

ABSTRACT

Title of Thesis: THE IMPACT OF THE FIVE DAY RULE
 ON THE PRACTICE OF SCHOOL
 PSYCHOLOGY IN MARYLAND

Kevin Hughes, Master of Arts, 2014

Thesis directed by: Associate Professor William Strein, D.Ed.
 Department of Counseling, Higher
 Education, and Special Education

In 2010, Maryland passed a law that required parents to have access to all relevant documents at least five business days in advance of an Individualized Education Program (IEP) meeting. This study, a follow-up to a 2011 survey, was conducted to determine whether school psychologists' concerns about the law have merit and whether the law has achieved its intended purpose. Results showed that since the law's implementation, school-based psychologists have experienced, on average, an increase in the amount of time they spend in special education activities and a decrease in time devoted to consultation and direct services. This impact, however, was not felt by all; further analyses of quantitative and qualitative data investigated what characteristics led to the greatest effects. For most respondents there had been no changes in student testing practices, report writing, or IEP team decision-making, while time constraints and work-related stress have worsened.

THE IMPACT OF THE FIVE DAY RULE ON THE PRACTICE OF SCHOOL
PSYCHOLOGY IN MARYLAND

By

Kevin A. Hughes

Thesis submitted to the Faculty of the Graduate School of the
University of Maryland, College Park in partial fulfillment
of the requirements for the degree of
Master of the Arts
2014

Advisory Committee:
Associate Professor William O. Strein, Chair
Professor Emeritus Jean R. Hebel
Professor Hedwig Teglas

© Copyright by
Kevin A. Hughes
2014

Acknowledgements

I would like to thank the members of my committee for their guidance throughout this process: Drs. William Strein, Hedwig Teglasi, and Jean Hebel. I would also like to thank the leaders of the Maryland School Psychologists' Association who shared their 2011 data with me and helped me reach out to the organization's members. And finally, I would like to thank my wife, Amanda, for her constant love and encouragement.

Table of Contents

Acknowledgements	ii
Table of Contents	iii
List of Tables	v
Chapter 1: Introduction	1
History of the Five Day Rule	1
School Psychologists' Reactions	3
Problems in Implementation	6
Revision	6
The Present Research	7
Chapter 2: Literature Review	9
Impact of Legislation on the Practice of School Psychology	9
PL 94-142	10
Relevance to the Five Day Rule	12
Characteristics of the Profession	14
How School Psychologists Spend Their Time	14
Special Education Activities	14
Consultation and Direct Services	15
The Effect of Psychologist to Student Ratio on Practice	16
Ratio and the Five Day Rule	19
School Psychologist-Parent Relations	19
Communicating Psychological Information to Parents	19
Literacy and Readability	20
Comprehension	22
Communication and the Five Day Rule	24
IEP Team Dynamics	25
Chapter 3: Methods	28
Procedure	28
MSPA Involvement	28
Participants	28
Preliminary Interviews	29
Survey Development	30
Pilot Study	31
Survey Dissemination	32
Respondent Characteristics	33
Data Analysis	39
Comparison to Prior Survey	39
Impact on School Psychology Practice	40
Rule Effectiveness	40
Open Text Responses	41

Chapter 4: Results	42
Comparison to Prior Survey	42
Impact on School Psychology Practice	45
Rule Effectiveness	48
Open Text Themes	49
Chapter 5: Discussion	51
Changes Since the 2011 MSPA Survey	51
How Documents are Made Available	51
Submission Times	54
Compliance	55
Impact on School Psychology Practice	56
Time Allocation	56
Testing and Report Writing	59
Rule Effectiveness	61
Parent Attendance	61
Parent Comprehension	62
IEP Team Decision-Making	64
Positive Changes	66
Limitations	67
Conclusion	69
Appendices	
Appendix A: Five Day Rule Survey	73
Appendix B: Raffle Survey	80
Appendix C: Email Sent to Prospective Participants	81
References	82

List of Tables

Table 1: Response Rate by County	35
Table 2: Response Rate by Degree Type	36
Table 3: Comparison of Survey Free and Reduced Price Meal Rates to Statewide Rates	38
Table 4: Method of Making IEP Materials Available to Parents Over Time	43
Table 5: Number of Business Days Report Must Be Submitted Prior to Meeting	44
Table 6: School Psychologists' Time Allocation by School Level	46
Table 7: School Psychologists' Time Allocation by Ratio	47

Chapter 1: Introduction

The Five Day Rule is a four-year-old law in the state of Maryland. It requires that parents of students with Individualized Education Programs (IEPs) receive all documentation to be discussed at an upcoming IEP meeting at least five business days in advance. Now that the law has been in place for a substantial period of time, it is appropriate to investigate what kind of impact it has had on school psychologists and their professional duties. To understand the reasons for the law's passage and the context it exists within, I will begin with an overview of its history and development.

History of the Five Day Rule

In 2010, a parents group in Montgomery County advocated to its representatives in the Maryland State Legislature for increased rights in school-based decision making. Specifically, the parents were displeased with the lack of information leading up to the meetings for their children's IEPs. An IEP is a document that dictates the supports that a child with a demonstrated educational impairment must receive in order to aid them in achieving their educational goals (Jacob, Decker, & Hartshorne, 2011). Ostensibly, parents were equal decision-makers when it came to their children's educational plans. Their involvement is considered "part of the system of checks and balances that holds the schools accountable for providing educational services that children with handicaps need" (Allen & Hudd, 1987, p. 134). But the reality was different.

The Individuals with Disabilities Education Act (IDEA) and the Code of Federal Regulations (CFR) both have in place language requiring parental participation in the development of IEPs and special education services. Parents are members of the IEP team (IDEA, §1414(d)(1)(B)) and, as such, their input must be considered when

determining eligibility and accommodations (34 CFR §300.306). Furthermore, their consent is required for all evaluations and service changes (IDEA, §1414(a)(1)(D)(ii)). The exact nature of this parent involvement and the expectations for their contributions, however, are never specified. Schools are equally compliant whether they encourage parents to contribute meaningful suggestions or if their personnel make all the decisions and simply request parental permission. This grey area has allowed for widely disparate practices from system to system and building to building.

Professional organizations, such as the National Association of School Psychologists (NASP), place an ethical emphasis on school personnel including parents in the decision-making process (Jacob et al., 2011). NASP's "Principles for Professional Ethics" states that school psychologists should "encourage and promote parental participation in designing interventions for their children...[and] discuss with parents the recommendations and plans for assisting their children" (NASP, 2010, p. 8). School psychologists and other personnel are ethically bound to include parents throughout the process and seek their input when their children's educational plan may be affected.

Despite these guidelines and the best intentions of those who wrote them, parents are often unable to participate as meaningfully as envisioned. Prior to the passage of the Five Day Rule, parents in Maryland were not required to be given documents beforehand; they arrived at these all-important IEP meetings and were bombarded with information all at once. In the worst cases, the teachers and support staff had already implicitly decided upon a course of action and were merely holding the meeting to inform the parent (Rock, 2000). Parents had no time to digest the information or to carefully consider possible alternatives to what the IEP team was proposing. Although they had the

legal right to participate in these meetings and influence their child's education plan, parents oftentimes felt this was merely for show.

The parents group found an ally in Democratic Delegate Anne Kaiser of Maryland's 14th Legislative District in northern Montgomery County. Kaiser introduced House Bill 269 mandating that parents have access to all documents to be discussed at an IEP meeting at least five business days prior. Similar laws with different timelines exist in neighboring Virginia and Pennsylvania, as well as other states around the country. (Unfortunately, the exact number of states or local school systems employing such guidelines is unknown, as there is no single resource with such information.) To say the bill received support would be an understatement. Kaiser had 18 cosponsors on the legislation, including two Republican delegates, and it failed to receive a single Nay vote in either the House or the Senate. The bill simply was not controversial; parents sought more information in order to serve their children with disabilities and that was not something to argue against. HB-269 was ultimately signed into law by Governor Martin O'Malley on May 20, 2010. The law now known as the "Five Day Rule" was enacted.

School Psychologists' Reactions

In the fall of 2010, the first time the Five Day Rule was applied in the schools, school staff began raising objections to its requirements. The school personnel impacted by the law, including school psychologists, voiced their frustrations with their peers, professional organizations, and legislators. I first heard of the Five Day Rule around this time, at a meeting for members of a local professional organization. First and foremost among the objections of IEP team members was the fact that the Five Day Rule imposed an additional time constraint on their work, which is one of the most relevant legal issues

for school psychologists. As Kicklighter and Baily-Richardson (1984) pointed out, “compliance monitorings and the very real threat of legal action require that psychological services be provided in a timely fashion” (p. 499). Maryland law mandates that IEP meetings take place within 90 calendar days of a written referral for a special education evaluation and within 60 calendar days of receiving parental consent to assess the student (Code of Maryland Regulation [COMAR] 13A.05.01.06). Within that time, the team must perform all necessary assessments and write up the results in a report that includes the implications of those results for the child’s education (Maryland State Department of Education [MSDE], 2002). The new legislation necessarily shortened those timetables by five business days. A single week may seem like a short period of time to lose, but for school psychologists with heavy caseloads, students resistant to psychological assessment, and responsibilities at multiple schools, a week could be the difference between successfully completing an evaluation and running out of time. For a psychologist who only spends one or two days per week at a particular school, a student’s noncompliance or absence at a critical point could severely delay an already tight testing schedule.

In May of 2011, the Maryland School Psychologists’ Association (MSPA) surveyed its membership to gauge their feelings towards the Five Day Rule. One hundred and sixty-four psychologists completed the survey, representing nearly a quarter of the 746 full and part time school psychologists working in the state (MSDE, survey, 2012). When asked the impact of the legislation from their perspective, 84% of participants responded that the Five Day Rule had either a negative or strongly negative impact on their ability to perform their job. Only 7% felt it had a positive effect. When given the

opportunity to elaborate on their ratings, respondents cited that an already difficult timeline to comply with was now shorter, that they were now forced to do the bare minimum in their evaluations, and that the quality of their reports was suffering, among other issues. Some expressed hope that they would become more efficient once they altered the way they manage their time, but on the whole, the reactions were overwhelmingly negative.

Only summary data of the survey is available for analysis, but even this reveals insights into the important variables affecting school psychologists at that time. There was a wide range of school psychologist to student ratios; a third served fewer than 1,000 students, while nearly 18% served more than 2,500. Likewise, a quarter wrote fewer than 20 reports per year, while a similar proportion wrote more than 60 per year. The demands of a psychologist with a small caseload are far different than those of someone juggling scores of clients. The former psychologist may cut out some time from consulting with parents and reallocate that to report writing during busy times. The latter may not have that luxury. Thus, the nature of each individual's professional demands could greatly affect their perspective of the Five Day Rule and how it has impacted their job.

This point was illustrated by a series of interviews I conducted with school-based practitioners in Maryland in the spring of 2012. One interviewee worked in an affluent county and conducted only about 20 assessments per year. She found the added time constraint to be an inconvenience, mostly because she tried to meet with parents face-to-face to go over the reports and scheduling can be difficult. Compare this to a practitioner who split his time between schools and administers a wide range of assessments in his standard battery. He admitted that he was not in compliance with the law at all due to

time management difficulties. He reported that he may have been able to organize his time better in the future, but for the time being his primary concern was simply finishing the reports prior to the meeting, as before. In both cases, they agreed with the spirit of the law and found the time constraint most problematic, but the impact was far different in each case.

Problems in Implementation

Another item revealed by the MSPA survey was that counties were implementing the law in disparate manners. Some mandated that their personnel submit documents internally to administrators even earlier than the requisite five days so that they could ensure compliance. There were also varying interpretations for the method by which parents should receive the documents; the law simply stated that school personnel should provide parents with an “accessible copy” of each. Certain counties were conservative and sent the documents via certified mail, while others simply told their schools to have copies in the building in case a parent ever stopped by to request them. As a result, some school personnel were required to submit their reports more than ten days prior to a meeting to allow for bureaucratic processes and mail delivery. For many, this simply did not allow enough time to do their jobs. In the case of the practitioners I interviewed, the female psychologist was expected to meet with the parents in person and provide them with a copy of the reports then. The male psychologist’s county expected parents to formally request copies and pick them up, allowing for noncompliance.

Revision

By the legislative session in early 2012, the first to follow a full academic year with the Five Day Rule in place, the problems were enough to prompt school employees’

professional organizations to seek a revision. The Maryland State Education Association (MSEA) and the MSPA lobbied Delegate Kaiser to make revisions to the Five Day Rule to clarify the ambiguities regarding how to make the reports accessible. In response, Kaiser sponsored House Bill 596, which permitted documents to be sent home via electronic means, with the student, or through “any other reasonable and legal method of delivery.” HB-596 also made it clear that parents may decline to receive the documents ahead of time. Once again, the bill received wide support and was signed into law.

The Present Research

Some of the initial concerns about the Five Day Rule were addressed by HB-596 while others remain. The MSPA survey predated the most recent changes, which may have impacted how school psychologists would have responded. Also, in the four academic years since it was enacted, counties and their employees no doubt made certain adjustments and changed the way they complied with the law. The hopes of certain school psychologists in 2011 that they would learn to manage their time more effectively might have been fulfilled. The present research aimed to determine just what impact the Five Day Rule has had on school psychologists now that the proverbial dust has had time to settle. Have they learned to cope with the shortened timeline? Or does it still pose problems? And if so, for whom are these problems most salient?

Another key question this research hoped to address was whether or not the Five Day Rule is actually perceived by school psychologists to be effective. Even though it is a law specific to the state of Maryland, this question is not. Maryland was not the first state to require that parents have access to documents prior to IEP meetings and it may not be the last, yet there is no research in the literature as to whether or not these laws

fulfill their intended purpose. The present research intended to fill this void and investigate the impact of the Five Day Rule for the benefit of both Marylanders and the citizens of states with similar mandates.

Finally, in order to gauge the effectiveness of the Five Day Rule, its impact on the IEP process was investigated. Do school psychologists believe that parents are benefiting from the information they are receiving? Do parents understand the information contained within the reports they receive? Has the decision-making process in IEP meetings changed in any way since the advent of the Five Day Rule? Or are school personnel merely being inconvenienced with added obligations and restrictions? This study was meant to uncover the answers to these questions.

Chapter 2: Literature Review

Impact of Legislation on the Practice of School Psychology

Education is an institution governed at the state level, but the federal government exerts great influence through its power to financially support schools that adhere to certain conditions (Jacob et al., 2011). As a result, both local and national legislation have an impact on how school psychologists perform their duties and even what those duties are. Ideally, this review would offer examples of each, but unfortunately the vast majority of research conducted focuses on federal legislation. While anecdotal evidence would surely support the notion that local laws influence school personnel, there is little in the extant literature that demonstrates the exact nature and magnitude of this influence. The present review is necessarily constrained as a result, but the abundance of research on federal policy allows for the relationship between law and practice to be established nonetheless.

Reschly (2000) wrote that “legislation establishes the strong tie between school psychology and special education, a long, fruitful, and sometimes controversial relationship” (p. 514). This relationship is well illustrated by Dahl, Hoff, Peacock, and Ervin (2011), who described three phases in the development of federal educational law relevant to students with disabilities in the United States. Laws first created access to education for students with disabilities, then expanded that access, and most recently emphasized outcomes and accountability (Dahl et al., 2011). Each phase altered the role of school psychologists in this country and the challenges they faced on a daily basis.

The first phase took place primarily in the 1960s and 1970s. In 1973, an amendment to the Civil Rights Act of 1964 called the Rehabilitation Act was passed,

which banned the practice of discriminating against people with disabilities within federally funded programs. Of particular note for the field of education was Section 504, subpart D, which stated that children with disabilities were entitled to a free and appropriate public education (FAPE; Jacob et al., 2011). For decades Section 504 was overlooked because another law passed two years later overshadowed it (Dahl et al., 2011). It was known as PL 94-142 and it dramatically changed the field of education in America.

PL 94-142

The most substantial piece of legislation to affect the role of school psychologists has been PL 94-142 (which has been reauthorized over the years as the EHA, the IDEA, and the IDEIA). In 1975, Congress developed and passed PL 94-142 in order to ensure all children would be provided with FAPE and to establish overarching guidelines for educating those children (Jacob et al., 2011). Until this time, school psychologists acted primarily as evaluators, typically without parental consent, and had little time to conduct direct or indirect services (Fagan & Wise, 2007).

PL 94-142 was relevant to school psychologists in two key ways. First, it created an influx of children with moderate and severe disabilities, for whom they were now required to assess and develop accommodations. This placed a substantial burden on the school psychologists at that time, who saw their caseloads increase. Suddenly they were required to figure out ways to properly assess diverse students (including the severely disabled) in non-discriminatory ways, facilitate group decision-making processes, and determine a child's least restrictive environment, among other responsibilities (Ramage, 1986). Secondly, and perhaps more significantly, the increased regulations required

school psychologists to devote more attention to the students they were already serving. They now had to adhere to new standards of due process (Ramage, 1986); the system was now much more formal and entailed greater attention to deadlines. In other words, there was more “red tape” to navigate and that took time.

The tension within the field over PL 94-142 inspired a flurry of investigation into professionals’ opinions on it and how it affected them. Goldwasser was among the first to investigate the impact of the law on the work of school psychologists (Goldwasser, Meyers, Christenson, & Graden, 1983). Her research originated as a result of many of the same issues that inspired the present investigation. As is the case with the Five Day Rule, many practitioners supported the spirit of PL 94-142 but objected to the increased demands it placed on them. More time had to be devoted to special education testing and related activities, which they claimed constrained their roles. Goldwasser found, however, that there was little real impact on the psychologists’ role or their evaluation procedures. The only significant differences were a decreased emphasis on serving the general education students and an increase in paperwork. The psychologists were also less apt to participate in the IEP process, focus on preventive services, or follow-up with consultees, particularly when their ratio was greater than 1:1000 (Goldwasser et al., 1983).

In some ways, the results of this study are contradictory. Based on objective data, Goldwasser concluded that “despite the positive intent of the legislation...and despite the subjective complaints of many practitioners about role restrictions, PL 94-142 has had remarkably little impact on the role and function of the school psychologist” (Goldwasser, et al., 1983, p. 162). And yet, 57% of respondents reported that the law had

resulted in substantial changes. Goldwasser's most common feedback concerned the restriction of duties, including an over-emphasis on assessment and special education services that the law established. Yet two-thirds of those who had said the law was a substantial change viewed it to have been a positive change. Perhaps the greatest impact that PL 94-142 had on school psychologists was a psychological one.

Subsequent legislation in the second and third phases saw a similar phenomenon (Dahl et al, 2011). Critics claimed that these laws impacted how school psychologists spent their time, but survey data from this period (Goldwasser et al., 1983; Smith, 1984; Reschly et al., 1987; Reschly & Wilson, 1995) show fairly stable distributions of time spent in assessment, consultation, and direct service activities. This indicates that these allocations are resilient to changes within the field. Any impact of law or policy on the school psychologist's role appears to have affected *how* their activities were performed rather than *how long* they spent on each. Unfortunately, these nationwide surveys did not inquire about professional duties in greater detail, so there is no formal evidence to support such claims.

Relevance to the Five Day Rule

Although the Five Day Rule falls within the current phase of emphasizing accountability, psychologists' reactions to PL 94-142 parallel those reported soon after the passage of the Five Day Rule. Perhaps this is because the era of accountability necessarily requires a return to the expectations that were first delineated during the initial phase. For those adjusting to PL 94-142, the influx of students requiring testing narrowed the role of school psychologists and left them little time to participate in more preferred tasks (Anderson, Hohenshil, & Brown, 1984). Psychologists adjusting to the

Five Day Rule similarly reported that special education activities were consuming more time at the expense of working with teachers and students. In both cases, initial reactions to these new demands were negative, as demonstrated by contemporary surveys about PL 94-142 (Goldwasser et al., 1983) and the Five Day Rule (MSPA, survey, 2011). There were, however, subgroups in both cases who saw potential benefits to the changes. Some in the field viewed PL 94-142 as an opportunity to re-imagine the practice of school psychology. They saw the new mandates as a chance to expand beyond the role of psycho-educational assessor and work more closely with students and teachers (Gibbins, 1978; Porter & Holzberg, 1978; Goldwasser et al., 1983). On MSPA's 2011 survey, Maryland psychologists largely supported the spirit of the Five Day Rule and some expressed hope that the new regulations would lead to more efficient work. While the Five Day Rule is much smaller than PL 94-142 in terms of both size and scope, given the similar reactions to the two, one might expect that the results of the present research would mirror those of Goldwasser and her colleagues (1983).

As this brief review has demonstrated, primarily through the example of PL 94-142, legal changes can provoke substantial reactions among school psychologists who must adapt. It is unclear, however, how much they impact their day-to-day activities, as there have been few changes in how psychologists allocate their time over the years. Whether or not the Five Day Rule has resulted in discernable changes as has been claimed remains to be seen. If so, it may suggest that specific, local laws have a greater impact on practice than broader, federal laws do. Laws that affect the practice of school psychology ultimately affect the way we serve and support students.

Characteristics of the Profession

How School Psychologists Spend Their Time

As has already been touched upon, of particular note in the present research is whether the new law has changed the way school psychologists allocate their time. Fortunately, this has been an area of interest to NASP and is featured in all of the organization's member surveys. The most recent NASP survey was conducted from 2009-2010 (Castillo, Curtis, & Gelley, 2012). At that time, school psychologists reported spending approximately 61% of their time in activities related to special education and 504 plan development; within this category, individual special education evaluations and reevaluations took up 47% of their total time. Consultation occupied 16% of respondents' time while direct services filled 9% of their days. It should be noted that Castillo's survey included more categories than these three areas—the three that the field has historically used to classify practitioners' activities—which is why the percentages do not total 100%. The survey also allowed for respondents to consider activities which may apply to multiple categories, further complicating the interpretation of the data. Whenever categories were vague or seemed to overlap with another category already accounted for, they were not included in the totals used in this paper in order to provide a more conservative estimate. To account for this imprecision, an evaluation of the historical data is warranted.

Special education activities. Analyses demonstrate that the time allocation for special education evaluations and associated tasks has remained little changed over time. In 1994-1995, 59.1% of psychologists devoted over 70% of their time to such activities (Curtis, Hunley, Walker, & Baker, 1999). A full fifteen years later, special education

functions continued to consume more than half of these professionals' time, "despite the fact that the number of special education evaluations and reevaluations has steadily decreased over the past two decades" (Castillo et al., 2012). This decline is illustrated by the fact that in the 1994-1995 survey, only 61% of respondents reported administering 50 or fewer evaluations (Curtis et al., 1999), while in 2009-2010 approximately 90% reported doing so (Castillo et al., 2012).

Even prior to the adoption of PL 94-142, school psychologists reported spending the majority of their time in testing activities (Farling & Hoedt, 1971; Ramage, 1979; Goldwasser et al., 1983). The responses to Goldwasser and her colleagues' survey (1983) revealed that over 70% of psychologists' time in the schools was being spent testing students; testing of students with disabilities constituted 51% of their total time. Since Goldwasser's survey, the percentages have remained consistent despite legal and cultural changes occurring since then (Reschly, Genshaft, and Binder, 1987; Reschly & Wilson, 1995). Despite a decrease in special education demands and decades of calls to shift more towards other activities (e.g., Smith, 1984), the typical school psychologist still spends over half their time performing tasks related to special education. Altogether, these surveys demonstrate that special education activities are a major professional responsibility for school psychologists.

Consultation and direct services. School psychologists have for decades preferred roles that emphasize their expertise in consultation and counseling (for an early example, see Meacham & Peckham, 1978), dating back to the influential Thayer Conference in 1954 (Fagan, 2005). While not always specifically defined, consultation typically refers to activities targeting students indirectly by working with teachers or

administrators. Direct services include activities in which a school psychologist works one-on-one with students. The results of the 2009-2010 NASP survey demonstrate a decline compared to prior studies in time dedicated to consultation and direct intervention. Time allocation data reported in surveys conducted from 1979 through 1997 showed psychologists consistently spent between 19% and 23% of their time in consultation, while the most recent put the figure at 16%. With the exception of the earliest survey, the historical results for time devoted to direct services are the same as those for consultation. Goldwasser's (1983) stated the time devoted to direct services was 10%, but all subsequent surveys showed that practitioners spent between 19% and 23% of their time working with clients one-on-one. The figure of 9% from the last NASP survey is less than half this historical trend.

The apparent decline in direct intervention services is supported by more specific data presented in the 1994-1995, 2004-2005, and 2009-2010 surveys, which provided additional data on this topic (Curtis et al., 1999; Curtis, Lopez, Castillo, Batsche, Minch, & Smith, 2008; Castillo et al., 2012). Each successive survey revealed fewer school psychologists providing both individual counseling and group counseling services; in 1994-1995 82% of psychologists provided the former service, but in 2009-2010 only 68% did, a decline of fourteen percentage points in only fifteen years. Similarly, the proportion of school psychologists offering group counseling dropped from 53% to 33% across that same period.

The Effect of Psychologist to Student Ratio on Practice

Another important factor affecting the role of a school psychologist is the number of students each serves. This figure has steadily dropped over the past century (Fagan,

1988), so that most recent national estimates indicate that psychologists serve on average 1,700 to 1,800 students (Canter, 2006). This decline has developed out of a confluence of factors, for while public school enrollment increased dramatically over this period, so too did the number of school psychologists, whose ranks more than doubled from 1974 to 1986 (Fagan, 1988). In the years immediately following this expansion, however, the ratio changed little (Lund, Reschly, & Martin, 1998). The current estimate of 1,700 to 1,800 students is comparable to the average of 1:1,706 in large school systems calculated in 1994 by Fagan and Schicke. This suggests that the trend towards lower ratios has largely stagnated in nearly two decades' time. The stability in psychologist to student ratio may also explain the recent lack of research on the topic.

NASP has for many years set as a goal for most schools to have a ratio of one school psychologist for every thousand students (NASP, 2010a). This is in order for the psychologists to best serve their schools, their students, and to properly fulfill their other obligations. The 1:1,000 ratio, however, is a broad guideline which may not be applicable in all settings. Indeed, the organization recommends that in settings where the school psychologist is expected to perform comprehensive and preventative services, this ratio should be lowered to between 1:500 and 1:700 (NASP, 2010a). In cases where students require intensive interventions or an unusually high level of supports, NASP recommends an even lower proportion.

In the only investigation into the relationship between ratio and services provided, Smith (1984) found that psychologists with ratios below 1:1,500 had broader roles than those with ratios above that number. These data are in accord with findings that those with lower ratios spend less time in special education activities and more time providing

consultation and direct services, such as counseling and behavioral interventions (Curtis, Hunley, & Grier, 2002; Goldwasser et al., 1983; Smith, 1984).

As Anderson et al. (1984) pointed out, the impact of high ratios and the desire to lower them is likely due to the constraints that come with a heavy caseload. There is a positive linear trend between ratio and number of evaluations performed per week (Goldwasser et al., 1983) as well as between ratio and evaluations performed per month (Hosp & Reschly, 2002). There is also a positive correlation between ratio and the number of yearly initial special education evaluations, the number of reevaluations, and overall time spent in special education activities (Curtis et al., 2002). It has been estimated that for a psychologist to adequately complete all of their assessments in a given year, they can serve no more than 2,500 students while providing no additional services (Kicklighter & Baily-Richardson, 1984).

The respondents to Smith's (1984) survey indicated that they wished to broaden their responsibilities and spend more time in roles that currently were receiving less attention. Specifically, they sought to focus less on special education activities in order to provide more services to the general population of students. This is in accordance with other surveys indicating a preference to decrease time performing psychoeducational assessments in favor of other roles (Ramage, 1979; Farling & Hoedt, 1979; Reschly & Wilson, 1995; Hosp & Reschly, 2002). Having a smaller caseload would decrease the number of special education activities necessary to perform, thereby allowing the psychologists to carry out the duties they desire to perform.

Most of the research conducted on student-to-psychologist ratio was conducted several decades ago. More recent research including ratio has either only listed the

information as demographic data or has looked at its relationship to more peripheral factors. Therefore, the literature cited above is very much imbedded within the context of that era and may conservatively be regarded as a historical snapshot. Many changes have transpired in federal law that have affected the practice of school psychology since this period. It is conceivable that one or many of these shifts has changed the nature of the relationship between ratio and the psychologist's responsibilities. New research should be performed to verify or revise the conclusions that Smith (1984) drew three decades ago.

Ratio and the Five Day Rule. Although the research is dated, there is a clear indication that psychologist to student ratio plays a role in the activities a school psychologist is able to perform. While a psychologist with a small caseload may find the new, shortened timeline a minor inconvenience, for those who serve a greater number of students it may force a serious restructuring of daily activities. It is expected that psychologists with high ratios will have been forced to devote even more time to special education activities and less to consultation and direct service activities since the implementation of the Five Day Rule.

School Psychologist-Parent Relations

Communicating Psychological Information to Parents

An important role the school psychologist plays is in communicating the results of the psychological evaluation to the rest of the IEP team, including the parents. Research has shown, however, that parents' understanding of the decisions made during the IEP meeting is limited (Hoff, Fenton, Yoshida, & Kaufman, 1978). In one study, their understanding of their child's eligibility, placement, program goals, and review date was clear no more than 50% of the time (Hoff et al., 1978). The authors of that study

recommended several remedies for improving parent comprehension. These included the documentation of all communication in writing, providing them with a conceptual framework ahead of the meeting, and allowing them enough time prior to a meeting to gather information that may be relevant to the team's goals. All of these recommendations are addressed by the Five Day Rule. Providing parents with psychological reports in advance, however, also has its complications.

Literacy and readability. An obvious barrier to comprehension of psychological reports is the recipients' ability to read and understand them. Psychological reports have typically been lengthy, esoteric documents full of jargon (Bucknavage, 2010) that require deciphering and simplification to facilitate non-professionals' understanding. This is problematic given the estimate that approximately 90 million adults in the United States are "apt to experience considerable difficulty in performing tasks that [require] them to integrate or synthesize information from complex or lengthy texts" (Kirsch, Jungeblut, Jenkins, & Kolstad, 2002, p. xvii). At the time of Kirsch's assessment, there were approximately 191 million adults in the United States, meaning nearly half (47 percent) of the adult population would have difficulty understanding the type of material contained within a psychological report. High percentages of adults with limited reading skills live in poverty (Kirsch et al., 2002), speak English as a second language (Baer, Kutner, & Sabatini, 2009), and have high school educations or lower (Baer et al., 2009). School psychologists serving these populations may face increased difficulty conveying information to parents in written form.

Harvey has conducted two relevant studies regarding the readability of psychological reports (Harvey, 1997; 2006). In the 1997 study, she analyzed the

summary sections of twenty psychoeducational reports from school-based psychologists (Harvey, 1997). On average, these were found to be written at a Flesch grade level of 15.31, meaning one would expect them to be fully understandable only to those who had nearly completed college. The 2006 research investigated why psychologists use such a complex writing style (Harvey, 2006). Once again, Harvey analyzed the summary sections of 38 psychoeducational reports, but this time she collected them from samples within commonly used textbooks in order to gauge how they were modeling a professional writing style. The average grade level among these sample reports was 18.49, three full grades higher than those in the 1997 study. Reports meant specifically for parents had significantly lower grade level readability, the lowest having a score of a 12.8 grade level; unfortunately, this is still higher than a high school graduate's. School psychologists are therefore being trained to write highly technical reports which are difficult for non-professionals, especially those without post-secondary education, to understand.

In 2000, NASP included in its "Principles of Professional Ethics" (NASP, 2000) that psychologists should "prepare written reports in such form and style that the recipient of the report will be able to assist the child or other clients" (p. 29). NASP has since revised this document and there are no longer any guidelines regarding the style of written reports (NASP, 2010b). The present research aimed to assess the extent to which school psychologists had altered their writing style to serve the new audience.

Furthermore, it was not assumed that psychologists would focus on using less technical language, as some may have preferred to make their writing more formal for an outside

audience. In preliminary interviews, no psychologist reported that they had altered their writing style as a result of the Five Day Rule.

Comprehension. Parents who receive psychological reports prior to an IEP meeting, as mandated by the new Five Day Rule, must decipher the report on their own. While it is true that they will receive clarification and explanation from the psychologist at the meeting, the risk of parents misinterpreting results is certainly a possibility when reading the reports in advance. Zweibelson (1963) wrote that psychological reports “are not to be read to (or read by) parents or non-staff members under any circumstances” (p. 84). This recommendation was meant to emphasize that parents should receive a thorough and knowledgeable explanation of test results from a trained psychologist. The implicit message, however, was that parents could not or should not understand the contents of psychological reports properly. In the best circumstances, Maryland school personnel are now doing such a review when delivering their reports, but the preliminary interviews conducted for this research made clear that this is not always the case. When the authors of such reports fail to explain their contents orally, parents are forced to discern the key information independently, often with poor results.

Cornwall (1990) did work on the usefulness and understandability of psychoeducational reports being written at a pediatric hospital psychology department, specifically for children with suspected learning disabilities. She sent questionnaires to the child’s relevant psychologists, teachers, parents, and physicians regarding the reports’ content, readability, and utility. Cornwall found that understandability was lower for parents and physicians than for the school professionals, school board psychologists, and other professionals. Contrary to this finding, parents rated the report recommendations—

which were structured as step-by-step instructions—significantly higher than school professionals did. This suggests that while parents may comprehend the overall document less than school personnel, certain areas will shine through if presented in an easier format.

Bucknavage (2010) provided teachers and parents with psychological reports containing either high amounts or low amounts of technical jargon. Participants then answered questions regarding their recollection of the reports' details. Both groups had more accurate levels of recall in the low-jargon condition, with parent recall increasing more dramatically between the high and low conditions. Furthermore, both teachers and parents chose the low-jargon version of the reports as their preferred style.

Perhaps the most telling research into report comprehension was that of Cuadra and Albaugh (1956). In this study, authors of four psychological reports answered a questionnaire regarding the messages they had intended to convey in their reports. These reports and questionnaires were then also given to 56 judges in disciplines that typically read such reports, including other psychological staff. Those judges completed questionnaires detailing the messages they received from the reports. Altogether, the judges' responses agreed with the authors' only 53% of the time and no professional discipline reached 60% agreement. This indicates that even professionals who encounter psychological reports regularly and are familiar with the terminology have difficulty understanding the messages contained within. If this is the case for individuals with extensive training in these areas, the limited understanding of parents should come as no surprise.

Communication and the Five Day Rule. All of these findings indicate that sharing psychological reports with parents is more complicated than it may initially seem. Parents receive reports that typically contain complex, technical language and are written at a high grade level, despite the fact that many American adults have difficulty reading even basic texts. While many find the reports to be useful, the high-jargon style that they are written in occludes much of the meaning. Prior research indicates that parents only take away the most straight-forward points from these texts. The degree to which parents have been able to understand the psychological reports now being provided to them through the Five Day Rule has not been researched until now.

School psychologists' perception of parents' comprehension was also expected to have had an effect on the way they write their reports. If psychologists embraced the spirit of the Five Day Rule and aim to use the reports in order to properly inform parents, one would expect to find changes in writing style in order to aid comprehension. Any such changes may also be tied to socioeconomic demographics of the school and county being served. The uneven distribution of adults with poor reading skills in lower-class neighborhoods suggest that school psychologists must cater to different audiences depending on the population they serve. Those in upper-class neighborhoods may have required few adjustments in their writing style, but psychologists in poorer areas may have been dramatically affected. Of course, all of these points would be rendered moot if parents are not reading the documents. The proposed research investigated this possibility as well.

IEP Team Dynamics

The implicit reason for passing the Five Day Rule was to improve the IEP team's decision-making process through the benefits of greater parent participation. There is often variability in the quality of students' IEPs, but by "facilitating meaningful parental participation and decision making, teachers can improve their IEP process and product practices" (Rock, 2000, p. 34). The decision-making process is impacted by three factors: the political and social context, team-level structures (e.g., the roles and characteristics of its members), and the interactions among individual group members (Ruppar & Gaffney, 2011). The first factor considers the environment within which the school and its students exist. It is the primary focus of the present research, as laws are external forces that "have a direct impact on the procedures for making decisions about educational placements, testing accommodations, instructional goals, and the extent to which students with disabilities will access the general curriculum" (Ruppar & Gaffney, 2011, p. 11). The other two factors will be assessed indirectly.

Because decision-making takes place through conversation, it is useful to examine the amount and quality of participation that different members typically contribute. When recordings of 130 secondary-level IEP meetings were coded, it was found that special education teachers dominated the proceedings by conversing during 51% of intervals (Martin, Van Dycke, Christensen, Greene, Gardner, & Lovett, 2006). The next highest participation rate was for parents, who spoke 15% of the time. The rate for support staff (including psychologists) was 6%. Quantity, however, does not equal quality. In a similar study conducted by Vacc, Vallecorsa, and Parker (1985), parent participation (23.3%) edged out teacher's (22.2%), but parents spoke much more passively. One-third of their

statements were considered passive participation, compared to only 3% of teachers'. These results seem to indicate that school personnel take the lead at these meetings and, though they may strive to include parents in the conversation, it is often unidirectional. In theory, access ahead of time to the materials to be discussed at the meeting may increase the quality of parents' contributions. The present research will investigate whether IEP team decisions have improved as a result of the Five Day Rule.

Disconcertingly, according to some research the nature of school personnel's verbal communication is sometimes as difficult to understand as their written reports. In a longitudinal study of African-American parents of students receiving special education, all observed IEP meetings included the use of unexplained jargon (Harry, Allen, & McLaughlin, 1995). This behavior had a "silencing effect" and produced parents "who generally ignored the details of technical reports and relied for most of their information on the teacher" (Harry et al., 1995, p. 372). The use of jargon was one of five deterrents to parent participation and advocacy determined by the authors. The other four were the occurrence of late notices and inflexible scheduling, the limited time for meetings, the structure of power, and the emphasis on documents rather than participation.

This final deterrent may be particularly relevant for the present research, especially if school personnel believe parents' access to the documents ahead of time is a suitable alternative for genuine conversations about what a student needs to succeed. Often members of the IEP team disagree with what is being discussed but remain silent due to interpersonal factors (Ruppar & Gaffney, 2006). Harry and colleagues (1995) noted that the emphasis on paperwork's deterring force could be overcome when professionals reached out to parents to discuss the paperwork outside of the meeting.

Indeed, Rock (2000) emphasized that increasing parent participation in IEP meetings is a long-term project and must begin long before a particular conference. She emphasized that school personnel engage in activities that “communicate sensitivity, trust, respect, and acceptance to parents” (p. 36). If the Five Day Rule has provoked such a change in school-family relations, perhaps through a renewed emphasis on pre-meeting discussions of testing results, it may have likewise changed the dynamics of IEP team meetings.

In reviewing the literature, no investigation was discovered that directly measured the practice of providing parents with IEP documents and its impact on the meeting. For this reason, the present research is largely exploratory.

Chapter 3: Methods

Procedure

MSPA Involvement

The Maryland School Psychologists' Association (MSPA) was involved throughout the development of this study. Initially, I had planned on conducting an original survey using the MSPA membership as a participant pool and contacted the organization's leadership for permission. They responded to say that they had conducted their own survey in 2011 and shared the unpublished research. As the literature was reviewed and questions emerged that were not covered by the original survey, the decision was made to conduct a follow-up survey of its members. MSPA was again contacted for permission to conduct the revised survey using contact information from the organization's membership list, which was granted.

Participants

The participants for the present research were drawn from the membership of MSPA. MSPA was an appropriate organization to utilize for two reasons: the Five Day Rule is specific to the state of Maryland and MSPA administered the first survey on the law in 2011. Also, there is generally no easily accessible list of school psychologists working in a given region other than the membership list of the local professional organization. Thus, for research specific to the state of Maryland, the best means of contacting school-based practitioners was the MSPA membership list; this list is necessarily incomplete, as not all school psychologists in Maryland are members of the organization. To illustrate, as of July, 2013, MSPA had 448 members, while a 2011-2012 assessment determined that there were 746 full and part time school psychologists

working in the state of Maryland (MSDE, survey, 2012). Because the focus of this research is on the impact the legislation has had on individuals' practices and their personal experience adapting to the new requirements, only those members who worked in Maryland schools since before the implementation of the Five Day Rule were asked in the solicitation email to complete the survey (see Appendix C).

The MSPA website includes information about its members' employment in an online directory, which allowed the researcher to screen out many members who did not qualify. Of the 448 MSPA members, a total of 142 were excluded for a variety of reasons, including: no employer listed; self-employed; employed out of state, by a university, or by a non-public school; or retired. MSPA also offers its "early career" members a discounted rate when they have worked as a school psychologist for less than a year. Members with this designation were also excluded because they would have had no experience prior to the implementation of the Five Day Rule. This yielded a final pool of 306 MSPA members to whom emails were sent to participate in the survey.

Preliminary Interviews

Because the Five Day Rule was a relatively new law and specific to the state of Maryland, exploratory interviews were conducted in the spring of 2012 with school psychologists in disparate settings. The aim of these interviews was to gauge what issues related to the law were most salient and how it manifested itself differently in different settings. Altogether, five interviews were conducted, one in person and four over the phone. The interviews followed a semi-structured format, with a standard set of questions and follow-up inquiries about interesting points that warranted exploration. The standard questions revolved around three themes: 1) How is the Rule being implemented? 2) How

has it affected your work and the work of your coworkers? 3) Do you perceive the Rule as being effective? Interviewees were also asked if they had any suggestions for items or topics to include in the revised survey. Their responses and suggestions helped shape the final survey.

Three school psychologists practicing outside the state of Maryland were also contacted via email. The states represented were Virginia, Pennsylvania, and Washington. These individuals were all recent graduates of the same graduate program. The purpose of these emails was to inquire whether each of their states had a law similar to the Five Day Rule in effect. The correspondence revealed that Virginia and Pennsylvania had laws mandating that parents receive documents prior to the IEP meeting, while Washington State did not. The revelation that two states that neighbor Maryland have similar laws was important to put the Five Day Rule in context and lent support for conducting the present research.

Survey Development

The survey that was used is based on the MSPA survey on the Five Day Rule from 2011. That survey consisted of 10 questions, four of which pertained to the respondent's demographic information. Five of the 10 questions, mostly concerning demographic information and the law's implementation, were replicated to facilitate comparison between surveys. In most cases, these items were included on the revised survey with minor alterations to clarify their meaning. Additional questions were added based upon the responses from the preliminary interviews and the literature review. The revised survey contained 22 questions, including a space for respondents either to elaborate on an answer or to share in greater detail their experience with the Five Day

Rule. Multiple checks were built into the survey to ensure eligibility of respondents in case they overlooked the criteria listed in the solicitation email. It was designed to automatically end if the participant answered a question in such a way that showed they were not eligible to participate (e.g., if they did not work in a school or had not worked in Maryland prior to the law). The survey was divided into four sections: 1) Demographics, 2) Implementation, 3) Impact on School Psychology, and 4) Impact on the IEP Team. Most of the new questions arise in the second half of the survey, as the original only asked one question each for those sections (i.e., “What impact does the Five Day Rule have on you?” and “What impact does the Five Day Rule have on parents?”). An initial draft of the survey was reviewed by the researcher’s Thesis Committee and was later revised to reflect their recommendations. The final survey and response data is included in Appendix A.

Pilot Study

Prior to the official survey being distributed, an initial draft was sent to a small group of colleagues for feedback. The pilot survey was hosted on Qualtrics, an online research website affiliated with the researcher’s home university. The researcher selected the colleagues through personal contacts and asked them to complete the survey while keeping an eye out for potential problems with its structure, format, item wording, etc. They were also asked to track how long the survey took to complete so that that information may be included on the formal request. The pilot survey participants’ feedback did not result in any substantial changes being made to the items and revealed that the questionnaire typically took 5-15 minutes to complete.

Survey Dissemination

Once the survey was finalized, the research plan was submitted to the Institutional Review Board (IRB) for approval, which was granted in April 2014. The final survey was posted once again online on the Qualtrics website and a link was sent via email to the MSPA members later that same month. Emails were mail merged with a list of potentially eligible members so that they would be personalized, which has been shown to increase response rates (Heerwegh & Loosveldt, 2007). The email provided a short summary of the goals of the proposed research, information regarding confidentiality, potential benefits and risks, eligibility information, and the offer of a prize for participating. The text of this email is included in Appendix C. Upon clicking the URL linking to the survey, potential participants were then presented with another summary of the purpose of the research. Much of the same information as in the email was provided, plus additional information on how to contact the researcher and the IRB if necessary. In order to continue to the rest of the survey, participants were required to acknowledge they were 18 years old and consented to participate in the research. Upon completing the survey, participants were given the option of providing their contact information to be eligible to win one of two \$25 gift certificates to Amazon.com (see Appendix B). This information was collected in a separate data file and therefore was not linked to their survey responses. Winners were randomly selected and notified one week after the final reminder email via the contact information provided. Two reminder emails were sent in early May 2014, each a week apart, to the members of the participant pool who had not completed the survey in order to encourage further responses.

Respondent Characteristics

Of the 306 members who were sent emails, 3 listed incorrect email addresses and could not be contacted. An additional 11 wrote response emails that they were ineligible to participate, often because they had not been employed in Maryland prior to the Five Day Rule or because of an administrative placement. Finally, 11 individuals began the survey but indicated through their responses that they were ineligible. This yielded a final pool of 281 MSPA members from which the total response rates were calculated. A total of 143 individuals completed the survey, including 7 individuals who were not MSPA members but were forwarded the solicitation email by the Baltimore City school system's supervisor of psychological services. The response rates for the overall survey and Baltimore City were calculated while excluding these 7 responses. Taking these considerations into account, 48.40% of MSPA members who were emailed and not otherwise deemed ineligible completed the survey. Considering the likelihood that many ineligible members did not notify the researcher of their ineligibility, the true response rate is presumably greater than this figure. Even given this conservative calculation, the 48% response rate is comparable to the 44% response rate from the most recent national NASP survey (Curtis et al., 2012) and the average response rate of 42% for online surveys with a sample of less than 1,000 (Hamilton, 2009).

A slightly larger pool of eligible members was used to calculate response rates for individual counties and degree type because of a design flaw in the survey. They either omitted data or were deemed ineligible before demographic information was collected, making it impossible to determine where certain individuals practiced. In counties with at least one eligible MSPA member solicited, response rates ranged from 25-100%.

Response rates were also calculated against the number of Full Time Equivalent school psychologist positions according to the most recent state survey (MSDE, survey, 2012), which showed that over 20% of school psychologists employed by public school systems in the state of Maryland responded to the survey. County data ranged from 9-50% among those with eligible MSPA members. Importantly, none of the most-populous systems featured such a high response rate that its data may have overwhelmed the others. Table 1 provides more details of the characteristics of the participant pool and response rates by county.

Table 1
Response Rate by County

<u>County</u>	<u>Members Emailed</u>	<u>Responses</u>	<u>Response Rate (%)</u>	<u>2011-2012 FTEs</u>	<u>FTE Coverage Rate (%)</u>
Allegany	5	2	40.0	7	28.6
Anne Arundel	34	11	32.4	63.5	17.3
Baltimore City	35	18 [†]	51.4	128	19.5
Baltimore County	31	15	48.4	85.4	17.6
Calvert	9	3	33.3	14	21.4
Caroline	0	0	-	5	-
Carroll	16	6	37.5	16	37.5
Cecil	3	2	66.7	8	25.0
Charles	12	7	58.3	31	22.6
Dorchester	2	1	50.0	4	25.0
Frederick	16	10	62.5	22.5	44.4
Garrett	1	1	100.0	2	50.0
Harford	6	3	50.0	32	9.4
Howard	24	17	70.8	64	26.6
Kent	1	1	100.0	2	50.0
Montgomery	44	19	43.2	96.2	19.8
Prince George's	22	10	45.5	88	11.4
Queen Anne's	4	1	25.0	4	25.0
Somerset	2	1	50.0	3	33.3
St. Mary's	2	2	100.0	9	22.2
Talbot	3	1	33.3	2	50.0
Washington	5	2	40.0	10	20.0
Wicomico	8	3	37.5	*	*
Worcester	0	0	-	4	-
<u>Total</u>	**281	136	48.4	700.6	20.4

Note. *Data for Wicomico County was not included on the MSDE survey. **The total number of eligible respondents does not equal the sum of county members emailed due to omitted data on the survey. †Baltimore City responses do not include non-MSPA members.

Response rates were next calculated by degree type. The types were based on the options MSPA members had to choose from for their member pages. The information provided on both the MSPA member pages and the survey were therefore both self-report and would theoretically be consistent for each individual. These rates ranged from 25-72%, as shown in Table 2. Survey participants had worked as school psychologists for an

average of 18.3 years ($SD = 10.1$). Responses ranged from a minimum of 3 years to a maximum of 49.

Table 2
Response Rate by Degree Type

<u>Degree Type</u>	<u>Total Emailed</u>	<u>Responded</u>	<u>Response Rate (%)</u>
Masters	12	3	25.0
Masters + 30	50	35	70.0
Masters + 60	18	13	72.2
Specialist	143	61	42.7
Doctoral	63	31	49.2

Respondents were asked to report to how many schools they were each assigned, with the option of marking either one, two, three, or four or more schools. The proportion of psychologists in each category were fairly similar: 25% serve one school, 32% serve two schools, another 32% serve three schools, and 11% serve four or more schools.

Furthermore, these rates are comparable to the responses to the 2011 MSPA survey with the exception of the category for four or more schools ($t(295)=2.14, p<.05, d=0.27$). The earlier Five Day Rule survey featured rates of 30%, 35%, 31%, and 4% for each category, respectively.

It is unclear why the increase in the proportion of school psychologists with 4 or more schools exists. School psychologists assigned to a large number of schools are more typically from rural school systems, yet the proportion of rural to urban/suburban systems was comparable between surveys; the six most populous systems accounted for approximately 70% of responses in each. The greater number of schools being served may be a product of mere chance or systems increasing the responsibilities of their staff due to economic factors. No matter the case, it is not believed that the difference had a substantial impact on subsequent comparisons between the two surveys.

For the purposes of this survey, respondents were also asked to select one of their schools to base their responses on, specifically the school to which they felt the Five Day Rule was most relevant. Fifty-eight percent chose to respond based on their placement in an elementary school, 18% chose to respond based on a middle school, another 18% chose a high school, and 6% responded that their preferred placement did not fall into one of these three provided categories. One of these respondents chose a preschool, with the rest choosing a combination elementary and middle school (i.e., serving students from Kindergarten through 8th grade). Given the high rate of primary-level schools selected, the number of children served by the school psychologists in their chosen schools is unsurprising. Twenty-three percent noted that their school served fewer than 500 students, while another 52% marked that the school enrolled between 501 and 1000 students. The remaining quarter of those surveyed were divided among those working in schools with 1001-1500 students (13%), 1501-2000 students (7%), and 2001-2500 students (4%).

In order to account for differing programs within schools and how they might affect a school psychologist's work, respondents were asked whether or not they served a population that requires increased attention. Over two-thirds stated that they did serve such a population. Descriptions of these populations were far-ranging, with the most common being groups of children with emotional disabilities, intellectual disabilities, autism, or alternative MSA accommodations. Others noted that their schools contained a special preschool program, had high proportions of English language learners, or served a high-poverty population (i.e., the school received Title I funds).

The issue of poverty was further explored with a question about the approximate percentage of students receiving Free and Reduced Price Meals (FARMs). The survey provided responses that were divided into quintiles, with the data slightly skewed towards the lower rates of FARMs. Twenty-eight percent of respondents indicated their selected school fell within the first quintile (i.e., the lowest rates of poverty), while 26% fell in the second, 13% in the third, 15% in the fourth, and 19% in the fifth quintile, wherein over 81% of students receive FARMs. Statewide data is almost evenly distributed, with about 20% of schools falling in each quintile (MSDE, 2014). As a result, there were significant differences in the proportion of schools in the survey’s first ($t(1660)=2.68, p<.01, d=0.24$) and third ($t(1660)=2.13, p<.05, d=0.19$) quintiles compared to statewide data (see Table 3 for full details). The National Center for Education Statistics considers schools with FARMs rates below 25% to be “low poverty” and those with rates above 75% to be “high poverty” (Kena et al., 2014), meaning that the first and fifth quintile of the current research approximate those classifications. Data from the 2011-2012 school year shows that 21% of all public schools in the United States are high poverty and 20% are considered low poverty (Kena et al., 2014), once again suggesting that the respondents’ schools are likely over-representative of low poverty schools.

Table 3
Comparison of Survey Free and Reduced Price Meals Rates to Statewide Rates

<u>Percentage of Students</u>	<u>Survey Rate</u>	<u>Statewide Rate</u>	<u>t-value</u>	<u>Cohen’s d</u>
0-20%	27.7	18.3	2.68**	0.24
21-40%	25.5	22.6	0.78	-
41-60%	13.1	20.7	2.13*	0.19
61-80%	14.6	18.7	1.19	-
81-100%	19.0	19.7	0.20	-

Note. State rates based on 2013-2014 data published by MSDE. * $p < .05$; ** $p < .01$

Data Analysis

The following research questions were addressed:

1. What has changed in the three years since MSPA's survey on the Five Day Rule?
 - a. How are the documents being made available?
 - b. How many days in advance must practitioners submit their reports to team leaders or coordinators?
2. What effects not addressed by the 2011 MSPA survey has the Five Day Rule had on school psychology practice?
 - a. Do school psychologists distribute their time among their responsibilities differently since the law's implementation?
 - b. Have school psychologists changed the way they test students and write reports?
3. Is the Five Day Rule effective?
 - a. Has the rate of parents attending meetings changed?
 - b. Do parents read and understand the reports provided to them?
 - c. Is it effective in improving the IEP team's decision-making?

Comparison to Prior Survey

The first area of interest was how much things have changed in the three years since MSPA's survey. Most of the items that have been repeated from this survey concern the implementation of the Five Day Rule. Descriptive statistics from the current survey will be reported for all items. Independent samples *t*-tests will then be used to compare the responses to the corresponding questions in the 2011 MSPA survey in order to determine whether or not statistically significant differences exist.

Impact on School Psychology Practice

There were certain questions included in the revised survey that were not in the original. One area that these questions revolved around was school psychologists' practice and their perception of the Five Day Rule's impact on their work. Respondents were asked to estimate the amount of time they devoted to a range of activities both before and after the law's implementation. Means and standard deviations will be provided for all values. Because these values will be provided as percentages, an arcsine transformation must be performed prior to all analyses (Cohen, Cohen, West, & Aiken, 2003). This step is necessary to counteract the fact that the values are bounded by 0% and 100%, which often results in an S-shaped distribution. An arcsine transformation works by stabilizing variances and removing the bends, in effect "straightening out the relationship" (Cohen et al., 2003, p. 241). The estimations of time spent before and after implementation of the law will be compared using dependent samples *t*-tests.

Rule Effectiveness

The third area of interest in the present study was whether or not school psychologists view the rule as being effective. The Five Day Rule was enacted with the intention of better informing parents prior to IEP meetings so that they may play a more effective role in the decision-making process. The items in the revised survey focus on whether parents' attendance has changed, whether they seem to understand the reports, and whether the decision-making process during the IEP team meeting has changed. As with the other data, descriptive statistics will be provided.

Open Text Responses

Finally, the survey included two opportunities for participants to provide open text responses. First, if they indicated that their decision-making at IEP team meetings had been impacted by parents' having the documents ahead of time, they were asked how it had been impacted. Secondly, the survey ended with an opportunity for respondents to comment on the survey or the law in general. No formal methods for coding these responses were decided upon prior to the data collection, as the responses were expected to be limited and straight-forward. Upon reviewing the final data, however, it was apparent that these expectations were off the mark. Of the 45 participants who indicated their decision-making had changed, 33 elaborated on how this had happened. Furthermore, 44% of all participants who completed the survey provided a(n often lengthy and complex) text response describing their reactions to and experiences with the Five Day Rule since its implementation. In order to make use of this qualitative data, the researcher and a colleague independently developed themes based on the texts which were then compared and refined. In order to highlight only the most salient themes, only those featured in 10% of responses to each question will be reported and discussed.

Chapter 4: Results

Comparison to Prior Survey

In 2014, the most common means of delivering IEP materials to parents was sending the documents home with the student, with 80.4% of respondents indicating that this method was one of those used. Nearly as popular was mailing documents home via standard U.S. mail, which is used by 75.5% of respondents' schools. Two other common methods were having parents themselves pick the materials up at school (41.3%) and school staff sending them via email (32.2%). Small groups of schools give the documents to parents during a separate face-to-face meeting (18.2%) or mail the documents home via certified U.S. mail (17.5%). There were significant changes between these rates and those reported in the 2011 survey with regards to the use of several methods. There was an increase in the use of certified U.S. mail ($t(303)=2.66, p<.01, d=.31$), an increase in email ($t(303)=3.44, p<.001, d=.40$), an increase in student transport ($t(303)=4.03, p<.001, d=.46$), and a decrease in face-to-face meetings ($t(303)=3.56, p<.001, d=.41$). All effect sizes were small based on Cohen's (1992) criteria. The full list of results and comparisons can be viewed in Table 4. Although 18.2% of schools use the option of giving parents the documents during a face-to-face meeting, a separate question indicated that 22.4% of respondents typically discuss their reports with students' parents ahead of the IEP meeting, regardless of method or setting.

Table 4
Method of Making IEP Materials Available to Parents Over Time

<u>Method</u>	<u>2011 Survey</u>	<u>2014 Survey</u>	<u>t-value</u>	<u>Cohen's d</u>
Sent Home via Standard U.S. Mail	79.5	75.5	0.84	-
Sent Home via Certified U.S. Mail	7.5	17.5	2.66*	0.31
Parent Picks Up at School	43.5	41.3	0.39	-
Sent via Email	15.5	32.2	3.44**	0.40
Sent via Student	59.0	80.4	4.03**	0.46
Downloadable Online (i.e., other than email)	4.3	2.1	1.08	-
Given During Face-to-Face Meeting	36.6	18.2	3.56**	0.41
Other	5.6	2.1	1.56	-

Note. All survey values are percentages. Respondents could choose all that apply.

* $p < .01$ ** $p < .001$

More than half (52.1%) of the current survey's participants noted that they needed to have their reports submitted to a team leader ahead of the five day deadline. Among these cases, most needed to turn in their documents a few days earlier than the legal requirement, though for some the extra step shortens their timeline by an extra week or more. The rest of the respondents (47.9%) indicated that their school requires them to submit their documents to the team leader or coordinator only on the day that they must be made available as required by the law. These figures were compared to the data from the 2011 MSPA survey, which asked the same question. Significant changes between surveys were found in the proportion of respondents required to submit reports 5 days in advance ($t(303)=3.01, p<.01, d=0.35$) and 6-8 days in advance ($t(303)=2.78, p<.01, d=0.32$). The percentage of the former group decreased, while the latter increased. See Table 5 for all data.

Table 5
Number of Business Days Report Must Be Submitted Prior to Meeting

<u>Days</u>	<u>2011 Survey</u>	<u>2014 Survey</u>	<u>t-value</u>	<u>Cohen's d</u>
5	65.0	47.9	3.01*	0.35
6-8	13.5	26.1	2.78*	0.32
9-11	12.9	16.9	.98	-
12-14	7.4	7.7	.10	-
15+	1.2	1.4	.15	-

Note. Survey values are percentage of total respondents. * $p < .01$; ** $p < .001$

The five day requirement suggests that team leaders and coordinators are not reviewing the content of the documents, merely their completion. An examination of the methods used in these schools to send the paperwork home revealed two significant differences in the methods used to send IEP materials home when compared to those requiring six or more days. As may be expected, the schools requiring documents on the day they are legally due to parents are more likely to send them home via the student (87% compared to 73%; $t(140)=2.04, p<.05, d=0.34$) and less likely to use standard U.S. mail (68% compared to 84%; $t(140)=2.25, p<.05, d=0.38$).

The data was also examined to determine what commonalities existed among those schools with the earliest deadlines. It was hypothesized that there are formal policies or strong cultural elements within specific school systems that encourage this practice among team leaders and coordinators. As a result, the respondents who were required to send their documents in nine or more days in advance were examined to determine if they were clustered in the same systems. It was found that at least half of the respondents from Baltimore City and the counties of Baltimore, Carroll, Cecil, and Harford indicated that this was required of them. By contrast, very few individuals (11%)

who were held to such a standard came from outside of these five systems, suggesting that this is, indeed, the product of system-based norms.

Impact on School Psychology Practice

The issue of time constraints made it worthwhile to inquire as to how the psychologists had to alter the way they manage time since the law's passage. On average, participants estimated that prior to the Five Day Rule they spent 56.7% ($SD = 21.9$) of their time in special education activities, 20.8% ($SD = 12.9$) performing consultation and systems-level services, and 18.9% ($SD = 16.0$) performing direct services. After the law, their time allocation was as follows: 62.9% ($SD = 22.0$) in special education, 17.4% ($SD = 12.3$) in consultation and systems-level services, and 15.9% ($SD = 15.6$) in direct services. The standard deviations demonstrate that there was great variability between respondents, particularly in the activities consuming less of the psychologists' time.

Arcsine transformations were performed on the data, which allowed for dependent samples t -tests to be performed in order to assess for significant changes between periods. Special education activities were found to increase significantly ($t(141)=6.88, p<.01, d=0.58$) while significant decreases were found in consultation/systems-level services ($t(141)=5.85, p<.01, d=0.49$) and direct services ($t(141)=5.72, p<.01, d=0.48$). While the difference in percentage points may appear minor, the change in special education time allocation surpassed Cohen's (1992) criteria of .5 for a moderate effect; the changes in consultation and direct services both fell slightly below this criteria, demonstrating a small effect.

Respondents' time allocations were also evaluated based on what level school they had selected to report. Those who had not chosen one of the three provided levels

(i.e., those who selected “Other”) were not analyzed due to the heterogeneity and small size of the group. Significant differences were found for changes in special education, consultation, and direct services for all three levels. The largest effect was found in the amount of time special education activities had increased for psychologists who had reported on middle schools ($t(25)=3.58, p<.01, d=.70$). All time allocation data is presented in Table 6.

Table 6
School Psychologists’ Time Allocation by School Level

<u>Activity</u>	<u>N</u>	<u>% of Time Before Law</u>	<u>% of Time After Law</u>	<u>t-Value</u>	<u>Cohen’s d</u>
Special Education Services	142	56.7 (21.9)	62.9 (22.0)	6.88**	.58
Elementary Schools	82	59.5 (22.1)	65.5 (21.9)	5.05**	.56
Middle Schools	26	53.8 (21.0)	60.6 (21.5)	3.58**	.70
High Schools	26	52.1 (21.6)	57.7 (23.5)	2.75*	.54
Consultation and Systems Level Services	142	20.8 (12.9)	17.4 (12.3)	5.85**	.49
Elementary Schools	82	20.9 (12.6)	17.4 (12.1)	4.48**	.50
Middle Schools	26	23.1 (16.6)	19.2 (15.8)	2.57*	.50
High Schools	26	19.6 (10.7)	17.4 (10.7)	2.36*	.46
Direct Services	142	18.9 (16.0)	15.9 (15.6)	5.72**	.48
Elementary Schools	82	16.1 (13.5)	12.7 (12.1)	4.43**	.49
Middle Schools	26	19.0 (17.0)	16.5 (16.3)	2.83**	.56
High Schools	26	25.1 (19.4)	22.5 (20.3)	2.41*	.47
Other	142	3.70 (5.6)	3.9 (7.9)	.79	-
Elementary Schools	82	3.7 (6.0)	4.4 (9.6)	.18	-
Middle Schools	26	4.0 (5.5)	3.7 (5.8)	1.08	-
High Schools	26	3.2 (4.0)	2.4 (3.2)	.96	-

Note. * $p < .05$; ** $p < .01$

A similar analysis was conducted based on the number of students the respondents estimated were enrolled in the school they had selected. Most non-significant comparisons were found at the 2001-2500 student level. This result is likely due to the low power derived from a small sample size, as the percentage changes were often comparable to other levels. All data is presented in Table 7 below.

Table 7
School Psychologists' Time Allocation by Ratio

<u>Activity</u>	<u>N</u>	<u>% of Time Before Law</u>	<u>% of Time After Law</u>	<u>t-Value</u>	<u>Cohen's d</u>
Special Education Services					
Under 500 Students	33	56.2 (23.0)	61.8 (23.3)	2.76**	.48
501-1000	73	59.6 (21.1)	65.5 (20.0)	4.76**	.56
1001-1500	19	53.8 (17.8)	61.5 (20.6)	4.20**	.96
1501-2000	10	47.0 (25.3)	55.5 (27.2)	3.82**	1.21
2001-2500	6	61.7 (22.5)	67.5 (21.2)	1.39	-
Consultation and Systems Level Services					
Under 500 Students	33	19.9 (13.9)	16.2 (13.4)	3.14**	.55
501-1000	73	20.3 (12.8)	17.3 (12.2)	3.54**	.41
1001-1500	19	23.7 (12.5)	18.3 (13.3)	3.20**	.73
1501-2000	10	20.5 (10.6)	18.5 (10.9)	2.39*	.76
2001-2500	6	19.2 (11.1)	15.5 (5.4)	1.05	-
Direct Services					
Under 500 Students	33	19.3 (13.9)	17.5 (15.0)	1.87	-
501-1000	73	17.1 (15.1)	14.3 (14.5)	3.96**	.46
1001-1500	19	17.8 (15.9)	13.7 (12.9)	2.24*	.51
1501-2000	10	30.5 (24.8)	24.0 (25.0)	2.72*	.86
2001-2500	6	18.3 (15.1)	16.2 (17.1)	1.28	-

Note. * $p < .05$; ** $p < .01$

Participants were asked how the law had impacted the amount of testing done on average with each student during an initial evaluation. Initial evaluations were emphasized because they were more likely to be comparable across diagnoses than reevaluations would be. Over three-quarters (76.1%) noted that they had made no changes. Nearly a fifth (19.7%) had decreased the testing done on a typical student and the remainder (4.2%) had made increases since the law's enactment. The majority of school psychologists likewise made no change in the language they use when writing reports (54.2%). Similarly to the previous question, many of those who had made changes moved towards simplification, with 40.5% using less technical language versus 4.2% who moved towards more technical language. A Pearson correlation was performed

between schools' FARMs rates and changes in writing style. No trend was found ($r = -.03, p > .05$), indicating that the changes were not driven by perceptions of socioeconomic status.

Rule Effectiveness

When asked whether parents have changed the way they attend IEP meetings since implementation of the Five Day Rule, 95.1% responded that there was no perceived change. Once again, this item focused on initial evaluations, when parents are enthusiastic about attending in order to support their children regardless (Harry et al., 1995). Another factor may be that, according to one study, parents attended IEP meetings 95% of the time, meaning there is little room for improvement (Martin et al., 2006). There was also great agreement among respondents with regards to how they perceive the degree to which parents understand the provided reports. A clear majority of them (77.6%) noted that the parents they serve "Partially Understand" the documents. The next most common response was that the parents "Don't Understand [The Materials] at All" (10.5%), while only 6.3% believed their parents "Completely Understand" them. A Pearson correlation was performed between this item and school FARMs data, which was not significant ($r = .11, p > .05$). An independent samples *t*-test was also performed comparing the results on this item depending on whether or not the psychologist discusses the report with parents ahead of time, but this was not significant either ($t(133) = 1.65, p > .05$).

School psychologists were also in agreement with regards to whether or not the IEP team makes better decisions since the law's enactment, with 93.6% of respondents selecting that there had been no difference. Their responses were more varied when asked

whether the law had impacted their own personal decision-making, as 31.5% indicated that it had either occasionally or very often done so. There was an open-text response offered if the participant responded that their own personal decision-making had been impacted since the law had come into effect. There were 45 individuals who were asked how their decision-making at IEP meetings had been impacted, of whom 33 (73.3%) provided text responses. The most salient themes were that (a) decisions and discussions amongst the team members now occur more frequently at meetings than before the Five Day Rule, (b) information is now conveyed differently to parents, and (c) the decision-making process is now more rushed. Of the 33 responses, 13 (39.3%) included sentiments related to the first theme, 12 (36.3%) related to the second, and five (15.2%) related to the third. The details of these themes will be elaborated upon in the Discussion section.

Open Text Themes

The final survey question was provided to all participants and provided an opportunity for the respondents to add additional perspectives about the Five Day Rule. It specifically read, “If you would like to elaborate on any answers or add more about your experience with the Five Day Rule, please do so below.” As a result, the responses were not specific to any particular research question. Of the 143 participants that finished the survey, 63 (44.1%) took advantage of the option and added text ranging in length from a single sentence to multiple paragraphs. The most salient themes to emerge expressed that the law has resulted in (a) increased time constraints that often led to extra stress and duties being performed outside of work, (b) few changes for parents as they typically don’t read or understand the documents, (c) negative changes to the testing process and the content of psychological reports, (d) the rule either not being followed or being

followed with modifications, and (e) some limited positive changes. The first theme was by far the most common, with 38 responses (60.3%) including statements related to it. Twenty-four responses (38.1%) were relevant to the second theme, 14 responses (22.2%) were relevant to the third, 10 (15.9%) applied to the fourth, and eight (12.7%) contained sentiments relevant to the fifth. Altogether, 79 individuals (55.2%) provided a response to one or both of the open-text questions. Specific details about each of these themes will be highlighted and expounded upon in the following section.

Chapter 5: Discussion

Changes Since the 2011 MSPA Survey

How Documents are Made Available

A central reason for conducting the present research was to investigate how things had changed since MSPA conducted their survey on the Five Day Rule in 2011, before school systems and their staff had had a full year to digest and adapt to the new legislation. One issue that was apparent shortly after the passage of the law was that different systems and even schools were implementing the law differently. The passage of HB-596 in 2012, a revision to the Five Day Rule, was specifically aimed at resolving questions of how documents should be made available to parents. Perhaps owing to this revision, the present research found that schools have made substantial shifts since the 2011 survey in the way they provide these documents. These results demonstrate that clear, specific legislation can quickly solve problems that arise from newly implemented policies.

A necessary caveat to these interpretations is that the respondents were only asked to indicate which methods their school utilizes to make IEP meeting documents available. Respondents were able to select as many methods as were employed by their school. They were not asked about the frequency with which any particular method was being used within that school. Thus, while the use of a particular method may be an option at a great majority of schools, it may in reality be hardly ever used (and vice versa).

The greatest percentage change since the 2011 survey has been in the use of students in transporting documents home personally, which was made explicitly permissible through HB-596. As a result, the rate of schools sending IEP meeting

materials home with students increased from 59.0% to 80.4% in the three years that have passed. While some participants noted in the open-text responses that they still avoided this practice for fear of breaching confidentiality, it has become the method used at the most schools, eclipsing the prevalence of standard U. S. mail. HB-596 also verified that schools could use electronic means to convey documents to parents, which resulted in the email option more than doubling from 15.5% to 32.2%. Both surveys inquired into the use of another electronic means, the option for parents to download materials online (i.e., through a method other than email), but there was no statistical difference in its use since 2011; according to the more recent survey, only 2.1% of schools presently use this method. Despite the ease with which school personnel can upload a document and send it to a parent, the use of email and online download lags behind several more “traditional” means. In many cases, parents want to have hard copies of the documents for them to refer to at the meetings, so providing them with printed documents may simply be viewed as a courtesy.

There are also technological reasons that may give schools pause when considering internet-based transmissions. Any electronic method requires a degree of technological know-how on the part of both the school personnel and the parents. Some families may lack an email address or convenient access to the internet. Furthermore, the option to download materials online requires that they be hosted securely and only accessible to the appropriate parents. If such systems are not already in place that lend themselves to this function, it would be unnecessarily laborious to create them. Indeed, the need for maintaining confidentiality of records in accordance with legal regulations may help explain why the use of email is not more common. The Health Insurance

Portability and Accountability Act (HIPAA) permits the use of email when communicating with clients provided they apply reasonable safeguards when doing so (45 CFR § 164.530). Oliver (2013) recommends that best practices for emailing personally identifying information includes the use of password protection to attachments, redacting sensitive information, and marking the message as confidential. Ensuring that all staff members follow these important procedures may be viewed as too troublesome for staff and administrators, resulting in an avoidance of the option altogether. It would be beneficial to learn through future research the extent to which school personnel in Maryland are taking such precautions when using email.

There were two unexpected changes since the 2011 survey in how schools make IEP materials available. The first was the increased use of certified mail among practitioners' schools. The passage of HB-596 was partially precipitated by schools objecting to the costs and procedures of this method, so its increase from 7.5% of schools in 2011 to 17.5% of schools now implies another force is at play. Perhaps administrators have developed a preference for the security and confirmation of receipt that certified mail offers. Follow-up research may inquire whether school personnel experienced delivery problems in the past three years that provoked this preference.

The second unexpected change was found in the practice of communicating directly with parents prior to the meetings. The prevalence of using face-to-face meetings to deliver IEP documents prior to the IEP meeting has been halved in the past three years, dropping from 36.6% of schools to 18.2%. A separate question, however, also touched upon the topic of communicating with parents, thereby providing insight into the actual frequency with which this option is used. When asked if they typically discuss the reports

with parents prior to an IEP meeting, 22.4% of the responding psychologists indicated they did. Several individuals stated in the text responses that they reach out to parents via phone, which may explain the discrepancy between questions.

A closer investigation into the characteristics of those psychologists who regularly communicate with parents may provide clues as to the circumstances that encourage this behavior. Given the time that this step requires, it comes as no surprise that 72% of these practitioners are assigned only to either one or two schools and that 84% of them have fewer than 1000 students at their selected school. Indeed, these psychologists are less consumed by special education activities in general, spending on average 50% of their time in this area of their job. Those who do not communicate report contents to parents prior to IEP meetings spend 67% of their time in special education activities.

Submission Times

Another topic that was replicated from the 2011 survey was the question of how much time practitioners must submit their reports to the team leader or coordinator prior to the IEP meeting. The law mandates that the documents be made available five business days in advance, but often systems require IEP team members to submit their reports even earlier to check for compliance or simply to have a buffer period in case something goes wrong. In the past three years, it appears an increasing number of schools have opted for this buffer. There has been a significant decrease from 2011 to 2014 of schools requiring only 5 days, which coincides with the trend of a significant increase of schools requiring 6-8 days. No other timeframe featured a significant change and the difference in percentage points is similar, suggesting that there has been a deliberate movement from a

5 day requirement to a 6-8 day requirement. Text comments offered no further insight into this change.

Compliance

Unlike the 2011 survey, the current survey did not inquire about the rate at which school staff were complying with the rule. Data from the earlier survey had shown that 70.7% of respondents regarded their IEP teams in compliance “For the Most Part,” while 25.0% said they were “Somewhat” in compliance and 4.3% said they were “Not at All” in compliance. There were ten comments from the current survey’s open-text responses that made mention of schools or individuals either being out of compliance or regularly using workarounds. Some disclosed their own behavior missing deadlines (“Honestly, I rarely am in compliance with [the Five Day Rule]”) and others spoke of colleagues (“Most psychs I know miss the 5 day rule about 40 percent of the time”). It is not clear in all cases why the law is not being followed, but some cited a failure to keep pace during high volume periods of testing, individuals sending out documents late because they use calendar days instead of business days, or team leaders missing the deadline despite the reports being submitted on time. Certain schools seem to have made a habit of sidestepping the law. Two respondents noted that their schools often ask their parents to waive their right to the documents (which is permitted by HB-596), with one remarking, “To my knowledge, no parent in our school has declined to waive this right when asked.” Another three conveyed that they often send home incomplete reports at the deadline with a note that amendments will be made and a final version will be provided at the IEP meeting.

Impact on School Psychology Practice

Psychologists' Time Allocation

The second research question concerned the extent to which the Five Day Rule had made an impact on the practice of school psychology in areas not specifically addressed by the 2011 MSPA survey. One of the key areas of interest was whether the law had changed the way practitioners spent their time on a daily basis. The analysis of the participants' responses revealed that significant changes have occurred in how their time is allocated since the enactment of the legislation. The estimations of their work in 2011 were in line with the results of national surveys over the past thirty years, i.e., with roughly 60% of time devoted to special education and 20% each devoted to consultation and direct services. Since the enactment of the Five Day Rule, however, practitioners now spend a greater proportion of their time performing special education activities and less time performing consultation or working directly with students. While there was great variation among responses regarding the magnitude of the changes, there was by contrast great agreement regarding its direction. In other words, there were few individuals who reported that their time spent in special education activities decreased (5.5% of those noting a change) or that their time in consultation or direct services had increased (13.1% and 4.3%, respectively).

When time allocation was analyzed by psychologist to student ratio, the law appeared to have had an increasing impact on changes in time allocation as ratios increased. With only one exception, the effect sizes of statistically significant differences increased along with the psychologist to student ratio. This suggests that practitioners

with heavy caseloads have more difficulty adjusting to changes in demands, were more heavily impacted because the law affected more cases, or a combination of the two.

The analysis of time allocation based on school level revealed that the effects of the law were pervasive through elementary, middle, and high schools. The Five Day Rule had the greatest effect on psychologists who provided information for middle schools. Practitioners in elementary schools spent the most time in special education activities compared to the other levels, which is to be expected given the fact that most initial evaluations are referred at this level. The Five Day Rule prompted their time devoted to these activities to rise above the historical average so that they are now spending nearly two-thirds of their time in this area.

Practically, however, it is unclear why the time increase in special education activities exists at any level. Theoretically, all the Five Day Rule did was require practitioners to rearrange their time; the amount of time spent testing and writing reports should not have changed. While the aforementioned changes in time allocation were statistically significant, they were not necessarily universal. Indeed, 49.0% of respondents noted no change in the amount of time they spent in special education activities. Likewise, there was no change in 57.3% of survey participants' consultation work or in 66.9% of participants' direct service work. Altogether, a full 44.8% of respondents reported no change in their time allocation whatsoever, demonstrating that nearly half of practitioners have not changed their daily practices as a result of the rule.

There are a number of text responses that may provide insight into why the law has had such an impact on school psychologists. Indeed, the most common theme among the responses was that the Five Day Rule has increased psychologists' time constraints.

Many respondents expressed that they feel “rushed” to get everything done now, particularly when navigating student absences, standardized testing, the winter holidays, and unexpected closures (e.g., for snow), among other constraints. As one person wrote, the shortened timeline “compromises my ability to feel I have enough time to assess, score, synthesize and score [*sic*] the assessment tools and write the report.” Others specifically cited the “buffer” their team leader requires for reports to be submitted ahead of the five day mark as eliminating days from their timeline. Another popular remark was that there was already a time crunch for many practitioners, particularly during busy times of the year, even before the Five Day Rule. As a result, rearranging one’s time was not a feasible alternative because they were already devoting most of their time to testing and report writing during those periods. One participant wrote, “Time is a precious commodity in the school setting, and we already felt rushed before the rule cut additional time from our process.” Other psychologists noted that they now must repeat certain duties at times. Those who feel they must now communicate the contents of the report to parents in advance pointed out that the practice essentially “requires reviewing the test results twice, once with the parent privately and again in meeting.” And if a rating scale is submitted to the psychologist after the report has been sent home, he or she must amend their report and perhaps change their conclusions. In cases like this, one respondent expressed that they felt that “I am essentially doing two reports for one evaluation.”

An outcome of this time pressure was an increase in work-related stress for at least eleven of the respondents. One individual described the new environment as “a pressure cooker situation” while another commented, “I would not say the 5 day rule had

any effect on my practice other than add stress.” In two cases, it was cited as the cause of physiological issues. One opined, “I truly feel that my physical health was impacted by the stress of meeting unforgiving timelines (high blood pressure, lack of sleep),” a response mirrored by the second who stated, “My physical and mental health is suffering from staying up late so many nights writing reports.” For these individuals it seems the Five Day Rule has had a very real effect on not only their livelihood but also their lives.

This last comment also helps to explain the high number of individuals who reported making no changes in their daily activities. Ten practitioners in the open-text responses reported taking work home with them, specifically report writing, so that they could continue to offer high-quality services at their schools. One participant illustrated this by commenting that the law “has not had a significant impact on my day-to-day practice in my school buildings because I do not allow it to impact the services I provide to my schools and students; however, it has had a significant impact on my personal life.” Many of these comments strike a bitter tone, complaining of uncompensated time spent writing reports during lunch, after school, on school holidays, and on sick days.

Testing and Report Writing

Prior to this research, it was unclear if the Five Day Rule would affect more than just school psychologists’ time management and organization. Two questions were therefore included in the final survey that, based on the literature review and preliminary interviews, were viewed as being susceptible to changes as a result of the law. First, survey participants were asked whether or not their writing style had changed now that a new audience would be reading it. It was unknown whether practitioners would try to simplify their text for a lay audience or if they would use more technical language in

order to demonstrate their expertise. The majority (54.2%) indicated that they had not made any changes, perhaps because they felt they had already successfully found the proper balance of professionalism and readability. Alternatively, practitioners may not have made any changes because they are set in their ways, are opposed the spirit of the law, or do not believe parents will read their reports (a point that will be elaborated upon later). Of those who did make changes to their writing style, most simplified their language, quashing the notion that psychologists may have preferred to increase their formality for an outside audience.

Many of the early objections to the law highlighted the time constraints it imposed. For this reason, the survey participants were also asked whether they had changed the amount of testing administered during a typical initial evaluation. A clear majority indicated that the law had not affected their practice in this regard, with 76.1% responding that there had been no change. Among those practitioners who had made a change in their testing practices, most of them decreased testing, accounting for 19.7% of the total responses. Only 4.2% of respondents endorsed statements that they had increased testing since the law's passage, perhaps to provide more comprehensive evaluations for parents to review. While it appears that most psychologists have not let the Five Day Rule affect the battery they administer during an initial evaluation, the remainder mostly fit the narrative that the law has forced them to find efficiencies or cut corners.

These points were elaborated upon in the free responses. There were 14 people who noted that the law had resulted in negative changes to the testing process and the content of their psychological reports. Several explained that they either write shorter

reports or include fewer recommendations because they have less time to study and synthesize data. One noted that they do not have the flexibility that extra time would afford them to investigate issues that arise during testing, while another remarked that they cannot spend as much time consulting with parents as they used to. As a result, the reports are less thorough, often to the psychologist's chagrin. One respondent stated, "I'm forced to do the minimum per law, which I do not like to do-- Kids have been negatively impacted b/c of this law, in my opinion." The shortened timeline has also impacted the ability of one individual to spend time building rapport with anxious students.

Psychologists' statements about writing style reflect the assumption that changes have been made in order to be "more careful" and to make the text "more parent-friendly." This tendency may even compound the time constraints. One individual explained, "The parent friendly style takes much more time as I am using many words (sometimes a sentence to explain a one or two word clinical term." In two instances, psychologists wrote that they have deliberately changed their style for fear of parent reactions or misunderstandings. In one case, a practitioner noted, "I spend much more time weighing (worrying about) every word in my reports, because I know the family will have five days or more to read it and think about it before I am there to explain what I meant."

Rule Effectiveness

Parent Attendance

The third research question quite simply posed the question of whether or not the Five Day Rule has been effective, as viewed through the eyes of school psychologists, in a number of areas. The primary aim of the law was to increase transparency for parents in

order to involve them more in IEP teams and, presumably, the teams' decision-making. In order to assess these issues, four survey questions were included that touched upon how the Five Day Rule has impacted either the IEP team as a whole or specific members within it. The first question concerned the rule's impact on parents' IEP team meeting attendance. Increasing attendance was not a stated aim of the law; indeed it was geared more towards those parents who were already most involved in their children's education. Receipt of documents ahead of time, however, may have piqued an interest in parents who would not have attended ordinarily or at least may have acted as a reminder that the meeting was taking place. School psychologists overwhelmingly expressed that they have perceived no change in attendance, with 95.1% endorsing this response, indicating that the Five Day Rule has not had a substantial impact in this respect. Several even noted that it had the opposite effect in their experience, with one individual stating that "way too many parents decline attendance at the meeting. They've already read [the report], there's nothing to bring them in. It's significantly decreased parental involvement."

Parent Comprehension

The next area of interest concerned how well parents understood the documents they were receiving, as prior research indicated that they are typically written in a manner that is difficult for many parents to understand (Cornwall, 1990; Bucknavage, 2010; Cuadra & Albaugh, 1956). This survey revealed that psychologists have done little to make their reports more readable since the law's passage. It is therefore unsurprising that most respondents (77.6%) agreed that the parents they serve "Partially Understand" the documents and that the next most common answer (10.5%) was that they "Don't

Understand [The Materials] at All.” Psychologist perceptions of parent understanding was not correlated to socioeconomic status, as measured by FARMs data, despite evidence in the literature that low socioeconomic status is linked to poor reading comprehension. The failure to find such a link is perhaps due to the fact that such a large group of participants responded the same way.

The second most-common theme in the open-text responses concerned parent understanding of documents, with 24 respondents raising the issue. These convey that, in most cases, they understand little and the team members need to review the information during the meeting in the same manner as they did before the rule was implemented. Even those who apparently supported the spirit of the law found this to be the case: “It is good that parents have information ahead of time; however, they often do not understand all the information in the reports. When they are unreachable to go over the reports, that can cause some confusion.” In the worst cases, such confusion can be a source of great distress, as was illustrated by a participant who shared that “Occasionally a parent will be emotionally upset about a misinterpretation they have made about an examiner’s report. I have heard a few parents say they ‘cried all night’ after reading a report.” Several respondents shared similar experiences despite making concerted efforts to make their reports more understandable and parent-friendly.

There was a large subset of responses within this group that conveyed that parents often or regularly fail to read the reports at all, describing them as “one more piece of paperwork that most parents don’t seem to notice.” Psychologists serving both well-educated and impoverished populations had experience with parents not reading the documents. Many of these comments were tinged with frustration, as the respondents felt

their efforts to get the paperwork finished five days ahead of the meeting were in vain. As one individual said, parents “rarely ask questions during the team which leads me to assume that, either I do a fantastic job of explaining the information, they don’t care about the information or they don’t understand enough to ask a question.” Most of the psychologists presenting this theme expressed that they feel the law has not been effective for this key reason. A school psychologist remarked, “I honestly feel that with very few exceptions the parents who actually read my reports now...are the same parents that read my reports when they had less time.”

IEP Team Decision-Making

Perhaps the key question for evaluating the effectiveness of the Five Day Rule was whether or not school psychologists had found the IEP team makes better decisions since its passage. This was, after all, the core (if implicit) reason for the law being written. Once again there was enormous consensus among practitioners that there has been no difference (93.6% of responses) in decision-making. Interestingly, their responses were more varied when asked whether the law had impacted their own, personal decision-making, as 31.5% indicated that it had either occasionally or very often done so. This discrepancy suggests that while psychologists have changed their approach to the IEP team’s process, this has had little effect on the ultimate outcome.

The manner in which the Five Day Rule had impacted them was expanded upon in a free-text response item, which contained several themes. The first theme was that decisions and discussions amongst the team members (i.e., including parents) now occur more frequently at meetings than before the law was implemented. There were thirteen individuals who raised this point, though for two different reasons. In some cases the

increased discussion was a reflection of greater parental involvement. Several respondents noted that parents were now better prepared to advocate for their children, sometimes with “written notes all over the report and are able to reference items they wish to discuss.” As a result, the psychologist may “keep [their] mind more open” or be “more inclined to let parents/team decide primary coding.” In other cases, the increased discussions reflected the fact that the school personnel were no longer coming to the meetings with decisions already made, as had often been the case in the past. The reason for this shift may be better explained by an exploration of the text responses’ second theme.

The second theme, which was raised by 12 individuals, was that psychologists are now conveying information about the evaluation differently to parents. Most commonly, psychologists reported using more tentative language and shying away from identifying a specific eligibility category in the reports, which has made it easier for determinations to change during the meeting. In one case a psychologist noted, “Sometimes, things don’t come together (in terms of diagnoses, etc...) until I am sitting in the meeting.” Not all respondents were supportive of this development. One practitioner related that waiting until the meeting “is particularly a problem when results do not all tell the same story or when some stakeholders come in with preconceived ideas of how things should go.” Some expressed that this resulted in poorer decisions being made or having to convey sensitive diagnoses to parents without adequate preparation.

The item about psychologists’ decision-making being impacted generated one more theme, endorsed by a smaller group of five people. These individuals related that their decision-making was now more rushed. In two cases, the psychologists referred to

the decision-making occurring in meetings, which are necessarily time-limited and leads to the problems that have already been described. The remaining three comments were vaguer and seemed to imply that the decisions made prior to the meetings were hurried as well. In one comment, a respondent wrote, “With the rush of trying to get things finished I have less and less time to sit down and analyze the results in a thoughtful manner.” The implication appears to be that the shortened timeline results in poorer conclusions being arrived at in the report which are then carried over into the team meeting.

Positive Changes

There were a number of positive feelings expressed about the Five Day Rule in the open-text responses. The eight comments were not universally positive, but instead tended to describe mixed feelings, combining the positive points with negative. Many respondents noted that they support the spirit of the law and several stated that they had witnessed an increase in parent participation at IEP meetings. Others said that meetings run more quickly because parents have already read the documents or a pre-meeting discussion had already taken place. A few participants described positive changes the law has spurred in their own practice: they manage their time more efficiently and are more prepared for meetings because they are not finishing reports at the last minute.

These comments highlighted that the Five Day Rule has resulted in unintended positive effects beyond those of better informing and involving parents in decision-making. Indeed, many of the issues that have already been discussed may be viewed as objectively beneficial, even if the survey respondents viewed them negatively. The hesitance of many practitioners to put forth a diagnosis in their reports allows for more flexibility and discussion at meetings because individuals have less to defend in their

completed reports. In teams that were once dominated by individuals eager for the group to adopt their own personal conclusions, the removal of these preconceptions may result in an effective power shift from these individuals to the entire team. As has already been discussed, whether or not such a shift results in better decisions being made is a subject of debate and certainly case-specific. But there is no debate that shifting power to the entire team places the IEP team dynamics more in line with those envisioned by IDEA.

Limitations

There were several limitations in the current research. The disconnect between the quantitative and qualitative (i.e., open-text response) results may be a reflection of true differences or simply an artifact of the different methods used to collect and analyze the data. Despite the decision to describe only themes endorsed by multiple respondents, the 10% threshold for including a theme may have been too low. The text responses provided rich descriptions of individual's experiences that may be more attractive than the summary data provided by the survey's multiple choice questions. Finally, respondents were not required to respond to the open-text responses, so there is no way of knowing the experiences and perspectives of those who abstained. Participants were free to highlight the issues that were most salient to them at the time and may not have included important information about various topics that did not immediately come to mind. In the future, the themes raised may be better evaluated with quantitative, multiple-choice questions or through required open-text questions that are specific to each. By structuring the survey in this way, it would likely garner a more accurate depiction of both the negative and positive changes that the Five Day Rule has brought; as the low number of

positive numbers reflects, the text responses appeared to appeal to individuals looking to air grievances more than sing the law's praises.

One of the most important parts of this research was the change in time allocation psychologists experienced following the implementation of the Five Day Rule. Practitioners were asked to estimate how much time they devoted to various activities several years ago, which is an imprecise way to collect such information. Respondents may have recalled their experiences inaccurately or they may have responded in such a way as to skew the results in a desired way. It would have been preferred to measure individuals' time allocations more objectively and compare this data to that of practitioners in a comparable state that does not have a law like the Five Day Rule in place. Unfortunately, such a design was not feasible for the present study. Alternatively, fluctuations unrelated to the effect of the law could have been controlled for by including an item about the number of evaluations performed at both points in time. Future research should take into account such possibilities and design measures in such a way to ensure robust data.

Another limitation is the fact that survey participants were asked to choose one school they served that they felt was most applicable to the Five Day Rule. Because initial evaluations have the shortest timeline, schools with many initial evaluations were more likely chosen which resulted in more elementary schools and fewer high schools. School psychologists may be differentially affected by the law at each level due to differences in duties that may be performed. The use of only one school for survey questions allowed for more specific analysis of changes that may have occurred over time, but it was problematic for practitioners who changed schools or systems since the

law was implemented, making one-to-one comparisons impossible. It also may have resulted in valuable information about other settings not being reported. A similar limitation resulted from the decision to question participants only about their experiences during initial evaluations on certain items; it is unknown whether the results would have been the same if respondents were not so limited.

An important consideration that cannot be overlooked is that it is difficult to state definitively that the changes that occurred between the implementation of the Five Day Rule and the present survey were due solely to that law. Innumerable changes could have impacted the practice of school psychology within that timeframe. Despite this limitation, there is no obvious alternative explanation for the present results. Not a single participant discussed in the open-text responses another state-wide change that may have influenced responses to any single item, let alone the entire survey. Indeed, no issue has garnered as much attention as the Five Day Rule among Maryland school psychologists since its passage. Macro conditions that might affect practice, such as the state of the economy and the rate of unemployment, have improved in the past four years and are therefore unlikely to explain the results generated by this survey. Nonetheless, the passage of time comes with many unknowns and subsequent research would be better served by removing as many as possible in order to more clearly demonstrate the connection between legal changes and psychological practice.

Conclusion

The present research shows that the Five Day Rule remains a source of great frustration for many school-based psychologists in Maryland. The primary concern remains the shortened timeline that the law requires, which continues to negatively affect many practitioners despite the passage of time. Many of the objections in the text

comments from the 2011 survey were salient now as well, but the quantitative data often suggests there is a silent majority for whom the law has been far less disruptive. For example, in both surveys, commenters stated that their testing practices had been curtailed, but three-quarters of respondents marked that they had experienced no change in this area. Likewise, nearly half of all respondents noted no change in the way they spend their time at work. In some cases, however, practitioners stated that they had only been able to avoid changes to their work duties by bringing more of it home with them. This research has shown that individuals serving more students and more schools are more affected by these issues than those with more limited responsibilities, as expected. The passage of HB-596 appears to have given schools more flexibility in the way they carry out the Five Day Rule, but great variation remains. The disparate practices in implementation that continue to exist between counties and schools surely impacts how each practitioner is affected. There are many opportunities to perform more in-depth analyses using the data collected for this research. Future analyses should aim to better discern who has been most affected by the Five Day Rule, why, and if anything can be done to support them.

Perhaps most concerning of all results was the revelation that many parents are not reading the reports at all. Preliminary interviews and the research literature implied comprehension would be problematic, but the issue of parents neglecting the documents entirely had not been anticipated. In order for the Five Day Rule to be effective, parents must take this first step. Subsequent research should attempt to learn the prevalence of this practice; is it as common as the commenters on this survey would have us think? Or is this another case where the enthusiasm of a vocal minority drowns out the experience

of everyone else? The question of whether or not the Five Day Rule has been good for Maryland hinges on these answers. As the findings stand now, the law appears to have had mixed results. Parents tend to understand the documents only partially. And while a sizeable minority of psychologists find their personal decision-making has been affected by the new protocol, they do not find that the IEP team as a whole makes either better or worse decisions as a result.

Parent perspectives in general ought to be investigated further. After all, they were the primary advocates for and the beneficiaries of this law. Did it achieve their hopes? Have they taken advantage of their access to the documents? A major limitation to this survey was reliance on school psychologists' perceptions in understanding parent comprehension and behavior. It would be ideal to learn directly from these parents about their own experiences.

While much of the extant literature has focused on national policy changes, these findings demonstrate that state-level legislation is not to be ignored. Further research should be directed towards more local policy changes, for as the current research has found, the effect of the law differed dramatically depending on the rules and norms that each practitioner fell under, whether they were dictated by county policy or their immediate supervisors. For this reason, in the case of the Five Day Rule, the law's impact was not felt universally and affected each person differently. How state laws like this one interact with national policy may reveal important truths about the profession of school psychology in this country and the role we play in supporting the lives and educations of our students.

Altogether this research has reaffirmed that policy changes, no matter how seemingly minor, can have a great impact on those whose work is affected. Indeed, it is in line with a recent emphasis on conducting research in the field of school psychology that is relevant to and will positively influence public policy (Jimerson, 2013; Jimerson, 2014). HB-596 was passed after parent and school groups requested revisions be made to the original law and, as this research demonstrates, it resulted in some stark changes in how the Five Day Rule is carried out. More research on school policy and how it affects psychological practice would provide advocacy groups with hard evidence to cite when requesting that other revisions be made.

Appendix A: Five Day Rule Survey

Q1 I am inviting you to participate in this research project because you are a member of MSPA currently working in a Maryland public school system. The purpose of this research project is to better understand the impact the Five Day Rule has had on school psychology practice since its enactment.

You will be asked to fill out an online survey, which will take approximately 5-15 minutes. There is also an optional space where you can elaborate on any of your responses or experiences with the Five Day Rule.

There are no direct benefits from participating in this research. In the future, however, it may lead to better-informed policy decisions with regards to IEP meeting guidelines. There are no known risks to participants.

Any potential loss of confidentiality will be minimized by storing all data on a password-protected website and on password-protected computers during data analysis. Only Kevin Hughes, the investigator, and Bill Strein, PhD, his research adviser, will have access to the collected data.

If a report or article is written about this research project, your identity will be protected to the maximum extent possible. Your participation in this research is completely voluntary. You may choose not to take part at all. If you decide to participate in this research, you may stop participating at any time. If you decide not to participate in this study or if you stop participating at any time, you will not be penalized or lose any benefits to which you otherwise qualify.

Upon completing the entire survey, you will have the opportunity to submit your email address to be entered into a drawing to receive one of two \$25 gift certificates to Amazon.com. The drawing will take place after all responses have been collected, approximately a month after the beginning of the survey. Winners will be notified and receive their prize via the provided email address.

If you decide to stop taking part in the study, if you have questions, concerns, or complaints, please contact the investigator or the research adviser:

Kevin Hughes
School Psychology PhD Student
University of Maryland, College Park
kahughes@umd.edu

Bill Strein, PhD
Research Adviser & Program Director
University of Maryland, College Park
strein@umd.edu

This research has been reviewed according to the University of Maryland, College Park IRB procedures for research involving human subjects. If you have questions about your rights as a research participant or wish to report a research-related injury, please contact:

Institutional Review Board Office
1204 Marie Mount
College Park, MD, 20742
irb@umd.edu, 301-405-0678

Q2 I am at least 18 years of age, I have read the consent information, and I voluntarily agree to participate.

- Yes
- No

If No Is Selected, Then Skip To End of Survey

Q3 Please select the best answer for each of the following questions.

Were you employed as a School Psychologist in the state of Maryland prior to the implementation of the Five Day Rule in the fall of 2010?

- Yes
- No

If No Is Selected, Then Skip To End of Survey

Q4 What county do you work for?

[Results]

- | | |
|--|---------|
| <input type="radio"/> Allegany | [1.4%] |
| <input type="radio"/> Anne Arundel | [7.7%] |
| <input type="radio"/> Baltimore City | [17.5%] |
| <input type="radio"/> Baltimore County | [10.5%] |
| <input type="radio"/> Calvert | [2.1%] |
| <input type="radio"/> Caroline | [0.0%] |
| <input type="radio"/> Carroll | [4.2%] |
| <input type="radio"/> Cecil | [1.4%] |
| <input type="radio"/> Charles | [4.9%] |
| <input type="radio"/> Dorchester | [0.7%] |
| <input type="radio"/> Frederick | [7.0%] |
| <input type="radio"/> Garrett | [0.7%] |
| <input type="radio"/> Harford | [2.1%] |
| <input type="radio"/> Howard | [11.9%] |
| <input type="radio"/> Kent | [0.7%] |
| <input type="radio"/> Montgomery | [13.3%] |
| <input type="radio"/> Prince George's | [7.0%] |

- Queen Anne's [0.7%]
- Somerset [0.7%]
- St. Mary's [1.4%]
- Talbot [0.7%]
- Washington [1.4%]
- Wicomico [2.1%]
- Worcester [0.0%]

Q5 How many years have you practiced as a school psychologist in your entire career (i.e., both in Maryland and elsewhere)? [Results: $M=18.3$ years, $SD=10.1$]

Q6 What is your degree level? [Results]

- Master's Degree [2.1%]
- Master's + 30 Credit Hours [24.5%]
- Master's + 60 Credit Hours [9.1%]
- Specialist Degree or CAGS Certificate [42.7%]
- Doctoral Degree [21.7%]

Q7 To how many schools are you assigned? [Results]

- Not Assigned to a School
- 1 [25.2%]
- 2 [32.2%]
- 3 [32.2%]
- 4 or more [10.5%]

If Not Assigned to a School Is Selected, Then Skip To End of Survey

Q8 For the following questions, please choose and answer for ONE school to which you are assigned. Preferably, this would be the school for which the Five Day Rule is most relevant.

What education level is the school that you have selected? [Results]

- Elementary School [57.7%]
- Middle School [18.3%]
- High School [18.3%]
- Other _____ [5.6%]

Q9 Approximately how many students attend this school?	[Results]
<input type="radio"/> Less than 500	[23.2%]
<input type="radio"/> 501-1000	[52.1%]
<input type="radio"/> 1001-1500	[13.4%]
<input type="radio"/> 1501-2000	[7.0%]
<input type="radio"/> 2001-2500	[4.2%]
<input type="radio"/> 2501-3000	[0.0%]
<input type="radio"/> More than 3000	[0.0%]

Q10 Does this school include services to a special population that requires increased attention? If so, what kind of population is it?	[Results]
<input type="radio"/> No	[31.4%]
<input type="radio"/> Yes: _____	[68.6%]

Q11 Approximately what percentage of students at this school qualify for Free And Reduced Price Meals (FARMS)?	[Results]
<input type="radio"/> 0-20%	[27.7%]
<input type="radio"/> 21-40%	[25.5%]
<input type="radio"/> 41-60%	[13.1%]
<input type="radio"/> 61-80%	[14.6%]
<input type="radio"/> 81-100%	[19.0%]

Q12 How are IEP materials made available to parents prior to a meeting in this school? (Check all that apply.)	[Results]
<input type="checkbox"/> Sent via standard U.S. Mail	[75.5%]
<input type="checkbox"/> Sent via Certified U.S. Mail	[17.5%]
<input type="checkbox"/> Parent picks them up at school	[41.3%]
<input type="checkbox"/> Sent via email	[32.2%]
<input type="checkbox"/> Sent via student	[80.4%]
<input type="checkbox"/> Able to download online (i.e., other than email)	[2.1%]
<input type="checkbox"/> During a separate face-to-face meeting	[18.2%]
<input type="checkbox"/> Other _____	[2.1%]

Q13 Do you typically discuss the report with the student's parents prior to an IEP meeting in this school? [Results]

- Yes [22.4%]
- No [77.6%]

Q14 How many business days in advance of the team meeting does this school require you to submit your finished report to the team leader or coordinator? [Results]

- 5 [47.9%]
- 6-8 [26.1%]
- 9-11 [16.9%]
- 12-14 [7.7%]
- 15 or more [1.4%]

Q15 For the next two questions, the terms refer to (but are not limited to) the following activities. If a certain activity is ambiguous, please answer to the best of your ability.

"Special Education Activities" refer to the administration of psychological assessments, scoring assessments, report writing, participation in IEP and 504 team meetings, etc.

"Consultation and Systems Level Services" refer to indirect services such as consultation with teachers or administrators focusing on either specific students, the student body, or school-wide systems.

"Direct Services" refer to interventions performed directly with students, such as one-on-one counseling, group counseling, and academic or social interventions.

Q16 Approximately, what percentage of your time at this school was spent in the following activities BEFORE the Five Day Rule was implemented? (If you were not at this school at that time, please reference a similar school, preferably at the same educational level.)

_____ Special Education Activities	[M=56.7, SD=21.9]
_____ Consultation and Systems Level Services	[M=20.8, SD=12.9]
_____ Direct Services	[M=18.9, SD=16.0]
_____ Other	[M=3.7, SD=5.6]

Q17 Approximately, what percentage of your time at this school is currently spent in the following activities (i.e., AFTER the Five Day Rule was implemented)?

_____ Special Education Activities	[M=62.9, SD=22.0]
_____ Consultation and Systems Level Services	[M=17.4, SD=12.3]
_____ Direct Services	[M=15.9, SD=15.6]
_____ Other	[M=3.9, SD=7.9]

Q18 For the following questions, please consider only your experience with INITIAL evaluations.

When considering INITIAL evaluations, how has the Five Day Rule changed the amount of testing you do on average with each student? [Results]

- Much More Testing [1.4%]
- More Testing [2.8%]
- No Change [76.1%]
- Less Testing [16.9%]
- Much Less Testing [2.8%]

Q19 When considering INITIAL evaluations, how has the Five Day Rule changed your writing style when writing reports? [Results]

- Much More Technical [0.7%]
- More Technical [3.5%]
- No Change [54.2%]
- Less Technical [33.8%]
- Much Less Technical [7.7%]

Q20 In your experience, are parents more or less likely to attend IEP meetings for INITIAL referrals since the Five Day Rule was implemented? [Results]

- Much More Likely [0.0%]
- More Likely [1.4%]
- Neither More nor Less Likely [95.1%]
- Less Likely [2.1%]
- Much Less Likely [1.4%]

Q21 Currently in your school, how well do you find the parents understand the contents of the report? [Results]

- Completely Understand [6.3%]
- Partially Understand [77.6%]
- Don't Understand At All [10.5%]
- I am unsure how well parents understand the reports [5.6%]

Q22 Have you found the IEP team makes better decisions with regards to INITIAL referrals now as compared to before the implementation of the Five Day Rule? [Results]

- Yes, Better Decisions [2.1%]
- No, No Difference [93.6%]
- No, Worse Decisions [4.3%]

Q23 How often has your own personal decision-making been impacted by the fact the parents have had the opportunity to review the documents in advance?

- [Results]
- Very Often [1.4%]
 - Occasionally [30.1%]
 - Never [68.5%]

Q24 How has your decision-making been impacted?

Q25 Thank you for your participation! If you would like to elaborate on any answers or add more about your experience with the Five Day Rule, please do so below:

Appendix B: Raffle Survey

Q1 Thank you for participating in this survey about the Five Day Rule!

To be entered to win one of two \$25 Amazon.com gift cards, please enter your email address in the box below. Winners will be randomly drawn after the survey has completed and notified via email. Once the winners have accepted their prizes, all contact information will be deleted.

Appendix C: Email Sent to Prospective Participants

Dear [First & Last Name],

I am inviting you to participate in this research project because you are a member of MSPA currently working in a Maryland public school system. The purpose of this research project is to better understand the impact the Five Day Rule has had on school psychology practice since its enactment. I would be grateful if you could take the time to participate in my research.

Participation in this study will require you to complete a short survey consisting of up to 26 questions. **If you did not, however, work as a school psychologist in the state of Maryland prior to the enactment of the Five Day Rule, I ask that you refrain from completing the survey.** The entire survey will take approximately 5-15 minutes. Involvement in this project is completely voluntary. All participant responses will be kept confidential. It is unlikely there will be any direct benefit to the participants in this research, but the knowledge gained may inform future policy decisions with regards to IEP meeting procedures in Maryland and in other states. If you choose to participate, you may access this study online at:

[Survey URL]

If you participate, you may also choose to be entered into a raffle to receive one of two \$25 gift certificates to Amazon.com. Your name and contact information will not be accessible to anyone other than myself and my research adviser, Bill Strein, PhD. Furthermore, your information will not be published in any findings. If you have any questions, please contact me at kahughes@umd.edu. Thank you for your time and consideration.

Sincerely,

Kevin Hughes
School Psychology PhD Student
University of Maryland, College Park

References

- Allen, D. A., & Hudd, S. S. (1987). Are we professionalizing parents? Weighing the benefits and pitfalls. *Mental Retardation*, 25, 133-139.
- Anderson, W. T., Hohenshil, T. H., & Brown, D. T. (1984). Job satisfaction among practicing school psychologists: A national study. *School Psychology Review*, 13, 225-230.
- Baer, J., Kutner, M., and Sabatini, J. (2009). *Basic Reading Skills and the Literacy of America's Least Literate Adults: Results from the 2003 National Assessment of Adult Literacy (NAAL) Supplemental Studies* (NCES 2009-481). National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education. Washington, DC.
- Bucknavage, L. B. (2010). *Psychoeducational reports: Impact of jargon and report length on teacher and parent recall and preference* (Doctoral dissertation). Available from ProQuest Dissertations and Theses database. (AAI3380717)
- Canter, A. (2006). *School psychology. (COPSSE Document Number IB-4E)*. Gainesville, FL: University of Florida, Center on Personnel Studies in Special Education.
- Castillo, J.M., Curtis, M.J., & Gelley, C. (2012). School psychology 2010—part 2: School psychologists' professional practices and implications for the field. *Communiqué*, 40(8), 4-6.
- Code of Federal Regulations. 34 C.F.R. § 300 (2013). Retrieved from <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6f719500e4601d0d58e3b86fbbcf13e8&rgn=div5&view=text&node=34:2.1.1.1.1&idno=34>

- Code of Federal Regulations. 45 C.F.R. § 164 (2014). Retrieved from
<http://www.gpo.gov/fdsys/pkg/CFR-2011-title45-vol1/pdf/CFR-2011-title45-vol1-sec164-530.pdf>
- Code of Maryland Regulations. 13A.05.01.06 (2013). Retrieved from
<http://www.dsd.state.md.us/comar/getfile.aspx?file=13a.05.01.06.htm>
- Cohen, J. (1992). A power primer. *Psychological Bulletin*, *112*, 155-159.
- Cohen, J., Cohen, P., West, S. G., & Aiken, L. S. (2003). *Applied multiple regression/correlation analysis for the behavioral sciences* (3rd ed.). Mahwah, N.J.: Lawrence Erlbaum Associates.
- Cornwall, A. (1990). Social validation of psychoeducational assessment reports. *Journal of Learning Disabilities*, *23*, 413-416.
- Cuadra, C. A., & Albaugh, W. P. (1956). Sources of ambiguity in psychological reports. *Journal of Clinical Psychology*, *12*, 109-115.
- Curtis, M. J., Hunley, S. A., & Grier, J. E. (2002). Relationships among the professional practices and demographic characteristics of school psychologists. *School Psychology Review*, *31*, 30-42.
- Curtis, M. J., Hunley, S. A., Walker, K. J., & Baker, A. C. (1999). Demographic characteristics and professional practices in school psychology. *School Psychology Review*, *28*, 104-116.
- Curtis, M. J., Lopez, A. D., Castillo, J. M., Batsche, G. M., Minch, D., & Smith, J. C. (2008). The status of school psychology: Demographic characteristics, employment conditions, professional practices, and continuing professional development. *Communique*, *36*(5), 27-29.

- Dahl, A., Hoff, K. E., Peacock, G. G., & Ervin, R. A. (2011). The influence of legislation on the practice of school psychology. In M. A. Bray & T. J. Kehle (Eds.), *The Oxford handbook of school psychology* (pp. 745-761). New York, NY: Oxford University Press.
- Fagan, T. K. (1988). The historical improvement of the school psychology service ratio: Implications for future employment. *School Psychology Review, 17*, 447-458.
- Fagan, T. K. (2005). The 50th anniversary of the Thayer Conference: Historical perspectives and accomplishments. *School Psychology Quarterly, 20*, 224-251.
- Fagan, T. K., & Schicke, M. C. (1994). The service ratio in large school districts: Historical and contemporary perspectives. *Journal of School Psychology, 32*, 305-312.
- Fagan, T. K., & Wise, P. S. (2007). *School psychology: Past, present, and future* (3rd ed.). Bethesda, MD: National Association of School Psychologists.
- Farling, W. H. & Hoedt, K. C. (1971). *National, regional, and state survey of school psychologists*. Washington, D.C.: National Association of School Psychologists. (ERIC No. ED 061 553)
- Gibbins, S. (1978). Public law 94-142: An impetus for consultation. *School Psychology Digest, 7*, 18-25.
- Goldwasser, E., Meyers, J., Christenson, S., & Graden, J. (1983). The impact of PL 94-142 on the practice of school psychology: A national survey. *Psychology in the Schools, 20*, 153-165.
- Hamilton, M.B. (2009). *Online survey response rate and times: Background and guidance for industry*. Retrieved from SuperSurvey, Inc.:

http://www.supersurvey.com/papers/supersurvey_white_paper_response_rates.pdf
f.

Harvey, V. S. (1997). Improving readability of psychological reports. *Professional Psychology, 28*, 271-274.

Harvey, V. S. (2006). Variables affecting the clarity of psychological reports. *Journal of Clinical Psychology, 62*, 5-18.

Heerwegh, D., & Loosveldt, G. (2007). Personalizing e-mail contacts: Its influence on web survey response rate and social desirability response bias. *International Journal of Public Opinion Research, 19*, 258-268.

Hoff, M. K., Fenton, K. S., Yoshida, R. K., & Kaufman, M. J. (1978). Notice and consent: The school's responsibility to inform parents. *Journal of School Psychology, 16*, 265-273.

Hosp, J. L., & Reschly, D. J. (2002). Regional differences in school psychology practice. *School Psychology Review, 31*, 11-29.

Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1400 (2004).
Retrieved from <http://thomas.loc.gov/cgi-bin/query/z?c108:h.1350.enr>:

Jacob, S., Decker, D. M., & Hartshorne, T. S. (2011). *Ethics and Law for School Psychologists. (6th ed.)*. New York: Wiley.

Jimerson, S. R. (2013). Advancing science, practice, and policy relevant to school psychology. *School Psychology Quarterly, 28*, 1-6.

Jimerson, S. R. (2014). Enhancing science, practice, and policy relevant to school psychology around the world. *School Psychology Quarterly, 29*, 1-6.

- Kena, G., Aud, S., Johnson, F., Wang, X., Zhang, J., Rathbun, A., Wilkinson-Flicker, S., and Kristapovich, P. (2014). *The Condition of Education 2014* (NCES 2014-083). U.S. Department of Education, National Center for Education Statistics. Washington, DC. Retrieved from <http://nces.ed.gov/pubs2014/2014083.pdf>.
- Kicklighter, R. H. & Bailey-Richardson, B. (1984). Psychological assessment: Tasks and time. *School Psychology Review, 13*, 499-502.
- Kirsch, I.S., Jungeblut, A., Jenkins, L., & Kolstad, A. (2002). *Adult Literacy in America: A First Look at the Findings of the National Adult Literacy Survey* (NCES 1993-275). National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education. Washington, DC.
- Lund, A. R., Reschly, D. J., & Martin, L. M. (1998). School psychology personnel needs: Correlates of current patterns and historical trends. *School Psychology Review, 27*, 106-120.
- Martin, J. E., Van Dycke, J. L., Christensen, W. R., Greene, B. A., Gardner, J. E., & Lovett, D. L. (2006). Increasing student participation at IEP meetings: Establishing the self-directed IEP as an evidence-based practice. *Exceptional Children, 72*, 299-316.
- Maryland State Department of Education. (2002, July). The 90-Day written referral to evaluation timeline. *Technical Assistance Bulletin, 1*, 1-4.
- Maryland State Department of Education. (2014, February). *Official number of students approved for free and reduced-price and percent of enrollment by agency as of October 31, 2013* [Data file]. Retrieved from

<http://www.marylandpublicschools.org/MSDE/programs/schoolnutrition/doc/OC T31ReportFinal2014022414.xls>.

Meacham, M. L. & Peckham, P. D. (1978). School psychologists at three-quarters century: Congruence between training, practice, preferred role and competence. *Journal of School Psychology, 16*, 195-206.

National Association of School Psychologists. (2000). *Professional conduct manual: Principles for professional ethics*. Retrieved from <http://www.nasponline.org/standards/professionalcond.pdf>.

National Association of School Psychologists. (2010a). *Model for Comprehensive and Integrated School Psychological Services*. Bethesda, MD: Author.

National Association of School Psychologists. (2010b). *Principles for professional ethics*. Retrieved from http://www.nasponline.org/standards/2010standards/1_%20Ethical%20Principles.pdf.

Oliver, S. R. (2013, Oct 17). *Email of personally identifiable information whitepaper*. Retrieved from <http://communities.nasponline.org/blogs/selina-oliver/2013/10/17/email-practices-in-the-field-of-school-psychology>

Porter, J., & Holzberg, B. C. (1978). The changing role of the school psychologist in the age of PL 94-142: From conducting testing to enhancing instruction. *Education of the Visually Handicapped, 10*, 71-74.

Ramage, J. C. (1979). National survey of school psychologists: Update. *School Psychology Digest, 8*, 153-161.

- Ramage, J. C. (1986). USA school psychologists: Characteristics, role and special education influence. *School Psychology International*, 7, 243-249.
- Reschly, D. J. (2000). The present and future status of school psychology in the United States. *School Psychology Review*, 29, 507-522.
- Reschly, D. J., Genshaft, J., & Binder, M. S. (1987). The 1986 NASP survey: Comparison of practitioners, NASP leadership, and university faculty on key issues. Washington, DC: National Association of School Psychologists. ED 300 733.
- Reschly, D. J. & Wilson, M. S. (1995). School psychology practitioners and faculty: 1986 to 1991-1992 trends in demographics, roles, satisfaction, and system reform, *School Psychology Review*, 24, 62-80.
- Rock, M. L. (2000). Parents as equal partners. *Teaching Exceptional Children*, 32, 30-37.
- Ruppar, A. L., & Gaffney, J. S. (2011). Individualized education program team decisions: A preliminary study of conversations, negotiations, and power.
- Smith, D.K. (1984). Practicing school psychologists: Their characteristics, activities, and populations served. *Professional Psychology: Research and Practice*, 15, 798-810.
- Vacc, N. A., Vallecorsa, A., & Parker, A. (1985). Parents' and educators' participation in IEP conferences. *Educational & Treatment of Children*, 8, 153-162.
- Zweibelson, I. (1963). Issues in school psychology. Who shall interpret individual test results to parents? *Journal of School Psychology*, 2, 82-85.