best practices.”
- “(a) use a variety of assessment tools and strategies to gather functional, developmental, academic information, (b) use of technically sound instruments, (c) nondiscriminatory assessment, (d) use of educationally relevant assessment tools and strategies”

Linking Basic Psychological Processes to MATRIX Domains

4.4



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Reviewing School Records

- **Goal:**
 - to obtain a global picture of the student's educational history.
 - Find more "pieces of the puzzle"



Interviews

- Collect background history impacting student's learning and cognitive skills
- Identify and/or clarify areas of concern and strengths
- Develop and verify hypotheses of student's cognitive profile
- Identify interventions to assist student

Tips for Culturally Competent Interviewing

- If unfamiliar with the culture, seek help from the "cultural broker"
- Be flexible and responsive to the family's interaction and interview style
- Speak naturally; do not attempt to conform to student's or family's speech style
- Remember that each individual and family is unique

Observations Purpose

- Application of skills in everyday life
- How a student integrates skills
- Find cognitive strengths, weaknesses, and styles
- Identify environmental contributions to skills
- Behavioral needs and supports

Observations

Where to look:

• **Community** – Field trips, vocational courses, supported work environments

• **School** – Break time, cafeteria, group work, sports fields, independent work

§ 300.310 Observation.

- (a) The public agency must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.
- (b) The group described in § 300.306(a)(1), in determining whether a child has a specific learning disability, must decide to
- (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or
 - (2) Have at least one member of the group described in § 300.306(a)(1) conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with § 300.300(a), is obtained.

§ 300.310 Observation (continued)

- (c) In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age. Authority: 20 U.S.C. 1221e-3; 1401(30); 1414(b)(6))

Is formal testing ever used as part of a MATRIX assessment?

Yes, but unlike the other procedural categories, formal testing is optional.

Strategically selected tasks taken from formal tests that are not prohibited may yield data that can be used to help:

- Extend or clarify our understanding of a student.
- Confirm or reject hypotheses based on results of other procedures.



Informal Assessment

- In the context of the MATRIX, informal assessment includes a wide range of non-statistically normed, non-standardized activities which provide opportunities for a student to demonstrate various strengths and challenges
- The information derived from these activities complements data gathered through observations, interviews, work samples, and record reviews.

Informal Assessment

- Informal assessment may be used to gather general information about a student's functioning or to try out hypotheses and clarify specific abilities.
- Informal assessment data often replace some data previously gathered through formal testing

Informal Assessment

- Can include elements from observations and interviews of the student as they include a wide variety of conversations and activities
- Activities may:
 - Be unstructured or highly structured
 - Occur indoors or outside
 - Include 2 or more people

Not being statistically normed or standardized does not mean it doesn't have norms!

- Local norms:
 - Classroom
 - Grade Level
 - Group Level

We incorporate familiar and preferred games as part of our assessment:

- What age range/development level is the game designed for?
- How long did it take them to learn the rules?
- Can they explain the rules to me to a peer?
- Do they just know the basics or are they able to employ strategy?
- Compared to local norms how does s/he do in with respect to the domains?

We incorporate unfamiliar, but high interest games as part of our assessment:

- What age range/development level is the game designed for?
- How long does it take them to learn the rules?
- Can they learn in it?
- Can they explain the rules to a peer?
- Do they just know the basics or are they able to employ strategy?
- Compared to local norms how does s/he do in with respect to the domains?

Our informal assessment process is highly influenced by:

- Dynamic Assessment
- Authentic Assessment
- The professional expertise of practitioners who are already being asked to interpret performance on standardized test and how it applies to the real world

Time for a break...

Magic anyone?

Adults

- 10% can figure out how the trick is done without showing them
- 70% can learn this task after one demonstration
- and 95% of can master it after two

High Schoolers

- 5% can figure out how the trick is done without showing them.
- 50% can learn this task after one demonstration
- and 75% of can master it after two.

Middle Schoolers

- 1% can figure out how the trick is done without showing them.
- 25% can learn this task after one demonstration
- 50% of can master it after two
- and 75% of can master it after three

Grades 3-5

- 0% can figure out how the trick is done without showing them.
- 1% can learn this task after one demonstration
- 25% of can master it after two
- and 50% of can master it after three

• Grades 2

- 75% understand that what they have seen shouldn't have happened and are curious about why
- 75% of those who understand, are willing to attempt to learn how to do it
- and 25-50% of those can master it after four attempts

• Grades 1

- 50% understand that what they have seen shouldn't have happened and are curious about why
- 50% of those who understand, are willing to attempt to learn how to do it
- and 10% of those can master it after four attempts

Kindergarteners

- 25% understand that what they have seen shouldn't have happened and are curious about why
- 50% of those who understand, are willing to attempt to learn how to do it
- 1% of those are able to learn it after four attempts

What domains can you look for while doing and learning this magic trick?



Time To Have Some Fun

Come On Down:

- Select a game
- Break up into groups of 4-6
- Start playing

Informal Assessment - Games

Keep in mind ...

1. What domain(s) does your game require?
 - Reasoning
 - Language
 - Executive Functioning
 - Visual-Spatial
 - Social Cognition
2. Be prepared to share out 1-2 examples of how those domains apply to your game.

How the MATRIX can be used to identify Specific Learning Disability (SLD)?

§ 300.311 Specific documentation for the eligibility determination

(a) For a child suspected of having a specific learning disability, the documentation of the determination of eligibility, as required in § 300.306(a) (2), must contain a statement of—

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination, including an assurance that the determination has been made in accordance with § 300.306(c)(1);
- (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
- (4) The educationally relevant medical findings, if any;

(5) Whether

- (i) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards consistent with § 300.309(a) (1); and
- (ii)
 - (A) The child does not make sufficient progress to meet age or State approved grade-level standards consistent with § 300.309(a)(2)(i); or
 - (B) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards or intellectual development consistent with § 300.309(a) (2)(ii);

(6) The determination of the group concerning the effects of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and

(7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention—

- (i) The instructional strategies used and the student-centered data collected; and
- (ii) The documentation that the child's parents were notified about
 - (A) **The State's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;**
 - (B) **Strategies for increasing the child's rate of learning**
 - (C) **The parents' right to request an evaluation.**

(b) Each group member must certify in writing whether the report reflects the member's conclusion. If it does not reflect the member's conclusion, the group member must submit a separate statement presenting the member's conclusions. (Authority: 20 U.S.C. 1221e-3; 1401(30); 1414(b)(6))

Using the MATRIX

- Putting the pieces together
- Meeting with the following specialists:
 - School Psychologists
 - Speech and Language Pathologist
 - Education Specialists
- Discussion of each assessor's findings

First steps in using the MATRIX to determine eligibility

- Plot data across each domain
- Strengths = average or above average skills for the student's peer group
- Weakness = skills are noticeably below those of the student's peer group
- Comments = additional background information, low average skills, emerging skills, conflicting information

MATRIX					
Identify Strengths/Weaknesses under each domain; note emerging skills/important information in Comments					
Domains	Reasoning	Language/Communication	Social Cognition	Executive Function	Visual-Spatial
Description	<ul style="list-style-type: none"> • Problem Solving • Abstract Thought • Deductive Thinking • Inductive Thinking • Inferential Thinking 	<ul style="list-style-type: none"> • AAC • Abstract Language/Reasoning • Articulation/Phonological/Oral Motor • Fluency/Prosody/Voice • Language Literacy • Language Processing • Semantic Abilities • Social Communication/Pragmatics • Syntax & Morphology • Verbal Formulation 	<ul style="list-style-type: none"> • Knowledge acquired, directly attributed to observations of others in context of social interaction/experience • Cultural Competency • Learns Social Rules 	<ul style="list-style-type: none"> • Selective Attention • Sustained Attention • Organization • Strategic Planning • Flexibility/Shifting • Cognitive Sets • Multiple Perspectives • Self Monitoring • Working Memory 	<ul style="list-style-type: none"> • Pattern Completion • Spatial Analysis • Part to Whole Reasoning • Visual Memory • Visual Motor Integration
Strengths	<ul style="list-style-type: none"> • use of nonverbal problem solving skills (use of manipulatives to solve math problems) • average performance on NEPSY Animal Sorting 		<ul style="list-style-type: none"> • references peers to determine what to do • works collaboratively with peers • encourages and compliments others • demonstrates cultural competency across different environments 	<ul style="list-style-type: none"> • work is accurate, self monitors • materials well organized • plans before reproducing design responses • attentive/focused on nonverbal tasks • transitions well between activities and to changes in routines 	<ul style="list-style-type: none"> • penmanship • drawing with details and 3-D perspective • accurately copying into visual memory • accurately reproduced ~80% of details of Rey Complex Figure • accurately reproduction after time delay • Lego construction assembles IKEA furniture at home
Weaknesses	<ul style="list-style-type: none"> • generalizing/applying skills 	<ul style="list-style-type: none"> • decoding, blending sounds, struggling much more so than classroom peers • following verbal directions • word finding • verbal formulation 		<ul style="list-style-type: none"> • performance on working memory subtests • difficulty remembering more than 2 step directions 	
Comments		<ul style="list-style-type: none"> • identified with language impairment at age 5 • history of difficulty learning letter sounds • slow progress in reading 			

Specific Learning Disability (SLD)

MATRIX will show us:

- Strengths (average or above average abilities) in at least two or more domain areas
- How processing strengths and weaknesses relate to academic achievement
- If there is/are significant weakness(es) that warrant(s) an SLD

How about the games you just played?

Let's fill in a MATRIX...

INTELLECTUAL DISABILITY (ID)

Intellectual Disability (ID)

- Education Code 3030, section (h) definition: **significantly below average general intellectual functioning** existing concurrently with **deficits in adaptive behavior** and manifested during the developmental period, which adversely affect a pupil's educational performance.

How the Matrix can be used to identify Intellectual Disability

- Plot functioning across each domain
- Domains = we would expect weaknesses across all or most domains
- May find relative strengths in imitation, rote memory

MATRIX

Identify Strengths/Weaknesses under each domain; note emerging skill/important information in Comments

Domains	Reasoning	Language/Communication	Social Cognition	Executive Function	Visual-Spatial
Description	<ul style="list-style-type: none"> Problem Solving Abstract Thought Deductive Thinking Inductive Thinking Inferential Thinking 	<ul style="list-style-type: none"> AAC Abstract Language/Reasoning Articulation/Phonological/Oral Motor Fluency/Prosody/Voice Language Literacy Language Processing Semantic Abilities Social Communication/Pragmatics Syntax & Morphology Verbal Formulation 	<ul style="list-style-type: none"> Knowledge acquired, directly attributed to observations of others in context of social interaction/experience Cultural Competency Learns Social Rules 	<ul style="list-style-type: none"> Selective Attention Sustained Attention Organization Strategizing Flexibility/Shifting Cognitive Sets Multiple Perspectives Self-Monitoring Working Memory 	<ul style="list-style-type: none"> Pattern Completion Spatial Analysis Parts to Whole Reasoning Visual Memory Visual Motor Integration
Strengths			<ul style="list-style-type: none"> Eye contact, gesturing smiles at others recognizes others' emotions 		
Weaknesses	<ul style="list-style-type: none"> applying learned skills limited problem solving difficulty following new routines requires assistance and practice to complete ABAB patterns 	<ul style="list-style-type: none"> following simple directions; 1 step only unintelligible speech receptive & expressive language around 2-3 year old level uses 1-2 word phrases 	<ul style="list-style-type: none"> Relies on scaffolding for simple pretend play simple turn taking with prompts 	<ul style="list-style-type: none"> relies on individual adult support to stay on task answers; did not look at all choices short attention span relies on scaffolding to complete most tasks 	<ul style="list-style-type: none"> Slow learning of letters delayed fine motor difficulty forming letters copies simple lines and circle approximations not yet drawing simple people/stock figures completes inset puzzles
Comments	<ul style="list-style-type: none"> Slow academic progress Follows simple routines 	<ul style="list-style-type: none"> All milestones delayed has learned basic concepts with repetition and intense interventions 	<ul style="list-style-type: none"> mostly approaches adults and not peers beginning to socialize with peers that take a motherly role 		

Again, this was just a brief overview of the what we are doing at the DCN

Once MATRIX is complete, the team can compare Adaptive Behavior measures.

If Adaptive Behavior measures are also impacted then Intellectual Disability is the appropriate special education disability category.

Our hope is that you are doing something similar.

Or maybe you are using elements of it like:

- Dynamic Assessment
- Authentic Assessment
- Neuropsychological Testing
- Specific Process Area Testing

Diagnostic Center, Northern CA Special Projects

Best Practices Guidelines for the Assessment of African American Students

- Twin Rivers USD
- Mt. Diablo USD
- San Leandro USD
- Santa Cruz County SELPA

State of CA Superintendent of Public Instruction Tom Torlakson

"In California, there currently exists an "achievement gap" among student subgroups that threatens their future and the future of California.

Access to high-quality educational experiences should be the right of every student in California and it is the responsibility of the schools, districts, county offices of education, and CDE to work together toward that end.

CDE has made closing the achievement gap a top priority and strongly believes that making schools work for all students, regardless of their background, condition, or circumstances, is an imperative for a strong education system and a strong California."

We hope you are leaving this workshop with a greater understanding of the:

- Rules specific to the special education assessment of African American Students for Special Education
- Laws that govern the identification of a Specific Learning Disability (SLD)
- Need to be skeptical of relying on standardized tests

We hope you are leaving this workshop with a greater understanding of the:

- Need for districts to carefully consider test selection for Special Education purposes
- Knowledge that there is no definitive banned test list and most likely never will be
- Best Practice Guidelines Model (MATRIX) developed and used by the DCN
- Have a more practical understanding of Informal Assessment and how powerful and informative it can be

Q & A



- Further questions:

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- www.askspecialist.ca.gov



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