

THE DEVELOPMENT OF A COMPREHENSIBLE  
SPECIAL EDUCATION PRIOR NOTICE/DUE PROCESS FORM  
IN COMPLIANCE WITH PUBLIC LAW 94-142

by

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Dissertation submitted to the Faculty  
at the Virginia Polytechnic Institute and State University  
in partial fulfillment of the requirements for the degree of  
DOCTOR OF EDUCATION  
in  
Administration and Supervision of Special Education

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May, 1983

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## ACKNOWLEDGEMENTS

Many people have contributed to this study. Their contributions have been varied, but all have played some role in the project. My thanks are extended to all of these very special friends:

My committee members, Dr. McLaughlin, Dr. Jones, Dr. Salmon, Dr. Niles, and Dr. Taylor. Their comments and support have been invaluable. Special thanks to John McLaughlin for being the kind of advisor everyone should have; his caring, and his sharing of insight and time, were selfless.

The Southwest Virginia Special Education Supervisors (SWVSES) group. Their thoughts led to the idea for this study, and they implemented the operational field test. I am particularly indebted to a member of the original SWVSES executive committee for always understanding Lucy and me.

Several members of the Shut-up Club. It is rare to find people who are unconditionally accepting. These friends are, and I cherish them for it.

Several folks who offered assistance and advice. Jim Impara spent many hours offering suggestions for implementation of interpretation of the study; he was extremely generous with his time and knowledge. Mike Taylor taped the test and proofed several chapters of the final draft. Mike Wright also assisted in proofing the draft.

The Radford Schools central office administrators and personnel were continually supportive of my work. This support was greatly appreciated.

Finally, Ed loved me. It mattered.

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## CHAPTER I

### INTRODUCTION

Interaction between parents and schools is a major factor in education in the United States. Parents are traditionally asked to sign report cards, to attend parent-teacher conferences, and to participate in parent visitation days. Parent-teacher associations are widespread, and have a goal of fostering positive home-school relationships (Virginia Conference of Parents and Teachers, 1962).

On a more formal level, rules regarding parent-school communication may be found in school board policies. Schools frequently have regulations for notifying of parents whose children have discipline or behavioral problems. Parent and family rights concerning release of confidential information are part of the Family Educational Rights and Privacy Act (1974), a major piece of legislation adhered to by local school systems. Schools usually require parental permission for field trips and extracurricular activities.

These traditional types of home-school interaction are closely related to the emerging trend of "parent partnership." The parent partnership trend is tied to recent historic events, including raised consumer consciousness and the activist movements of the 1960's. It represents an increase in parent-school interaction in numerous areas, including school site advisory councils and public access to collective bargaining (Granat, 1979). Gordon (1979) believes that increased parent participation will help children's achievement. Hobson suggested that it enables parents to help make policies and to better understand

educators' views. Increased involvement of parents is generally recognized as a positive aim of schools (Filipzak, 1977).

Schools often strive to promote interaction between themselves and parents because such interaction tends to achieve positive outcomes. Written materials serve as a major vehicle for home-school communication. Newsletters (Seibert et al., 1979), notes to parents (Croft, 1979), brochures and school handbooks are all examples of written communication which increase parent knowledge of their child and of school programs. Seibert et al., (1979) found that report cards and teacher notes to parents are primary written sources of information for parents.

While parent-school interaction is an accepted part of regular school programs, it is a major issue with parents of handicapped children. These parents have had to struggle to gain access for their children to attend school (Turnbull and Turnbull, 1979). Until recent legislation mandated education for their handicapped children, many parents have had little, if any, interaction and communication with schools.

Parents of the handicapped child continue to have problems regarding communication of their rights. According to the U.S. Office of Education (1979), typical problems exist nationally in the due process areas of (1) parents not being fully informed of their rights, and (2) parents and local education agencies being confused over procedural requirements. This study will focus on a formal level of communication with these parents. Specifically, the study explores the

effectiveness with which information is conveyed to parents regarding their rights and the rights of their child.

School communication with parents of handicapped children.

Communication between schools and parents of handicapped children is important for a number of reasons. This importance relates to the rationale for encouraging communication, and to the legal issues regarding communication.

Parents of handicapped children have the right to participate in various stages of their child's program. Schools are legally responsible for giving parents information about their rights to participate. Through this information sharing parents can learn of their role and responsibility in their child's program.

Parents with whom information is shared can become more involved in their child's program. They are able to look after their child's interests, and can better act as their child's advocate. Parents have different perspectives and experiences with their child than school personnel. They may be able to contribute to the school's understanding of the child's strengths and weaknesses. They may facilitate appropriate long-range planning for their child (Hoff, Fenton, Yoshida and Kaufman, 1978). Further, parent participation may help to prevent "arbitrary and inappropriate placements" (Chiba and Semmel, 1977).

Parents who understand school programs can better offer support for these programs (Hoff et al., 1978). With an understanding of the goals and objectives of their child's program, parents may become active in working with the program, may offer support for the program in the

community, and may be better able to bring school concepts into the home environment.

In discussing the importance of proceduralization (e.g., notice), Kirp (1974) asserts that the existence of a set procedure makes the school's decisions seem to be fair. Parents who understand their rights will more likely to trust the educational system than will uninformed parents. In relation to written notice, parents who understand a form may be more likely to view the school's opinion as fair. Public confidence in the schools increases when information regarding due process rights is shared (Chiba and Semmel, 1977).

Legal issues in parent-school communication. Communication between the school and parents of handicapped learners is not only desirable, but is required by law. Chiba and Semmel (1977) state that "the most outstanding feature of the due process provisions of P.L. 94-142 is the theme of parental involvement" (p. 22). This theme had its roots in the earliest court cases regarding the right-to-education for handicapped children. Advocates claimed that handicapped children and their parents would be able to challenge discriminatory and exclusionary practices of schools through the establishment of procedural due process (Turnbull and Turnbull, 1978). Early litigation supported this belief, and affirmed the right of handicapped children to due process safeguards when such children are identified, classified, or placed in special settings (Bersoff and Veltman, 1979).

The early handicapped rights cases prescribed individual procedural safeguards. A notice to parents of their child's rights was part of

these designated safeguards. Based on the due process clause of the Fourteenth Amendment, PARC (1972), and later cases (see LeBanks v. Spears, 1973), all agreed to this right of notice. Further, the notice was to be in written form. This stipulation acted as verification of the information that had, in fact, been presented to parents. Decisions in these cases support Turnbull and Turnbull's (1979) contention that "a person who is adversely affected by the action or inaction of an SEA (state education agency) or LEA (local education agency) is helpless to protect himself from the agency or to protest the decision unless he has adequate prior notice of what the agency proposes to do and for what reasons" (p. 172).

Early cases also suggested that forms be written in understandable terms. The finding in the PARC masters hearing (1972), for example, stated that the written notice should be clear and "sensitive and understanding." The Mills (1972) case required prior notice be given to parents in terms that "clearly state the specific and complete reasons for the proposed action" (348 F. Supp. 880).

The requirement to inform parents of their rights was affirmed in federal legislation with the passage of Public Law 93-380 (Amendments to Education of Handicapped Act) in 1974. Building on P.L. 93-380, and on the earlier court ruling, Public Law 94-142 (The Education for All Handicapped Children Act of 1975) regulations (Federal Register, 1977) require that parents be given a notice of their rights containing:

- (1) A full explanation of all procedural safeguards available to the parents...;

- (2) A description of the action proposed or refused by the agency, an explanation of why the agency proposes or refuses to take action, and a description of any options the agency considered and the reasons why these options were rejected;
- (3) A description of each evaluation procedure, test, record, or report the agency uses as a basis for the proposal or refusal; and,
- (4) A description of any other factors which are relevant to the agency's proposal or refusal. (Sec. 121a. 505).

The notice is required to be:

- (1) Written in language understandable to the general public, and
- (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. (Sec. 121a. 505).

These legal requirements are designed to assure that when parents agree to actions taken by the school, they give "informed consent." Informed consent means that parents agree to school action, and that they understand their rights regarding the action. This concept of informed consent underlies the idea that language on forms must be understandable.

States receiving funds from Public Law 94-142 are obligated, by acceptance of these funds, to comply with the due process regulations of the law. These states are bound to present rights to parents in clear, understandable ways. The presentation of rights should give parents the opportunity to give informed consent. Notices that parents do not

understand are in violation of federal regulations, and could jeopardize the receipt of P.L. 94-142 funds by a state or local education agency.

The major vehicle for communication of rights to parents is a written document. Often called a "prior notice form," this document involves parents "in the sense that the parent is provided with some awareness of the nature of the process" (Kotin, 1976, p. 3).

The regulations for P.L. 94-142 require that parents be given notice at least six times during the referral/placement process. Types of notice include: notice that the school proposes to identify the child; notice that the school has decided to move into the evaluation process; notice that there will be an individualized educational plan (IEP) meeting to consider placement in special education; notice of the placement decision; notice of any periodic review that considers a change in placement; and notice of an annual IEP meeting.

Many school systems use a standard rights form which is given to parents at the designated times in the special education evaluation process. Each Virginia school division, for example, has a form which is given to parents when permission for evaluation is requested (Leshock & McLaughlin, 1982). These forms may be the initial school contact with the parent regarding the special education evaluation. They are given to the parent as a reference and explanation of rights. Used in this manner, prior notice forms may establish the way the parent comprehends the special education process. The written form serves a dual process. By telling parents their rights, it establishes a base of information

from which the parent can participate in their child's program. The notice permits parent involvement.

The written form also fulfills the legal requirement that parents receive written prior notice. If the requirements for the notice are met, the "informed consent" concept also is met.

The prior notice form is therefore important in establishing parent-school communication. This study will explore the degree to which the document does, in fact, communicate to parents their rights and their child's rights. Focus is on the form given before evaluation, as this is usually the first time a parent receives prior notice information about special education procedures.

Document design issues. People have long recognized the problem of understanding public documents such as insurance policies, income tax forms and labels on prescription drugs. These forms often are difficult to understand because of the use of "legalese," "bureaucratese," and "gobbledy-gook," which are couched in complex syntactic structure (Felker, 1980).

Recent legislation and administrative actions indicate that state and federal officials are acting to solve the problem of incomprehensible documents. In Executive Order 12044 (March, 1978), President Carter required that each federal regulation be "written in plain English," and be "understandable to those who must comply with it." The states of Delaware, Pennsylvania, New York, and Minnesota have passed "plain English" laws which mandate clear, understandable language for

such forms as automobile insurance policies and written contractual transactions.

Further interest in document clarification was developed in 1978 by the funding of the Document Design Project, a three-year project of the American Institute of Research. The project's goal was "to foster clear and simple writing and design of public documents" (Felker, 1980). Staff worked with federal agencies and private organizations in the area of "document design," the overall movement aimed at producing "effective public documents" (Felker, 1980, p. 1).

A major concern of the Document Design Project and other involved groups was that forms be written in "plain English." They believed that form users should understand the form, and that forms should be comprehensible to the audiences for whom they are intended (Charrow, 1979a).

The aim of document designers, therefore, is to write or revise forms to meet the needs of the intended audience. To assure that forms are understandable, a method to measure comprehensibility must be employed. Several methods are currently being used.

To date, perhaps the most widely used tool for "measuring" reading comprehensibility is the readability formula. Readability formulas are mathematical formulas which predict the reading level of difficulty of a given passage (Felker, 1980).

State laws and military regulations have relied heavily upon requiring certain readability scores to assure that documents are understandable. The 1976 amendment to the Delaware Code relating to automobile insurance policy forms specifies that the forms have a Flesch

Reading Ease Formula (a specific readability formula) score of no less than 40. The Flesch formula is scaled from zero to one hundred. Zero is extremely difficult, and one hundred is very easy. A score of 40 is considered difficult. Flesch recommends 60 as the minimum score for "plain English." Specifications for military technical manuals require that a Flesch score be calculated for each manual (Kincaid, Fishburne, Rogers and Chissom, 1975).

The usefulness of readability formulas in estimating the comprehensibility of a form has been questioned in recent years. Research has suggested that "the results of readability formulas are not reliable measures of the comprehensibility of written discourse" (Charrow, 1979b). Readability formulas do not measure the complexity of ideas, whether content makes sense, or whether ideas are put together in a logical sequence. Further, they do not measure grammatical correctness (Redish, 1979).

In discussing "how to write plain English," Flesch (1979) defends his own readability formula, but also gives other suggestions for clear writing. He indicates that there may be more to writing understandable documents than obtaining an appropriate score on a readability formula.

Finally, there is little research to show how well readability formulas predict the difficulty that adult audiences will have in understanding legal and bureaucratic documents (Felker, 1980). It is suggested that "readability formulas are an overly simple answer to a very complex problem," and that "if a passage scores very poorly on a readability test, it probably does need revision. But a passage that scores

well after being revised to get a better readability score may not, in fact, be understandable" (Redish, 1979).

It appears that readability formulas are, at best, only gross indicators of the comprehensibility of written passages, and in some cases, may not indicate comprehensibility at all. Other methods need to be employed which more accurately determine comprehensibility.

An alternative method is to test a document on the audience for which it is intended. Redish (1979) suggests that one alternative method is to test rewritten documents on "real people in real situations" (p. 11). This method enables the writer to find out if audiences can understand and use a document. Redish concedes that while this method may be more costly and time-consuming than readability formulas, more information is gleaned from its use.

Results of comprehension testing can be used to develop a set of guidelines which will lead to a more understandable, rewritten document. This checklist development approach has been used with Navy and Army publications (Post and Price, 1974, and Kern, Sticht, Welty and Hauke, 1976). The Document Design Project also has developed guidelines that can be used instead of a readability formula (Felker, 1980).

Special education document design issues. Chiba and Semmel (1977) have observed that legal mandates cannot implement themselves. "Educators must establish the measures necessary to ensure that the spirit as well as the letter of the law is translated into practice" (p. 22). In order to meet the spirit and letter of P.L. 94-142, it is necessary

to know if prior notice forms contain accurate information, and if they are comprehensible to parents.

While research has pointed to the lack of comprehensibility of many government forms, no research has been published on the comprehensibility of due process/prior notice forms. Several studies of readability levels of special education printed materials suggest that these materials may not be comprehensible. Edge and McLoughlin (1981) found that state special education department materials provided to parents had readability scores with a median grade level of 14.83. An unpublished study of the readability of prior notice/due process forms used in Virginia school divisions concluded that the mean grade level of readability of these forms was 10.83 (Leshock and McLaughlin, 1982).

A parallel can be hypothesized between characteristics of prior notice forms and characteristics which were found to make other forms difficult to comprehend. Bendick and Cantu (1978) found that, while most welfare clients read on a level lower than eighth grade, most welfare documents have a readability score well above eighth grade level. Afflerbach, Allington and Walmsley (1980), compared "common" and "uncommon" words on forms for the elderly and found that there are a large number of difficult words common to federal social program application forms. Abbass (1979), in a study of 50 commonly used application forms, found that there were 2923 different words on the forms, with about half of these words appearing only once.

Kincaid and Gamble (1977) compared the comprehensibility of original, easy-to-read, and further simplified policies of two insurance

companies. They found that college level readers (mostly from a college introductory psychology class) could comprehend any version, and average readers (a mixture of college students and high school students) could understand the easy-to-read and simplified versions. Junior high level readers could not comprehend any of the passages. This study, coupled with an earlier study by Kincaid and Gamble (1976), indicates that reading levels and educational levels influence the degree of comprehension of forms. Simplified forms, then, may be more beneficial for those readers with a lower educational or reading level.

More difficulties in comprehending forms may arise from disorganization on the form. While not dealing directly with forms, research by Frase (1969; 1973) indicated that knowledge acquisition is slower for disorganized passages than for organized ones. This research also supports the idea that integrated reading recall is better for organized passages.

The characteristics that theoretically make other forms difficult to understand appear to be present on prior notice forms. Review of several of the forms used in Virginia reveal such undefined terms as "psychological tests," "evaluation of perception," and "determination of eligibility." Sentences are generally lengthy, and the formats generally do not seem to lend themselves to careful reading. There appear to be a number of complex terms which are used only once on the form. Many of the forms present facts in a disorganized way, with interrelated sections at different parts of the form.

### Problem Statement

In sum, schools are legally and ethically bound to communicate with parents of handicapped children in a clear and understandable manner. As indicated in the literature, this is no easy task. There is indication that the special education prior notice/due process forms used in Virginia may be difficult for parents to understand. This information, however, is inconclusive because it is based on "readability" data, and not on tests of comprehension. Therefore, the problem to be addressed in this study is the absence of a form with documented comprehensibility.

### Purpose of the Study

The purpose of the study is to develop a field-tested prior notice form that has maximum comprehensibility for the majority of parents. This field-tested prototype may be used by schools in meeting the requirements for prior notice forms as specified in state and federal regulations.

### Hypotheses

The major hypothesis is based on research indicating the difficulty of comprehending many legal forms, and on the apparent parallel of these forms to prior notice forms. The hypothesis is that the field-tested form will be more comprehensible to parents than a currently-used, Virginia State Department approved form.

From the major hypothesis, the following specific hypotheses are made:

1. On a test of application, the mean scores of parents reading the rewritten form will be significantly different from the mean scores of parents reading the currently-used, state-approved forms.

2. For parents with educational level below grade nine, there will be a significant mean score difference between those reading the rewritten form and those reading the currently-used form.

3. On the standard form, there will be a significant difference between the mean test scores of parents with educational level of grade nine and above, and those with educational level below grade nine.

4. On the rewritten form, there will be no significant difference between the mean test scores of parents with educational level of grade nine and above, and those with educational level below grade nine.

#### Limitation

This project employed a research and development (R and D) design to develop the field-tested prior notice form. The R and D process used successive field tests to arrive at a final, usable product. However, the applicability of the product is generalizable only to those persons and conditions addressed in the R and D process. Potential users are required to assess the degree to which the sample and procedures used in this study match those with which they would use the product. At the minimum, the R and D process outlined in this study will provide a model through which local school systems and state education agencies may establish the usability of their prior notice forms. The model also will suggest a way to assess other written material used with parents.

The results of the present study will guide agencies in identifying potential weaknesses in existing forms.

Finally, the revised form was referenced to state and federal requirements. These requirements set the minimum standard for localities. However, local school divisions can, and often do, go beyond these minimum standards to include locally devised regulations and procedures. Because these additions may change the parent response to the form, the author recommends further field testing at the local level to ensure parent understanding.

## CHAPTER II

### REVIEW OF THE LITERATURE

This chapter presents (1) a discussion of the issues of parent-school interaction and written parent school communication for regular education, (2) a tracing of historical and legal background of parent-school interaction relative to special education, (3) a summary of the history of the document design movement, including research relevant to measuring the comprehensibility of documents, and (4) a discussion of document design issues in relation to special education.

Parent-school interaction in regular class settings. Parent involvement with schools has roots in colonial times. Early legislation in Massachusetts, Connecticut, and New Hampshire charged parents with the responsibility of seeing that their children learned to read (Butts, 1978). In many rural settings, the school was the center of community life (Tyack, 1979).

With the advent of the twentieth century, school-parent involvement diminished. Professionals were placed in charge of schools, and parent involvement was minimized. Professional control of the schools continued through the first half of this century (Butts, 1978).

By the 1950s and 1960s, many resources were being expended on education. Despite this there was great dissatisfaction with the performance and effectiveness of schools. In the mid-1960s, school critics contended that the failures of education were not due to lack of resources, but were the result of excessive professional control. This

belief led to the suggestion that communities and families should again become involved in the schools (Cohen, 1978).

The current trend of parent involvement is generally seen as beginning with a raised "consumer consciousness" (Featherstone, 1979), and the realization that total professional control might not be the optimal method for managing schools. While some argue that demand for involvement did not come from a popular groundswell (Cohen, 1978; Tyack, 1979), the literature universally supports the fact that parent involvement is a crucial part of public schools in the United States.

Reasons for parental involvement. Whatever the origin, parent involvement with schools has continued to the present. Parent participation now covers a wide spectrum of activities. Parents become involved in varying degrees, and with varying purposes. Involvement spans such activities as running a bake sale to serving on advisory councils and with advocacy groups (Granat, 1979).

Most parent participation is viewed as a potentially beneficial interaction (Filipzak, 1977). Generally, three major reasons are given for encouraging parent involvement. First, parents have a democratic right to participate in schools. Second, children derive benefits from parental involvement. Finally, schools also may benefit from parent participation.

One of the basic human rights enjoyed by parents in this country is the right to participate in schools (Tyack, 1979; Rowell, 1981; Herman and Leh, 1980). Rowell delineates basic parent rights into five broad areas: the right to be informed about teachers and principals, the

right to be informed about curriculum, the right to be informed about policies, the right to influence administrative decisions, and the right to influence school policy.

While these basic parent rights are not stated in law, it is the belief in these rights that underlies most parental involvement. This belief recognizes the fact that parents have the right to know about the institution where their children spend a great deal of time. Further, parents have a right to exert influence upon the framework within which their children learn.

Besides basic participatory rights, parents have certain legal rights to involvement with schools. These have been established through court decisions and legislation. Supreme Court decisions, as in the Tinker (1969) and Goss (1975) cases, delineated student rights and gave parents a basis for acting as child advocates. The Family Rights and Privacy Act (1974) further defined parent and student rights regarding school records (Fernandez, 1980).

These court decisions and legislation support the notion of basic parent rights. Schools and parents were given clear indication that parents must be permitted access to schools.

A considerable amount of literature suggests that parental involvement in schools positively influences student success (Gordon, 1979). Proponents argue that interaction with school programs enables families to carry on these school programs in the home (Hobson, 1979), and that parent involvement also helps schools to formulate programs suited to needs of children (Herman and Leh, 1980).

Through a path analysis of data from 256 schools participating in California's early childhood education project, Herman and Leh (1980) concluded that parent interest and participation in school activities is related to student achievement. Henderson (1981) annotated 37 research reports on parent involvement and concluded that parent participation has a relationship to student achievement. Clearly, these researchers agree that parent participation has benefits for students.

Schools also may benefit from parent involvement. Involved parents increase support for schools. Parents also act as free resources to schools (Herman and Leh, 1980). This activity is evident in projects of advisory committees and parent teacher associations. Volunteer aides are another example of the use of free resources.

On a different level, parents can help shape school policy (Granat, 1979; Hobson, 1979). Recommendations of advisory committees and advocacy groups are often presented to school superintendents or school boards. Parents can help with faculty selection. Fischer (1981) described a successful process in a Florida school where parents were involved in screening and interviewing teacher candidates. While Fischer's example is anecdotal, and limited to experience in one school, it illustrates the recent inroads made in parent participation.

Much existing literature, therefore, supports to the idea that parent involvement in schools has positive outcomes for both students and schools. While reasons given are grounded in theory, the data base for supporting the idea of the positive influence of parent involvement must be extended. Filipzak et al., (1977) pointed out that, except for

studies in the field of parent training, there is a "noticeable lack of data on the effects of increased parental involvement in the schools." Their contention was that more data which measure a variety of outcomes of parental involvement should be gathered. Herman and Leh (1980) also cite the need for more research and evaluation into the effects of parental involvement.

Some interesting conclusions, therefore, may be drawn about the current status of parent-school interaction. First, for whatever reason, it is acknowledged that parents are participating in school activities (Greenwood, Breivogel and Bessent, 1972). Further, the interaction taking place is viewed by many (Gordon, 1979; Hobson, 1979; Herman and Leh, 1980; Fischer, 1981) as a positive development.

A second conclusion is that more attention should be paid to the nature and outcomes of school-parent interaction. While Henderson (1981) and others (Herman and Leh, 1980) have documented the relationship of parent involvement and student achievement, there is little evidence to support the importance of other aspects of parent involvement. One area in which data are lacking is that of the effect of written communication between schools and parents. The present study is, in part, an attempt to narrow this gap. A form which will lead to a better understanding of parent rights will be developed.

Parent-school communication. Communication with parents is one facet of parent-school interaction. Throughout United States educational history, schools have routinely communicated with parents through

report cards, notes sent home, newsletters (Eells, 1974), telephone calls, conferences and open houses (Seibert and others, 1979).

The major purpose of communicating with parents is to share information that will help them take an effective role in their child's education (James, 1978). Sharing information allows teachers and parents to exchange views of their expectations for children. Additionally, home-school communication enables parents to learn of their child's progress, and allows children to see the shared interest of their parents and teachers (Lordeman et al., 1977).

As with most areas of parent involvement, there is a lack of data measuring the effect of home-school communication. Studies which have been done in this area gauged the effect of home-school communication by the percentage of parents attending school events. Anchor and Anchor (1974) studied the relationship of parents' attendance at school conferences and the achievement of their children. An "actual behavioral indicator of parent involvement with school" was attendance at conferences. Of the 227 parent conferences studied, a significant relationship was found between parent attendance and the academic success of the child. Parents of students with low grades attended less than those of students with higher grades. Parents of low-achieving Mexican American students were least likely to attend conferences. The implication is that communication between parents and schools may be impeded by assigning grades to individual students, and that home-school communication is an important factor influencing parent involvement.

Evans (1973) reported on a parent orientation project at a junior

high school in Minnesota. Fifty-five of one-hundred thirty-one families responded to a form letter inviting them to participate in group meetings. The rate of response to the form letter demonstrates that school-parent communication can encourage parent participation and interest in school programs.

In a study of metropolitan area schools, Zimmer (1968) used several measures of attendance to define participation. While this study included all area residents, its conclusions merit attention in regard to home-school involvement. The participation score for this study reflected combined responses to questions about attendance at PTA meetings, school board meetings, participation in elections, and discussions with the school superintendent and school board members. Zimmer studied 1480 residents, and found that citizen participation was higher in suburban areas than in cities. He found that participation in school activities was related to income and occupation.

In addition to studies of participation in school events, the study of California's Early Childhood Education (ECE) program (Herman and Leh, 1980) also reached conclusions concerning the effect of home-school communication. This study included principals, teachers and parents of two second, and two third grades in each of 256 schools. Home-school communication was measured by a composite indicator of number of parent-teacher conferences, number of written reports, number of principal conferences and number of principal reports.

The ECE report concluded that an indirect relationship exists between the amount of home-school communication and student achievement.

Parents of underachievers had a higher composite index than parents of achieving students. This relationship is negative, perhaps indicating that parents of lower achievers are contacted more often.

An additional ECE conclusion is that, as with other studies discussed above, there is a positive relationship between socio-economic status and parent awareness of school activities. Parents of students of a higher socio-economic status had more awareness of events at their children's schools.

The ECE report concluded that home-school communication and parent participation ("the extent to which parents were interested and involved in school functions") are positively related. Parents who had more communication from schools were more involved in all phases of school activities. These results suggest that schools which want to encourage involvement of all parents need to assure that communication reaches parents of all socio-economic levels.

Several conclusions can be drawn from research on home-school communication. First, schools may not be doing an adequate job of communicating with parents of lower socio-economic status. Data suggest that school communication with parents of lower socio-economic groups does not result in high levels of parent participation (Anchor and Anchor, 1974; Herman and Leh, 1980; Zimmer, 1968). Schools that want to encourage parent participation may need to examine their total communication network.

Research also suggests that negative communication may discourage parents from participating in school activities (Anchor and Anchor,

1974; Herman and Leh, 1980). The implication is that schools should consider the quality and tone of information sent to parents. Particular attention should be paid to messages sent to parents of low achievers.

Filipzak (1977) suggested that more data-based information is needed about parent-school interaction. The sparseness of data-based research about parent-school communication supports this conclusion.

Role of written communication in parent-school interaction. One way schools and parents communicate is through written and printed materials. Printed materials serve as part of the school's public relations, and are often the only contact that the school has with much of the community. Because these materials are a primary source for disseminating information, Eells (1974) suggested that schools should develop a sophisticated presentation of printed public relations material. The Davidson County Metropolitan Public Schools in Tennessee also stressed the importance of well-planned written contacts (Davidson County Metropolitan Public Schools, 1979).

In addition, written communication affects individual students and their families. James (1978) lists written communication as one of the major ways in which schools communicate with parents. This written communication may take the form of report cards (Leary, 1975) or written notes (Croft, 1979; James, 1978).

As with school-parent communication in general, little research has been done to measure the effect of written communication between home and school. Studies support the importance of written communication.

Seibert and others (1979) conducted a survey of ways in which parents of students in grades one through nine got information from the school. The 197 parents responding to the survey ranked written communications (report cards and teacher notes) first and third as the major means of acquiring information. The same parents ranked report cards and teacher notes third and fourth as effective means of communication with schools, with teacher conferences and open houses as the first and second means. Written communication, while not the parents' preferred way to receive communication, was still an important way to gain information.

In a study aimed at determining if two-way home-school communication could be established on a regular basis, Lordeman and others (1977) investigated the effect of three feedback procedures on parents of 68 students who were part of a specialized middle school program. These parents generally participated minimally in school events. There was a 61% rate of response from the 68 parents when they were given forms on which to respond to teacher reports. The parents involved were from lower socio-economic levels. The program conducted during the study apparently succeeded in communicating with parents at these socio-economic levels.

The area of written communication appears to be central in sharing information between schools and parents. Existing research documents the role of written material as important in promoting the exchange of ideas and opinions between schools and parents.

#### Communication between schools and parents of handicapped children.

In considering communication between schools and parents of handicapped

learners, the literature addresses two areas. The first area is a discussion of basic reasons why communication should take place. The other area concerns the legal mandate for affording parents the opportunity to give "informed consent."

Much has been written about the need for clear communication between schools and parents of handicapped children. The reasons given for the need basically parallel those given for the need to communicate with all parents. Communication helps parents to become involved in planning their child's program (Chiba and Semmel, 1977). Informed parents may give support for school programs (Beseler, 1978). Parents who understand school programs may be more receptive to the programs and may carry over school activities into the home (Yoshida and Gottlieb, 1977). Further, parents who communicate with schools may be able to help the schools make a proper placement for their child (Abeson, 1978).

The above reasons for working toward good communication between schools and parents of handicapped children are postulates. As with other types of parent-school communication, the ideas appear sound, but are not supported by empirical research.

Legality and the issue of informed consent. While general reasons for encouraging parent-school communication are not supported by data, the legal issues involved with handicapped individuals mandate school-parent interaction. Court rulings in cases involving handicapped learners have been specific in mandating rights of handicapped students

and of their parents. Specifically, litigation affirmed the due process rights of handicapped children.

Many of the early court cases concerning handicapped children centered on claims that these children had been excluded from school without a hearing. Subsequently, a number of these cases were based on the doctrine of due process (Chiba and Semmel, 1977). Through this litigation, parents of handicapped children gradually acquired rights protecting their children from arbitrary school placements.

Yoshida and Gottlieb (1977) described the acquisition of due process rights as having occurred in three "distinct stages." They view each of these stages as an extension of the due process rights defined by the Brown v. Board of Education (1954) decision. The first extension came when courts recognized that special classes could stigmatize children with mild handicaps. A second extension occurred when courts ruled that severely handicapped students could not be excluded from receiving an education. In the final stage, litigation was followed by federal legislation, Public Law 93-380 and Public Law 94-142, which defined specific due process rights for all handicapped children and their parents. Yoshida and Gottlieb concluded that:

"Each of the three stages in the evolution of due process procedures resulted in an increase in the rights of the child and his parents, and the concomitant eroding of the school's authority in making placement decisions" (p. 17).

Regarding parents being informed of their due process rights, Public Law 94-142 regulations (Federal Register, 1977) require that parents be given prior written notice which contains:

- (1) A full explanation of all the procedural safeguards available to the parents...;
- (2) A description of the action proposed or refused by the agency, why the agency proposes or refuses to take the action, and a description of any options the agency considered and the reasons why those options were rejected;
- (3) A description of each evaluation procedure, test, record, or report the agency uses as a basis for the proposal or refusal; and,
- (4) A description of any other factors which are relevant to the agency's proposal or refusal. (Sec. 121a.505)

Through the evolution of handicapped rights to their present level, parents have gained a right to communication from schools. As Schuck (1979) points out, the due process requirements changed the need for parent involvement from "nice to have" to "need to have."

It is no longer an option for schools to decide when to communicate with parents of handicapped children. Rather, schools are required by law to give parents prior notice of their due process rights at specified times. This notice must be written in "language understandable to the general public" (Federal Register, 1977, Sec. 121a.505). The intent of these requirements is that parents will be able to give informed consent (Yoshida, Schensul, Pelto and Fenton, 1978).

Informed consent has been defined in a number of ways. Yoshida et al. (1978) suggested that consent is "informed" when parents understand the content of a notice. Kirp, Buss and Kuriloff (1974) stated that parents must be knowledgeable about the action to which they consented. Pryzwansky and Bersoff (1978) found that consent is "legally sufficient" when full disclosure has been made of all material information regarding the issue. Abeson (1978) viewed the due process safeguards of P.L. 94-142 as being directed toward making parents knowledgeable about

their role in the special education process. Combining these ideas, the conclusion may be reached that informed consent is achieved when notice enables parents to understand their rights, and to know how to apply the rights when necessary.

Informed consent serves several purposes. Understanding their rights enables parents to protect their child's interests (Hoff and Fenton, 1979). Informed prior notice maximizes parental opportunity to take part in the special education process (Kotin, 1976). In exercising their opportunities to take part in the process, parents of handicapped children apply their rights.

The necessity for parents to understand their rights has been reinforced by several recent occurrences at the federal level. The Supreme Court decision in the Hendrick Hudson v. Rowley (1982) case stated that dissatisfied parents could use their right to due process to appeal school recommendations. This statement strengthens the need for parents to understand their rights; parents will not be able to use these rights if they do not comprehend them.

Research regarding informed consent. The right to give informed consent is mandated by law. A salient research question is "Do parents understand special education rights and terminology?" In other words, is their consent "informed"?

Salett and Henderson (1980) conducted a national mail survey of 50,000 parents of handicapped children. There were 2500 responses to the survey. Over 70% of the parents returning the survey reported that they felt that the information on their child's evaluation was "fair and

useful," and that educators presented the IEP in "understandable language." It should be noted that this survey involved self-report, and that it was conducted after PL 94-142 had been effect for only one year; the low rate of response should also be considered in interpreting these survey results.

Salett and Henderson also investigated the outcome of federal program administrative reviews (PARs) and found that in 46% of the states receiving PARs, parents were not receiving information on how to exercise due process rights. Forty-eight states and the District of Columbia had to take corrective actions to assure procedural safeguards. These findings suggest that communicating rights to parents was consistently found to be a problem area, at least in the early stages of the implementation of PL 94-142.

Yoshida et al. (1978) conducted a five-month study of notice and consent procedures at a large, suburban elementary school in the northeastern United States. They found that all of the school staff questioned the ability of parents to understand the diagnosis and recommendations for their child. No parent interviewed could recognize all of the following terms: educable mentally retarded, learning disabled and socially immature. The conclusions of the study were that parents were not aware of their rights, nor of educational alternatives for their children. The authors suggested that better methods need to be developed to assure that parents' consent is informed.

Hoff et al. (1978) studied parent involvement and informed consent. They interviewed parents of 20 children at designated times in the

referral-placement process. Parental understanding of certain decision components (eligibility, placement, program goals, and review date) was then rated. The results indicated that parents' descriptions of the decision components were accurate no more than 50% of the time. The researchers indicated a need for an improved school strategy for informing and involving parents.

Field research conducted in California in 1973 involved interviews of teachers, parents, psychologists, special education administrators and parents. Additionally, observations were made of special education classes and admissions committee meeting. (While this study predates PL 94-142, California had a similar law in place at the time of the study.) Researchers concluded that parent permission was often obtained without the parent knowing to what they consented (Kirp, Buss and Kuriloff, 1974).

Finally, the U.S. Department of Education (1980) reported on studies indicating that the rigid due process requirements of PL 94-142 have tended to formalize the relationship between parents and school. It specifically cited the fright which some parents have upon receiving a formal "Standard Notice Letter." The Department's report recognizes a need to help school divisions in developing methods to enable parents to give informed consent.

The literature, therefore, supports the notion that parents of handicapped children experience difficulty in understanding their rights. Further, upon receiving a notice of their rights, they may be intimidated by the nature of the notice. Authors have suggested that

further work needs to be done in helping parents understand their rights and the rights of their child.

Document design issues. Special education regulations specify that, to give informed consent, parents must be notified of their rights in writing, and in "language understandable by the general public" (Federal Register, 1977, Sec. 121a.505). One way to meet this regulation is to construct a form telling parents of their rights. This form is called a "prior notice" form. These forms are used in many states, including West Virginia, Virginia and Pennsylvania. The focus of this study is the requirement for understandable language on the prior notice form which ties the research to the clear language movement, and specifically to the document design field.

In 1978, it was reported that Americans spend approximately 785 million hours a year filling out 4987 different federal forms (U.S. News and World Report, 1978). It is recognized that many of these forms are confusing and difficult to complete (Pyrzczak, 1979). A national survey conducted in 1973-74 estimated that 36% of Americans are unable to fill out a W-4 income tax form with the correct number of exemptions in the appropriate box on the form (Northcutt, 1975).

The difficulties in understanding forms, governmental regulations, and other legal documents gave impetus to the clear language movement. This movement is an attempt by both governmental and private groups to draft documents in comprehensible terms. It is often referred to as the "plain English" movement (Charrow, 1979). The focus of the movement is to simplify and clarify documents.

The clear language movement gained national attention in 1978, when President Carter issued an executive order requiring that federal regulations be "written in plain English" and be "understandable to those who must comply" with them (Presidential Executive Order 12044, 1979). The directive was welcomed by both industry and consumers. Industry was pleased with President Carter's deregulation proposals, and the "plain English" mandate was part of them. Consumers viewed the clear language order as a positive attempt by government to communicate with citizens (Redish, 1981).

Carter's order highlighted an existing trend toward developing clear, understandable documents. A number of government groups were already involved in this development. In 1973, the Pennsylvania Insurance commissioner rejected a policy on the grounds that it was unreadable (Pressman, 1979). By 1979, 21 states had passed legislation on the readability of insurance policies, and eight states had legislation pending (Pressman, 1979).

The trend for plain language laws has been extended to consumer contracts. Seven states had enacted these laws by March, 1983 (Landesman, 1982).

The military also recognized "plain English" problems in their training manuals. For example, data suggest that as many as 30% of soldiers entering the Army have below a 7th grade reading level (Mathews, Valentine and Sellman, 1978). The Army has since issued standards suggesting that the target reading level for certain publications be geared to a seventh grade level (Kern, 1980). Similar

problems exist in other branches of the armed services (Biersner, 1975; Kniffin, 1979).

Involvement of the private sector. The clear language movement also has attracted the interest of the private sector. There are many reasons for this interest.

First, state or federal mandates often require that documents be clearly written (Jones and Jones, 1981). President Carter's executive order, and the prior notice requirement of P.L. 94-142 serve as examples of this.

Another interest in clear writing arises from self-protection. Jones and Jones (1981) state that "it is a firmly held legal principle that any ambiguity in a document will be construed against the drafter of the document." Worthington (1977) suggests that if financial footnotes are not written clearly, certified public accountants are subject to legal liability. To avoid lawsuits, private groups have a vested interest in being sure that clients understand written materials.

Relationships with clients may also be improved through use of clear documents. A Siegel and Gale study (Sacco, 1980), found that bank loan customers preferred simplified forms because these forms were "easy to read, easy to understand, specific and precise." This study further concluded that consumers tend to have more trust in banks using simplified forms that they do in banks using standard forms. It might be inferred that simplified forms will lead to better client relations.

The clear language movement functions to protect consumers who have difficulty with standard contracts and regulations (Grogan, 1979).

Sacco (1980) suggests that language simplification may alleviate "functional illiteracy, psychological alienation and mental frustration caused by confusing documents" (p. 52). Clearly written, understandable documents expand the range of people who can use the forms.

Approaches to document simplification. Document simplification must be viewed two ways. First, the difficulty in comprehending the document must be considered. Can readers understand the document? Is the document comprehensible to many readers, or to a limited group?

A second consideration is how to rewrite a document to make it more clear. Will certain writing techniques help increase comprehensibility? Should technical terms be defined?

Two basic methods have been suggested for estimating reading difficulty and simplifying writing. The more traditional approach has been the use of readability formulas; the second approach is audience-specific testing.

Readability formulas were developed in the 1920's to find if students could read textbooks written for them. The formulas are based on mathematical equations, and generally involve word length, sentence length or word difficulty. The intent of a readability formula is to estimate the relative degree of difficulty a reader will have with a given text (Redish, 1979). Readability formulas are often viewed as measures of comprehensibility of passages.

Since the 1920's, hundreds of specialized readability formulas have been developed (Klare, 1976). Many of these formulas are designed for

specific types of texts. The FORCAST formula, for example, was developed for military occupational material (Abbass, 1976).

Readability formulas have gained wide use, and are, in fact, a part of some "plain English" legislation. The 1976 amendment to the Delaware Code for automobile insurance policy forms requires a Flesch Reading Ease score of no less than 40 (Charrow, 1979). Two-thirds of the states requiring "plain English" in consumer contracts specify that these contracts must meet a certain readability score (Pressman, 1979).

Readability formulas as comprehension measures. Despite their popularity, readability formulas have been criticized in recent years. There are two main areas of disagreement between proponents and critics of the formulas. The first area concerns the ability of these formulas to measure comprehensibility. The second area centers on the claim of proponents that using a "readable rewriting" approach (i.e., lowering the readability level of a passage) as a guideline will result in increased comprehension (Klare, 1976).

Proponents of readability formulas view them as a practical way to predict the relative difficulty of printed material. Citing the large quantity of existing printed matter, they argue that constructing comprehension tests for these materials would be an almost insurmountable task. Further, it is claimed, readability formulas better answer questions of reliability and validity than do judgements made by individuals (Klare, 1975). Spache (1974), therefore, states that readability formulas are objective measures.

Writers who advocate the use of readability formulas state that these formulas do measure readability. Spache (1974) stated that "the fact that formulas do actually reflect readability, as well as we are able to measure it, cannot be denied" (p. 38). He asserted that studies comparing formulas with other methods of estimating readability support this contention.

Critics of readability formulas have suggested that, while the formulas may involve some components contributing to comprehensibility (sentence length and word difficulty), they do not measure enough components (Holland, 1981). Readability formulas, critics say, do not measure the complexity of ideas. They do not measure logical sequence, and cannot detect whether a passage makes sense. Further, readability formulas do not measure grammatical correctness (Redish, 1979; Bruce, 1981).

Prior knowledge of subject matter also is ignored by readability formulas (Kent, 1980). In two studies conducted with college freshmen, Klare (1981) found that readability formulas overestimate reading difficulty when prior knowledge and reading interest were high; reading difficulty was likewise underestimated when prior knowledge and reading interest were low.

Critics state that readability formulas also are not consistent in predicting grade level difficulty (they are consistent in showing relative difference if the same formula is used). Trapini and Walmsley (1981) measured the same passages using five readability formulas. They found that the same document rated from between a 5.8 grade level of

readability to a college sophomore level, depending on the formula calculated.

Supporters of formulas emphasize the ability of an appropriate formula to make fine discrimination among reading material (Spache, 1974). The ability to estimate relative difficulty is emphasized, rather than disparities between formulas.

Critics argue that readability research was basically done on school texts, and does not address differences between adults' and children's learning styles (Redish, 1979). They state that formulas do not predict adult success with a given text (Bruce, 1979). Readability formulas do not necessarily predict comprehensibility, especially with "public document" material requiring the processing of varying types of material and task directions (Holland, 1981). Harris and Associates (1970), reporting on a "survival literacy" study, discussed the fact that the skills needed to read and complete forms may be different from the reading skills commonly taught in schools.

Proponents of readability formulas respond that certain formulas were designed to serve adult material; the Flesch formula, for example, was created to consider abstract words in adult reading matter (Klare, 1975). Spache (1974) stated that the use of readability formulas is "essential" with bulletins, pamphlets and newspapers.

Klare (1976), one of the major researchers of readability formulas, recognized many of the limitations of readability formulas. He examined 36 studies on the effect of readability variables on comprehension, and

concluded that comprehension is effected by the interaction of readability measures and other factors. These factors include the test situation, reader competence, reader motivation and content of material. It is these factors that lead critics to conclude that the formulas do not account for enough variables.

Evidence, therefore, suggests that, while readability formulas consider some very finite aspects of reading comprehensibility, they may not account for enough factors to accurately predict comprehensibility of a passage.

Readability formulas as standards for writing more comprehensible material. Can readability formulas be used as standards for rewriting? The answer to this question is much-debated.

Spache (1974) recognizes limitations in rewriting solely to lower a readability level. Besides shortening sentences and simplifying words, he suggests that the total organization of the material must be considered. He suggested manipulating several factors as a positive way to approach rewriting.

In his report on 36 studies measuring the effect of readability variables on comprehension, Klare (1976) found that lowering readability levels had significant positive effects on comprehension in 19 of the 36 studies. While conceding the effect of other variables on comprehension, Klare claimed that rewriting to lower readability levels can "sometimes" be used for increasing comprehension.

Duffy and Kabance (1982) tested Klare's contention in a series of five experiments. Subjects were Navy recruits tested in groups of 40 to

70 recruits per group. Recruits were given tests which measured comprehension of passages of the Nelson-Denny Reading Test (1960) in original form, rewritten for simplified vocabulary, rewritten for simplified sentence structure, and with combined simplified vocabulary and sentence structure. The tests varied by cognitive processing requirements. Researchers concluded that rewriting using readability formula guidelines was not an effective technique. But, they acknowledged that rewriting to lower readability levels can be effective when used with extremely difficult material.

The work of the Document Design Project supports the view that using readability formulas as guides for rewriting is not good practice. They defend their belief by citing (1) that readability formulas do not explain what makes a passage incomprehensible (Redish, 1979), and (2) that readability formulas ignore many variables (e.g., syntactic structure) that contribute to the comprehensibility of a passage (Charrow, 1979). The Document Design position is that "writing to fit the formula" may seem to produce plain English, but the result is more likely to be disorganized "baby talk" (Charrow, 1979).

Uses for readability formulas. Although experts do not agree on the use of readability formulas as accurate measures of comprehensibility, these formulas can serve several purposes. First, they can be used as gross screening devices to make distinctions in reading material. In an Army study of readability formulas, Kern (1980) concluded that "current readability formulas appear most reliable when used

to make a gross screening distinction of material that is above or below the tenth grade reading level."

Readability formulas also can be used to demonstrate gross changes in rewritten material (Duffy & Kabance, 1982; Redish, 1981). If a writer wants to show that certain material has been greatly simplified, comparative readability scores (using the same formula) will serve to demonstrate the fact.

Readability formulas do measure certain factors related to comprehensibility. Because of this, they might be one consideration in measuring whether a document is comprehensible (Holland, 1981).

Audience-specific testing. Because readability formulas appear limited in their ability to estimate comprehensibility, document design researchers have looked for other procedures. Researchers have investigated the effects on comprehensibility by such widely-diverse factors as linguistic structure and typography (Felker, 1980).

The conclusions reached as a result of this research fall into two broad areas: (1) to assure that a document is comprehensible, the writer should test it on the audience for whom it was written (Holland, 1981; Pressman, 1979; Redish, 1979); (2) rewriters will be able to produce more readable documents through the use of guidelines and style manuals than through writing to lower readability formula grade levels (Holland, 1981; Kern, 1980; Pressman, 1979; Redish, 1979; Worthington, 1977).

The suggestion that the rewriter test the document on an audience is recognized as an ideal situation (Charrow, 1979). The idea behind

the suggestion can often be implemented on a smaller scale, however. A writer may be able to have someone of similar background to his audience read the document and comment on its clarity. The factors to be investigated are whether the reader can read and understand and use the form. One issue may weigh more heavily than others depending on the type of form.

Guidelines for rewriters have been developed by several groups. The military has developed several sets (Felker, 1980). The Document Design Project (1981) has published guidelines for document designers, a set of 25 principles which can serve as guideline for document writers. These guidelines are the accumulation of principles gleaned from the Document Design Project's study of factors effecting document comprehensibility. They are the guidelines which were consulted in rewriting the form used for the present study.

Research on form comprehensibility. Research on the comprehensibility of forms has employed two basic strategies. The first strategy is to examine the readability levels of forms, and, in some cases, to compare these levels to the reading ability of the reader of the form. The second strategy is to examine elements other than readability formula scores which relate to the comprehension of the form.

Studies involving readability formulas consistently suggest that forms may be too difficult for the average reader to comprehend. Christ and Pharr (1980) examined the readability levels of thirty-five public information brochures used in Florida. The Flesch Reading Ease Formula and the Dale-Chall Formula were applied to each form. The Flesch

Formula scores ranged from standard to very difficult; Dale-Chall scores on the same 35 brochures ranged from a 9th-10th grade level to a 13th to 15th (college) level. While recognizing the limitations of the readability scores, the researchers conclude that these scores point to the fact that the brochures are too difficult to read. They suggest that a seventh to eighth grade readability level is more appropriate for public brochures.

Worthington (1977) used the Dale-Chall formula to determine the readability of financial footnotes of 96 companies. The companies were selected from a list of Fortune magazine's list of the second 500 largest industrial corporations in 1974. A total of 927 footnotes were tested; readability scores by company ranged from eleventh and twelfth grade levels to college graduate level, with an average level being one to three years of college.

Worthington compared the Dale-Chall scores by company with the educational level of shareholders in the company. He found that 36% of the shareholders would not be able to "understand" and "comprehend" the average footnotes of 93% of the evaluated companies. Worthington suggests that financial footnotes should be written in more readable style.

Rousseau (1976) explored the effects of lowering the readability level of Florida guidelines for behavior management used in state residential facilities. The "difficult" or "easy" versions were read by 80 cottage parents who then took a comprehension test. No significant main effect was found for the difficulty of the reading materials; no

educational interaction was found. It was suggested that the limited amount of information in the guidelines inhibited the finding of differences.

Abbass (1979) used computer analyses to study the vocabulary of 50 commonly used application forms. A FORCAST formula was applied; readability grade levels ranged from 8.0 to 16.6, with the majority of forms having grade levels falling between tenth and eleventh grade. Abbass also found that there were 2923 different words on the fifty forms.

A study using a similar approach to the Abbass study explored the frequency and distribution of unfamiliar words on six federal application forms (Afflerbach, Allington and Walmsley, 1980). Words on these forms were determined to be "familiar" or "unfamiliar" based on their presence on the Dale List of 3,000 Familiar Words. Forty-two unfamiliar words with a frequency of ten or more on the forms were found; more than 100 additional words appear at least four times on the application forms. The researchers concluded that persons using these federal application forms would have to have "well developed literacy skills" in order to independently use the forms.

The conclusion reached in federal forms studies echo those of the state department and financial footnotes. Forms are too difficult for many users to read. Further, most of the forms studied required the user to read extensively. Abbass (1979) suggests that it is necessary to find approaches to render forms more usable.

Many automobile insurance companies are rewriting policies to be more readable. A study investigated the relative comprehensibility of

standard policies from two auto insurance companies and of readable policies of the same two companies (Kincaid and Gamble, 1977). A total of 150 high school and college students, divided into college level, average, and junior high level readers, took a cloze test of passages of the policies. Thirty-five percent correct was judged to indicate comprehension of the passage.

On the whole, all groups did relatively better on the readable passages. College level readers could comprehend the difficult and readable passages, average readers could comprehend the readable passages, and junior high readers could not comprehend the standard or readable passages.

Berg and Hammitt (1980) compared the reading comprehension and recognition scores of psychiatric patients with readability scores on 13 different documents given to patients to read and use. Of the 100 patients tested on a Peabody Individual Achievement Test, the mean reading comprehension score was 6.52 grade level, and the mean word recognition score was 9.79. It should be noted that 11 of the patients tested had been diagnosed as either organically brain damaged or mentally retarded. Thus, the results are restricted.

The Flesch Reading Ease Chart and the Gunning Fog Index were used to measure the readability of the forms given to patients. Readability levels ranged from tenth grade to college level. Assuming the Fog Index indicates, at least grossly, reading difficulty, the patients involved in the study could not comprehend these forms. The researchers suggest that greater care be given in writing documents given to patients, and

that a set of clear writing guidelines be followed in formulating documents.

Conclusions concerning studies of readability levels of documents.

The studies on readability of forms deal with a number of different forms and different audiences. Despite this, they all reached basically the same conclusion; forms generally are written at a readability level far above the comprehension level of their intended audiences. Because readability formulas can indicate gross problems in reading difficulty (Kern, 1980), these forms appear to be written at a level that is too difficult for their audiences.

Other document comprehension studies. In addition to studies using readability formulas as a base, research has been conducted into other document comprehension factors. This discussion will focus on linguistic and rewriting studies.

Several studies investigated the extent to which certain linguistic factors effect the comprehensibility of written material. Duffelmeyer (1979) rewrote passages of the Nelson-Denny Reading Test, editing out abstract nouns and verb-nominalizations. He found this revision had a significant effect on comprehension of poor readers, but did not significantly affect comprehension of average and good readers. In this study, as in the Kincaid and Gamble (1977) readability study, rewriting appears to have a differential comprehension effect, depending on individual reading ability. These results support the suggestion that rewriting should be done with the intended audience in mind.

In a complex study of linguistic factors affecting comprehension of jury directions, Charrow and Charrow (1979) found that, in addition to legal jargon, certain linguistic factors appear to cause jurors to be unable to correctly paraphrase oral jury directions. Comprehension of the directions significantly improved when the jury directions were rewritten to eliminate the difficult linguistic constructions.

The Charrow and Charrow (1979) study also explored the relationship of certain demographic characteristics of jurors to their performance in the study. The only characteristic that had significant relationship to performance was educational level of the juror.

These linguistic studies give a data-base to comprehension factors which are not accounted for by readability formulas. A list of the factors found to significantly impede comprehension are included in the Document Design Project's guidelines for document designers (1981); some of these factors include the use of verb-nominalizations, the use of the passive voice, the presence of excessively long sentences, and the use of multiple negatives.

Another group of studies focus on the effect of rewriting material in simpler language; in these studies, rewriting is not done to meet readability formula standards.

Nehiley (1979) compared the knowledge and comprehension of limited-resource individuals reading an original extension education circular and rewritten circulars targeted to the audience. Targeted materials were written at a lower readability level than the original, were targeted to meet educational objectives, and were rewritten to shorten,

improve and simplify the manuscript. There was a significant difference between knowledge and comprehension on the original and rewritten forms. Further, there was no significant correlation between comprehension scores and educational levels. A significant correlation was found between scores on the original publication and salaries of the individuals tested. Conclusions from this study emphasize the need to understand the audience for which material is written.

In a study of comprehension of consumer contracts, Davis (1977) simplified a contract by reducing the information of excess disclosures and unnecessary clauses, and by reorganizing to improve readability. Comprehension of the simplified and original contracts was tested via a multiple choice test given to shoppers at grocery stores. Subgroups of subjects who had the most difference in scores between standard and rewritten contracts were subjects 18 to 21 years old, blacks, those inexperienced with credit contracts, and those with low incomes. As with the segment of Nehiley's analysis, income level proved to have a significant relationship to test scores, while educational level was not significant. Davis hypothesized that those subjects with higher incomes had more experience with consumer contracts, and therefore, did better in this study.

Pyrzczak (1979) and his students used subjective revisions to rewrite the Instructions for Form 1040 of the federal income tax return. On a test of vocabulary items and "principles-and-cases" (application) items, graduate students reading the revised instructions scored, on the average, 25 percent better than they did after reading the original

instructions. Since students took the test twice, and had already read the original instructions, prior knowledge and practice could have been considered as possible variables influencing the scores.

Conclusions concerning rewritten passage studies. These studies in rewriting for target audiences all show gain in comprehension on simplified forms, particularly for readers at lower income, reading, or educational levels. They mesh well with the Kincaid and Gamble (1977) readability study on rewritten auto policies in which average readers gained more from rewritten passages than did good readers. In all these studies, differential gains in comprehension are noted for varying levels of the groups studied.

In addition to documenting the benefit of simplified documents to low-income groups, this set of studies also indicate the benefit of using guidelines in rewriting documents. Guidelines direct the writer to consider more factors than those considered by readability formulas. Writers using guidelines consider a more total language approach, and are not bound by shortening sentences and simplifying words.

The use of guidelines also allows the writer to be audience-specific. Writers can tailor their style and presentation to meet the functional level of their audience. Again, writing to a readability formula inhibits this flexibility.

Finally, the use of guidelines recognizes the use of common sense on the part of the writer. Writers are often admonished to write in natural language (Geil, 1980), or to write as they would speak. These

types of guidelines focus on clear writing skills, rather than on the lock-step orientation implicit in rewriting to readability formulas.

Special education document issues. Experts in special education recognize that technical phrasing may interfere with parent-school communication. Technical jargon is frequently cited as a "barrier" to successful parent participation (Hoff et al., 1978; Mattson, 1977; Michaelis, 1980). Schuck (1979) discusses the difficulty parents may have in understanding such terms as "minimal cerebral dysfunction," and suggests that educators may be unable to communicate in jargon-free language.

In addition to recognizing that technical jargon may interfere with parent communication, some writers are specific in referring to problems of written communication. Michaelis (1980) suggested that written parent materials should be matched to specific parent needs. The importance of clear, nontechnical written communication was stressed by Beseler (1978).

Authorities, therefore, concur on the fact that technical special education materials probably are too difficult for most parents to understand. This reasoning clearly parallels to concerns about other technical forms and documents.

Two studies support the need for clearer special education materials. Edge and McLoughlin (1981) studied state department materials which are sent to parents. Seventy percent of 50 states supplied materials. Using the Fry readability formula, they found the

average readability levels to be 14th to 15th grade level. It was concluded that parent materials were too difficult for the average parent.

Leshock and McLaughlin (1982) calculated the FORCAST readability levels for prior notice forms of 87 school divisions in Virginia. They found a readability range of 8.33 grade level to 20.95 grade level, with a mean of 10.94 grade level. These results further support the suggestion that parent materials may be too difficult for many parents to comprehend.

While the readability studies indicate that parent materials are too difficult, no studies have directly measured parent comprehension of special education materials. The need existed, therefore, for a closer examination of this issue. Specifically, to what degree can parents read and understand information given to them?

The present study was a step toward resolving the lack of research in this area. The development of a field-tested prior notice form will provide audience-specific testing of comprehension of the form. It will serve to verify whether parents of special education students included in this study can comprehend their rights as presented on the prior notice forms.

## CHAPTER III

### Research Design and Product Development

The purpose of this chapter is to describe the research design of this study, to describe the development of the field tested form, and to report and discuss the findings of the study. Included are: (1) an explanation and description of the research and development design used for this study, and (2) a presentation and analysis of the research findings.

#### The Research and Development Model

The purpose of this study was to develop a comprehensible due process/prior notice form. The design employed for the study is a research and development (R and D) model. Hofmeister (1975) defines R and D as "a systematic process for developing and validating an educational product." As used in this study, the product developed was a prior notice form.

The use of educational R and D models is supported by many reasons. Borg (1971) viewed R and D as "bridging the gap between research and practice." Hofmeister (1975) suggested the fact that R and D makes the practical implications of research obvious, and therefore may lead to more immediate use of the results in educational settings. Hofmeister further stated that R and D makes research relevant and applicable and decreases the practitioner's resistance to research that traditionally has been presented with only "face validity."

The research and development approach involves the development of many types of products and activities. These include activities designed to increase knowledge about learning processes and social aspects of learning, the development of new practices, materials and products, and the development of practices pertaining to educational organization and administration (Bright and Gideonese, 1968). Borg (1971) stated that "the term 'product' not only includes material objects, such as textbooks, instructional films, and so forth, but is also intended to refer to established procedures and processes, such as a method of teaching or a method for organizing instruction" (p. 413). The development of a field-tested form, therefore, relates appropriately to the R and D concept of developing practices and establishing administrative procedures. It will suggest a form that will be usable and legal.

There are a number of models which typify research and development designs. While labelling stages differently, all of these models follow a basic pattern. In an initial stage, sometimes called "product selection" (Borg, 1971) or "instructional design" (Shutz, 1967), the desired product is described or defined; objectives for the product are clarified. The second stage is planning and constructing a preliminary or prototype product. The third stage involved preliminary and operational (real condition) field tests, with each field test followed by a product modification. The field test/modification procedure is repeated until the product is brought to an "acceptable level of performance under real

world conditions" (Shutz, 1967). In the final stage, the product is disseminated to potential users.

One possible limitation to the R and D process is that it yields a product that is usable with those persons included in the field tests, and under those conditions employed in the study. That is, as the study progresses, interpretations of the results of field tests are applicable only to persons and conditions represented in the R and D steps. The product cannot be considered entirely generalizable until it is "tested" across all possible combinations of persons and conditions with which the product will be used.

#### Design of this Study

The basic stages of this study followed the steps of a research and development model. The design combined the pre-design and design steps of the Document Design Project's "Process Model of Document Design" (1981) with the field test aspects of Borg's R and D scheme (Borg, Kelly, Langer and Gall, 1970). The Document Design Project's approach is used for several reasons. The project's design was timely, and was developed out of the need for an efficient means of document writing. The approach incorporates approaches suggested by a number of authors (Bruce, 1981; Redish, 1979; Sacco, 1980), and therefore acts as the capstone for document writing. Borg's field test scheme was coupled with the Document Design Project's approach to implement field testing procedures in an educational setting. The design is set forth in Figure 1.

I. Pre-Design Steps

II. Design Steps

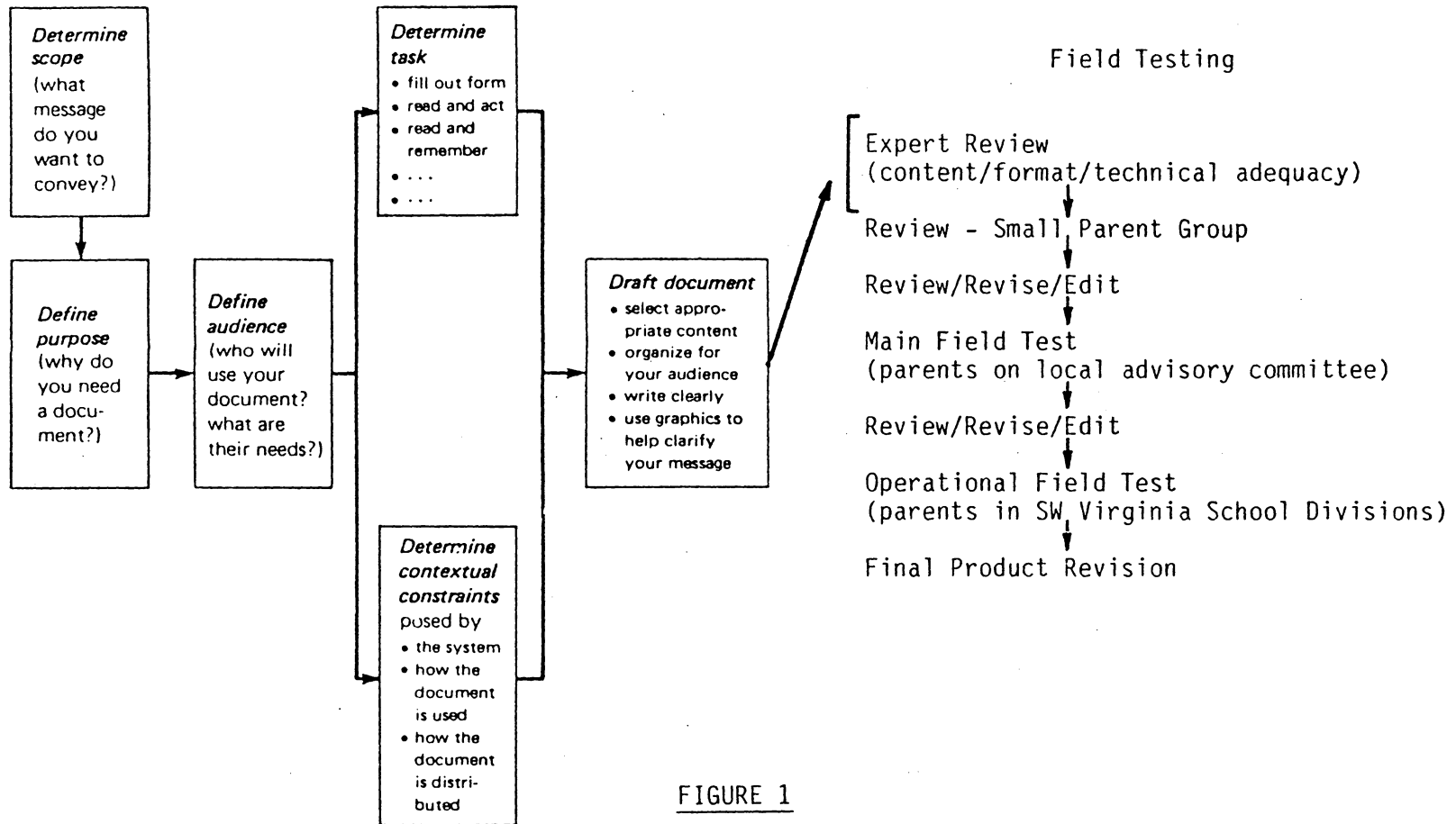


FIGURE 1

Research and Development Design For  
Field-Tested Due Process/Prior Notice Form

### Predesign Steps

In the first predesign step, the researcher determined the scope and content of the form. The scope and content of the initial draft (see Appendix C) were defined by matching them to those of a currently-used, state-approved document (see Appendix D). It was believed that, if the scope and content of the new form matched the currently-used form, state-determined legal requirements would be met.

In the second predesign step, defining the document's purpose, the need for this document was determined. The rationale and legal requirements for this form, as addressed in Chapter One, were viewed as providing multiple purposes for the document.

Audience definition is a step in which the salient socioeconomic, professional, and other aspects of the audience must be delineated (Battison and Landesman, 1980); the prior notice form will have a single audience, parents of handicapped children. The characteristics of these parents cross all socio-economic and other demographic boundaries. The form must meet the needs of this audience.

In the task stage, the author decided what the audience will do with the document. In the case of the prior notice form, parents will read the form, save it for future reference, and possibly use information on the form.

Finally, the contextual constraints of the system, document use, and document distribution were considered. In the case of prior notice forms, a consideration of system constraints is particularly essential because of state administrative reviews of the document. School systems

cannot use a prior notice form that does not meet state approval. Because of the system constraints, it was important to obtain state approval of the contents of the final form.

### Design Steps

The researcher designed the original draft of the revised document (see Appendix D) by incorporating the information gathered at the pre-design level with suggestions for clear document writing.

The content of the first draft (Form 2.1) was exactly that given on the currently-used form (see Appendix D). One additional statement was added to Form 2.1; this statement verified the parents' right to have their child present at a due process hearing. The statement was added after consulting Virginia's Regulations and Administrative Requirements for the Operation of Special Education Programs in Virginia, (p. 47) and recognizing the statement as an obvious omission from the current form.

Document design issues considered in rewriting the document were those suggested by Sacco (1980) and others (Battison and Landesman, 1980; Flesch, 1979). The major considerations of the author were:

- writing to the level of the audience
- using personal pronouns
- shortening sentences and paragraphs
- organizing logically
- making information simple
- making the form attractive

In keeping with the above considerations, the following major changes were made from the currently-used document (see Appendix D): (1) the readability level, using the FORCAST formula, was lowered from 10.97 grade level to 7.45 grade level; (2) many sentences were

shortened; (3) the content of the form was arranged in a more logical order; (4) type was made larger, and double-spacing was used to make the form appear less crowded.

#### Development of the Comprehension Test

To determine if parents could understand and use the forms being examined, a test of comprehension was developed. The initial stage of test development involved identifying areas of concern from which test questions were generated. These areas were broad concepts and covered all facts presented on the form (see Appendix C).

Test questions were developed for each area of concern. The questions were application-type. A situation was presented, and a yes-no question then was asked about the situation. Answers to the questions could be derived from information on the form.

From the total questions developed, 20 questions were randomly selected for use. Each area of concern was represented by at least one question. The questions, along with an introduction and directions for taking the test, were recorded on cassette tapes. Because multiple test administrators were involved, it was felt that the taped test would help control instrumentation threats.

Responses to the test were recorded by the person administering the test. By eliminating the need for the parent to read or write any part of the test, further instrumentation threats were eliminated.

The test (see Appendix D) was used in the initial and main field tests and revised after the main field test. Concept questions, relating to the application questions, were used as probes during these

steps to determine possible reasons for missed questions on both of these reviews.

#### Initial Review

In the initial review stage, three groups read and commented on the form. A panel of experts, consisting of one federal educational department representative, one state education department representative, and one local education agency representative reviewed the revised form for content, format, and technical adequacy (see Appendix A).

Based on comments made by these experts, wording revisions and additions were considered for Form 2.1. Particular attention was paid to revisions suggested by the state education department representative; these revisions were necessary to make the form comply with state administrative regulations.

The second group involved at this stage was composed of four parents with educational levels ranging from seventh grade to a bachelors degree. These parents read the form and took the original taped test. Scores and informal comments were recorded and concept statements were used as probes.

Finally, a class composed of ten telephone company employees was randomly split in half, with five employees reading the currently- used form and five reading the revised form. The taped test was administered, with the employees recording their own answers. These tests were scored, and items missed were tallied for the currently-used and revised form.

Following these reviews, the revised form was changed to (1) reflect suggestions by experts and (2) clarify concepts related to consistently-missed questions.

Revisions and additions based on panel of experts' review. The panel of experts suggested revisions and additions to be made to Form 2.1. Changes for the application test also were suggested.

Several considerations were made in determining which suggestions to implement. School divisions in Virginia must first comply with federal regulations, then with state regulations. Additionally, administrative reviews, conducted by the Virginia Department of Education, monitor compliance with state regulations. Because of concern with federal and state regulations, and with compliance with state review requirements, particular consideration was given to the suggestions of the federal and state experts.

Another consideration was given to clarifying items that may not have been clear to parents. Suggestions by both the federal and local education agency experts focused on this consideration.

The fact that this form is a prototype was considered. Because of this, suggestions requiring individualized school division information were not implemented. For example, school divisions are required to document options that have already been tried with the referred student. This fact was added at the advice of the state department expert (see Form 2.2, Appendix D), but this documentation was not appropriate to use as part of a prototype.

These considerations were applied to the suggestions of the panel of experts. In response to suggestions which matched criteria set by the considerations, revisions and additions were made to Form 2.1; these changes are presented in Figure 2.

Results of initial review testing. Two groups of adults read Form 2.1 and took the original taped test (see Test 1, Appendix D). The first group was composed of four parents, with educational levels ranging from seventh grade through a bachelors degree. The results of the testing of this group are represented on Table 1.

An analysis of items missed was made for the parents in the initial review. This analysis is presented on Table 2.

The second group taking the original taped test was a class of ten telephone company employees. The educational levels of this group ranged from high school completion to masters degree.

To obtain a preliminary comparison of performance on the currently-used due process form (see Form 2.3, Appendix D) and on the revised form, five telephone company employees read Form 2.3, and five read Form 2.2. All the employees then responded to the data sheet and to Test 1. The results of the testing of this group are represented in Tables 3 and 4.

Analyses of items missed were made for the two groups of telephone company employees. These analyses are presented in Table 5.

A total item analysis of questions missed by all initial review participants who read Form 2.1 is set forth in Table 6.

Original Phrasing (Form 2.1):	Changes based on recommendations of State Department expert:
<ol style="list-style-type: none"> <li>1. We think that he may have some kind of handicap.</li> <li>2. Before you decide about this, you need to know about the evaluation and about your rights.</li> <li>3. The tests to be used for your child are intelligence tests and other psychological tests.</li> <li>4. The law says that you and your child have rights.</li> <li>5. An IEP will be written if we think that your child needs a special education program.</li> <li>6. If you decide to ask for a due process hearing, you must write your local Board of Education to ask for it.</li> </ol>	<ol style="list-style-type: none"> <li>1. We feel that your child may need more social help.</li> <li>2. Before you decide, you need to know about the evaluation and your rights.</li> <li>3. The tests to be given are intelligence tests, behavioral tests and other psychological tests.</li> <li>4. The law says that you and your child have certain rights.</li> <li>5. An IEP will be written if we think that your child needs special education services.</li> <li>6. If you decide to ask for a due process hearing, you must write your School Board to ask for it.</li> </ol>
Original Phrasing (Form 2.1):	Change based on recommendations of local education agency expert:
-- give your child educational tests to see how he is doing in school.	-- give your child individual educational tests to see how he is doing in school.
	Additions based on recommendations of local education in agency expert:
	<ol style="list-style-type: none"> <li>1. These tests may include such things as reading and arithmetic.</li> <li>2. --you must have given written permission before the school may show your child's confidential file to an outside agency.</li> </ol>
Original Comprehension Test Question:	Change on test based on recommendation of federal Special Education Programs expert:
Question 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have a right to the report?	Question 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have the right to be told the results?
<ol style="list-style-type: none"> <li>7. --to have a lawyer at the hearing.</li> <li>8. --to appeal the State Department's decision to civil court.</li> </ol>	<ol style="list-style-type: none"> <li>7. --to have a lawyer or advocate at the hearing.</li> <li>8. --to appeal the review officer's decision to a court of law.</li> </ol>
	Additions based on recommendations of State Department expert:
	<ol style="list-style-type: none"> <li>1. We have already tried doing some things to help your child; these things are listed on an attached paper.</li> <li>2. --you have the right to an outside evaluation at public expense.</li> <li>3. --you have the right to an impartial due process hearing.</li> <li>4. --to have your child stay in his present placement until a final decision is reached.</li> </ol>

Figure 2

Changes/Additions to Form 2.1 and Application Test  
Based on Recommendations of Panel of Experts

Table 1  
Parent Scores on the Application Test in Initial Review<sup>1</sup>

Parent Number	Highest Grade Completed	Raw Score (of 20 Items)	Per cent Correct
1	10	15	75
2	13	18	90
3	Bachelors	16	80
4	7	15	75

<sup>1</sup>N = 4

Table 2  
 Analysis of Items Missed by  
 Parents on Initial Review<sup>1</sup>

Item Number	Frequency Missed	% Error
1	3	75
2	0	-
3	0	-
4	0	-
5	4	100
6	1	25
7	0	-
8	3	75
9	1	25
10	1	25
11	0	-
12	0	-
13	0	-
14	3	75
15	0	-
16	0	-
17	0	-
18	0	-
19	0	-
20	0	-

<sup>1</sup>N = 4

Table 3  
Telephone Company Employees Scores on Application Test  
in Initial Review - Form 2.1<sup>1</sup>

Subject Number	Highest Grade Completed	Raw Score (of 20 Items)	Per cent Correct
1	14	18	90
2	12	16	80
3	14	17	85
4	14	15	75
5	12	18	90

<sup>1</sup>N = 5

Table 4  
Telephone Company Employees Scores on Application Test  
in Initial Review - Form 2.3<sup>1</sup>

Subject Number	Highest Grade Completed	Raw Score (of 20 Items)	Per cent Correct
1	12	12	60
2	12	19	95
3	12	14	70
4	13	17	85
5	Masters	19	95

<sup>1</sup>N = 5

Table 5  
 Analysis of Application Test Items Missed by Telephone  
 Company Employees on Forms 2.1 and 2.3<sup>1</sup>

Item Number	Form 2.1		Form 2.3	
	Frequency Missed	% Error	Frequency Missed	% Error
1	3	60	2	40
2	0	-	1	20
3	4	80	2	40
4	0	-	0	-
5	5	100	2	40
6	0	-	0	-
7	0	-	0	-
8	1	20	3	60
9	1	20	1	20
10	0	-	0	-
11	0	-	0	-
12	2	40	1	20
13	0	-	2	40
14	0	-	0	-
15	0	-	0	-
16	0	-	0	-
17	0	-	0	-
18	0	-	0	-
19	0	-	3	60
20	0	-	0	-

<sup>1</sup>N = 10

Table 6  
Analysis of Items Missed by All Participants  
in Initial Review Who Read Form 2.1<sup>1</sup>

Item Number	Frequency Missed	% Error
1	6	66
2	0	-
3	4	44
4	0	-
5	9	100
6	0	-
7	0	-
8	4	44
9	2	22
10	1	11
11	0	-
12	2	22
13	0	-
14	3	33
15	0	-
16	0	-
17	0	-
18	0	-
19	0	-
20	0	-

<sup>1</sup>N = 9

Final changes in response to initial review. The item analysis presented in Table 6 was studied with consideration of revisions for Form 2.1. Item five was missed by 100 per cent of those participating in the initial review. Form 2.1 was revised to clarify the concept related to this question by adding the statement:

The school may not agree to remove the files. If they refuse, they might ask for a due process hearing. This is explained below.

This additional statement also was recommended as a revision by the local education agency representative on the panel of experts (see Appendix A). It was viewed as a clarification both from an expert opinion, and in response to test errors.

Other missed items were examined for clarity of information on the form, and for clearness of the questions. It was determined that questions appeared clear, and could be answered from information on Form 2.1. Further revisions were to be considered after the main field test.

This revision of the form, coupled with revisions suggested by the panel of experts, completed the initial review. The totally revised form was labelled Form 2.2 (see Appendix D).

#### Main Field Test

A main field test was conducted individually with four parent members of a local special education advisory committee and three parents of young children (aged 5 or under) in the same school division. Educational completion levels of these parents ranged from eighth grade to graduate school.

These parents were asked to read Form 2.2 and to take the taped test. They were given opportunity to comment on the form and the test.

Based on item errors and on parent comments, revisions were considered for the form and for the test.

A regional state education agency representative was asked to review Form 2.2. This representative confirmed that this new form met Virginia state regulations. (see letter, Appendix A).

Results of main field test. The main field test was administered individually by the researcher. Participants all read Form 2.2 and were given opportunity to comment after taking the test. The results of this administration are presented in Table 7. An item analysis was made for the responses to the main field test. This analysis is presented in Table 8.

Changes made in response to main field test. Data from the main field test were examined. Question five, which had been missed by 100 per cent of those reading Form 2.1 on the initial review, was missed by no participants on this review. The related statement added to the form appeared to have clarified the concept.

Question one, which had been missed by 66 per cent of participants in the initial review, was missed by 71 per cent of participants in the main field test. The clarity of the form and question were examined. The question was clear, and the answer could be determined from the form. Other issues were therefore explored in relation to the item.

In conversation after taking the test, a parent commented that item one seemed difficult to her because, in addition to being the first

Table 7  
 Parent Scores on Application Test in Main Field Test<sup>1</sup>

Parent Number	Highest Grade Completed	Raw Score (of 20 Items)	Per cent Correct
1	8	18	90
2	12	18	90
3	Bachelors+	19	95
4	12	17	85
5	13	19	95
6	Bachelors+	20	100
7	15	16	80

<sup>1</sup>N = 7

Table 8  
Analysis of Items Missed by Parents on  
Main Field Test<sup>1</sup>

Item Number	Frequency Missed	% Error
1	5	71
2	0	-
3	2	29
4	0	-
5	0	-
6	0	-
7	0	-
8	1	14
9	2	29
10	0	-
11	0	-
12	0	-
13	0	-
14	2	29
15	0	-
16	0	-
17	0	-
18	0	-
19	1	14
20	0	-

<sup>1</sup>N = 7

item, it also required a good deal of interpretation from information on the form. She suggested that the item might be more easily answered if it were asked after several "easier" questions. It was decided to use this feedback, and item one was moved to fourth place, with items two, three and four becoming first, second and third, respectively.

Other missed items were examined for clearness of the question and for clarity of related information on the form. Both Form 2.2 and the test were determined to be clear in relation to item concepts. Besides the change of position of question one, no additional changes were made on the form or the test. The form label remained Form 2.2; the revised test was labelled Test 2 (see Appendix D).

#### Operational Field Test

This field test was designed to examine parent comprehension of the revised form in comparison to a currently-used, Virginia Department of Education approved form.

In Virginia, the initial presentation of the prior notice form takes place when permission for evaluation is requested. Parents have not read the form prior to this contact; this initial contact was the setting in which Form 2.2 was field-tested.

Seventeen southwest Virginia school divisions were asked to assist in the field test by asking parents of referred students to read either the revised form or the state-approved form; agreement to participate in the study was given by the superintendents of the seventeen divisions at a superintendents' meeting on September 17, 1982.

The parameters for the implementation of the field test were:

1. The test was to be administered only to parents being contacted for the first time. In a study of the accuracy of readability measures, Klare (1981) found that prior knowledge was significantly related to passage difficulty for the reader. In order to eliminate the prior knowledge variable, it was decided to exclude parents who would have had prior exposure to the information on the form. Reevaluation permission or permission from parents with other children already evaluated were therefore not included.

2. The person in the school division who normally contacts parents was asked to make the contact. Explicit directions were included for the person administering the form. A short data sheet (including parent age, child's age, and parental education level) was filled out with information supplied by the parent to the contact person (see packet of directions, Appendix E).

Parents and school division personnel had the option to refuse to take or administer the test. This option was offered to alleviate possible imposition on parents who might be too emotionally involved to take a test at this time.

3. Returns were facilitated through the inclusion of a stamped return envelope with each test.

4. Because the SEA representative had validated the form as including all required content, divisions were assured that they are using acceptable information.

Completed tests and data sheets were returned by mail or in person to the researcher. Divisions with less than 100% returns were contacted

at monthly intervals to request additional returns. After two months, data received were compiled and analyzed.

Results of the operational field test. Of the seventeen school divisions asked to participate, eleven divisions took part in the study. Special education supervisors in nonparticipating school divisions were asked to give reasons, if possible, for their lack of participation; the following reasons were given:

1. In one school division, the supervisor was preparing a budget. This supervisor felt she did not have time to devote to the study.
2. In three divisions, prior notice forms are explained to parents by the school principals. The supervisors in these divisions found it difficult to implement the study because of the large number of administrators who would have been involved.

In at least four of the participating school divisions, the special education administrators implemented the form study themselves, rather than having the study administered by the person who normally explains the due process/prior notice form. This initiative was taken independently by each supervisor.

3. In two divisions, the supervisors committed themselves verbally to work on the study, but no returns were obtained.

Seventy-one parents were contacted in the eleven participating divisions. Five parents refused to participate in the study, and, in one instance, the school division chose not to ask the parent to participate. The reasons for the parent and school refusals are listed in Appendix F.

Thirty-three of the sixty-five parents who participated in the study read the standard form, Form 2.3. The mean educational level completed for this group of parents was 10.6, with a range of grade 4 to a bachelor's degree. These parents had a mean age of 32.9 years with a range of age from 21 years to 44 years. The children to be evaluated had a mean age of 9.3 years, with a range in age from 2 years to 17 years.

Thirty-two parents read the revised form, Form 2.2. The mean educational level completed for this group of parents was 11.7, with a range of educational completion from grade 6 to a master's degree. These parents had a mean age of 34.3 years, with an age range from 20 years to 48 years. The children to be evaluated had a mean age of 9.3 years, with a range in age from 3 years to 18 years.

Hypothesis testing. Data from the operational field test were analyzed in order to test the specific hypotheses of the study.

1. Hypothesis one: On a test of application, the mean scores of parents who read the rewritten form (Form 2.2) will be significantly different from the mean scores of parents who read the currently-used, state-approved form (Form 2.3).

A one-way analysis of variance, test score by form, was conducted to test this hypothesis. The results of this analysis are presented in Table 9. There was no significant difference ( $F = .36$ ) between the mean scores of respondents who read Form 2.2 and those who read Form 2.3. Hypothesis one was not supported.

Table 9  
Oneway Analysis of Variance  
Test Score by Forms (Form 2.2 and Form 2.3)

Source	D.F.	Sum of Squares	Mean Squares	F Ratio	F Prob
Between Groups	1	6.6305	6.6305	0.839	0.3632
Within Groups	63	497.9349	7.9037		
Total	64	504.5652			

2. Hypothesis two: For parents with an educational level below grade nine, there will be a significant mean score difference between those who read the rewritten form (Form 2.2) and those who read the currently-used form (Form 2.3).

A Pearson Product-Moment correlation coefficient was calculated for mean scores on the application test and parent educational level. The coefficient was .39, which was significant at the .001 level of significance.

An analysis of covariance was conducted to further investigate the relationship of educational level, score and forms. Educational level was used as the covariate. The results of this analysis are presented on Table 10. The analysis of covariance confirmed the significant association of the covariate, educational level, and score on the application test, at a 0.001 level of significance.

In considering the relationship of form and educational level, there is an F-value of .160 at a .691 level of significance. The means of scores on the application test do not vary significantly across forms (Form 2.2 and Form 2.3) when controlling for effects of educational level. Thus, while educational level significantly effects scores on the test, when controlling for the effects of educational level, the type of form does not effect the score on the test.

A breakdown table (Table 11) was constructed showing the means and number of subjects in each group by form and educational level. The breakdown showed the number in cells at lower educational levels to be such that further analysis of the data would be spurious. Given the

Table 10  
 Analysis of Covariance  
 Test Score by Form Type with Educational Level

Source of Variation	Sum of Squares	DF	Mean Square	F	Signif. of F
Covariates	78.399	1	78.399	11.436	0.001
Educational Level	78.399	1	78.399	11.436	0.001
Main Effects	1.095	1	1.095	0.160	0.691
Form	1.095	1	1.095	0.160	0.691
Explained	79.494	2	39.747	5.798	0.005
Residual	425.056	62	6.856		
Total	504.550	64	7.884		

Table 11  
 Breakdown Table  
 Form Type and Educational Level,  
 with Mean Application Test Scores

	Standard Form (Form 2.3)	Revised Form (Form 2.2)
Respondent Educational Level Below Grade 9	15.700 <sup>1</sup> N=10	12.800 N=5
Respondent Educational Level Grade 9 or Above	16.739 N=23	17.8519 N=27

<sup>1</sup>mean score for corresponding group is shown within cells

distribution of subjects according to grade level, hypotheses 2, 3 and 4 cannot be tested. However, results of correlational and ANCOVA analyses suggest cause for further study of these hypotheses in future studies.

Further analyses for quality verification. Research and development designs are cyclical. Field tests and revisions are repeated until the product attains what Schutz (1967) calls "quality verification," or "the bringing of the product to acceptable utility levels in the real world." The 4-D model (Thiagarajan, Semmel, and Semmel, 1974) repeats the cycle until the product is consistent and effective. The idea of success is keyed to the fact that the product can be used effectively with the intended audience.

For the purpose of the present study, the R and D cycle was terminated after the first operational field test. It is recognized that while the revised form will need further modification in order to achieve "quality verification," the author has made revisions on at least two occasions. The final R and D step in relation to this study is an examination of further modifications which might improve the quality of the form.

With the goal of determining ways in which the form or test might be modified to achieve "quality verification," further data analyses were conducted using the data collected during the operational field test. The first area of concern was an examination of the items missed on the test. An analysis of items missed and percentage missed for all respondents is presented in Table 12. A breakdown of items missed by form type (2.2 or 2.3) and by educational level is displayed in Tables

Table 12

Item Analysis of Application Test for  
Total Respondent Group (n = 65)<sup>1</sup>

Item Number	Frequency Missed	% Missed
1	4	6
2	17	26
3	4	6
4	22	34
5	33	51
6	8	12
7	1	2
8	17	26
9	23	35
10	4	6
11	3	5
12	13	20
13	7	11
14	26	40
15	5	8
16	7	11
17	7	11
18	4	6
19	5	8
20	5	8

<sup>1</sup>Total Group  $\bar{x}$  = 16.66; SD = 2.808; Standard Error of Measurement = 1.458; KR - 20 reliability = .73.

13 and 14. An analysis of percentage of errors on items by form, and for the total group of respondents is set forth in Table 15.

In examining the data in Table 15, there is a pattern of items missed across forms. The same pattern appears in the total frequency of missed items. Items missed with greater than 20% frequency on both forms and in the total analysis are items 4, 5, 8, 9, and 14. Item 12 also will be considered as part of this group, because error frequency approached 20% on Form 2.2, and met or exceeded 20% on Form 2.3 and on the total analysis. The only item missed with greater than 20% frequency on Form 2.3 and the total analysis that is not part of this pattern is item 2; this item was missed by 15.6% of the respondents who read Form 2.2, and therefore was believed to be comprehensible to the parents reading the form.

The analysis then focussed on defining and explaining the error patterns of greater than 20% for items 4, 5, 8, 9, 12, and 14. A standard discrimination index was calculated for each of the twenty test items. This discrimination index gauges the extent to which a test question discriminates between respondents who are successful on the total test (the top 25% of those taking test) and respondents who are unsuccessful on the total test (the lowest 25% of those taking test). A discrimination index of between 0.3 and 0.6 indicates that an item is reliable in discriminating between successful and unsuccessful students (Sax, 1974). The formula used to calculate the standard discrimination index for each item was:

Table 13

Item Analysis of the Application Test for Subjects Reading Form 2.3  
(Standard Form)

Item #	Frequency Missed (Educ. Level < Grade 9)	% Error (Educ. Level < Grade 9)	Frequency Missed (Educ. Level Grade 9 or above)	% Error (Educ. Level Grade 9 or above)	Frequency Missed (Total Form 2.3)	% Error (Total Form 2.3)
1	1	10	1	4.3	2	6
2	6	60	5	21.7	11	33.3
3	1	10	1	4.3	2	6
4	7	70	7	30.4	14	42.4
5	8	80	11	47.8	19	57.5
6	3	30	2	8.6	5	15.1
7	0	-	0	-	0	-
8	3	30	6	26	9	27.2
9	3	30	9	39.1	12	36.3
10	0	-	0	-	0	-
11	0	-	1	4.3	1	3
12	3	30	4	17.3	7	21
13	1	10	2	8.6	3	9
14	3	30	13	56.5	16	48.4
15	0	-	2	8.6	2	6
16	0	-	2	8.6	2	6
17	2	20	1	4.3	3	9
18	0	-	2	8.6	2	6
19	1	10	4	17.3	5	15.1
20	1	10	1	4.3	2	6

N = 33

n of lower educational level = 10

n of higher educational level = 23

Table 14

Item Analysis of the Application Test for Subjects Reading Form 2.2  
(Revised Form)

Item #	Frequency Missed (Educ. Level < Grade 9)	% Error (Educ. Level < Grade 9)	Frequency Missed (Educ. Level Grade 9 or above)	% Error (Educ. Level Grade 9 or above)	Frequency Missed (Total Form 2.3)	% Error (Total Form 2.3)
1	2	40	0	-	2	6.2
2	2	40	3	11.1	5	15.6
3	2	40	1	3.7	3	9.3
4	3	60	4	14.8	7	21.8
5	3	60	10	37.0	13	40.6
6	3	60	0	-	3	9.3
7	1	20	0	-	1	3.1
8	1	20	6	22.2	7	21.8
9	2	40	8	29.6	10	31.2
10	1	80	3	11.1	4	12.5
11	0	-	2	7.4	2	6.2
12	2	40	4	14.8	6	18.7
13	1	20	3	11.1	4	12.5
14	3	60	8	29.6	11	34.3
15	2	40	1	3.7	3	9.3
16	2	40	2	7.4	4	12.5
17	2	40	2	7.4	4	12.5
18	1	20	0	-	1	3.1
19	0	-	0	-	0	0
20	2	40	1	3.7	3	9.3

N = 32

n of lower educational level = 5

n of higher educational level = 27

Table 15

A Comparison of Percentages of Items Missed on  
the Application Test by Those Reading Form 2.2,  
Form 2.3, and by Total Respondents

Item No.	Percentage Error Form 2.2 (N = 32)	Percentage Error Form 2.3 (N = 33)	Total Percentage Error Form 2.2/Form 2.3 (N = 65)
1	6.2	6	6
2	15.6	33.3	26
3	9.3	6	6
4	21.8	42.4	34
5	40.6	57.5	51
6	9.3	15.1	12
7	3.1	0	2
8	21.8	27.2	26
9	31.2	36.3	35
10	12.5	0	6
11	6.2	3	5
12	18.7	21	20
13	12.5	9	11
14	34.3	48.4	40
15	9.3	6	8
16	12.5	6	11
17	12.5	9	11
18	3.1	6	6
19	0	15.1	8
20	9.3	6	8

$$\frac{(\# \text{ correct of those with scores in upper 25\%}) - (\# \text{ correct of those with scores in lower 25\%})}{\text{Total members of upper group}} = D$$

Total members of upper group

The standard discrimination indices for each test item are presented in Table 16. In examining the discrimination indices presented in this table, items 2, 4, 5, 6, 8, 9, 12, 14, and 20 had discrimination indices of between 0.3 and 0.6, and therefore discriminated between "unsuccessful" and "successful" students (Sax, 1974).

A second set of discrimination indices was calculated to determine if each question discriminated between educational levels. Since one of the objectives of this study was to develop a form which presents information equally to parents of all educational levels, the desired index was zero to (+).30. This range of indices indicates that the question does little to discriminate between individuals of varying educational levels (Sax, 1974). The formula used to calculate the educational discrimination index for each item was:

$$\frac{(\# \text{ correct on item obtained by 10 highest educational status Ss}) - (\# \text{ correct on item of 10 of lowest educational status Ss})}{\text{Total members of upper group}}$$

10

The educational discrimination indices for each test item are presented on Table 17. In examining the educational discrimination indices presented in this table, items 2, 4, 5, 6, and 12 had an educational discrimination index of greater than 0.3; these items discriminated between respondents by educational level. The remaining questions did not discriminate by educational level.

Table 16  
 Standard Discrimination Indices  
 Application Test by Item for Total Group<sup>1</sup>

Item Number	Standard Discrimination Index
1	.187
2	.5*
3	.187
4	.56*
5	.875*
6	.312*
7	.062
8	.437*
9	.437*
10	.062
11	.062
12	.437*
13	.25
14	.687*
15	.187
16	.187
17	.25
18	.062
19	.25
20	.312*

<sup>1</sup>N = 65

\*Applying the standard of 0-.3 as nondiscriminating, these items were judged to discriminate between respondents in the upper and lower educational levels.

Table 17

Educational Discrimination Index by  
Application Test Item for Total Group<sup>1</sup>

Item Number	Educational Discrimination Index
1	.2
2	.5*
3	.3
4	.5*
5	.5*
6	.5*
7	.1
8	.1
9	.3
10	0
11	0
12	.4*
13	.2
14	.1
15	.2
16	.2
17	.2
18	0
19	.1
20	.3

<sup>1</sup>N = 65

\*Applying the standard of 0-.3 as nondiscriminating, these items were judged to discriminate between respondents in the upper and lower educational levels.

A comparison was made between items missed with greater than 20 per cent frequency, items discriminating between successful and unsuccessful students, and items discriminating by educational level. This information is presented in Table 18.

Items missed with high frequency and discriminating between successful and unsuccessful respondents are items 8, 9, and 14. This pattern suggests that respondents successful on these items were not all of a certain educational level. The successful and unsuccessful respondents were randomized over all educational levels. Although not missed with high frequency, item 20 also discriminated by degree of success on the total test.

Items missed with high frequency, discriminating between successful and unsuccessful respondents, and discriminating between educational levels were items 4, 5, and 12. Although not missed with high frequency, items 2 and 6, also discriminated by educational level and degree of success on the total test. Inspection of frequencies of items missed by educational level and form (Tables 13 and 14, pages 85 and 86) support the suggestion of these indices. The overlap of discrimination by educational level and degree of success suggests that, for these items, respondents with lower educational levels were less successful.

The data in Table 18 show that all of the frequently missed items on the test (items 4, 5, 8, 9, 12, and 14) discriminate by educational level, degree of success, or by both of these indices. Additionally, items 2, 6, and 20 discriminate on at least one index.

Table 18

A Comparison of Frequently-Missed Items  
with Items Discriminating by Educational  
Level or Degree of Success on the Application  
(N = 65) Test

Item Number	Frequently Missed <sup>1</sup>	Discriminating <sup>2</sup> by Educational Level	Discriminating <sup>3</sup> by Degree of Success
2		X	X
4	X	X	X
5	X	X	X
6		X	X
8	X		X
9	X		X
12	X	X	X
14	X		X
20			X

<sup>1</sup>Frequently Missed = item missed more than 20% by respondents on Forms 2.2, Form 2.3, and on total test.

<sup>2</sup>Educationally Discriminating = educational discrimination index of greater than 0.3.

<sup>3</sup>Discrimination by Success = standard discrimination index of between 0.3 and 0.6

Because certain items discriminated between respondents to the test, possible reasons for these discriminations were analyzed. Variables on the forms and on the test items were examined. A concern in developing Form 2.2 was to make the form comprehensible to parents of all educational levels. Because of this, particular attention was given to variables which might cause discrimination between educational levels.

Variables on the test items which were considered as possible causes for discrimination were readability of the item, order of the item on the test, degree of abstract reasoning involved in answering the item, length of phrases in the item, and the terminology used in the item to the item. Variables examined on the forms were the placement of the answer on the forms, degree of abstract reasoning involved in arriving at the answer, concepts involved in answering an item, and terminology on the forms involved in answering an item.

General information about test item variables. A number of FORCAST readability calculations were made for the test itself; although test questions were taped, the count of one-syllable words relied on in the FORCAST formula might indicate an effect of the test on respondent listeners. The FORCAST formula (Klare, 1975) is:

$$\text{Reading Grade Level} = 20.43 - (.11) (\text{number of 1-syllable words}/150 \text{ words})$$

Readability levels were calculated for the total test, for items missed by greater than twenty per cent of the respondents, and for items

missed by less than twenty per cent of the respondents. FORCAST reading grade levels were:

Total test: 7.67 reading grade level  
Items missed with high frequency: 7.67 reading grade level  
Items missed with low frequency: 7.12 reading grade level

Readability levels were therefore consistent across all items on the test.

The order of the discriminating items on the test was considered. Of the five items that discriminated by educational level, four of the items were contained in the first half of the test. Of the total items that discriminated by educational level or degree of success, six of the nine items were contained in the first half of the test.

The two forms were then inspected to determine where answers appeared. For questions involving deductive reasoning, the page which was counted was the one on which the central concept of the question appeared. The answer to item 4 appeared on the first page on both forms. Answers to items 2, 16 and 14 were presented on page two of both forms. The answers to items 8 and 20 appeared on pages two and three of Form 2.2 and on page 2 of Form 2.3. The answers to items 5 and 9 were presented on page 2 of Form 2.2 and page one of Form 2.3. Item 20 answers were on pages two and three of Form 2.2 and on page two of Form 2.3.

Analyses of specific test items. Discriminating items were individually analyzed, with specific attention being given to variables which could effect the discriminating ability of the item. These

variables included terminology and degree of abstract thinking required to answer the item.

Both forms were analyzed to determine the relationship of variables on the form to each discriminating item. Variables explored were concepts on the form relative to the item, the degree of abstract thinking required to answer the item, and the related terminology on the form. The following discussion presents the results of this item-by-item analysis.

Item 2 discriminates by educational level. This is the first item in which the term "IEP" is used; the parent would have to use abstract reasoning to deduce the answer to the question. There is substantial difference between the wording on Form 2.2 and the wording on Form 2.3 relative to information required to answer this question; Form 2.2 says "you must be asked to help plan an Individualized Educational Plan for your child," while Form 2.3 states that "you must be given the opportunity to participate in a conference designed to develop your child's Individual Educational Program (IEP)."

Item 4 discriminates by educational level. It is the first item in which the term "evaluation" was used. In order to correctly answer this question, the reader of the form would have to determine that an evaluation is multidisciplinary, and that it is for the purpose of special education placement. The reader also would need to know that grade repetition is not special education. These deductions on the part of the reader require abstract thinking, as well as an awareness of definitions of special education services.

In presenting Forms 2.2 and 2.3 to the respondents, the evaluation components were not checked; on both forms, to answer item 4 correctly, the reader would need to notice that the form said "certain evaluations as checked below" (Form 2.3) or "things checked" (Form 2.2). Further, neither form defines "special education services" or "special services."

Item 5 discriminates by educational level. It is the only item in which the term "handicapped" appears. The term handicapped or handicapping does not appear on Form 2.2. It appears twice, but is not defined, on Form 2.3. The statement related to answering this question is imbedded in a list on page two of Form 2.2, and is the last statement on page one of Form 2.3.

Item 6 discriminates by educational level. It is the first of three items which involve the concept of parent permission for program change. To answer this question correctly, it is necessary to understand that a change from a speech therapy program to a learning disabilities program is a major change of program. The terms "speech therapy" and "learning disabilities" appear in this question, but do not appear on either form (the term "special therapist" appears on both forms, but is defined on neither). The concept of program change is not defined on either form.

Item 8 discriminates by degree of success, but not by educational level. It is the second of three items which focus on issues of program change and parent permission. This is also the first item on which the concept of "due process hearing" appears; this term is defined on Form 2.2, while "impartial hearing" is not defined on Form 2.3. Responding

to this item requires a literal interpretation of statements on either form. The only unfamiliar term is "temporary program change". Neither form makes reference to a temporary change for the student.

Item 9 discriminates by degree of success, but not by educational level. It contains no unfamiliar terms, and requires a literal interpretation of one-sentence statements made on both forms. The sentence related answering this question is imbedded in a list on both forms.

Item 12 discriminates by educational level. It is the only item in which the terms "appeal," "hearing officer" and "State Superintendent of Education" appear. Answering the item correctly requires a literal interpretation of one-sentence statements made on both forms. The sentences on the forms also include the terms "appeal," "hearing officer" and "State Superintendent of Education." The sentence related to answering this question is imbedded in a list on both forms.

Item 14 discriminates by degree of success, but not by educational level. The item may be answered correctly by reading a one-sentence statement on both forms. The sentence is the last statement on page two on Form 2.2. It is the first item of a list on page two of Form 2.3.

Item 20 discriminates by degree of success. It asks the same basic question as item 8, and is the third of three items relating to program change and parent permission. The same basic interpretation is required for this item as for item 8. Information for responding to the item appears on pages two and three of Form 2.2 and on page two of Form 2.3.

Conclusions concerning this analysis of discriminating items are presented in Chapter Four.

### Findings From Item Analyses

A number of findings were made as a result of the item analyses aimed at determining areas in which the revised form might be improved. These findings were:

1. The readability grade level of frequently-missed questions was the same grade level as that of questions which were not missed with frequency. The readability grade level of the entire application test was the same as both sets of questions.

2. Of the nine items which are discriminating, respondents reading the revised form missed a lower percentage on eight of the nine items than did respondents reading the standard form. Differences between percent missed on discriminating items by form ranged from 2.5% to 17.7%. Respondents reading the revised form missed all educationally discriminating items with less frequency.

3. All of the frequently-missed items on the application test were found to discriminate among respondents by educational level, by degree of success on the test, or by both. Additionally, two items which were not missed with frequency also discriminated by educational level or degree of success.

4. Four of the six frequently missed items were in the first half of the test. Six of the nine items which discriminated by educational level or degree of success were in the first half of the test.

5. Key information needed to respond to discriminating items was found randomly on pages on both forms; no pattern of placement of information by page could be discerned. Key information for responses to

four of the nine discriminating items is found imbedded in a list of information.

6. Three of the discriminating items involved the concept of program change. These were the only three items on the application test involving this concept. None of these items discriminated by educational level.

7. Discriminating items required form and item interpretation ranging from abstract, deductive reasoning to literal interpretation of information on the form.

8. Certain terms not appearing on either form appeared on some discriminating items. These terms included "speech therapy," "learning disabilities," and "temporary program change."

9. Other discriminating items contained terms appearing on one or both forms, but not defined on both forms. These terms included "evaluation," "handicapped," "appeal," "State Superintendent of Education," and "evaluation."

#### Additional Data Gathering

Several studies have suggested that, if comprehensibility is not increased by simplified forms, intended readers may still prefer the simplified form. Klare (1976) described a study by Funkhouser and Maccoby which compared the reaction of scientists to science articles written for laymen; while the scientists did not differentiate in comprehensibility of simplified less readable versions, they did not like the less readable version. McLaughlin (1966) found no comprehension difference when undergraduate students read poorly produced or

improved technical pamphlets; the subjects did "spontaneously declare" that they would not have read the poorer version voluntarily.

Further, a clearer form may evoke trust from readers of the form. A Siegel and Gale study (Sacco, 1980) found that bank customers have more trust in banks using simplified forms than they do in banks using standard forms.

To examine the possible effect of the redesigned form in terms of personal preference, the researcher conducted two studies of special education supervisors in the Commonwealth. At the Virginia State Special Education Supervisors' Conference in October, 1982, the researcher asked supervisors' attending her presentation to fill out a questionnaire comparing form 2.1 (the original revised form) and 2.3. The form questionnaire (Appendix H) elicited preferences on issues such as "understandability" and preference of form to use with parents. A majority of the 20 respondents preferred the revised form for presentation to parents. The majority also felt that the form was more sensitive to parents' needs.

A second survey was mailed to all special education supervisors in Virginia. This survey used the questionnaire described above and asked supervisors to compare Forms 2.2 and 2.3.

Of the 125 supervisors contacted, 80 supervisors, or 64%, responded to the survey. The accumulated total of the responses of this group is set forth in Table 19. A number of respondents also included written comments about the forms; these comments are listed in Appendix H.

Table 19  
 Responses of Special Education Administrators  
 in Virginia to Questionnaire About Preferences  
 Between Form 2.2 and Form 2.3<sup>1</sup>

Question	Per Cent Preferring Form 2.2 (Revised Form)	Per Cent Preferring Form 2.3 (Standard Form)	Per Cent Indicating "No Preference"
1. Given the choice of these forms, which form would you prefer to read?	50	42.5	7.5
2. Which form is easiest to understand?	77.5	13.8	8.7
3. Which form is most precise?	31.4	53.8	13.8
4. If a school division wanted to be sensitive to parents' needs, which form would it use? <sup>2</sup>	60	18.7	20
5. If you were explaining a form to a parent, which form would you rather use?	61.3	26.2	11.2
6. Which form is easiest to use?	61.3	26.3	10
7. Which form is most attractive?	45	32	23

<sup>1</sup>N = 80

<sup>2</sup>One respondent indicated that a choice between forms on items 5 and 6 "depends on the parent."

The majority of administrators indicated a preference for Form 2.2 in response to items 1, 2, 4, 5, and 6. In response to question 7, Form 2.2 was preferred by 45% of the administrators. The response to question 3 indicated that Form 2.3 was found "most precise" by 53.8% of the administrators.

### Findings From Survey of Special Education Administrators

Additional findings emerged from the results of the form preference survey of special education administrators in Virginia. These findings were:

1. The percentage of administrators who preferred to read the standard form (42.5%) was almost equal to the number who preferred to read the revised form (50%).
2. Fifty-four percent of administrators felt that the standard form was more precise than the revised form.
3. Seventy-eight percent of administrators found the revised form easier to understand. Most indicated that the revised form is more sensitive to parents' needs, and is preferable to use when explaining the form to a parent.

### Summary of Chapter

Chapter Three has presented a description of the R and D model used for this study. A general description of the initial review, main field test and operational field test was given. Specific results of the initial review and main field test, with subsequent form and application test revisions, were presented.

Following a description of the parameters and procedures of the operational field test, the data collected from the test were presented. Hypotheses were tested using the data.

Item analyses were conducted by use of a standard discrimination index and an educational discrimination index. Nine items discriminated by degree of success on the application test, and four items discriminated by educational level. To determine possible reasons for discrimination, these items were inspected across the variables of readability, relative position in test, terminology, and degree of abstraction involved to answer the question. The two forms were considered in relation to discriminating items. The form variables of position on page, readability, clarity of concepts, terminology, and degree of abstraction required to understand a concept, were discussed.

An additional survey asked local Virginia administrators of special education to give their preference between Form 2.2 and 2.3 in answer to seven questions. A summary of results of this survey was presented.

## Chapter IV

### Discussion, Conclusions, and Recommendations

This study has used a research and development design to develop a field-tested prior notice/due process form. A comparison was made between comprehension of the concepts on the field-tested and comprehension of the concepts on a standard, currently-used form. Item analyses were made with the intent of formulating suggestions to improve the form to a level of "quality verification." Information from a survey of special education administrators also was obtained, with the purpose of suggesting affective reactions to both the standard and revised form.

The purpose of this chapter is to provide discussion and conclusions drawn from the findings. Recommendations for future development and use of the revised prior notice/due process form are offered.

#### Discussion

The primary hypothesis of this study was that there would be a difference in comprehension, as measured by performance on the applications test, between the group which read the standard form and the group which read the revised form. The findings of this study did not support this hypothesis. This section provides discussion related to the procedures and findings of the study. Additionally, a number of reasons will be offered which may serve to explain the findings.

The goal of this R and D study was to develop a form that, in keeping with the requirements of Public Law 94-142 and state regulations,

would enable parents in the study to give informed consent. This means that parents would understand their rights, and would be able to apply these rights when necessary. Informed parents are afforded the maximum opportunity to take part in the special education process.

There was some indication that the standard form was not comprehensible to all readers, and, therefore, that parents were not giving informed consent. An indicator was the readability level of the form. A FORCAST level of 10.97 led to the prediction that the form was, even in a gross sense, difficult to comprehend (Redish, 1981).

In considering the results of the study, it may be that the readability level should not have been considered, in isolation, as an indicator of form difficulty. Klare (1976) has suggested that reading comprehension is affected by the interaction of readability with factors such as reader motivation and test situation. This interaction of factors may have effected the comprehensibility of the standard form.

Specific hypotheses for this study recognized parent educational level as a variable. No mean score differences were found between groups of parents of upper and lower educational levels. Educational level was defined for the study with a break between ninth grade and lower completion level. This variable, as defined, may not have been appropriate for measuring form discrimination between groups of parents. Nehiley (1979) and Davis (1977) found that income, but not education, was related to form comprehension. Kincaid and Gamble (1977) found a relationship between subjects' reading level and form comprehension.

Therefore, income or reading level may have more effectively served as variables to measure form discrimination.

The distribution of respondents' educational levels created difficulty in determining the relationship of the forms to this variable. Of the 65 parents who took part in the study, 15 had educational levels of grade nine or below. Because of this breakdown, comparison by form of the scores of respondents at lower education levels would have been spurious. In examining the frequencies of errors on educationally discriminating items, however, respondents reading the revised form missed these items less frequently. This result suggests that the revised form may be more comprehensible for lower educational level parents. Further studies are needed to investigate this relationship.

There are many other reasons which may serve to explain the findings of this study. These reasons include motivational factors, test-related factors, form-related factors, and form-item related factors.

Motivational factors related to testing conditions. One reason for the findings may be that all respondents were motivated, as a result of the test situation, to demonstrate greater comprehension than would be expected under normal conditions. Greater attention may have been given to the forms and information on them as a result of having to take a test and as a result of having the school official present during the test. Klare's (1976) examination of 36 studies involving readability formulas supports the idea that test situation and reader motivation effect comprehension. Parents are, of course, motivated, under normal

circumstances, to be helpful to their child by learning the information on the form. The greater emphasis placed on the form by the use of the taped test may have served to increase parent motivation to learn the material.

This type of elevated scoring because of a test situation was found in a study by McLaughlin (1966). In this study, students were asked to read either a highly technical pamphlet or a simplified pamphlet and to take a test about information on the pamphlet; the students were given seven minutes to complete the test. There was no significant difference between mean scores on the test. When a second group of students was not timed on the test, a significant difference between scores was found. McLaughlin postulated that the different responses resulted from motivation created by the test situation. Thus, motivation could have played a role in the results of the present study.

Another reason for the lack of significant differences may be related to the readability levels of the forms. The revised form has a FORCAST readability grade level of 7.45, and the standard form has a FORCAST readability grade level of 10.97. This gross difference in readability levels suggests that the revised form may be more comprehensible than the standard form. In the testing situation, however, respondents may have concentrated more carefully on the standard form to understand the material. That is, this increased concentration could have elevated test scores for respondents reading the standard form. This supposition is supported by McLaughlin's (1966) study.

Test-related factors. The item analyses revealed information regarding test-related factors that may have influenced mean test scores. Nine of the 20 items discriminated either by degree of success on the test or by educational level.

Research by Abbass (1979) and Afflerbach, Allington and Walmsley (1980) suggested that the use of unfamiliar words contributes to difficulty in understanding forms. In looking at variables that may have caused items to discriminate, undefined terms used in several questions could have created problems for respondents. The terms "handicapped," "speech therapy," "learning disabilities," "appeal," and "State Superintendent of Education" are all terms which appear on discriminating items, and which are not defined on either form. Three of the five items which discriminated by educational level contained at least one of these undefined terms. Additionally, a fourth item which discriminated by educational level was the only item which contained the term "IEP." The prevalence of undefined terms in educationally discriminating items also suggests that the terminology may have been a factor particularly influencing poorer performance by parents with lower educational achievement.

Another application test variable that may have influenced performance on certain items was the placement of the items on the test. Six of the nine discriminating items were in the first half of the test. Respondents may have rechecked or reread sections of the form several times after taking half of the test. This rereading could have increased familiarity with sections of the test, and thereby increased

performance on the second half of the test. Additionally, respondents may have sensed a theme or pattern in questions in the first half of the test (e.g., "parents have rights") that aided responses in the remainder of the test. These factors would have created a learning situation that resulted in more correct responses on the second half of the test.

Form-related factors. The findings of the item analyses suggested that the position of information on the form may be related to discriminating items. In four of the nine discriminating items, key phrases necessary to answer the item were imbedded in lists on both forms. This placement of facts could have made information difficult to find.

Form-item related factors. Several factors which may have influenced the results of this study are related to both the test and the forms. One of these factors is the degree of abstract thinking and deductive reasoning required to answer a particular item. Five of the discriminating items required the respondent to know facts from the form, and to draw conclusions from these facts. The other four items could have been answered by literal application of one statement on the form. For the items requiring more abstract thinking, the reasoning required could have created a discriminating situation.

The three items on which the term "program change" appears were all judged to be discriminating by either standard or educational discrimination indices. The term is used, but not defined, on both forms. The lack of definition may contribute to the problems encountered with the items using the form.

Analyses of the results do not indicate acceptable levels of performance across test items on either form. Consistent error patterns and discriminating items still exist. These patterns indicate that parents in general, and certain groups in particular, are consistently not comprehending information about specific rights. Revisions need to be made to the form or to the test to bring responses to each item to an acceptable level of comprehension, 100% accuracy on the item. With responses to each item at this level, quality verification would be achieved. Parents must understand their rights as specified on the form.

While the data analyses did not show statistically significant differences between the two forms, there are indications that the revised form is closer to meeting the quality verification goal. A comparison of frequently-missed items (Table 15) shows that all of these items were missed less frequently by readers of the revised form. Further, all items discriminating by educational level were missed less frequently by readers of the revised form. The revised form better meets the goal of providing information that can be used by parents of any educational level.

Finally, findings about the attitudes of those who distribute and use the form must be considered. Comments from parents and school personnel (see Appendix G) indicated that parents have strong feelings about the forms. In the initial review, one parent of low educational level commented to the researcher, "At last, a form I can understand." The Seigel and Gale study (Sacco, 1980) indicated that customers are

more likely to trust a bank using simplified form. McLaughlin's (1966) subjects indicated that they preferred to read a simplified passage. Likewise, positive parent reactions may indicate that parents reading the revised form may have more trust in schools, and may be more likely to use the form.

Special education administrators also indicated strong feelings in relation to the forms. The majority of administrators indicated decided preferences in relation to the forms. The majority preference for using the revised form with parents may indicate that the form will be used more often by these administrators (Sacco, 1980).

In summary, while the results of this study did not show a statistically significant difference between responses of form readers, the revised form has advantages. In terms of relative frequency of correct responses on missed items, it better achieves quality verification. In terms of educational discrimination indices, the revised form discriminates less than the standard form. The revised form may be useful to administrators because they view it as more usable, and as more sensitive to parents' needs.

### Conclusions

The following conclusions can be made relative to this study:

1. On the application test, parents can attain a score of 80% or greater accuracy by reading either form.
2. Specific problem areas of the form and test have been suggested. A base has been established for further improvement of the form.

3. Special education administrators prefer the revised form for use with parents.

4. Prior notice forms contain certain factors that create comprehension problems. Use of jargon and complex terms seem to particularly discriminate against parents of lower educational levels.

#### Recommendations for Form Development

The next step in this R and D study is a revision to improve the comprehensibility of the revised form. With the results of the item analysis as a base, recommendations for revisions to meet this goal are:

1. Define or delete educational terms that are not defined on the test or on the forms. Since undefined terms appeared in most of the educationally discriminating items, this recommendation seems particularly important.

2. Consider attaching a glossary of terms to the form. Defining educational terms may serve as a cross-reference for parents.

3. Consider setting important phrases in boldface type. This may help parents to locate sentences imbedded in a list.

4. Give consideration to changing the test to a "fill in the blank." Parental responses to this type of question would help to target areas where misunderstanding occurs.

5. Clarify application test items where deductive reasoning is required. An item that can be answered more literally may still indicate understanding of a particular concept.

Recommendations for Form Use

School divisions are required to present notice of rights to parents in understandable terms. Considering this mandate, the following recommendations are made:

1. A school division may want to use the application test as a check on whether parents can understand due process rights. The school representative could read the test to the parent, and discuss areas which the parent does not understand. This discussion will act as a correctional factor for areas where comprehension is lacking.

Utilization of such a check demonstrates efforts to meet the intent, as well as the "letter," of state and federal regulations. That is, the local education agency has provided parents with the maximum opportunity to understand their rights.

2. The revised form better approaches quality verification. School divisions may, therefore, want to consider using this form. Or, as some special education administrators suggested, divisions may want to selectively use a standard or revised form depending on the parent who is receiving the information.

3. School division employees should be aware of the possibly discriminating effects of the use of terminology and jargon. Parents of lower educational level may need certain terms explained to them in nontechnical language. A glossary of simply-defined terms may be helpful.

4. School divisions, as well as state education agencies, produce many products such as prior notice/due process forms. It is recommended

that these agencies employ an R and D process similar to that described and utilized in this study to determine the usability of those products for intended populations.

### Recommendations for Further Research

A number of questions have been raised related to variables which may have influenced the outcomes of this study. The following suggestions for further research focus on exploring the affects of these variables on measuring the comprehensibility of the form:

1. Additional studies need to be designed to test various motivational factors. First, the affect of the testing situation on performance should be assessed. Second, future research might compare the performance of parents of identified handicapped learners, parents of learners with suspected handicaps and parents of normal learners with no suspected or identified handicap.

2. Differential test-response formats should be studied. As suggested above, a fill-in-the-blank test may yield more information regarding the reasoning behind parent responses. Research should compare these different response formats.

3. The affect of changes in visual form presentation should be studied. Areas of interest include placing significant facts in bold-face type, numbering lists of facts, using colored paper, and using a flow chart to diagram information.

## References

- Abbass, M. The Vocabulary of Application Forms. Reading Improvement, 1979, 16, 28-31.
- Abeson, A. The Logic and the Law for Parent Participation in the Education of Handicapped Students, Journal of Career Education, 5:1.
- Afflerbach, P., Allington, R., and Walmsley, S. A Basic Vocabulary of US Federal Social Program Applications and Forms. Journal of Reading, 1980, 20, 332-336.
- Anchor, K. and Anchor, F. School Failure and Parental School Involvement in an Ethnically Mixed School: A Survey. Journal of Community Psychology, 2:3, July 1974, 265-267.
- Battison, R. and Landesman, J., (Eds.) Simply Stated, 1981, No. 18.
- Bendick, M., Jr. and Cantu, M. The Literacy of Welfare Clients. Washington, D.C.: The Urban Institute, 1978. (Reprinted from Social Science Review, 1978, 52.)
- Berg, A. and Hammitt, K. Assessing the Psychiatric Patient's Ability to Meet the Literacy Demands of Hospitalization. Hospital and Community Psychiatry, 1980, 31(4), 266-268.
- Beseler, Y. The Principal and Parents of the Handicapped. National Elementary Principal, 58:1, 1978, 39-42.
- Biersner, R. Reading Grade Levels of Navy Rate Training Manuals and Nonresident Career Courses. (ED146548) May 1975.
- Board of Education of Hendrick Hudson Central School District v. Rowley, 102 S. Ct. 3034 (1982).
- Borg, W. and Gall, M. Educational Research, An Introduction. New York: David McKay Co., Inc., 1971.
- Borg, W.R., Kelly, M.L., Langer, P., and Gall, M. The Minicourse: A Microteaching Approach to Teacher Education. Beverly Hills: MacMillan Educational Services, Inc., 1970.
- Bright, R. and Gideonese, H. Research and Development Strategies: The Current Scene. In H. Klausmeier and G. O'Hearn (Eds.), Research and Development Toward the Improvement of Education. Madison, WI: Dembar Educational Research Services, Inc., 1968.
- Brown v. Board of Education of Topeka, 347 U.S. 483, 74 S. Ct. 686, (1954).

- Bruce, B., et al. Why Readability Formulas Fail. Reading Education Report No. 28. (Bolt, Beranet and Newman, Inc., Cambridge, MA: Illinois University, Urbana, Center for the Study of Reading), August 1981.
- Butts, R. Freeman. Public Education in the United States. New York: Holt, Rinehart and Winston, 1978.
- Charrow, V. Let the Rewriter Beware. Washington, D.C.: American Institutes for Research, 1979a.
- Charrow, V. What is "Plain English," Anyway? Washington, D.C.: American Institutes for Research, 1979b.
- Charrow, R. and Charrow, V. Making Legal Language Understandable: A Psycholinguistic Study of Jury Instructions. Columbia Law Review, 1979, 79, 1306-1374.
- Chiba, C. and Semmel, M. Due Process and Least Restrictive Alternative: New Emphasis on Parental Participation. Viewpoints, 1977, 53:2, 17-29.
- Christ, W. and Pharr, P. Readability of Brochures Produced by State of Florida. Journalism Quarterly, 1980, 57, 159-160.
- Cohen, David. Reforming School Politics, Harvard Educational Review, 48:4, 1978, 429-447.
- ....Communications--School/Home. Building the School's Image Through Written Communication. Principals' Inservice District 1, Davidson County Metropolitan Public Schools, Tennessee, August 1979.
- Croft, D. Parents and Teachers: A Resource Book for Home, School, and Community Relations. Belmont, CA: Wadsworth Publishing Co., 1979.
- Davidson County Metropolitan Public Schools, Tennessee. Communications-School/Home. Building the School's Image Through Written Communication, Principals' Inservice, District One, 1979, ED195591.
- Davis, J. Protecting Consumers from Overdisclosure and Gobbledygook: An Empirical Look at the Simplification of Consumer Contracts. Virginia Law Review, 1977, 63, 841-920.
- Duffelmeyer, F. The Effect of Rewriting Prose Material on Reading Comprehension. Reading World, 1979, 19, 1-11.
- Duffy, T. and Kabance, P. Testing a Readable Writing Approach to Text Revision. Journal of Educational Psychology, 1982, 74, 733-748.

- Edge, D. and McLoughlin, J. Developing Printed Material in Educational Programs for Parents of the Handicapped: A State Plan. Unpublished study, University of Louisville, 1981.
- Eels, D.R. Are Parents Really Partners in Education. NASSP Bulletin, 58:378, January 1974, 26-31.
- Evans, E. Orienting Junior High Parents, Personnel & Guidance Journal, 51:10, 1973, 729-732.
- Family Educational Rights and Privacy Act, Title V, Secs. 513, 514, P.L. 93-380.
- Featherstone, Joseph. Cited in Granat, D. Perspectives on Parent Participation in Schools. Washington, D.C.: Ford Foundation, 1979.
- Federal Register, U.S. Department of Health, Education and Welfare. "Part II: Education of Handicapped Children: Implementation of Part B of the Education of Handicapped Act," 42, August 23, 1977.
- Felker, D., (Ed.) Document Design: A Review of the Relevant Research. Washington, D.C.: American Institutes for Research, 1980.
- Felker, D., Pickering, F., Charrow, V., Holland, V., and Redish, J. Guidelines for Document Designers. Washington, D.C.: American Institutes for Research, 1981.
- Fernandez, Happy. Parent Rights and Power as New Dynamics in the American School System. NAASP Bulletin, 64:432, 1980, 14-22.
- Filapzak, James and others. Parental Involvement in Schools: Towards What End? (Paper presented at Annual Meeting of the American Education Research Association), April 1977.
- Fischer, N.A. Parents: Effective Partners in Faculty Selection, Hiring. Phi Delta Kappan, 62:6, 1981, 442.
- Flesch, R. The Art of Readable Writing. New York: Harper and Row, 1974.
- Frase, L.J. Paragraph Organization of Written Materials: The Influence of Conceptual Clustering Upon the Level of Organization and Recall. Journal of Educational Psychology, 1969, 60, 394-401.
- Frase, L.J. Integration of Written Text. Journal of Educational Psychology, 1973, 65, 252-261.
- Gamble, L. and Kincaid, J. The New Readable Insurance Policies: How Easy Are They to Understand? Human Factors Society Bulletin, 1976, 19(3), 4-5.

- Geil, Lloyd H. How to Sharpen Your Report Writing Skills. (Handout from two half-day seminars). Unpublished document, 1980.
- Gordon, I. The Effects of Parent Involvement on Schooling. In R. Brendt (Ed.), Partners: Parents and Schools. Alexandria, VA: Association for Supervision and Curriculum Development, 1979.
- Goss v. Lopez, 419 U.S. 565, 95 S. Ct. 729, 1975.
- Granat, D. Perspectives on Parent Participation in Schools. Washington, D.C.: Institute for Educational Leadership, 1979.
- Greenwood, M., Breivogel, W., Bessent, P. Some Promising Approaches to Parent Involvement. Theory into Practice, 11(3), 1972, 183-189.
- Grogan, L. The States of Plain Language Legislation in the Fifty States and President Carter's Executive Order 12044, ED 170722, May 1979.
- Henderson, Anne, (Ed.) Parent Participation - Student Achievement: The Evidence Grows. NCCE Occasional Papers. Columbia, MD: NCCE, 1981.
- Herman, J.L. and Leh, J.P. Some Effects of Parent Involvement in Schools. (Paper presented at the Annual Meeting of the American Educational Research Association, Boston, MA, April 7-11, 1980). (ED206963).
- Hobson, P. The Partnership with Title I Parents. In R. Brendt (Ed.), Partners: Parents & Schools. Alexandria, VA: Association for Supervision & Curriculum Dev't, 1979.
- Hoff, M., Fenton, K., Yoshida, R., and Kaufman, M. Notice and Consent: The School's Responsibility to Inform Parents. Journal of School Psychology, 16:3, 1978, 265-273.
- Hofmeister, A. Models for Educational Research and Development. Logan, UT: Exceptional Child Center, Utah State University, 1975.
- Holland, V. Psycholinguistic Alternatives to Readability Formulas. Washington, DC: Document Design Project, 1981 (ED214370).
- James, J. Parent-Teacher Communication (Discussion Guide). U.S.A.: Parents' Magazine Films, Inc., 1978.
- Jones, E. and Jones, G. Drafting Government Regulations and Other Legal Documents in Plain Language: What Difference Does It Make? In R. Givens (Ed.), Drafting Documents in Plain Language, 1981. New York, NY: Practicing Law Institute, 1981, 267-286.

- Kent, T. Readability and Audience Response: Unfogging the Fog (March 1980). (Paper presented at the Annual Meeting of the Conference on College Composition Communication, March 13-15, 1980).
- Kern, R. Usefulness of Readability Formulas for Achieving Army Readability Objectives: Research and State-of-the-Art Applied to the Army's Problem. Alexandria, VA: U.S. Army Research Institute for the Behavioral and Social Sciences, 1980.
- Kern, R., Sticht, T., Welty, D., and Hauke, R. Guidebook for the Development of Army Training Literature (HUMMRO-tech. Rep 75-3). Alexandria, VA: Human Resources Research Organization, 1976.
- Kincaid, J., Fishburne, R.P., Rogers, R.L., and Chissom, B. Derivation of New Readability Formulas (Automated Readability Index, Fog Count, and Flesch Reading Ease Formula) for Navy Enlisted personnel. (Research Branch Report 8-75). Millington, TN: Naval Air Station Memphis, February, 1975.
- Kincaid, J. and Gamble, L. Ease of Comprehension of Standard and Readable Automobile Insurance Policies as a Function of Reading Ability. Journal of Reading Behavior, 1976, 9(1), 85-87.
- Kirp, D., Buss, W., and Kuriloff, P. Legal Reform of Special Education: Empirical Studies and Procedural Proposals. California Law Review, 62:1, 1974, 40-130.
- Klare, G. Assessing Readability. Reading Research Quarterly, 1975, 10, 62-102.
- Klare, G. A Second Look at the Validity of Readability Formulas. Journal of Reading Behavior, 1976, 8:2, 129-152.
- Klare, G. Readability: Passage Difficulty and Content Dependence. (Paper presented at Annual Meeting of the International Reading Association, April 27-May 1, 1981).
- Kniffin, J. The New Readability Requirements for Military Technical Manuals. Technical Communications, 3rd Quarter, 1979, 16-19.
- Kotin, L. Due Process in Special Education: Legal Perspectives--The State of the States, P.L. 94-142 and Systems Design. Massachusetts Center for Public Interest Law, Boston, 1976 (ED135166).
- Landesman, J. and Battison, R., (Eds.) Simply Stated, No. 24, March 1982.
- Leary, James L. The Grading Controversy: How Do You Meet It? Educational Leadership, 33(1), October 1975, 25-27.

Le Banks v. Spears, 60 F.R.D., 135 (E.D. La 1973).

Leshock, D. and McLaughlin, J.A. Readability Levels of Due Process/ Prior Notice Forms in Virginia School Divisions. Unpublished study, 1982.

Lordeman, A., et al. Establishing and Assessing Two-Way Communication Between Parents and Schools. (Paper presented at the Annual Meeting of the AERA, New York, New York, April 4-8, 1977).

Matthews, J., Valentine, L., and Sellman, W. Prediction of Reading Grade Levels of Service Applicants from Armed Services Vocational Aptitude Battery (ASVAB). AFHRL-TR-78-82. Brooks AFB, TX: Personnel Research Division, Air Force Human Resources Laboratory, December 1978.

Mattson, B. Involving Parents in Special Education: Did You Really Reach Them? Education and Training of the Mentally Retarded, 1977, 12:4, 358-360.

McLaughlin, H. Comparing Styles of Technical Information. Ergonomics, 1966 9:3, 257-259.

Michaelis, C. Home and School Partnerships in Exceptional Education. Rockville, MD: Aspen Systems Corporation, 1980.

Mills v. Board of Education of the District of Columbia, 348 F. Supp. 866 (D.D.C. 1972).

Nehiley, J. The Effects of Readability and Information-Targeting on Limited-Resource. Individuals Utilizing Extension Educational Materials. Unpublished doctoral dissertation, The Florida State University, 1979.

Northcutt, Norvell. Functional Literacy for Adults. In D. Neilsen and H. Hjelm (Company Eds.), Reading and Career Education. Newark, DE: International Reading Association, 1975, 43-49.

Pennsylvania Association for Retarded Children v. Pennsylvania, 343 F. Supp. 279 (E.D. Pa. 1972).

Post, T. and Price, H. Cited in D. Felker, Document Design: A Review of Relevant Research. Washington, D.C.: American Institutes for Research, 1980.

Presidential Executive Order No. 12044, 43 Fed. Reg. 12661, 12662, (1978).

- Pressman, R. Legislative and Regulatory Progress on the Readability of Insurance Policies. Washington, D.C.: American Institutes for Research, 1979.
- Pryzansky, W. and Bersoff, D. Parental Consent for Psychological Evaluations: Legal, Ethical and Practical Considerations. Journal of School Psychology, Inc., 16:3, 1978, 274-281.
- Pyrzczak, F. Readability of "Instructions for Form 1040." Journal of Reading, 1979, 20(2), 121-127.
- Public Law 93-380 (Educational Amendments Act, Title VIB, 1974). 93rd Congress, 2nd Session, 1974.
- P.L. 94-142. Education for All Handicapped Children Act of 1975. 94th Congress, 1st Session, 1975.
- Redish, J. Readability. Washington, D.C.: American Institutes for Research, 1979.
- Rousseau, M. The Effect of Readability on Reading Comprehension of Cottage Parents in Institutions for Retarded Persons. The Florida State University: Unpublished doctoral dissertation, 1976.
- Rowell, J. The Five Rights of Parents. Phi Delta Kappan, 62:6, 1981, 441-443.
- Sacco, J. The Language Simplification Movement: Where does it Stand? ED193634, 1980.
- Salett, S. and Henderson, A. A Report on the Education for All Handicapped Children Act: Are Parents Involved? Columbia, MD: National Committee for Citizens in Education, October 1980 (ED209183).
- Sax, G. Principles of Educational Measurement and Evaluation. Belmont, CA: Wadsworth Publishing Company, 1974.
- Schuck, Judith. The Parent-Professional Partnership-Myth or Reality? Education Unlimited, 1:4, 1979, 26-28.
- Schutz, R. Developing the "D" in Educational R and D. Theory into Practice, 1967, 6, 73-76.
- Seibert, Jane B., et al. Emerging Trends in Parent-School Communication. (Presented at the Annual Meeting of the National Reading Conference, San Antonio, TX, 1979).
- Spache, G. Good Reading for Poor Readers. Champaign, IL: Garrard Press, 1974.

- Thiagarajan, S., Semmel, D., and Semmel M. Instructional Development for Training Teachers of Exceptional Children: A Sourcebook. Bloomington, IN: University of Indiana Printing Dept., 1974.
- Tinker v. Des Moines Independent Community School District, 393 U.S. 503, 89 S. Ct. 733, 1969.
- Trapini, F. and Walmsley, I. Five Readability Estimates: Differential Effects of Simplifying a Document. Journal of Reading. 1981, 24, 398-403.
- Turnbull, H. and Turnbull, A. Free Appropriate Public Education: Law and Implementation. Denver: Love Publishing Company, 1979.
- Tyack, David. Cited in Granat, D. Perspectives on Parent Participation in Schools. Washington, D.C.: Ford Foundation, 1979.
- U.S. Department of Education, "To Assure the Free Appropriate Public Education of All Handicapped Children." (Second Annual Report to Congress on the Implementation of Public Law 94-142: The Education for All Handicapped Children Act), 1980.
- United States Office of Education. Progress Towards a Free Appropriate Public Education: A Report to Congress, 1979.
- Virginia Conference of Parents and Teachers, Statement of Purpose. Richmond, VA, 1974.
- "Ways Federal Forms Eat Away Your Time." U.S. News & World Report, June 26, 1978, 58.
- Worthington, J. The Readability of Footnotes to Financial Statements and How to Improve Them. Journal of Reading, 1977, 20(6), 469-478.
- Yoshida, R. and Gottlieb, J. A Model of Parental Participation in the Pupil Planning Process. Mental Retardation, 15, 1977, 17-20.
- Yoshida, R., Schensul, J., Pelto, P., and Fenton, K. The Principal and Special Education Placement. National Elementary Principal, 58:1, 1978, 34-38.
- Zimmer, B. and Hawley, A. Metropolitan Area Schools. Los Angeles: Sage Publishing, 1968.

## APPENDICES

Appendix A

PANEL OF EXPERTS AND  
RESPONSES OF PANEL OF EXPERTS

PANEL OF EXPERTS

Lou Danielson  
Division of Assistance to States  
Special Education Programs

Marvin Rowe  
Supervisor, Virginia State Department of Education

Andrea B. Chisick  
Supervisor of Adjustive Services  
Virginia State Department of Education

Therese Grimes, Ed.D.  
Director of Special Education  
Wythe County Schools  
Wytheville, Virginia



WYTHE COUNTY PUBLIC SCHOOLS

SCHOOL BOARD OFFICE  
1570 WEST RESERVOIR STREET  
WYTHEVILLE, VIRGINIA 24382-1597  
703-228-5411

DR. JUDITH D. WHITTEMORE  
DIVISION SUPERINTENDENT

October 18, 1982

Dorothy F. Leshock  
Special Education Coordinator  
Radford City Schools  
Post Office Box 3698, F.S.S.  
Radford, Virginia 24141

Dear Mrs. Leshock:

Enclosed are the completed questionnaires related to the revised due process/prior notice form and the application questions.

If you have any questions concerning my comments, please call me. I shall be happy to offer continued assistance.

Sincerely,

Therese E. Grimes, Ed.D.  
Director of Special Education

TEG/lup

Enclosures

RESPONSE SHEET FOR REWRITTEN FORM

1. Are all sections of the form understandable to you? Yes, but still need clarification.

If no, what parts need clarification? Please be as specific as possible.

- 1A. As of 7/1/81 (22.1-214, Code of Virginia) the hearing of each handicapped child must be tested prior to placement in a special education program. Perhaps this assessment component should be listed separately under "What is an Evaluation".
- 1B. Insert after " ... give other tests if they are needed." a line or space to enter recommended assessments -- for example, neurological gross motor function, ophthalmological, etc.
- 1C. Clarify "educational tests" under "What is an Evaluation?" by indicating that they are individually administered and may include evaluation of math, reading, spelling, and writing achievement, etc.

2. Does this form include all rights required to be listed by P.L. 94-14? No.

If no, what needs to be added?

- 2A. Include in statement regarding "confidential file" that written parent consent must be given before any information is released to other agencies. (PL94-142-121a.461). Parents frequently seem to ask where confidential files are kept and who has access to them; knowing that the LEA cannot divulge certain information to outside requests seems important.
- 2B. PL94-142-121a.403. The LEA must inform the parents that they have the right to an independent evaluation of the child at their expense at any time and that this information will be included during the eligibility process; the parent has the right to an independent evaluation at public expense if they disagree with the LEA evaluation conducted and if an Impartial Hearing Officer agrees that an independent evaluation is needed.
- 2C. Clarify or add to FAPE statement indication that the evaluation is at no cost to the parents.
- 2D. Clarify statement concerning parent right to request a change or deletion of child's records to include school's action if the parent request is refused.

3. Do you perceive any misinformation being conveyed on this form? Yes.

If yes, what information should be corrected?

The important word "individual" does not precede any statements concerning evaluation and/or tests.

4. Do you feel the format of this form is attractive? Yes. Would parents want to read it? Yes. Is there anything you could suggest to make the form more appealing or understandable? No.

---

Therese E. Grimes, Ed.D.

RESPONSE SHEET FOR QUESTIONS

1. Are there any questions that you feel are unclear? Yes. If yes, please list question numbers, and comment, if appropriate.
- # 5. (See my comment under 2.D response sheet for rewritten forms.)  
# 17. (See my comment under 2.B response sheet for rewritten forms.)
2. Do you feel any answers are wrong? No. If yes, please list question numbers: \_\_\_\_\_
3. Do these questions cover the major concepts parents should understand from the form? No. If no, what else should be covered?
- A. Special Education and related services including evaluation are at no cost.
- B. Written parent consent required before LEA can disclose confidential information to outside agencies.
4. Can you suggest additional, appropriate questions? Yes If yes, please list:
- (a) The school feels that your child should have an eye doctor (or other specialist) examine your child's vision as part of the evaluation. The school says that you must pay this bill. Is the school right?
- (b) The school sends confidential records to another agency (Mental Health Clinic, private school, medical group, etc.) without obtaining your written permission. May they do this?

---

 Therese E. Grimes, Ed.D.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P. O. Box 60

RICHMOND 23216

October 19, 1982

Ms. Dorothy F. Leshock  
Special Education Coordinator  
Radford City Public Schools  
P. O. Box 3698  
Radford, Virginia 24143

Dear Ms. Leshock:

The Division of Special Education Administration and Finance received on October 4, 1982, your letter of September 20, 1982, concerning the revised due process/prior notice form that Radford City Public Schools would like to adopt for use.

This information has been shared with Department of Education staff. Our comments have been written on the forms and are attached for your review. In addition, we have reservations about the format and grammar.

Should you require further technical assistance in revising the due process/prior notice form prior to implementation, we suggest you contact Mr. Marvin Rowe, Regional Supervisor.

Sincerely,

Andrea B. Chisick  
Supervisor of Adjustive Services

ABC:lah

cc: Dr. N. Grant Tubbs  
Mr. Leslie G. Goode  
Dr. Lori Bell-Mick  
Mr. Marvin Rowe  
Dr. Charles B. Franklin

Attachment

Response Sheet for Questions

1. Are there any questions that you feel are unclear? \_\_\_\_\_ If yes, please list question numbers, and comment, if appropriate.

# 5 perhaps under rights sections - you might mention rights to a hearing in this area → change of records

2. Do you feel any answers are wrong? \_\_\_\_\_ If yes, please list question numbers: \_\_\_\_\_.

3. Do these questions cover the major concepts parents should understand from the form? yes If no, what else should be covered?

see comments other page for what has been left out.

4. Can you suggest additional, appropriate questions? \_\_\_\_\_ If yes, please list:

Response Sheet for Rewritten Form

1. Are all sections of the form understandable to you? Yes

If no, what parts need clarification? (Please be as specific as possible).

comments added

2. Does this form include all rights required to be listed by P.L. 94-142? NO

If no, what needs to be added?

check form for comments added.

also check Va Reg (or Adm Review) for easy check off list

3. Do you perceive any misinformation being conveyed on this form? yes

If yes, what information should be corrected?

rt. to ask for IEE w/o first needing to be in due process

rt. to advocate

4. Do you feel the format of this form is attractive? long Would  
parents want to read it? \_\_\_\_\_ Is there anything you could suggest

to make the form more appealing or understandable?

definitely low language-comprehension level

## APPLICATION QUESTIONS

(Numbers in parentheses indicate reference to areas of concern.)

*confusing if left in for  
parents -  
your # don't talk  
with front*

- | Yes | No |   |
|-----|----|---|
| —   | ✓  | 1. With your permission, the school has looked at your child's reading level. From the reading level, they decide that he needs to repeat a grade. According to the form you read, is this process called an evaluation? (1-3)  |
| —   | ✓  | 2. Your child has been given psychological tests and placed in a special class. You did not give permission for these tests. Is the placement legal? (1-3) <i>Could be - question of custody -&gt; might need to clarify;</i>   |
| ✓   | —  | 3. The school is planning to write an IEP for your child. You have been invited to attend, but you decide not to go. May the school legally have the meeting without you? (4-6)   |
| —   | ✓  | 4. The school says that your child needs speech therapy. After six weeks of the therapy, the school sends you a bill for the therapy. Must you pay the bill? (4-6)  |
| —   | ✓  | 5. You read your child's file. A report says that your child is handicapped. You ask for the report to be removed. Must the school immediately remove the report? (8)   |
| —   | ✓  | 6. Your child has been <sup>in a</sup> program for speech therapy. The school wants to move your child to a learning disabilities program. May they make this change without your permission? (7) <i>typo</i>   |
| ✓   | —  | 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have the right to a <u>report</u> ? (7) <i>Conference school</i>                        |
| ✓   | —  | 8. You write to the <sup>school</sup> Board of Education to ask for a due process hearing. The school suggests that, while the hearing is being held, your child's program temporarily be changed. You agree to the change. Is it legal for the change to be made? (11) |
| ✓   | —  | 9. You want your friend to read your child's records. Must the school let your friend do this? (8)  |

- | Yes                                 | No                                  |   |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 10. You meet with the school to help plan an IEP for your child. You are satisfied with the plan, and so is the school. At this point, may your child legally be placed in the program described by the plan? (9)                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 11. You want to bring a lawyer to the due process hearing, but you don't know one you can afford. Must the school give you a list of free or low cost lawyers? (11)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 12. You do not agree with the hearing officer's decision. You decide to appeal to the State Superintendent of Education. Is this the way to appeal the decision? (11)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 13. The school wants to call teachers as witnesses at a due process hearing. May they do this? (11)   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 14. You decide to request a due process hearing, so you phone your child's principal and ask for one. Is this the correct person to contact? (11)   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 15. The school wants to invite newspaper reporters to your child's due process hearing. You don't want reporters there. May the reporters attend? (11)  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 16. The school insists that your child attend his due process hearing. You don't want your child there. Must your child attend? (11)  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 17. You have had your child tested by a private psychologist. You want to use this psychologist's report at a due process hearing. May you do this? (11)  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 18. You want to bring your child to his due process hearing. Are you allowed to do this? (11)   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 19. You do not want your child evaluated. The school principal says that <del>they</del> <sup>he/she</sup> feel your child needs help, so <del>they</del> <sup>myself</sup> evaluate your child without your permission. Is the principal correct? (11) |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 20. You request a due process hearing. The school decides to put your child in a special education program before the hearing. You do not agree with having your child's program changed. May the school change the program before the hearing? (11)    |

Must  
might  
should  
may } ???  
Parent  
Statement  
1-7

PRIOR NOTICE/NOTICE OF RIGHTS

WHY ARE WE WRITING TO YOU?

We want your child to do well in school. We think that he/she may have some kind of handicap. If he/she does, a special education program may help him/her in learning.

special help

We are asking your permission to evaluate your child. Before you decide ~~about this~~, you need to know about the evaluation and ~~about~~ your rights.

Allow the school division to

WHAT IS AN EVALUATION?

An evaluation is a careful look at what your child can and cannot do. It will help us decide if your child needs special education services. For the evaluation, we will do the things checked:

Then we just  
have to work

might  
consider  
naming  
the  
assessments

- \_\_\_ give your child educational tests to see how he/she is functioning?? performing?? behaving?? in school.
- \_\_\_ talk to you about how your child acts in and out of school.
- \_\_\_ have a doctor check your child's health.
- \_\_\_ have a psychologist find out your child's ability. The psychologist will test your child to see how he learns and how much he may be able to learn. The tests to be used for your child are intelligence tests and other psychological tests.
- \_\_\_ have a speech teacher test your child's speech and language, if we feel this is needed.
- \_\_\_ give other tests if they are needed, such as →

WHAT ARE YOUR CHILD'S RIGHTS?

The law says that you and your child have <sup>certain</sup> rights. These rights are protected by rules called "procedural safeguards" or "due process safeguards." Before you give us permission for an evaluation, you should understand these rights. They are:

- you have the right to a "free, appropriate public education" for your child. This means that the school must give your child a free education that helps him/her learn.

need to include

-2-

- why you need to do this
- what options have you rejected, tried, etc
- right to remain in placement
- right to an indep. educ. eval. at public expense (not just in hearing level)
- right to an impartial due process hearing

- you must give written permission before your child is evaluated.
- you must be told the results of the evaluation. We must also tell you if we think your child needs a special education ~~program~~ <sup>services</sup>.
- you, or anyone you ask, may look at all of your child's records. This includes a confidential file which has all the special records for your child. This confidential file includes all evaluation reports.
- you may ask to have parts of your child's records changed or removed. You may ask for this if you think that the records are wrong, or if you think that they contain private information that should not be in school records. *hearing possible*
- you must be asked to help plan an Individual Educational Program (IEP) for your child. An IEP will be written if <sup>services</sup> we think that your child needs a special education program. It is a special plan written for your child only.
- you must be told ahead of time:
  1. if we say that your child needs special education help.
  2. if we refuse to say that your child needs special education help, or
  3. if we think that your child needs a major program change.
- you must give written permission before there is a major change in your child's program.

#### WHAT HAPPENS IF YOU DON'T AGREE WITH US?

You may not agree with us about evaluating or placing your child. If you do not agree, there are steps you may take. The major steps are:

1. You may be able to work things out by talking to people at your child's school.
2. You may ask for an "impartial due process hearing." This is a meeting held by a hearing officer who is not employed by the school. The hearing officer will listen to you and to the school and decide what he thinks is the best program for your child.

-3-

If you decide to ask for a due process hearing, you must write your local Board of ~~Education~~ to ask for it.

<sup>SCHOOL</sup> The school may also take these steps.

WHAT ARE DUE PROCESS HEARING RIGHTS? right to have an advocate

You and the school both have rights at a due process hearing. They are:

- to have a lawyer at the hearing. If you ask, the school must give you a list of lawyers who will help you for free or at low cost.
- to call witnesses and to give evidence. The evidence could include reports by outside testers, written observations of your child, or any other information you want to give.
- to appeal the hearing officer's decision to the State Superintendent of Education.
- to appeal the <sup>State Review Officer's</sup> ~~State Department's~~ decision to ~~the~~ court.

You and your child's due process hearing rights also include:

- to have the hearing "open" to the public or "closed." If it is closed, only people involved with the hearing may be present.
- to have your child at the hearing if you ask for, or permit this.

< - to request that the school pay for an "outside" evaluation. >

WHAT IS THE NEXT STEP?

We want you to understand the information on this form. If you do not, or if you have more questions, please contact your child's principal.

If you understand the information on this form, and agree to have your child evaluated, please sign the attached sheet and return it to the school within 20 days.

You have the right to give or refuse permission.

Thank you for your cooperation.

When you are finished reading this form, please tell the school representative.

what attached sheet  
note

principal?  
V.T.

how?

Response of Mr. Danielson

Response Sheet for Rewritten Form1. Are all sections of the form understandable to you? Yes

If no, what parts need clarification? (Please be as specific as possible).

2. Does this form include all rights required to be listed by P.L. 94-142? No

If no, what needs to be added? I appreciate your attempts to make the notice easier for parents to understand, however, the requirement is that parents ~~to~~ receive a full explanation of all procedural safeguards available under Subpart E (see 300.505(a)(1)). You have left a number of things out and in other cases possibly changed the meaning with your wording, e.g. you say parent ~~must~~ <sup>notify</sup> before "major change". This wording may not reflect the intent - is a change in placement a major change?

3. Do you perceive any misinformation being conveyed on this form? Possibly

If yes, what information should be corrected?

See above.4. Do you feel the format of this form is attractive? Yes Wouldparents want to read it? Probably Is there anything you could suggest

to make the form more appealing or understandable?

Response of Mr. Danielson

## APPLICATION QUESTIONS

(Numbers in parentheses indicate reference to areas of concern.)

- | Yes      | No       |   |
|----------|----------|---|
| —        | <u>7</u> | 1. With your permission, the school has looked at your child's reading level. From the reading level, they decide that he needs to repeat a grade. According to the form you read, is this process called an evaluation? (1-3)                        |
|          |          | <i>This question is not clear to me.</i>  |
| —        | <u>X</u> | 2. Your child has been given psychological tests and placed in a special class. You did not give permission for these tests. Is the placement legal? (1-3)  |
| <u>X</u> | —        | 3. The school is planning to write an IEP for your child. You have been invited to attend, but you decide not to go. May the school legally have the meeting without you? (4-6)   |
| —        | <u>X</u> | 4. The school says that your child needs speech therapy. After six weeks of the therapy, the school sends you a bill for the therapy. Must you pay the bill? (4-6)  |
| —        | <u>X</u> | 5. You read your child's file. A report says that your child is handicapped. You ask for the report to be removed. Must the school immediately remove the report? (8)   |
| —        | <u>X</u> | 6. You child has been <sup>in</sup> a program for speech therapy. The school wants to move your child to a learning disabilities program. May they make this change without your permission? (7)  |
| <u>1</u> | —        | 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have the right to a report? (7)                                       |
| <u>Y</u> | —        | 8. You write to the Board of Education to ask for a due process hearing. The school suggests that, while the hearing is being held, your child's program temporarily be changed. You agree to the change. Is it legal for the change to be made? (11) |
|          |          | <i>Of your own written report, that right is only in certain cases. Better to change to "right to access to information."</i>   |
| <u>X</u> | —        | 9. You want your friend to read your child's records. Must the school let your friend do this? (8)  |

- | Yes       | No        |  |
|-----------|-----------|--|
| <u>X</u>  | <u>  </u> | 10. You meet with the school to help plan an IEP for your child. You are satisfied with the plan, and so is the school. At this point, may your child legally be placed in the program described by the plan? (9)                                    |
| <u>X</u>  | <u>  </u> | 11. You want to bring a lawyer to the due process hearing, but you don't know one you can afford. Must the school give you a list of free or low cost lawyers? (11)  |
| <u>  </u> | <u>  </u> | 12. You do not agree with the hearing officer's decision. You decide to appeal to the State Superintendent of Education. Is this the way to appeal the decision? (11)  |
| <u>X</u>  | <u>  </u> | 13. The school wants to call teachers as witnesses at a due process hearing. May they do this? (11)  |
| <u>  </u> | <u>  </u> | 14. You decide to request a due process hearing, so you phone your child's principal and ask for one. Is this the correct person to contact? (11)  |
| <u>  </u> | <u>  </u> | 15. The school wants to invite newspaper reporters to your child's due process hearing. You don't want reporters there. May the reporters attend? (11)   |
| <u>  </u> | <u>  </u> | 16. The school insists that your child attend his due process hearing. You don't want your child there. Must your child attend? (11)   |
| <u>  </u> | <u>  </u> | 17. You have had you child tested by a private psychologist. You want to use this psychologist's report at a due process hearing. May you do this? (11)  |
| <u>X</u>  | <u>  </u> | 18. You want to bring your child to his due process hearing. Are you allowed to do this? (11)  |
| <u>  </u> | <u>  </u> | 19. You do not want your child evaluated. The school principal says that they feel your child needs help, so they evaluate your child without your permission. Is the principal correct?(11)   |
| <u>  </u> | <u>  </u> | 20. You request a due process hearing. The school decides to put your child in a special education program before the hearing. You do not agree with having your child's program changed. May the school change the program before the hearing? (11) |

Response of Mr. Danielson

Response Sheet for Questions

1. Are there any questions that you feel are unclear? yes If yes, please list question numbers, and comment, if appropriate.
1. } See comments on form  
2. }
2. Do you feel any answers are wrong? No If yes, please list question numbers: \_\_\_\_\_.
3. Do these questions cover the major concepts parents should understand from the form? yes If no, what else should be covered?
4. Can you suggest additional, appropriate questions? no If yes, please list:

**RADFORD CITY SCHOOLS**  
OFFICE OF SUPERINTENDENT  
P.O. BOX 3698 F.S.S.  
RADFORD, VIRGINIA  
24141

December 2, 1982

Mr. Marvin Rowe, Supervisor  
Special Education Administrator  
Drawer G  
Abingdon, VA 24210

Dear Mr. Rowe:

Attached is a copy of a prior notice/due process form. It has been revised to meet suggestions of a local/state/federal panel of experts.

I need to verify that this form meets Virginia State regulations. Would you please comment on this? A reply sheet is also attached for your convenience.

Very truly yours,

Dorothy F. Leshock  
Special Education Coordinator

DFL/bvw

Attachments

## PRIOR NOTICE/NOTICE OF RIGHTS

WHY ARE WE WRITING TO YOU?

We want your child to do well in school. We have already tried doing some things to help your child; these things are listed on an attached paper.

We feel that your child may need more special help. If he does, a special education program may help him in learning.

We are asking your permission to allow us to evaluate your child. Before you decide, you need to know about the evaluation and your rights.

WHAT IS AN EVALUATION?

An evaluation is a careful look at what your child can and cannot do. It will help us decide if your child needs special education services. For the evaluation, we will do the things checked:

- \_\_\_\_\_ give your child individual educational tests to see how he is doing in school. These tests may include things such as reading and arithmetic.
- \_\_\_\_\_ talk to you about how your child acts in and out of school.
- \_\_\_\_\_ have a psychologist find out your child's ability. The psychologist will test your child to see how he learns and how much he may be able to learn. The tests to be given are intelligence tests, behavioral tests, and other psychological tests.
- \_\_\_\_\_ have a speech teacher test your child's speech and language, if we feel this is needed.
- \_\_\_\_\_ give other tests if they are needed.

WHAT ARE YOUR CHILD'S RIGHTS?

The law says that you and your child have certain rights. These rights are protected by rules called "procedural safeguards" or "due process safeguards". Before you give us permission for an evaluation, you should understand these rights. They are:

- you have the right to a "free, appropriate public education" for your child. This means that the school must give your child a free education that helps him learn.

The school must also do your child's full evaluation at no cost to you.

-2-

- you must give written permission before your child is evaluated.
- you must be told the results of the evaluation. We must also tell you if we think your child needs a special education program.
- you, or anyone you ask, may look at all of your child's records. This includes a confidential file which has all the special records for your child. This confidential file includes all evaluation reports.
- you must have given written permission before the school may show your child's confidential file to an outside agency.
- you must be asked to help plan an Individualized Educational Program (IEP) for your child. An IEP will be written if we think that your child needs special education services. It is a special plan written for your child only.
- you must be told ahead of time:
  1. if we say that your child needs special education help.
  2. if we refuse to say that your child needs special education help, or
  3. if we think that your child needs a major program change.
- you must give written permission before there is a major change in your child's program.
- you may ask to have parts of your child's records changed or removed. You may ask for this if you think that the records are wrong, or if you think that they contain private information that should not be in school records. The school may not agree to remove the files. If they refuse, they might ask for a due process hearing; this is explained below.
- you have the right to an outside evaluation at public expense.
- you must give written permission before there is a major change in your child's program.
- you have the right to an impartial due process hearing. (This is explained below).

WHAT HAPPENS IF YOU DON'T AGREE WITH US?

You may not agree with us about evaluating or placing your child. If you do not agree, there are steps you may take. The major steps are:

1. You may be able to work things out by talking to people at your child's school.
2. You may ask for an impartial due process hearing." This is a meeting held by a hearing officer who is not employed by the school. The hearing officer will listen to you and to the school and decide what he thinks is the best program for your child.

If you decide to ask for a due process hearing, you must write your local School Board to ask for it.

-3-

The school may also take these steps.

WHAT ARE DUE PROCESS HEARING RIGHTS?

You and the school both have rights at a due process hearing. They are:

- to have a lawyer or advocate at the hearing. If you ask, the school must give you a list of lawyers who will help you for free or at low cost.
- to call witnesses and to give evidence. The evidence could include reports by outside testers, written observations of your child, or any other information you want to give.
- to appeal the hearing officer's decision to the State Superintendent of Education.
- to appeal the Review Officer's decision to a court of law.

You and your child's due process hearing rights also include:

- to have the hearing "open" to the public or "closed". If it is closed, only people involved with the hearing may be present.
- to have your child at the hearing if you ask for, or permit this.
- to request that the school pay for an "outside" evaluation.
- to have your child stay in his present placement until a final decision is reached.

WHAT IS THE NEXT STEP?

We want you to understand the information on this form. If you do not, or if you have more questions, please contact your child's principal.

If you understand the information on this form, and agree to have your child evaluated, please sign the attached sheet and return it to the school within 20 days.

You have the right to give or to refuse permission.

Thank you for your cooperation.

When you are finished reading this form, please tell the school representative.

Response Sheet for Form 2.2

In my opinion, the form meets Virginia State regulations,

In my opinion, the form does not meet Virginia State Regulations.

---

Marvin Rowe  
Special Education Supervisor  
Virginia State Department of  
Education

---

Date

Appendix B  
PARTICIPATING SCHOOL DIVISIONS

PARTICIPATING SOUTHWEST VIRGINIA  
SCHOOL DIVISIONS

Bland County Schools  
Dickenson County Schools  
Giles County Schools  
Fries/Grayson County Schools  
Lee County Schools  
Radford City Schools  
Russell County Schools  
Smyth County Schools  
Tazewell County Schools  
Washington County Schools  
Wythe County Schools

Appendix C

CONCEPTS USED FOR APPLICATION TEST  
DEVELOPMENT

## AREAS OF CONCERN FROM WHICH QUESTIONS WERE GENERATED

1. An evaluation is done to determine if a child has a handicap and needs special education services.
2. An evaluation is multidisciplinary, and may look at a child's educational, psychological, social and medical functioning.
3. The school must have written parent permission to do an evaluation.
4. Parents and children have legal rights which are protected by procedural (or due process) safeguards.
5. Handicapped children have the right to a free, appropriate, public education.
6. Parents must be asked to give written permission at certain times.
7. The parent must be told evaluation results. The parent must also be told ahead of time if the school suggests special education help, refused to give special education help, or proposes a major program change.
8. Parents have the right to read their child's records. They may ask to have parts of the record removed.
9. Parents must be asked to help plan an individualized educational plan for their child.
10. Parents may not agree with the school about evaluating or placing their child. There are two major steps they may take in this situation (informal negotiation, or due process hearing request). To get a due process hearing, they must write to their board of education.
11. The school, parents, and child have rights at a due process hearing.
12. A parent who wants more information should call the school. If the parents understand the form, they should sign it and return it to the school. Parents have the right to refuse permission.

Appendix D

FORMS AND TESTS USED  
IN STAGES OF THE STUDY

## PRIOR NOTICE/NOTICE OF RIGHTS

WHY ARE WE WRITING TO YOU?

We want your child to do well in school. We think that he may have some kind of handicap. If he does, a special education program may help him in learning.

We are asking your permission to evaluate your child. Before you decide about this, you need to know about the evaluation and about your rights.

WHAT IS AN EVALUATION?

An evaluation is a careful look at what your child can and cannot do. It will help us decide if your child needs special education services. For the evaluation, we will do the things checked:

- give your child educational tests to see how he is in school.
- talk to you about how your child acts in and out of school.
- have a doctor check your child's health.
- have a psychologist find out your child's ability. The psychologist will test your child to see how he learns and how much he may be able to learn. The tests to be used for your child are intelligence tests and other psychological tests.
- have a speech teacher test your child's speech and language, if we feel this is needed.
- give other tests if they are needed.

WHAT ARE YOUR CHILD'S RIGHTS?

The law says that you and your child have rights. These rights are protected by rules called "procedural safeguards" or "due process safeguards." Before you give us permission for an evaluation, you should understand these rights. They are:

- you have the right to a "free, appropriate public education" for your child. This means that the school must give your child a free education that helps him learn.

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- you must give written permission before your child is evaluated.
- you must be told the results of the evaluation. We must also tell you if we think your child needs a special education program.
- you, or anyone you ask, may look at all of your child's records. This includes a confidential file which has all the special records for your child. This confidential file includes all evaluation reports.
- you may ask to have parts of your child's records changed or removed. You may ask for this if you think that the records are wrong, or if you think that they contain private information that should not be in school records.
- you must be asked to help plan an Individual Educational Program (IEP) for your child. An IEP will be written if we think that your child needs a special education program. It is a special plan written for your child only.
- you must be told ahead of time:
  1. if we say that your child needs special education help.
  2. if we refuse to say that your child needs special education help, or
  3. if we think that your child needs a major program change.
- you must give written permission before there is a major change in your child's program.

WHAT HAPPENS IF YOU DON'T AGREE WITH US?

You may not agree with us about evaluating or placing your child. If you do not agree, there are steps you may take. The major steps are:

1. You may be able to work things out by talking to people at your child's school.
2. You may ask for an "impartial due process hearing." This is a meeting held by a hearing officer who is not employed by the school. The hearing officer will listen to you and to the school and decide what he thinks is the best program for your child.

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If you decide to ask for a due process hearing, you must write your local Board of Education to ask for it.

The school may also take these steps.

WHAT ARE DUE PROCESS HEARING RIGHTS?

You and the school both have rights at a due process hearing. They are:

- to have a lawyer at the hearing. If you ask, the school must give you a list of lawyers who will help you for free or at low cost.
- to call witnesses and to give evidence. The evidence could include reports by outside testers, written observations of your child, or any other information you want to give.
- to appeal the hearing officer's decision to the State Superintendent of Education.
- to appeal the State Department's decision to civil court.

You and your child's due process hearing rights also include:

- to have the hearing "open" to the public or "closed." If it is closed, only people involved with the hearing may be present.
- to have your child at the hearing if you ask for, or permit this.
- to request that the school pay for an "outside" evaluation.

WHAT IS THE NEXT STEP?

We want you to understand the information on this form. If you do not, or if you have more questions, please contact your child's principal.

If you understand the information on this form, and agree to have your child evaluated, please sign the attached sheet and return it to the school within 20 days.

You have the right to give or refuse permission.

Thank you for your cooperation.

When you are finished reading this form, please tell the school representative.

FORM 2.2  
(Revised Form)

PRIOR NOTICE/NOTICE OF RIGHTS

WHY ARE WE WRITING TO YOU?

We want your child to do well in school. We have already tried doing some things to help your child; these things are listed on an attached paper.

We feel that your child may need more special help. If he does, a special education program may help him in learning.

We are asking your permission to allow us to evaluate your child. Before you decide, you need to know about the evaluation and your rights.

WHAT IS AN EVALUATION?

An evaluation is a careful look at what your child can and cannot do. It will help us decide if your child needs special education services. For the evaluation, we will do the things checked:

- \_\_\_\_\_ give your child individual educational tests to see how he is doing in school. These tests may include things such as reading and arithmetic.
- \_\_\_\_\_ talk to you about how your child acts in and out of school.
- \_\_\_\_\_ have a psychologist find out your child's ability. The psychologist will test your child to see how he learns and how much he may be able to learn. The tests to be given are intelligence tests, behavioral tests, and other psychological tests.
- \_\_\_\_\_ have a speech teacher test your child's speech and language, if we feel this is needed.
- \_\_\_\_\_ give other tests if they are needed.

WHAT ARE YOUR CHILD'S RIGHTS?

The law says that you and your child have certain rights. These rights are protected by rules called "procedural safeguards" or "due process safeguards". Before you give us permission for an evaluation, you should understand these rights. They are:

- you have the right to a "free, appropriate public education" for your child. This means that the school must give your child a free education that helps him learn.

The school must also do your child's full evaluation at no cost to you.

-2-

- you must give written permission before your child is evaluated.
- you must be told the results of the evaluation. We must also tell you if we think your child needs a special education program.
- you, or anyone you ask, may look at all of your child's records. This includes a confidential file which has all the special records for your child. This confidential file includes all evaluation reports.
- you must have given written permission before the school may show your child's confidential file to an outside agency.
- you must be asked to help plan an Individualized Educational Program (IEP) for your child. An IEP will be written if we think that your child needs special education services. It is a special plan written for your child only.
- you must be told ahead of time:
  1. if we say that your child needs special education help.
  2. if we refuse to say that your child needs special education help, or
  3. if we think that your child needs a major program change.
- you must give written permission before there is a major change in your child's program.
- you may ask to have parts of your child's records changed or removed. You may ask for this if you think that the records are wrong, or if you think that they contain private information that should not be in school records. The school may not agree to remove the files. If they refuse, they might ask for a due process hearing; this is explained below.
- you have the right to an outside evaluation at public expense.
- you must give written permission before there is a major change in your child's program.
- you have the right to an impartial due process hearing. (This is explained below).

WHAT HAPPENS IF YOU DON'T AGREE WITH US?

You may not agree with us about evaluating or placing your child. If you do not agree, there are steps you may take. The major steps are:

1. You may be able to work things out by talking to people at your child's school.
2. You may ask for an impartial due process hearing." This is a meeting held by a hearing officer who is not employed by the school. The hearing officer will listen to you and to the school and decide what he thinks is the best program for your child.

If you decide to ask for a due process hearing, you must write your local School Board to ask for it.

-3-

The school may also take these steps.

WHAT ARE DUE PROCESS HEARING RIGHTS?

You and the school both have rights at a due process hearing. They are:

- to have a lawyer or advocate at the hearing. If you ask, the school must give you a list of lawyers who will help you for free or at low cost.
- to call witnesses and to give evidence. The evidence could include reports by outside testers, written observations of your child, or any other information you want to give.
- to appeal the hearing officer's decision to the State Superintendent of Education.
- to appeal the Review Officer's decision to a court of law.

You and your child's due process hearing rights also include:

- to have the hearing "open" to the public or "closed". If it is closed, only people involved with the hearing may be present.
- to have your child at the hearing if you ask for, or permit this.
- to request that the school pay for an "outside" evaluation.
- to have your child stay in his present placement until a final decision is reached.

WHAT IS THE NEXT STEP?

We want you to understand the information on this form. If you do not, or if you have more questions, please contact your child's principal.

If you understand the information on this form, and agree to have your child evaluated, please sign the attached sheet and return it to the school within 20 days.

You have the right to give or to refuse permission.

Thank you for your cooperation.

When you are finished reading this form, please tell the school representative.

FORM 2.3  
(Standard Form)

PRIOR NOTIFICATION/PROCEDURAL SAFEGUARDS

Dear Parent:

One of the goals of our schools is to help each child reach his greatest potential as a student. To do this, our schools offer many individual services. Your child may be eligible for special services. To determine whether or not your child can benefit from these services and to determine how we can best help your child, we need your permission to conduct certain evaluations as checked below:

\_\_\_\_\_ To evaluate your child's current educational performance and needs, individual achievement and other diagnostic tests in reading, math and perception will be administered.

\_\_\_\_\_ To understand your child's behavior and home environment, a home visit involving a parent interview and completion of a behavior checklist will be conducted by a visiting teacher and/or other representative of the school division.

\_\_\_\_\_ To assess your child's physical well-being and any health problem which may interfere with his learning, a written report from a physician will be obtained.

\_\_\_\_\_ To evaluate your child's ability level and any psychological factors which may interfere with learning, an individual intelligence test and other psychological tests (questionnaire, draw-a-picture, etc.) will be administered by an approved psychologist.

\_\_\_\_\_ To evaluate how well your child can speak and understand language, a speech therapist will administer special speech tests as needed.

Other recommended assessments: \_\_\_\_\_

As a parent or guardian of a handicapped child, or a child who is suspected of having a handicapping condition, you should know and understand the "procedural safeguards" that are in effect to protect the rights of your child.

As a parent or guardian:

You are entitled to a Free Appropriate Public Education for your child.

You must give written permission before your child may be given individual tests or evaluations.

You must be notified of the results of the decision regarding determination of eligibility.

You have the right to look at, or have someone of your choice look at, your child's confidential school records.

You may request that information contained in the educational records be changed or removed if you believe that the information is: in violation of your child's right to privacy, incorrect or misleading.

Prior Notification/Procedural Safeguards

You must be given the opportunity to participate in a conference designed to develop your child's Individual Educational Program (IEP).

You must be given reasonable notice, \_\_\_\_\_ days, any time the school decides to:

- identify or refuses to identify your child as handicapped.
- recommend a major change in your child's program.

You must give written permission before your child's program may be changed.

Both you and school division officials have the right to an Impartial Hearing concerning the identification, evaluation or placement of your child. To request an Impartial Hearing, the following procedures shall be followed:

- A request for an Impartial Hearing must be made in writing to the \_\_\_\_\_ County Board of Education.
- Both parties may have a lawyer present at the hearing, introduce evidence and call witnesses. (We will provide you with information about free or low cost legal services upon request.)
- You have the right to an "open" or "closed" hearing.
- Both you and school officials have the right to appeal the decision of the Hearing Officer to the State Superintendent of Education.
- Both you and school officials may challenge the State's ruling bringing civil action in court.
- You have the right to an independent evaluation of your child your expense if you disagree with the results of tests administered by school officials.
- You have the right to an independent evaluation of your child at public expense if an Impartial Hearing Officer agrees the evaluations administered by school officials are inaccurate or were not properly administered or scored.

Unless both parties agree otherwise, your child must remain in his or her present educational placement.

NOTE: The \_\_\_\_\_ School Division reserves the right to follow our normal procedures when dealing with children/youth who are dangerous to themselves or others.

If you have any questions about the evaluations or safeguards or would like to see your child's records to learn more about why we feel these tests are necessary for your child's progress, please call \_\_\_\_\_ at \_\_\_\_\_. We will inform you about the results of these tests and will contact you again before making any changes in your child's school program.

We cannot proceed with this evaluation until we have your permission to do so. Furthermore, you have the right to refuse to give your permission. Please return the attached form within twenty (20) days to your child's school. If we do not hear from you within twenty days, we may take other steps to obtain authorization to proceed with the evaluation.

Thank you for your assistance.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal/Chairman of Screening Committee/  
Special Education Supervisor

## Application Questions

(Numbers in parentheses indicate reference to areas of concern.)

Yes    No

- \_\_\_    \_\_\_    1. Your child has been given psychological tests and placed in a special class. You did not give permission for these tests. Is the placement legal? (1-3)

Concept Questions:

2. An evaluation helps the school to know more about a child. Yes \_\_\_ No \_\_\_
7. A medical examination must be part of an evaluation. Yes \_\_\_ No \_\_\_
11. An evaluation must include educational and speech testing. Yes \_\_\_ No \_\_\_

- \_\_\_    \_\_\_    2. The school is planning to write an IEP for your child. You have been invited to attend, but you decide not to go. May the school legally have the meeting without you? (4-6)

Concept Questions:

14. Procedural safeguards do not protect your rights but do protect your child's rights. Yes \_\_\_ No \_\_\_
18. You may be asked to pay for part of your child's special education program. Yes \_\_\_ No \_\_\_
23. The only time the school must ask for your written permission is when they want to evaluate your child. Yes \_\_\_ No \_\_\_

- \_\_\_    \_\_\_    3. The school says that your child needs speech therapy. After six weeks of the therapy, the school sends you a bill for therapy. Must you pay the bill? (4-6)

Concept Questions:

15. Procedural safeguards protect children, and due process safeguards protect parents. Yes \_\_\_ No \_\_\_

Yes    No

19. The school must provide a program designed to help your child learn. Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 4. With your permission, the school has looked at your child's reading level. From the reading level, they decide that he needs to repeat a grade. According to the form you read, is this process called an evaluation? (1-3)

Concept Questions:

1. An evaluation is done to find out if your child has a handicap. Yes \_\_\_ No \_\_\_

6. The school wants the evaluation to include the things checked on the sheet. Yes \_\_\_ No \_\_\_

10. A speech teacher must do language tests as part of the evaluation. Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 5. You read your child's file. A report says that your child is handicapped. You ask for the report to be removed. Must the school immediately remove the report? (8)

Concept Questions:

31. If you ask, the school must take out parts of your child's record. Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 6. Your child has been in a program for speech therapy. The school wants to move your child to a learning disabilities program. May they make this change without your permission? (7)

Concept Questions:

28. You have the right to be told the results of your child's evaluation. Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have the right to a report? (7)

Yes No

## Concept Questions:

28.2 Because the evaluation is paid for by the school, you don't have to be told the results of your child's evaluation. Yes \_\_\_ No \_\_\_

- \_\_\_ \_\_\_ 8. You write to the (Board of Education) to ask for a due process hearing. The school suggests that, while the hearing is being held, your child's program temporarily be changed. You agree to the change. Is it legal for the change to be made? (11)

## Concept Questions:

48. The school must provide you with a lawyer for a due process hearing. Yes \_\_\_ No \_\_\_

- \_\_\_ \_\_\_ 9. You want your friend to read your child's records. Must the school let your friend do this? (8)

## Concept Questions:

32. You may read all of your child's records. Yes \_\_\_ No \_\_\_

- \_\_\_ \_\_\_ 10. You meet with the school to help plan an IEP for your child. You are satisfied with the plan, and so is the school. At this point, may your child legally be placed in the program described by the plan? (9)

## Concept Questions:

38. An IEP is written for each child in a special education program. Yes \_\_\_ No \_\_\_

- \_\_\_ \_\_\_ 11. You want to bring a lawyer to the due process hearing, but you don't know one you can afford. Must the school give you a list of free or low cost lawyers? (11)

## Concept Questions:

50. If you ask, the school must give you a list of free or low cost legal services. Yes \_\_\_ No \_\_\_

- \_\_\_ \_\_\_ 12. You do not agree with the hearing officer's decision. You decide to appeal to the State Superintendent of Education. Is this the way to appeal the decision? (11)

## Concept Questions:

Yes    No

53. If you don't agree with the hearing officer's decision, the next step is to appeal to civil courts.  
Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 13. The school wants to call teachers as witnesses at a due process hearing. May they do this? (11)

Concept Questions:

56. You and the school may both call witnesses. Yes \_\_\_  
No \_\_\_

\_\_\_ \_\_\_ 14. You decide to request a due process hearing, so you phone your child's principal and ask for one. Is this the correct person to contact? (11)

Concept Questions:

47. If you want to ask for a due process hearing, you should call the State Department of Education.  
Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 15. The school wants to invite newspaper reporters to your child's due process hearing. You don't want reporters there. May the reporters attend? (11)

Concept Questions:

59. The school has the right to require an "open" hearing. Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 16. The school insists that your child attend his due process hearing. You don't want your child there. Must your child attend? (11)

Concept Questions:

55. You may refuse to have your child at the hearing.  
Yes \_\_\_ No \_\_\_

\_\_\_ \_\_\_ 17. You have had your child tested by a private psychologist. You want to use this psychologist's report at a due process hearing. May you do this? (11)

Concept Questions:

58. Evidence at a due process hearing could be any kind of information you or the school present about your child. Yes \_\_\_ No \_\_\_

Yes    No

- \_\_\_    \_\_\_    18. You want to bring your child to his due process hearing. Are you allowed to do this? (11)

Concept Questions:

52. The school may require your child to be at the hearing. Yes \_\_\_ No \_\_\_

- \_\_\_    \_\_\_    19. You do not want your child evaluated. The school principal says that they feel your child needs help, so they evaluate your child without your permission. Is the principal correct? (11)

Concept Questions:

64. You have the right to refuse permission for an evaluation. Yes \_\_\_ No \_\_\_

- \_\_\_    \_\_\_    20. You request a due process hearing. The school decides to put your child in a special education program before the hearing. You do not agree with having your child's program changed. May the school change the program before the hearing? (11)

Concept Questions:

24. If you won't give written permission to evaluate your child, the school may evaluate him, anyway. Yes \_\_\_ No \_\_\_

Test 2

ANSWER SHEET

- | YES | NO |  |
|-----|----|--|
| —   | —  | 1. Your child has been given psychological tests and placed in a special class. You did not give permission for these tests. Is the placement legal? (n) T   |
| —   | —  | 2. The school is planning to write an IEP for your child. You have been invited to attend, but you decide not to go. May the school legally have the meeting without you? (y) T  |
| —   | —  | 3. The school says that your child needs speech therapy. After six weeks of the therapy, the school sends you a bill for the therapy. Must you pay the bill? (n) T   |
| —   | —  | 4. With your permission, the school has looked at your child's reading level. From the reading level, they decide that he needs to repeat a grade. According to the form you read, is this process called an evaluation? (n) T                   |
| —   | —  | 5. You read your child's file. A report says that your child is handicapped. You ask for the report to be removed. Must the school immediately remove the report? (n) T  |
| —   | —  | 6. Your child has been in a program for speech therapy. The school wants to move your child to a learning disabilities program. May they make this change without your permission? (n) T   |
| —   | —  | 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have a right to be told the results? (y) T                       |
| —   | —  | 8. You write to the School Board to ask for a due process hearing. The school suggests that, while the hearing is being held, your child's program temporarily be changed. You agree to the change. Is it legal for the change to be made? (y) T |
| —   | —  | 9. You want your friend to read your child's records. Must the school let your friend do this? (y) T   |

- | YES | NO |   |
|-----|----|---|
| —   | —  | 10. You meet with the school to help plan an IEP for your child. You are satisfied with the plan and so is the school. At this point, may your child legally be placed in the program described by the plan? (y) T                                    |
| —   | —  | 11. You want to bring a lawyer to the due process hearing, but you don't know one you can afford. Must the school give you a list of free or low cost lawyers? (y) T  |
| —   | —  | 12. You do not agree with the hearing officer's decision. You decide to appeal to the State Superintendent of Education. Is this the way to appeal the decision? (y) T  |
| —   | —  | 13. The school wants to call teachers as witnesses at a due process hearing. May they do this? (y) T  |
| —   | —  | 14. You decide to request a due process hearing, so you phone your child's principal and ask for one. Is this the correct person to contact? (n) T  |
| —   | —  | 15. The school wants to invite newspaper reporters to your child's due process hearing. You don't want reporters there. May the reporters attend? (n) T   |
| —   | —  | 16. The school insists that your child attend his due process hearing. You don't want your child there. Must your child attend? (n) T   |
| —   | —  | 17. You have had your child tested by a private psychologist. You want to use this psychologist's report at a due process hearing. May you do this? (y) T   |
| —   | —  | 18. You want to bring your child to his due process hearing. Are you allowed to do this? (y) T  |
| —   | —  | 19. You do not want your child evaluated. The school principal says that they feel your child needs help, so they evaluate your child without your permission. Was it correct for the school to go ahead with the evaluation? (n) T                   |
| —   | —  | 20. You request a due process hearing. The school decides to put your child in a special education program before the hearing. You do not agree with having your child's program changed. May the school change the program before the hearing? (n) T |

KEY: (y)=yes; (n)=no      Circled "T" indicates extra time (up to two minutes total) was needed for this question.

Appendix E

PACKET OF MATERIALS USED IN  
OPERATIONAL FIELD TEST

**RADFORD CITY SCHOOLS**

OFFICE OF SUPERINTENDENT  
P.O. BOX 3698 F.S.S.  
RADFORD, VIRGINIA  
24141

December 10, 1982

Dear SWVSES Member:

If you clear away the cobwebs clouding your memory, you may recall that last summer I asked you to help with my "form" study! Well, finally, the information is ready to go.

For a quick review...the purpose of the study is to determine if parents understand a rewritten, simplified prior notice/due process form. Additionally, I'm trying to determine if the rewritten form is more understandable than a current form that most of us use.

I'm asking you to have your personnel test these forms when they request initial permission to evaluate a child; the person who will administer the test should be the person who normally explains the prior notice form to parents. The exercise involves having the parent read a form, answer questions on a data sheet, and take a 20-question taped test about the form. Tapes, forms and specific directions are enclosed. If you need additional tapes or forms, let me know.

I'd like to run this study for the month of January. Stamped envelopes are included with each form. I'll collect unused forms and tapes from you at the February SWVSES meeting. If you have any questions, please call me or drop me a note. Thanks so much for your cooperation.

Very truly yours,

Dorothy F. Leshock  
Special Education Coordinator

DFL/bw

Enclosures

Contents of Packet

This packet should include:

1. General Directions for School Representative (Top White Sheets)
2. Introduction (to be read to parent by school representative - Blue paper)
3. Answer Sheet (to be filled out by school representative - Goldenrod paper)
4. Data Sheet (to be filled out by school representative - Pink paper)
5. Either Form 2.2 or Form 2.3 (to be read by parent - White form)
6. Stamped, addressed envelope

In addition to the packet, please be sure to have a tape of the test (your special education supervisor has been supplied with tapes of the test) and a tape recorder.

General Directions for School Representative

Thank you for helping with this study. The purpose is to determine if parents can understand prior notice/due process forms. To find out, you are asked to cooperate in asking parents to read a form and to take a taped test about the form. The entire process takes about 15-20 minutes.

Please read the following directions carefully before using this packet:

1. Only administer this packet to parents whose child has not been evaluated before. Do not use the packet for reevaluations, or if you know another child in the family is in a special education program.
2. Use the packet at the point in the interview where you normally explain the due process/prior notice permission form.
3. Start with the introduction, and read it to the parent. If the parent agrees to cooperate, start the tape, and turn it off at the appropriate times. When indicated on the tape, give the parent the form (2.2 or 2.3) enclosed with the packet. If the parent does not wish to cooperate, fill out Section II of the Data Sheet, and mail the data sheet in the attached envelope.

Please do not answer any questions regarding content of the form until the parent has answered all questions.

Important: If you feel that it would not be wise to ask the parent to participate for some reason (e.g., the parent is too emotionally upset by your visit), please fill out Section II of the Data Sheet, and mail the data sheet in the attached envelope.

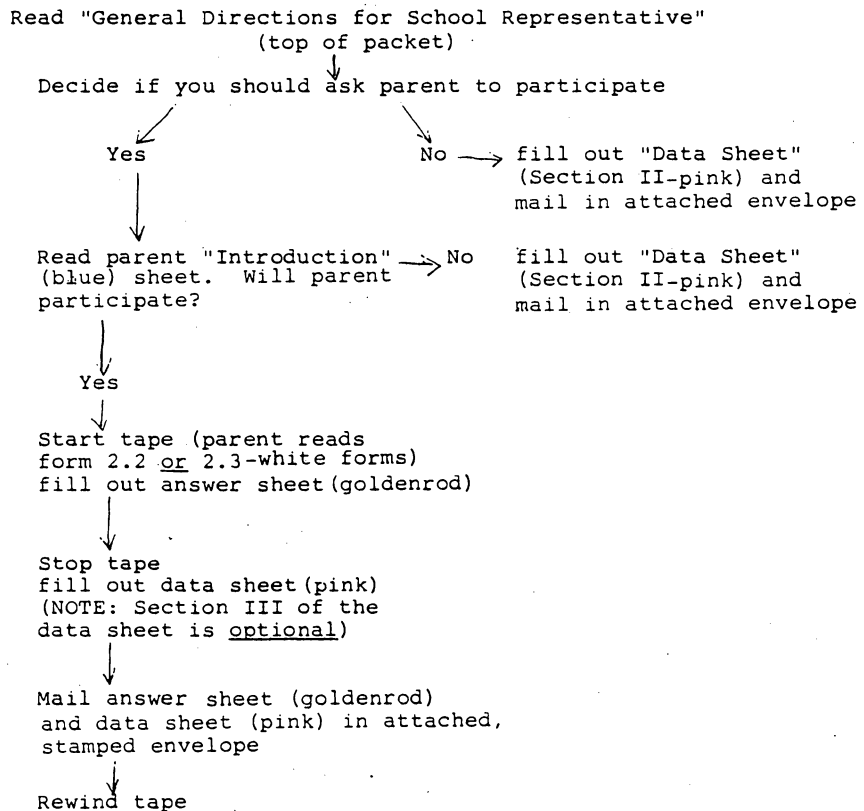
Please do not eliminate parents from the study because you feel they cannot read well enough. Part of the purpose of this study is to find out if parents of all educational levels can understand the forms.

If you know that the parent cannot read, fill out Section II of the Data Sheet, with reason given: "School chose not to ask parent to participate because representative knows parent cannot read." Be sure to return data sheet in attached envelope.

4. You will be recording the answers for the parent on the answer sheet; please do not give the parent the answer sheet to fill out. Correct answers are keyed with a "y" for yes and "n" for no after each question. You may want to go back and discuss (with the parent) the questions missed.

-2-

5. About 20 seconds is allowed between questions on the tape. If the parent indicates a need for more time, you may stop the tape until the parent answers; if you stop the tape for a question, circle the "T" at the end of the question. If the parent takes 2 minutes to respond, ask him to make his best guess at the question.
6. After the tape is completed, fill out the Data Sheet. (NOTE: "Age of Child" refers to age of the child being evaluated.)
7. Mail the "answer sheet" and "data sheet" in the attached stamped envelope. Discard the rest of the packet.
8. Give the parent the prior notice form used by your school division.
9. The following is a flow chart of how to use the packet:



10. If you have questions about these directions, please contact your special education supervisor, or call me (Dot Leshock) at 703-639-2464 (Radford Schools Administration office).

INTRODUCTION

To be read to parent by school representative:

A study is being conducted into ways to give parents information that they can use and understand. The \_\_\_\_\_ Schools think  
Name of Division  
this will be helpful to you, and we are helping with the study. We are asking you to help us find out if a certain form gives parents good, clear information. To do this, we want you to read a form and answer some taped questions about things on the form. We would also like to ask a few questions about you and your child. Do you mind helping us?

(If parent agrees, start tape. If parent will not agree, record as a "would not agree" on data sheet).

ANSWER SHEET

- | YES | NO |  |
|-----|----|--|
| —   | —  | 1. Your child has been given psychological tests and placed in a special class. You did not give permission for these tests. Is the placement legal? (n) T   |
| —   | —  | 2. The school is planning to write an IEP for your child. You have been invited to attend, but you decide not to go. May the school legally have the meeting without you? (y) T  |
| —   | —  | 3. The school says that your child needs speech therapy. After six weeks of the therapy, the school sends you a bill for the therapy. Must you pay the bill? (n) T   |
| —   | —  | 4. With your permission, the school has looked at your child's reading level. From the reading level, they decide that he needs to repeat a grade. According to the form you read, is this process called an evaluation? (n) T                   |
| —   | —  | 5. You read your child's file. A report says that your child is handicapped. You ask for the report to be removed. Must the school immediately remove the report? (n) T  |
| —   | —  | 6. Your child has been a program for speech therapy. The school wants to move your child to a learning disabilities program. May they make this change without your permission? (n) T  |
| —   | —  | 7. You have asked for a conference to learn the results of your child's evaluation, but the school says it is private information. You insist on being told the results. Do you have a right to be told the results? (y) T                       |
| —   | —  | 8. You write to the School Board to ask for a due process hearing. The school suggests that, while the hearing is being held, your child's program temporarily be changed. You agree to the change. Is it legal for the change to be made? (y) T |
| —   | —  | 9. You want your friend to read your child's records. Must the school let your friend do this? (y) T   |

- | YES | NO  |   |
|-----|-----|---|
| ___ | ___ | 10. You meet with the school to help plan an IEP for your child. You are satisfied with the plan and so is the school. At this point, may your child legally be placed in the program described by the plan? (y) T                                    |
| ___ | ___ | 11. You want to bring a lawyer to the due process hearing, but you don't know one you can afford. Must the school give you a list of free or low cost lawyers? (y) T  |
| ___ | ___ | 12. You do not agree with the hearing officer's decision. You decide to appeal to the State Superintendent of Education. Is this the way to appeal the decision? (y) T  |
| ___ | ___ | 13. The school wants to call teachers as witnesses at a due process hearing. May they do this? (y) T  |
| ___ | ___ | 14. You decide to request a due process hearing, so you phone your child's principal and ask for one. Is this the correct person to contact? (n) T  |
| ___ | ___ | 15. The school wants to invite newspaper reporters to your child's due process hearing. You don't want reporters there. May the reporters attend? (n) T   |
| ___ | ___ | 16. The school insists that your child attend his due process hearing. You don't want your child there. Must your child attend? (n) T   |
| ___ | ___ | 17. You have had your child tested by a private psychologist. You want to use this psychologist's report at a due process hearing. May you do this? (y) T   |
| ___ | ___ | 18. You want to bring your child to his due process hearing. Are you allowed to do this? (y) T  |
| ___ | ___ | 19. You do not want your child evaluated. The school principal says that they feel your child needs help, so they evaluate your child without your permission. Was it correct for the school to go ahead with the evaluation? (n) T                   |
| ___ | ___ | 20. You request a due process hearing. The school decides to put your child in a special education program before the hearing. You do not agree with having your child's program changed. May the school change the program before the hearing? (n) T |

KEY: (y)=yes; (n)=no      Circled "T" indicates extra time (up to two minutes total) was needed for this question.

DATA SHEET

(To be filled out by school representative administering form questions. Fill out either Section I or Section II).

Tell parent: This information will help with the study. It does not identify you by name. Your name or other personally identifiable information will not be used in this study.

Section I: (to be filled out if parent or guardian agrees to participate)

Date of meeting with parent/guardian: \_\_\_\_\_

School Division: \_\_\_\_\_

Age of Child: \_\_\_\_\_

Age of person interviewed: \_\_\_\_\_

Relationship of person interviewed to child: \_\_\_\_\_

Highest grade completed by parent interviewed: (circle appropriately)

K	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Bachelors						Masters			Doctorate					

Section II: (to be filled out if parent or guardian does not participate)

Date of meeting with parent: \_\_\_\_\_

Check appropriate space below:

Parent did not wish to participate. Reason given (if any): \_\_\_\_\_

School chose not to ask parent to participate. Reason given (if able to disclose): \_\_\_\_\_

DATA SHEET

SECTION III (optional): Please record any parent comments or comments you may have relative to this prior notice/due process form:

PARENT COMMENTS:

SCHOOL REPRESENTATIVE COMMENTS:

## PRIOR NOTICE/NOTICE OF RIGHTS

WHY ARE WE WRITING TO YOU?

We want your child to do well in school. We have already tried doing some things to help your child; these things are listed on an attached paper.

We feel that your child may need more special help. If he does, a special education program may help him in learning.

We are asking your permission to allow us to evaluate your child. Before you decide, you need to know about the evaluation and your rights.

WHAT IS AN EVALUATION?

An evaluation is a careful look at what your child can and cannot do. It will help us decide if your child needs special education services. For the evaluation, we will do the things checked:

- \_\_\_\_\_ give your child individual educational tests to see how he is doing in school. These tests may include things such as reading and arithmetic.
- \_\_\_\_\_ talk to you about how your child acts in and out of school.
- \_\_\_\_\_ have a psychologist find out your child's ability. The psychologist will test your child to see how he learns and how much he may be able to learn. The tests to be given are intelligence tests, behavioral tests, and other psychological tests.
- \_\_\_\_\_ have a speech teacher test your child's speech and language, if we feel this is needed.
- \_\_\_\_\_ give other tests if they are needed.

WHAT ARE YOUR CHILD'S RIGHTS?

The law says that you and your child have certain rights. These rights are protected by rules called "procedural safeguards" or "due process safeguards". Before you give us permission for an evaluation, you should understand these rights. They are:

- you have the right to a "free, appropriate public education" for your child. This means that the school must give your child a free education that helps him learn.

The school must also do your child's full evaluation at no cost to you.

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- you must give written permission before your child is evaluated.
- you must be told the results of the evaluation. We must also tell you if we think your child needs a special education program.
- you, or anyone you ask, may look at all of your child's records. This includes a confidential file which has all the special records for your child. This confidential file includes all evaluation reports.
- you must have given written permission before the school may show your child's confidential file to an outside agency.
- you must be asked to help plan an Individualized Educational Program (IEP) for your child. An IEP will be written if we think that your child needs special education services. It is a special plan written for your child only.
- you must be told ahead of time:
  1. if we say that your child needs special education help.
  2. if we refuse to say that your child needs special education help, or
  3. if we think that your child needs a major program change.
- you must give written permission before there is a major change in your child's program.
- you may ask to have parts of your child's records changed or removed. You may ask for this if you think that the records are wrong, or if you think that they contain private information that should not be in school records. The school may not agree to remove the files. If they refuse, they might ask for a due process hearing; this is explained below.
- you have the right to an outside evaluation at public expense.
- you must give written permission before there is a major change in your child's program.
- you have the right to an impartial due process hearing. (This is explained below).

WHAT HAPPENS IF YOU DON'T AGREE WITH US?

You may not agree with us about evaluating or placing your child. If you do not agree, there are steps you may take. The major steps are:

1. You may be able to work things out by talking to people at your child's school.
2. You may ask for an impartial due process hearing." This is a meeting held by a hearing officer who is not employed by the school. The hearing officer will listen to you and to the school and decide what he thinks is the best program for your child.

If you decide to ask for a due process hearing, you must write your local School Board to ask for it.

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The school may also take these steps.

WHAT ARE DUE PROCESS HEARING RIGHTS?

You and the school both have rights at a due process hearing. They are:

- to have a lawyer or advocate at the hearing. If you ask, the school must give you a list of lawyers who will help you for free or at low cost.
- to call witnesses and to give evidence. The evidence could include reports by outside testers, written observations of your child, or any other information you want to give.
- to appeal the hearing officer's decision to the State Superintendent of Education.
- to appeal the Review Officer's decision to a court of law.

You and your child's due process hearing rights also include:

- to have the hearing "open" to the public or "closed". If it is closed, only people involved with the hearing may be present.
- to have your child at the hearing if you ask for, or permit this.
- to request that the school pay for an "outside" evaluation.
- to have your child stay in his present placement until a final decision is reached.

WHAT IS THE NEXT STEP?

We want you to understand the information on this form. If you do not, or if you have more questions, please contact your child's principal.

If you understand the information on this form, and agree to have your child evaluated, please sign the attached sheet and return it to the school within 20 days.

You have the right to give or to refuse permission.

Thank you for your cooperation.

When you are finished reading this form, please tell the school representative.

## TAPE SCRIPT

Directions for Playing Tape and Script of Tape

To School Representative: turn on tape:

(Script) Thank you for agreeing to help with this project. In a moment, your school representative will turn off the tape and give you a form to read. When you have finished reading the form, tell the school representative. The tape will then be turned back on, and I will ask you some questions. You will be able to look back at the form for answers. We want to know how clear the form is, so please don't ask the school representative for help with reading the form, or with finding answers until after you answer the questions; you will then be able to discuss anything about this tape. The tape should now be turned off while you read the form; tell the school representative when you are done reading.

To School Representative: turn off tape until the parent signals he is done reading. Then turn on the tape again.

(Script) I will now ask you some questions about information on the form. You may look back at the form to help you answer questions. When you decide if the answer is "yes" or "no", tell the school representative and he will record your answer. Please answer every question. ~~According to the information given on the form.~~ Don't worry if you aren't sure about certain answers. We aren't grading you, only trying to find where the form needs to be clearer.

When you are done answering, the tape will be turned off, and the school representative will tell you answer\$to any questions you weren't sure about.

We will now begin the questions; each question will be read twice, then you will have time to answer:

Question 1 (see <sup>answer sheet</sup> ~~application questions~~)

(after all questions have been asked, read next paragraph):

That was the last question. The school representative will now answer any questions you have. Thank you very much for your help!

Appendix F

REASONS FOR REFUSALS TO PARTICIPATE GIVEN  
BY PARENTS AND SCHOOL PERSONNEL

Reasons for Refusals to Participate

1. School chose not to ask parent to participate - legal guardian could not read
2. Parent did not wish to participate - parent also refused permission to test
3. Parent did not wish to participate - no reason given
4. Parent did not wish to participate - feared lack of confidentiality
5. Parent did not wish to participate - did not have time
6. Parent did not wish to participate - no reason given

Appendix G

COMMENTS OF PARENTS AND SCHOOL PERSONNEL  
FROM OPERATIONAL FIELD TEST

Parent Comments Recorded During  
Operational Field Test

1. (Form 2.2) Parent stated that this was a good letter. Often referred back to letter when questions were asked and was able to locate the correct answer.  
(Score 15)
2. (Form 2.2) Parent stated that she was pleased that someone was looking out for her and her children. Very willing to help.  
(Score 12)
3. (Form 2.2) All the forms are hard to read - my child wants out of school - I just do what the school people think is best.  
(Score 15)
4. (Form 2.3) The forms were not easy to read and understand.  
(Score 12)
5. (Form 2.2) Want the best possible education for my child.  
(Score 19)
6. (Form 2.2) Are all these forms necessary?  
(Score 11)
7. (Form 2.2) I just don't have time for all the meetings.  
(Score 15)
8. (Form 2.3) Do not have transportation to attend the necessary meetings - I have 4 other children and no one to sit with them.  
(Score 13)
9. (Form 2.3) Are all these forms necessary?  
(Score 12)
10. (Form 2.3) Parent stated she did not understand all items on the prior notice/procedural safeguard form.  
(Score 15)
11. (Form 2.3) Parent asked a lot of questions; more than I usually get when presenting Prior Notice/Procedural Safeguards.  
(Score 16)
12. (Form 2.2) Parent had many questions as to the "whys" of this process. Parent wanted to know if their child was "in trouble" at school.  
(Score 15)
13. (Form 2.3) Parents found this very informative and answered all questions willingly. They felt they understood more thoroughly the prior notice/procedural safeguard.  
(Score 18)
14. (Form 2.3) I have learned a lot by answering these questions.  
(Score 16)

School Personnel Comments Recorded During  
Operational Field Test

1. (Form 2.2) I believe this lady had a very difficult time trying to read the notice and understand some of the questions.  
(Score 12)
2. (Form 2.3) This was my first one (experience at giving the test), but I think it went quite well.  
(Score 16)
3. (Form 2.3) Parent was hesitant because of the presence of tape recorder.  
(Score 15)
4. (Form 2.3) Parent did not seem to understand terms such as evaluated, hearing officer, appeal, etc. on Form 2.3.  
(Score 14)
5. (Form 2.3) Parent was enthused about participating.  
(Score 16)
6. (Form 2.2) This parent was very interested and very knowledgeable.  
(Score 18)
7. (Form 2.3) The parent very willingly cooperated and expressed a better understanding of special education procedures.  
(Score 18)
8. (Form 2.3) I found these parents very cooperative and interested.  
(Score 18)
9. (Form 2.2) The father did not seem to understand many of the questions nor the purpose for answering them.  
(Score 10)
10. (Form 2.3) Mother was in Tennessee noncategorical during her school days - said she was put there for (because of) her bad temper - that might qualify me on certain days!  
(Score 18)
11. (Form 2.3) Mother was in speech therapy during school years in Connecticut.  
(Score 13)
12. (Form 2.3) Parent did not seem to understand some of the terminology. Hesitant in making decisions.  
(Score 16)

Appendix H

RESULTS OF SURVEY OF SPECIAL EDUCATION  
ADMINISTRATORS IN VIRGINIA LOCAL  
EDUCATION AGENCIES

Number of Virginia Local Education Agency  
Supervisors Preferring Form 2.2 or Form 2.3  
(n = 80)

FORM QUESTIONNAIRE

You have been given two forms, numbered 2.2 and 2.3. Please read both forms, then answer the questions below by marking the number of the form (or "no preference") that best answers the question.

<u>Form 2.2</u>	<u>Form 2.3</u>	<u>No Preference</u>	
<u>40</u>	<u>34</u>	<u>6</u>	1. Given the choice of these forms, which form would you prefer to read?
<u>62</u>	<u>11</u>	<u>7</u>	2. Which form is easiest to understand?
<u>25</u>	<u>43</u>	<u>12</u>	3. Which form is most precise?
<u>48*</u>	<u>15</u>	<u>16</u>	4. If a school division wanted to be sensitive to parent's needs, which form would it use?
<u>49*</u>	<u>21</u>	<u>9</u>	5. If you were explaining a form to a parent, which form would you rather use?
<u>49</u>	<u>23</u>	<u>8</u>	6. Which form is easiest to use?
<u>36</u>	<u>26</u>	<u>18</u>	7. Which form is most attractive?

\*One respondent indicated preference to these questions depended "on parent."

Comments Received from Virginia Local  
Education Agency Special Education  
Supervisors Who Compared Form 2.2 and 2.3

1. I recommend creating another subtitle on page two.
2. I do not recommend telling parents that they have the right to an outside evaluation at public expense without further explanation. I suggest that you say, "you have the right to request an outside evaluation at public expense."
3. Very good job on writing the simplified form!  
(re: question 5) Might consider using both forms depending on educational level of parents.
4. (re: question 6) Since I haven't used either, not possible to say.
5. (re: question 7) Larger print - more white space.
6. I understand your concerns about Form 2.2. However, specificity is the most important quality in my view, if only one form can be chosen.  
Our school division encourages principals and teachers to explain the form's contents to parents during an informal conference. The value of parent's understanding the language and being able to understand the form is extremely important, however, can both forms be used?
7. This is a very interesting idea. I hope that you can draw some conclusions and make some recommendations to all of us.  
Thanks for your hard work.
8. (Form 2.3 is) Very cold, condescending.  
2.3 More professional  
I found both forms difficult to use and liked parts of both forms.  
I would not select either form.
9. I would think that Form 2.2 would be easier for parents without assistance from school personnel.
10. Unsolicited Comment - Form 2.2 may insult someone's intelligence - is it possible to use either form depending upon the school's judgement of the level of sophistication of the parent?
11. (re: question 4) Depends on the parent. For some parents, Form 2.2 would be too basic and thus run the risk of seeming to "talk down" to them.
12. I prefer style of print used with 2.3.

13. Though the readability index may be lower on these forms, they are both quite lengthy and cumbersome. I do not believe that the "average" parent of a handicapped child will (1) understand the contents without a lengthy explanation (2) want to take the time to read it.  
Either form is good for documentation purposes to show the effort was made.
14. The main problem is that too much information is required - even when you break it into simple language it is overwhelming. Parents should be told that they have the right to request a due process hearing and how to do so, but all the steps involved and rights in the hearing shouldn't have to be part of the permission to evaluate.
15. I feel that while many parents may have difficulty understanding 2.3 or especially a more difficult version, Form 2.2 is too simplistic and may alienate more aware parents.
16. (re: question 5) I would prefer that alternatives previously tried be listed on the same form and not a separate sheet.  
I also would like a uniform (state-wide) "Due Process-Perm. for Evaluation" form.
17. The forms seem too long to me. A shorter form might be preferable to parents. I know much thought has already gone into planning your forms.
18. There must be an in-between somewhere which will be simple but not make a parent feel as if you are talking down to them.
19. I don't like the signature at bottom of 2.3. This means the parent must return the form and have nothing to refer to later. Also, why the 20 day stipulation?
20. Our staff disliked both forms.
21. 2.2 has been chosen in most instances because it does not bog with "educationese" or "legalese." In addition, it seems friendlier-less frightening.
22. The form used must (1) completely inform parents (2) be understood by parents. The context is the most important ingredient in using any form or material. Is the information reviewed with parents by a knowledgeable school representative or is it given to them without any review?
23. Both complete information and simplified versions (in the form of pamphlets?) can be given to parents but we have no right to withhold information from parents because we judge them to be incapable of understanding. Most complaints about forms, handbooks, pamphlets are voiced by parents or professionals who say that although they can understand the material they believe some "other" parent would

not be able to. It is the job of the school's representative to make sure that every parent understands and can come back with more questions if he/she does not. But every parent must have available to him/her the possibility of being completely informed.

24. Thank you for taking on this job and for having done it so well. I think Form 2.2 is a marvelous move towards using real words to communicate with real people. I do think its format with larger type and subheads makes easier reading. Only one section might be improved in this regard. Section 3 "What are your child's rights?" subdivides nicely by indenting as above. In some sections you have numbered, others not - consistent format would make the form even easier. Again, my thanks on taking a step towards helping parents become part of the IEP process.
25. The form give conflicting information as to who pays for a second independent evaluation. We should not say that school will pay for second opinion. The school should only pay if the second opinion is different from ours and proved right.  
The first 2.2 form is too simple. My parents would be insulted.

**The vita has been removed from  
the scanned document**

THE DEVELOPMENT OF A COMPREHENSIBLE SPECIAL  
EDUCATION PRIOR NOTICE/DUE PROCESS FORM IN  
COMPLIANCE WITH PUBLIC LAW 94-142

by

Dorothy F. Leshock  
(ABSTRACT)

The purpose of this study was to develop a field-tested prior notice/due process form that would be comprehensible by parents. An ancillary purpose was to determine the comprehensibility of a prior notice form that is currently used in southwest Virginia school divisions.

A research and development model was employed to develop the field-tested form. A form and an application test were written in the pre-design and design stage. In the initial review stage, a panel of experts reviewed the test and revised the form, and parents read the form and took the application test. Based on expert comments and an analysis of parent responses, revisions were made to the test and form. Another form and test revision was made following a main field test of parents. The final cycle of the study was an operational field test of 65 parents in 11 school divisions in southwest Virginia. In a secondary mail survey, 80 special education administrators indicated their preference for the two forms on various dimensions.

Data from the operational field test were used to test the hypotheses. Item analyses, using both standard and educational discrimination indices, were conducted to suggest areas for improvement on the revised form.

It was concluded from the findings of the study that: (1) the hypothesis that a significant difference would exist in comprehension between parents reading the revised form and those reading the standard form was not supported; (2) on the application test, parents can obtain an acceptable mean score of 80% by reading either form; (3) specific problem areas on the form still exist, and should be corrected; (4) special education administrators prefer the revised form for use with parents; and (5) the use of jargon and complex terms seem to particularly discriminate parents of lower educational levels.

Recommendations were made for form development and form use.