



Special Education Eligibility Criteria

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Section 1: Eligibility Determination Process Overview

Exclusionary Criteria

Determinate Factors: If the team determines that any of the following are the determinate factor for the student's suspected disability, then the student is not eligible for special education services:

- Lack of appropriate instruction in reading, including the essential components of reading instruction,
- Lack of appropriate instruction in math, and/or
- English Learner Status.

Inclusionary Criteria

To demonstrate eligibility for special education services, all three prongs of the three-prong test must be met and documented. The eligibility report must document each of the following:

- A) Disability: the student has a disability according to the established criteria,
- B) Adverse Effect: the student's disability adversely affects educational performance, and
- C) Educational Need: the student requires specialized instruction due to the adverse effects of the disability.

A: Disability: Does the student meet established criteria for one or more of the disability categories?

IDEA Disability Categories:

1. Autism
2. Deaf-Blindness
3. Deafness
4. Developmental Delay
5. Emotional Disability
6. Hearing Impairment
7. Intellectual Disability
8. Multiple Disabilities
9. Orthopedic Impairment
10. Other Health Impairment
11. Specific Learning Disability
12. Speech/Language Impairment
13. Traumatic Brain Injury
14. Visual Impairment

B: Adverse Effect: Does the disability have a direct and significant adverse effect on the student's educational progress?

C: Educational Need: Are the student's needs significantly different from the needs of typical peers and are those needs of a type or intensity that exceed general education resources and require specialized instruction to address the adverse impact of his or her disability?

Section 2: Exclusionary Criteria

Determinant Factors

The team has determined that the deciding reason the student is experiencing difficulty in school is due to:

- (a) Lack of appropriate instruction in reading, including the essential components of reading instruction,
- (b) Lack of appropriate instruction in math, and/or
- (c) English Learner Status.

If the team determines that the deciding reason the student is not succeeding educationally is one or more of the three reasons listed above, the student is **not** eligible for services under IDEA.

If the team determines that none of the three determinate factors represent the deciding reason the student is experiencing difficulty in school, the team should proceed to the next step of the eligibility determination process (Section 3A: Inclusionary Criteria – Disability Criteria).

Operational Definitions

- 1) Lack of appropriate instruction in reading, including the essential components of reading instruction
 - Evidence must be provided that the core curriculum contains the five essential components of reading instruction and that the student has had typical access to the curriculum. Furthermore, evidence shows that the core curriculum meets the needs of Unit 4 students or the student is performing at a level significantly different from peers as measured by assessments.
 - Examples of Evidence to consider (non-exhaustive list): core curriculum (evidence-based curriculum including all five components; exclusive use of a whole language approach or a phonics approach; all teacher-made materials); presence or lack of explicit, teacher-led instruction in any of the 5 essential components of reading; use of a program/methodology that is not research based, when multiple research-based programs are available; validity and integrity of implementation; etc.
- 2) Lack of appropriate instruction in math
 - Evidence must be provided that the core curriculum contains the five essential components of mathematics instruction and that the student has had typical access to the curriculum. Furthermore, evidence shows that the core curriculum meets the needs of Unit 4 students or the student is performing at a level significantly different from peers as measured by assessments.
 - Examples of Evidence to consider (non-exhaustive list): core curriculum (evidence-based containing all components; exclusive use of a computational approach or “word problem solving” approach; all teacher-made materials); use of program/methodology that is not research-based, when multiple research-based programs are available; instructional program not implemented with integrity; etc.
- 3) English Learner Status
 - Evidence shows that the student is a native speaker of English or that the learning problems are not due to language learner issues. Furthermore, evidence shows that the core curricula meet the needs of Unit 4 EB students or the student is performing at a level significantly different from peers as measured by assessments.
 - Examples of Evidence to consider (non-exhaustive list): home language survey results; access to and participation in Emerging Bilingual (EB) programs; length of exposure to and/or instruction in conversational and academic English; other-language schooling history; ACCESS scores over time; progress compared to similarly-situated students; etc.

Section 3A: Inclusionary Criteria – Disability Criteria

The team should review all evaluation data with respect to the evaluation criteria in this section for all suspected disabilities. If the team determines that the student does not meet criteria for any disability category, the student is **not** eligible for special education under IDEA. If the team determines the student does meet criteria for one or more disability categories, the team should proceed to the next step in the eligibility determination process (3B: Inclusionary Criteria – Adverse Effect).

Autism

State Definition

Autism is 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. (A child who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the other criteria of this Section are satisfied.) 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. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.

District Eligibility Criteria

As taken from the Diagnostic and Statistical Manual – Fifth Edition (2013):

The essential features of autism spectrum disorder are persistent impairment in reciprocal social communication and social interaction (Criterion A), and restricted, repetitive patterns of behavior, interests, or activities (Criterion B). These symptoms are present from early childhood and limit or impair everyday functioning (Criterion C and D). The stage at which functional impairment becomes obvious will vary according to characteristics of the individual and his or her environment. Core diagnostic features are evident in the developmental period, but intervention, compensation, and current supports may mask difficulties in at least some contexts. Manifestations of the disorder also vary greatly depending on the severity of the autistic condition, developmental level, and chronological age; hence the term spectrum. Autism spectrum disorder encompasses disorders previously referred to as early infantile autism, childhood autism, Kanner's autism, high-functioning autism, atypical autism, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Asperger's disorder.

In order to meet eligibility under Autism, a student must meet **all** of the following criteria:

- A) Criterion A: Persistent deficits in social communication and social interaction across multiple contexts, as manifested by **all** of the following, currently or by history (examples are illustrative, not exhaustive)
1. Deficits in social-emotional reciprocity, ranging, for example, from abnormal social approach and failure of normal back-and-forth conversation; to reduced sharing of interests, emotions, or affect; to failure to initiate or respond to social interactions.
 2. Deficits in nonverbal communicative behaviors used for social interaction, ranging, for example, from poorly integrated verbal and nonverbal communication; to abnormalities in eye contact and body language or deficits in understanding and use of gestures; to a total lack of facial expressions and nonverbal communication.
 3. Deficits in developing, maintaining, and understanding relationships, ranging, for example, from difficulties adjusting behavior to suit various social contexts; to difficulties in sharing imaginative play or in making friends; to absence of interest in peers.
- B) Criterion B: Restricted, repetitive patterns of behavior, interests, or activities, as manifested by **at least two** of the following, currently or by history (examples are illustrative, not exhaustive)
1. Stereotyped or repetitive motor movements, use of objects, or speech (e.g., simple motor stereotypies, lining up toys or flipping objects, echolalia, idiosyncratic phrases).
 2. Insistence on sameness, inflexible adherence to routines, or ritualized patterns of verbal or nonverbal behavior (e.g., extreme distress at small changes, difficulties with transitions, rigid thinking patterns, greeting rituals, need to take same routine or eat same food every day).
 3. Highly restricted, fixated interests that are abnormal in intensity or focus (e.g., strong attachment to or preoccupation with unusual objects, excessively circumscribed or perseverative interests).

4. Hyper- or hyporeactivity to sensory input or unusual interest in sensory aspects of the environment (e.g., apparent indifference to pain/temperature, adverse response to specific sounds or textures, excessive smelling or touching of objects, visual fascination with lights or movement).
- C) Criterion C: Symptoms must be present in the early developmental period (but may not become fully manifested until social demands exceed limited capacities, or may be masked by learned strategies in later life).
 - D) Criterion D: Symptoms cause clinically significant impairment in social, occupational, or other important areas of current functioning.

Deaf-Blindness

State Definition

Concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

District Eligibility Criteria

The student must meet **all** of the following criteria to qualify as a student with Deaf-Blindness:

- A) Meets criteria for Vision Impairment: Three types of vision impairments may contribute to deaf-blindness:
 - 1. Loss of visual acuity,
 - 2. Loss of visual fields,
 - 3. A medical diagnosis of Cortical Visual Impairment by an eye specialist
- B) Meets criteria for Deafness or Hearing Impairment: Four types of hearing impairments to consider for deaf-blindness:
 - 1. Sensorineural loss
 - 2. Conductive loss
 - 3. Mixed loss (combination of sensorineural and conductive losses)
 - 4. Central Deafness (neurological deafness)
- C) None of the following apply:
 - 1. The student is blind or visually impaired in one eye, but the better eye has a non-degenerative corrected visual acuity better than 20/70;
 - 2. The vision impairment or hearing impairment is determined by a qualified medical professional (e.g., MD, DO, OD, ENT) to be temporary and the duration of the loss will not substantially or permanently impact learning or academic performance (e.g., scratched cornea, swollen eye, pink eye, otitis media, wax impaction);
 - 3. The student has visual acuity or hearing within the normal range, but has visual perception or auditory processing difficulties adversely affecting their education (which may qualify as SLD, OHI, or another disability category).

If the student does not have sufficient vision to compensate fully for a hearing impairment, or does not have sufficient hearing to compensate fully for a visual impairment, the student may be determined eligible as Deaf-Blind.

Deafness

State Definition

A hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.

District Eligibility Criteria

The student must meet **both** criteria to qualify as a student with Deafness:

- A) A hearing loss, as identified by the educational audiologist, that falls in the State-defined Deafness range:
 - 1. 71-90 dB loss – Severe hearing loss (State definition: Deafness)
 - 2. ≥ 91 dB loss – Profound hearing loss (State definition: Deafness)
- B) Measurable delays or gaps in **one or more** of the following skill development areas:
 - 1. Auditory Functioning: speech perception, speech discrimination, sound localization, visual attention to details, etc.
 - 2. Communication skills: articulation, receptive and expressive language abilities, pragmatics, speechreading, oral/auditory, total communication or sign as appropriate, etc.
 - 3. Communicative access: an alternative communication mode, language or system (i.e. ASL, ESL, SIMCOM, etc.) is needed for the student to access to the communication needed for age appropriate social opportunities, access to peers/adults, and the educational curriculum.
 - 4. Academic skills: delays in reading, writing, math, etc. due to the effects of the hearing loss
 - 5. Functional skills: coping skills, self-advocacy, adjustment to disability, social interaction skills, amplification use and maintenance, etc.

Developmental Delay

State Definition

Children aged three through nine experiencing developmental delays include a child— (1) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and (2) Who, by reason thereof, needs special education and related services.

District Eligibility Criteria

Developmental Delay is a special education eligibility for children aged three through nine who are experiencing delays as defined by the State and as measured by culturally and linguistically appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication, social or emotional development, or adaptive development, which significantly interferes with the learning process. The use of Developmental Delay as an initial eligibility is discouraged after a child's sixth birthday.

A developmental delay is defined as: Two standard deviations below the mean as identified by standardized measures and/or a 50% delay as identified by criterion-referenced and/or functional measures (i.e., for students transitioning from Early Intervention Services [EI], EI reports could be considered as data) in one or more of the following major life areas:

- A) Physical development in gross motor skills, such as the ability to move around and interact with the environment with appropriate coordination, balance and strength; or fine motor skills, such as manually controlling and manipulating objects such as toys, drawing utensils, and other useful objects in the environment.
- B) Cognitive development, such as the ability to acquire, use and retrieve information as demonstrated by the level of imitation, discrimination, representation, classification, sequencing, and problem-solving skills.
- C) Communication development in expressive language, such as the production of age-appropriate content, form and use of language; or receptive language, such as listening, receiving and understanding language.
- D) Emotional development such as the ability to express emotions, and develop a positive sense of oneself; or social activity, such as interacting with people, developing friendships with peers, and sustaining bonds with family members and others significant adults.
- E) Adaptive development, such as caring for his or her own needs and acquiring independence in age-appropriate eating, toileting, dressing and hygiene tasks.

Note:

- a. After a child's sixth birthday, Developmental Delay is an appropriate eligibility only when the student does not qualify under a different disability category specific to the student's area of delay.
- b. All other suspected handicapping conditions shall be ruled out before identifying a child's primary disability as Developmental Delay.

Emotional Disability

State Definition

Emotional Disability (includes schizophrenia but does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance) means 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:

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

District Eligibility Criteria

The student must meet **both** of the criteria below to qualify as a student with an Emotional Disability:

A) The student exhibits **one or more** of the following characteristics:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors, as evidenced by ruling out other handicapping conditions (e.g. OHI, ASD) and/or substance abuse as the primary impediment to learning.
2. An inability to build or maintain satisfactory, interpersonal relationships with peers and teachers.
3. Inappropriate types of behavior or feelings under normal circumstances (e.g. catastrophic reactions to everyday occurrences; lack of appropriate fear reactions; flat, blunted, distorted or excessive affect; bizarre behaviors).
4. A general pervasive mood of anxiety or unhappiness or depression.
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

B) The characteristic(s) is/are manifested in **all** of the following ways:

1. Over a long period of time (generally a pattern of manifestation over at least six months), and
2. To a marked degree (i.e. to a significant degree compared to same-age/grade peers), and
3. In more than one setting (at least one of which is school-related), and
4. Across more than one observer, and
5. At a level of frequency, duration, and/or intensity that is significantly different from other students' behavior in similar circumstances.

Hearing Impairment

State Definition

An impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness.

District Eligibility Criteria

The student must meet **both** criteria to qualify as a student with a Hearing Impairment:

- A) A hearing loss, as identified by the educational audiologist, that falls in the State-defined Hearing Impairment range:
1. 21-40 dB loss – Mild hearing loss (State definition: Hearing Impairment)
 2. 41-55 dB loss – Moderate hearing loss (State definition: Hearing Impairment)
 3. 56-70 dB loss – Moderate hearing loss (State definition: Hearing Impairment)
- B) Measurable delays or gaps in **one or more** of the following skill development areas:
1. Auditory Functioning: speech perception, speech discrimination, sound localization, visual attention to details, etc.
 2. Communication skills: articulation, receptive and expressive language abilities, pragmatics, speechreading, oral/auditory, total communication or sign as appropriate, etc.
 3. Communicative access: an alternative communication mode, language or system (i.e. ASL, ESL, SIMCOM, etc.) is needed for the student to access to the communication needed for age appropriate social opportunities, access to peers/adults, and the educational curriculum.
 4. Academic skills: delays in reading, writing, math, etc. due to the effects of the hearing loss
 5. Functional skills: coping skills, self-advocacy, adjustment to disability, social interaction skills, amplification use and maintenance, etc.

Intellectual Disability

State Definition

Significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance.

District Eligibility Criteria

To be identified as a student with an Intellectual Disability, a student must meet **all** of the following criteria:

- A) Subaverage general intellectual functioning:
 - 1. Operational Definition: broad cognitive functioning two or more standard deviations below the mean as measured by an individually-administered standardized assessment or by a standardized rating scale when the student cannot participate in standardized testing. For initial evaluations, the student's abilities shall be assessed with both a nonverbal comprehensive assessment (e.g., UNIT-2, WNV, CTONI-2) and a traditional cognitive ability assessment (e.g., WISC-V, RIAS-2, SB-V, DAS-2) unless the student is unable to participate meaningfully in individually-administered assessments. For most cognitive ability assessments, "two standard deviations below the mean" results Standard Scores of 70 or below and Percentile Ranks of 3 or below.
- B) Deficits in adaptive behavior:
 - 1. Operational Definition: overall adaptive functioning two or more standard deviations below the mean as measured by a standardized rating scale (e.g., ABAS-3, Vineland-3) administered both at home and school. If the student's composite score is not two or more standard deviations below the mean, deficits in adaptive behavior can be demonstrated by scores two or more standard deviations below the norm in two or more of the domain composites of the standardized rating scale. Adaptive behavior includes the following skill areas: communication, community use, functional academics, home living, health and safety, leisure, self-care, self-direction, social, and/or and work. For most adaptive behavior assessments, "two standard deviations below the mean" results in Standard Scores of 70 or below and Percentile Ranks of 3 or below.
- C) The student's significant cognitive and adaptive delays are manifested before the age of 18.

Note:

- a. A psychological evaluation must be conducted and a recommendation for eligibility must be made by a school psychologist for any child who is suspected of or determined to have an Intellectual Disability (23 Illinois Administrative Code, Section 226.135).

Multiple Disabilities

State Definition

Concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.

District Eligibility Criteria

To be eligible as a student with Multiple Disabilities, the student must meet the following **three** criteria:

- A) Meet the eligibility criteria for two or more disability categories,
- B) Not meet the eligibility criteria for Deaf-Blindness, and
- C) The evaluation team determines that the nature of the combination of student's disabilities causes such significant developmental and educational impacts that the student's needs cannot be accommodated with special education services that primarily serve one area of the disability.

Orthopedic Impairment

State Definition

A severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

District Eligibility Criteria

A student must meet **both** of the following criteria to be eligible as a student with an Orthopedic Impairment:

- A) Physical Criterion: The child has a diagnosis from a medical doctor of **one or more** of the following orthopedic conditions which is temporary or permanent in nature:
1. Impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), or
 2. Impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), or
 3. Impairments from other causes (e.g., cerebral palsy, amputations, fractures or burns that cause contractures, etc.).
- B) Academic Criterion: An assessment of motor function in the educational environment, conducted by the physical therapist and/or occupational therapist, must demonstrate **all** of the following:
1. A lack of meaningful and productive participation, and
 2. Reduced efficiency in school work, and
 3. Inability to access educational environment despite environmental modifications.

Other Health Impairment

State Definition

Limited strength, vitality or alertness, including a heightened sensitivity to environmental stimuli that results in limited alertness with respect to the educational environment that:

- (i) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia; and
- (j) Adversely affects a child's educational performance.

District Eligibility Criteria

The student must exhibit **all** of the following to be identified as a student with an Other Health Impairment:

- A) Documentation of a chronic or acute health problem(s) as evidenced by medical documentation or appropriate school-based evaluation and documentation;
- B) Documentation of performance deficits in the educational setting despite consistent use of appropriate accommodations and modifications;
- C) Deficits severe enough that the student's educational needs cannot be met in a regular educational program without special education services;
- D) Documentation that limited strength, vitality or alertness occurred as a result of the onset of the health impairment; and
- E) In comparison with peers, the health condition adversely affects the pupil's ability to complete educational tasks within routine timelines as documented by **three or more** of the following:
 - 1. Excessive absenteeism linked to the health condition (e.g., hospitalizations, medical treatments, surgeries, or illnesses, etc.);
 - 2. Specialized health care procedures that are necessary during the school day;
 - 3. Medications that adversely affect learning and functioning in terms of comprehension, memory, attention, or fatigue;
 - 4. Limited endurance resulting in decreased stamina and decreased ability to maintain performance;
 - 5. Heightened or diminished alertness resulting in impaired abilities, for example, prioritizing environmental stimuli; maintaining focus; or sustaining effort or accuracy;
 - 6. Impaired ability to manage and organize materials and complete classroom assignments within routine timelines;
 - 7. Impaired ability to follow directions or initiate and complete a task.

Specific Learning Disability

State Definition

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, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

In accordance with 23 Illinois Administrative Code 226.130, beginning with the 2010-2011 school year, Illinois districts are required to use a process that determines how a child responds to scientific, research-based interventions as part of the evaluation procedures to determine special education eligibility under the category of specific learning disability (SLD).

District Eligibility Criteria

A Specific Learning Disability (SLD) exists when a student's academic achievement is significantly discrepant from his/her peers in one or more of the following areas: basic reading, reading fluency, reading comprehension, math calculation, math problem solving, written expression, oral expression, listening comprehension. A significant discrepancy is evident when targeted and intensive interventions have been implemented with fidelity and the student's academic achievement and/or rate of improvement continues to be insufficient to meet grade level standards.

The team must initially determine whether any of the following five factors are the primary cause of the student's learning difficulties:

- A) Visual, hearing, or motor disability;
- B) Intellectual Disability;
- C) Emotional Disability;
- D) Cultural factors;
- E) Environmental or economic disadvantage.

The student cannot have a primary eligibility of Specific Learning Disability if any of the preceding five factors are found to be the primary cause of the student's learning difficulties.

The student must meet **all** of the following criteria to be eligible as a student with a Specific Learning Disability:

- A) Educational Progress Over Time: The student is progressing at a significantly slower rate than same-grade peers in the area(s) of concern, as evidenced by:
 - 1. Evidence A: The student's rate of improvement in the academic area(s) of concern is at least 1.5 times discrepant from that of same-grade peers.
- B) Discrepancy from Peers At One Point in Time: The student's performance is significantly below that of same-grade peers or expected standards in the area(s) of concern, as evidenced by:
 - 1. Evidence B: The student's performance on a universal screening/benchmark assessment in the area(s) of concerns falls significantly below the average range compared to same-grade peers and compared to peers one year below grade level (see chart below).
 - 2. Evidence C: The student's performance on an individually-administered standardized measure of academic achievement in the specific academic area(s) of concern falls significantly below the average range (see chart below).
 - 3. Evidence D: For students in grades 3 through 8, the student's performance on the state-wide achievement test applicable to the specific academic area(s) of concern falls in below target levels (see chart below).

C) Instructional Need: The student’s instructional needs in the area(s) of concern are significantly different from that of peers, as evidenced by evaluation data.

The chart below describes scores ranges for each area of evidence:

Type of Evidence	Likely Not Eligible	Likely Eligible if Receiving Intervention	Like Eligible Regardless of Intervention
Evidence A: Progress-Monitoring Growth	1. Rate of improvement less than 1.5 discrepant from same-grade peers OR 2. Data not collected because Universal Screening Data fell above the 10 th percentile	1. Rate of improvement is at least 1.5 times discrepant from same-grade peers, OR 2. Evidence that progress is due to intensity of intervention	Rate of improvement is at least 1.5 times discrepant from same-grade peers
Evidence B: Benchmark/Universal Screening Data	Scores above the 10 th percentile compared to same-grade peers	1. Scores at or below the 10 th percentile compared to same-grade peers, AND 2. Scores at or below the 25 th percentile compared to peers one grade level below	1. Scores at or below the 3 rd percentile compared to same-grade peers, AND 2. Scores at or below the 10 th percentile compared to peers one grade level below
Evidence C: Individually-administered Standardized Achievement Test(s)	Scores above the 10 th percentile (typically Standard Scores ≥ 81)	Scores at or below the 10 th percentile (typically Standard Scores ≤ 80)	Scores at or below the 3 rd percentile (typically Standard Scores of ≤ 73)
Evidence D: Standardized State-Wide Assessment Results	Exceeded, Met, or Approached Expectations	Partially Met or Did Not Yet Meet Expectations	Did Not Yet Meet Expectations
Notes: b. Strongest consideration will be given toward the most recent assessments c. “Receiving Intervention” analysis will be applied when the student has recently received or is currently receiving intervention(s) that target(s) the student’s deficit area(s), are delivered with fidelity, and are in place for a sufficient time to expect growth (typically at least 6-10 weeks) d. The percentiles and standard scores listed above are meant as a guide to frame eligibility discussions and do not represent a legal threshold.			

Speech or Language Impairment

State Definition

A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

District Eligibility Criteria

The student must meet **one or more** of the following criteria to be identified as a student with a Speech or Language Impairment:

A) Articulation/Phonology Delay

1. Mild – Intelligible over 80% of the time in connected speech. No more than 2 speech sounds errors outside developmental guidelines. Students may be stimulable for sound errors.
2. Moderate – Intelligible 50-80% of the time in connected speech. Substitutions and distortions and some omissions may be present. There is limited stimulability for error phonemes.
3. Severe – Intelligible 20-49% of the time in connected speech. Deviations may range from extensive substitutions and many omissions to extensive omissions. A limited number of phoneme classes are evidenced in a speech/language sample. Consonant sequencing is generally lacking. Augmentative communication systems may be warranted.
4. Profound – Speech is unintelligible without gestures and cues and/or knowledge of the context. Usually there are additional pathological or physiological problems, such as neuromotor deficits or structural deviations. Augmentative communication systems may be warranted.

B) Language Delay

1. Mild – The student demonstrates a deficit in receptive, expressive, or pragmatic language as measured by two or more diagnostic procedures/standardized tests. Performance falls from 1 to 1.5 standard deviations below the mean standard score. Generally standard scores fall between 85-78.
2. Moderate – The student demonstrates a deficit in receptive, expressive, or pragmatic language as measured by two or more diagnostic procedures/standardized tests. Performance falls from 1.5 to 2.0 standard deviations below the mean standard score. Generally standard scores fall between 78-70.
3. Severe – The student demonstrates a deficit in receptive, expressive or pragmatic language as measured by two or more diagnostic procedures/standardized tests (if standardized tests can be administered). Performance is greater than 2.5 standard deviations below the mean standard score. Augmentative communicative systems may be warranted.
4. Profound – The student demonstrates a deficit in receptive, expressive or pragmatic language, which prevents appropriate communication in school or social situations. Augmentative communication systems may be warranted.

C) Fluency Difference

1. Mild – 2-4% atypical disfluencies within a speech sample of at least 100 words. No tensions to minimal tension noticed. Rate and/or prosody: minimal interference with communication.
2. Moderate – 5-8% atypical disfluencies within a speech sample of at least 100 words. Noticeable tension and/or secondary characteristics are present. Rate and/or prosody: limits communication.
3. Severe – 9-12% atypical disfluencies within a speech sample of at least 100 words. Excessive tension and/or secondary characteristics are present. Rate and/or prosody: interference with communication.

4. Profound – More than 12% disfluencies within a speech sample of at least 100 words. Excessive tension and/or secondary characteristics are present. Rate and/or prosody: prevents communication.

D) Voice Difference

1. Mild – Voice difference including hoarseness, nasality, denasality, pitch, or intensity inappropriate for the student’s age is of minimal concern to parent, teacher, or physician. Medical referral may be indicated.
2. Moderate – Voice difference is of concern to parent, teacher, student or physician. Voice is not appropriate for age and gender of the student. Medical referral is indicated.
3. Severe – Voice difference is of concern to parent, teacher, student or physician. Voice is distinctly abnormal for age and gender of the student. Medical referral is indicated.
4. Profound – Speech is largely unintelligible due to aphonia or severe hypernasality. Extreme effort is apparent in the production of speech. Medical referral is indicated.

Traumatic Brain Injury

State Definition

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. The term 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; psychosocial functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.

District Eligibility Criteria

The student must meet **all** of the following criteria to be found eligible as a student with a Traumatic Brain Injury:

- A) Documentation of an open- or closed-head injury caused by an external physical force that resulted in an injury to the brain.
- B) The documented injury resulted in impairment in one or more areas of brain functioning, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, psychosocial behavior, psychosocial functions, information processing, speech, and/or sensory, perceptual, and motor abilities.
- C) The brain injury is not congenital, degenerative, or induced by birth trauma.
- D) Educational deficits are causally linked to the traumatic brain injury.

Visual Impairment

State Definition

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

District Eligibility Criteria

The student must meet **all** of the following criteria to qualify as a student with a Visual Impairment:

- A) An impairment in vision that even with correction adversely affects the student's vision that is documented via an ocular report from an optometrist or ophthalmologist.
- B) The impairment is documented as including one or more of the following medical conditions:
 1. Reduced visual acuity
 2. Restricted field of vision
 3. Permanent and/or progressive eye condition
 4. Diagnosis of Cerebral/Cortical visual impairment
- C) The level of impairment falls within the State-defined ranges of visual impairment:
 1. Legal Blindness: A student has a central visual acuity of 20/200 or less in the better eye with the best correction or a peripheral field of vision no greater than 20 degrees. Exceptions include a student who is totally blind, whose eyes have been enucleated or who have a proven non-changing eye conditions
 2. Functional Blindness: A student whose visual function meets the definition of blindness by an eyecare specialist (ophthalmologist or optometrist) or other medical doctor such as a neurologist. This student relies primarily on tactual and/or auditory senses for learning. A student with cortical visual impairments may fall under this category.
 3. Low Vision/Partially Sighted: A student has a central visual acuity that falls between 20/70 and 20/200 in the better eye with best correction. Refer to the following section for medical criteria. Through the use of optical aids, environmental modifications and/or specialized services, the student has the potential to use vision as an effective channel for learning.

Section 3B: Inclusionary Criteria – Adverse Effect

If the team has identified the student as having one or more disabilities, the team must next determine whether the disability has a direct and significant adverse effect on the student's educational performance.

Some questions to consider when determining whether and to what extent the disability has a direct and significant adverse effect on the student's educational performance:

- A) Does the disability impede the student's progress such that the student's performance is significantly and consistently below similar age peers?
- B) Does the disability impede the student's progress such that it is preventing the student from benefiting from general education?
- C) Which specific skill area(s) is/are substantially and directly affected by the disability and in what specific manner(s)?

This is not an exhaustive list of considerations. Teams must ensure that they consider multiple facets of the student's educational performance across the totality of the school day when analyzing adverse effect.

If the team determines that the disability does not have an adverse effect on the student's educational performance, the student is **not** eligible for special education services under IDEA. The team should then discuss whether the student should be considered for a 504 Accommodation Plan. If the team determines that one or more disabilities does have an adverse effect on the student's educational performance, the team should proceed to the next step of the eligibility determination process (Section 3C: Inclusionary Criteria – Educational Need).

Section 3C: Inclusionary Criteria – Educational Need

If the team has identified the student as having one or more disabilities *and* that the disability or disabilities have a direct and significant adverse effect on the student's educational performance, the team must next determine whether the student requires specialized instruction (i.e., special education services) to address the student's educational needs for each identified disability.

Some questions to consider when determining whether specialized instruction (i.e. special education services) are required to address the student's educational needs:

- A) Can the disability and adverse effect(s) be adequately accommodated within the general education environment such that the student can make educational progress? Why or why not?
- B) Can the disability and adverse effect(s) be adequately addressed with general education supports (such as scaffolding, differentiations, intervention, etc.) such that the student can make educational progress? Why or why not?
- C) As a result of the student's disability and adverse effect(s), does the student require curriculum that is substantially different from the general education curricula? What specific curricular features must be present for the student to make educational progress?
- D) As a result of the student's disability(s) and adverse effect(s), does the student require instructional methodology that is substantially different from those employed in the general education environment? What specific methodology or methodologies does the student require to make educational progress that are not available through general education supports?
- E) As a result of the student's disability(s) and adverse effect(s), does the student require instruction in an environment that is substantially different from the general education environment? What specific environmental factors are required for the student to make educational progress that cannot be addressed through general education supports?
- F) As a result of the student's disability(s) and adverse effect(s), does the student require significantly more intense or frequent instruction than that which can be provided through general education supports? What specific factors related to intensity or frequency are necessary for the student to make educational progress?

This is not an exhaustive list of considerations. Teams must ensure that they consider multiple facets of the student's educational needs across the totality of the school day when analyzing the need for specialized instruction.

If the team determines that the disability and adverse effect(s) do not require specialized instruction, the student is **not** eligible for special education services under IDEA. The team should then discuss whether the student should be considered for a 504 Accommodation Plan. If the team determines that one or more disabilities and the related adverse effects do require specialized instruction, then the student is entitled to special education services.