

## Eligibility Categories in Special Education: A Resource for Parents and Teachers

### Background

Indiana's special education law, Article 7, provides for special education and related services for students aged 3 through 22 with one or more of the 13 identified disabilities. Article 7 identifies the eligibility criteria for each of the 13 areas of disability. Criteria are specific to the disability area and also include the requirement that the disability has an adverse effect on the student's educational or functional performance. Factors such as the student's linguistic or cultural background, socioeconomic status, and involvement in appropriate educational opportunities must be considered and determined not to be primary factors in the student's academic or functional difficulties. A student must be found eligible under one or more of the disability areas in order to receive special education or related services.

The information below gives a brief description of each eligibility category, based on Article 7. More detailed information about Article 7 eligibility criteria and evaluation requirements can be found in Article 7 which is available at <http://www.doe.in.gov/sites/default/files/individualized-learning/art7.pdf>, beginning on page 66.

### Eligibility Areas

**Autism spectrum disorder (ASD)** is a lifelong developmental disability, general evident before age 3. ASD significantly affects the student's verbal, nonverbal, or pragmatic communication skills, social interaction skills, and adversely affects the student's educational or functional performance. ASD includes autistic disorder, Asperger's syndrome, and other pervasive developmental disorders as described in the current version of the American Psychiatric Association's Diagnostic Statistical Manual of Mental Disorders.

**Blind or low vision** refers to significantly reduced vision, loss of vision, or reduced visual field that, even with the best correction, adversely affects educational or functional performance.

**Cognitive disability** refers to significant limitations in both cognitive functioning and functional, adaptive behavior that appears when a child is young and developing. These limitations adversely affect educational and functional performance. The level of the disability is determined by scores on intelligence and adaptive behavior assessments with the following score ranges for each of the disability levels - mild (typically scores between 55 and 69), moderate (typically scores between 40 and 54), or severe (typically scores below 40).

**Deaf or hard of hearing** refers to a hearing loss that, with or without amplification, adversely affects the student's ability to use hearing for language development, learning, developmental progress, and educational or functional performance. This includes a hearing loss that is permanent or fluctuating, ranging from mild to profound, and unilateral (one ear) or bilateral (both ears). Students who are deaf or hard of hearing may use spoken language, sign language, or a combination of both.

**Deaf-blind** refers to both a hearing and vision loss that causes significant communication and adaptive behavior difficulties which adversely affect the student's educational or functional performance. This area includes a reduction in functional hearing and vision capacity.

**Developmental delay** is a disability category for students who are at least three years old and not more than five years old, or who are five years old but not yet eligible to enroll in kindergarten. Developmental delay means a significant delay in one developmental area (at least 2 standard deviations below the mean, or below a standard score of 70) or a moderate delay in at least two developmental areas (at least 1.5 standard deviations below the mean, or below a standard score of 78). Developmental areas include gross or fine motor, cognition, receptive or expressive language, social or emotional, and self-help or other adaptive behavior.

**Emotional disability** refers to a general, pervasive mood of unhappiness or depression, an inability to make or keep relationships with others, inappropriate behaviors or feelings, physical symptoms or fears associated with personal or school problems, and/or episodes of psychosis. One or more of these characteristics is evident over a long period of time and to a marked degree that adversely affects educational or functional performance. The characteristics cannot be due to cognitive, sensory, or health factors.

**Language or speech impairment** is a disability that includes language and/or speech impairments that adversely affect the student's educational or functional performance. *Language impairments* include organic or nonorganic causes of difficulties in understanding or using spoken language. Such impairments are not typical for the student's age and impacts areas such as word retrieval, usage, and understanding. *Speech impairments* include speaking difficulties such as articulation, fluency, and voice disorders that are not typical for the student's age.

**Multiple disabilities** refer to coexisting disabilities that are significant and lifelong, making it difficult to determine which disability is primary. One of the coexisting disabilities must be a significant cognitive disability. The disabilities interfere with independent functioning and adversely affect educational or functional performance. The term does not include deaf-blind.

**Other health impairment** includes limited strength, vitality, or alertness that is due to long lasting or short-term health problems and adversely affects educational or functional performance. This includes health problems such as asthma, attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome.

**Orthopedic impairment** is a severe physically disabling condition that adversely affects educational or functional performance. This includes conditions caused by diseases, birth conditions, or other causes such as cerebral palsy, amputations, fractures, or burns.

**Specific learning disability** means a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written language that adversely affects the student's educational performance. The disability is evident when the student does not achieve adequately for his/her age despite having received appropriate instruction and learning experiences. A specific learning disability can be evident in one of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving.

A specific learning disability does not include learning problems that are primarily the result of a visual, hearing, or motor disability, a cognitive disability, an emotional disability, cultural factors, environmental or economic disadvantage, limited English proficiency, or lack of appropriate instruction in reading or math

**Traumatic brain injury** is an acquired injury to the brain caused by an external physical force that results in an impairment in cognition, language, memory, attention, reasoning, judgment, social behavior, physical functions, speech, or motor abilities and adversely affects a student's educational or functional performance. The term does not apply to brain injuries that are congenital, degenerative, or induced by birth trauma.