

Special Education Eligibility Terms and Definitions

From the desk of Liza O'Connell

The Individuals With Disabilities Education Act of 2004 (IDEA) determines who is eligible for special education services – a student between the ages of 3 and 22 - who has an identified disability which makes the student unable to access the general curriculum without specially designed instruction or related services. It guarantees a “Free and Appropriate Public Education (FAPE)” to those students and prescribes the process for determination of eligibility and services. IDEA Regulations – 34 CFR § 300 Regulations provide the detail necessary to carry out the provisions of IDEA, including "Child with Disability" definitions.

Special education eligibility is bound by the IDEA, but under the law, the IEP TEAM has the flexibility to determine if a child qualifies for services. To qualify, a child must have at least one of ten disabilities that has an adverse effect on a child's educational performance, and requires specialized services in order to progress in school.

The following list contains eligibility definitions used during the IEP TEAM meeting process.

Eligibility Definitions

Reference: 34 CFR 300.7

Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

Developmental Delay (Defined by Massachusetts for Ages 3-9) - Significantly below average functioning, as measured by appropriate diagnostic instruments and procedures, affecting physical development, cognitive abilities, receptive and/or expressive language, physical functioning, social, emotional or adaptive functioning, and/or self-help skills.

Intellectual Impairment (Defined by Massachusetts for Ages 9 and Older) - Significantly below average functioning, considered permanent, measured by appropriate diagnostic instruments and procedures. Intellectual impairments are generally exhibited by a slower rate of learning, disorganized patterns of learning, difficulty with adaptive behavior, and/or difficulty understanding abstract concepts.

Sensory Impairments (Hearing/Vision/Deaf-Blind) - An impairment in hearing, with amplification, whether permanent or fluctuating, that adversely affects a child's educational

performance. An impairment in vision that, even with correction, that adversely affects a child's educational performance. The term includes partial sight and blindness.

Neurological Impairment (Considered in Massachusetts only) - The capacity of the nervous system is limited or impaired with difficulties exhibited in the use of memory, sensory and motor skills, speech, language, information processing, affect, social skills, or basic life functions. This term includes students who have experienced a traumatic brain injury.

Traumatic Brain Injury - An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

Emotional Impairment - A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.
- Schizophrenia

Communication Impairment - A communication disorder is defined as an impairment in the ability to send, receive, process and comprehend verbal and non-verbal information. In order for a disorder to be considered a disability, it must demonstrate an adverse effect on the child's educational performance. A student with impaired articulation, stuttering, language impairment, or voice impairment may all be considered for special education if criteria is met.

Physical Impairment - A combination of concomitant impairments that are caused by congenital anomaly, cerebral palsy, amputations, fractures and burns, adversely affecting a student's educational performance. Such impairments must significantly limit physical and motor tasks, independent movement, and performing basic life functions.

Specific Learning Disability - Specific learning disabilities do not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of

emotional disturbance, or of environmental, cultural, or economic disadvantage. Instead, a specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Health Impairment - Acute health problems such as asthma, attention deficit disorder/attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome that adversely affects a child's educational performance in a significant way. Other health impairments may include those conditions that lead to limited strength, vitality, or alertness, including heightened alertness to environmental stimuli, that results in limited alertness with respect to an educational environment.