

## SPECIAL EDUCATION ELIGIBILITY CRITERIA AND IEP PLANNING GUIDELINES

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## SPECIAL EDUCATION ELIGIBILITY CRITERIA AND IEP PLANNING GUIDELINES

### 6.1 PURPOSE AND SCOPE

The purpose of this chapter is to define the specific processes and procedures involved in determining a student's need to receive special education and related services. It is not meant to determine instructional setting or placement. Those determinations are made by the IEP team based on identified student needs.

The determination of eligibility must be based on the findings of a multi-disciplinary assessment where no single test or single observer is the sole determining factor. The IEP Team must assure that the student's academic needs cannot be met through modifications of the regular education program and that the disability, even with corrections and modifications, adversely affects the individual's educational performance. The IEP team must also assure that all areas of suspected disability have been assessed. There needs to be documentation that race, cultural differences, economic disadvantage, language background, limited school experience and poor attendance are not primary contributing factors to the results of the assessment. The IEP team will determine eligibility, present levels of performance, areas of need and goals that address each area of need. Goals and (objectives if required) will be supported by appropriate services in the least restrictive environment as determined by the IEP Team for the child to receive educational benefit.

### 6.2 PRIOR TO REFERRAL FOR SPECIAL EDUCATION

The Student Success Team (SST), or the referring instructional personnel, shall document that accommodations/modifications of the regular education program have been attempted and that the results of those modifications have not been effective in meeting the student's need for an appropriate education. Students shall be referred for special education and related services only after the resources of the regular education program have been considered and, where appropriate, utilized. The Student Success Team (SST) is a regular education function. It is a process of reviewing individual student issues pertaining to educational performance and planning instructional interventions to be implemented in the regular education classroom.

Although specialists, such as school psychologists, speech/language pathologists, and resource specialists may be involved in the SST process, the SST is not a special education function and is not subject to the associated restrictions and timelines. It is recommended that LEAs allow at least two, 8 week cycles to give the SST opportunity to identify with specificity the student's need, implement targeted interventions, measure their effectiveness and revise as needed. A special education referral may be appropriate after interventions have been implemented, reviewed and revised.

NOTE: Timelines related to special education assessment apply even if a student is engaged in the SST or RtI process. Applicable timelines commence any time an evaluation request is received by the LEA. Parents and the LEA may mutually agree to extend the timeline for special education

assessment, if it is determined that the IEP team requires additional time to evaluate the student. However, such agreement must be in writing signed by the parent and the LEA. (34 CFR 300.309(c); 71 Fed.Reg. 46657-46659 (August 14, 2006.))

### **6.3 REFERRAL**

When a verbal referral for assessment is made, district staff shall offer to assist the individual to make a request in writing, and shall assist the individual if the individual requests such assistance.

All school staff referrals shall be written and include:

1. A brief reason for the referral.
2. Documentation of the resources of the regular education program that have been considered, modified, and when appropriate, the results of intervention. This documentation shall not delay time lines for responding to requests with prior written notice, completing the assessment plan or assessment. (C.C.R., Title 5, Sec. 3021)

### **6.4 ASSESSMENT**

The personnel who assess the pupil shall prepare a written report, or reports, as appropriate, of the results of each assessment. The report shall include, but not be limited to, all the following:

1. Whether the pupil may need special education and related services;
2. The basis for making the determination;
3. The relevant behavior noted during the observation of the pupil in an appropriate setting
4. The relationship of that behavior to the pupil's academic and social functioning;
5. The educationally relevant health and development, and medical findings, if any;
6. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate and;
7. The need for specialized services, materials, and equipment for the pupils with low incidence disabilities. (EC 56136)

Assessments shall be administered by qualified personnel who are competent in both the oral or sign language skills and written skills of the individual's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the pupil. If it clearly is not feasible to do so, an interpreter must be used, and the assessment report shall:

1. Document this condition and note that the validity may have been affected and;
2. The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition.

The assessment of a student, including a student with a suspected low incidence disability, shall be conducted by persons knowledgeable of that disability. Special attention shall be given to the unique educational needs, including, but not limited to, skills and the need for specialized services, materials, and equipment. (EC 56136)

## 6.5 ELIGIBILITY CRITERIA

A student qualifies as an individual with exceptional needs, if the results of the assessment demonstrate that the student meets eligibility criteria as an individual with a disability and degree of the student's impairment requires special education and related services. The decision as to whether or not the student qualifies for special education and related services shall be made by the IEP team, including assessment personnel. The IEP team shall take into account all the relevant information that is available on the student. No single score or product of scores shall be used as the sole criterion for the decision of the IEP team as to the student's eligibility for special education. (EC 56220 (a) 56026, 56320, 5CCR 3030 (a-j) 56361 56341 (d))

Eligibility Criteria are separated into thirteen federal classifications. Students need only to meet eligibility under one of these federal classifications. (34 C.F.R., Part 300.7.)

### 6.5.A. Three Primary Factors Must Be Considered

Three primary factors must be met when making this determination:

1. Does the student meet the eligibility criteria as an individual with a disability?
2. Does the severity of the disability have an adverse effect on the student's educational performance?
3. Does the student require special education and services to achieve a free appropriate public education?

### 6.5.B. Special Rule for Eligibility Determination

In making a determination of eligibility, a child shall not be determined to be a child with a disability if the determinant factor for such determination is:

1. Lack of appropriate instruction in reading, including the essential components of reading instruction.
2. Lack of instruction in math; or
3. Limited English proficiency (EC 56333-56339; 5 CCR 3030; 34CFR 300.27, 300.534)

### 6.5.C. Evaluations before Change in Eligibility

The district shall evaluate a student with a disability before determining that the student is no longer a child with a disability and before exiting him/her from special education services.

Exception: The evaluation shall not be required before the termination of a student's eligibility due to graduation from high school with a regular diploma, or due to exceeding the age eligibility for a free appropriate public education. However a Prior Written Notice is required in these situations.

## 6.6 SEVERE DISABILITIES AND NON-SEVERE DISABILITIES

Students meeting eligibility under some of the above federal classifications are considered to be severely disabled as follows:

*"Severely disabled" means individuals with exceptional needs who require intensive instruction and training in programs serving pupils with the following profound disabilities: autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, severe mental retardation, and those individuals who would have been eligible for enrollment in a development center for handicapped pupils under Chapter 6 (commencing with Section 56800) of this part, as it read on January 1, 1980. (E.C., Sec. 56030.5)*

## 6.7 ELIGIBILITY CATEGORIES

### 6.7.A. AUTISM (AUT): A severely disabling condition.

#### Definition:

C.C.R., Title 5, Sec. 3030

- (1) A pupil exhibits any combination of the following autistic-like behaviors, to include but not be limited to:
- (2) An inability to use oral language for appropriate communication.
- (3) A history of extreme withdrawal or relating to people inappropriately and continued impairment in social interaction from infancy through early childhood.
- (4) An obsession to maintain sameness.
- (5) Extreme preoccupation with objects or inappropriate use of objects or both.
- (6) Extreme resistance to controls.
- (7) Displays peculiar motoric mannerisms and mobility patterns.
- (8) Self-stimulating, ritualistic behavior.

Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 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. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance. C.F.R. 300.7 (c) (1)

### IMPLEMENTATION PROCEDURES

A multi-disciplinary team shall assess a student. Relevant information includes all of the following:

- A written report from a school psychologist or other person with experience and training in working with autistic individuals.
- A written report from a speech/language pathologist addressing verbal and non-verbal communication skills.

- Assessment/observation which indicates that the behavioral manifestations are so severe that the student requires intensive special education and/or related services.

**6.7.B DEAF-BLINDNESS (DB):** A severely disabling condition.

Definition:

C.C.R., Title 5, Sec. 3030

Combination of which causes severe communication, developmental, and educational problems.

C.F.R. 300.7 (c)(2)

Deaf-blindness means 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.

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information includes all of the following:

- The effect of the disability on communication, social, emotional, physical, educational, and other areas of development.
- Current audiological measures of auditory functioning which documents a hearing loss, with and without amplification, as determined by a qualified audiologist.
- Performance which reveals significant dysfunction directly related to the physical impairment.
- A written report of an eye examination by either a physician or an optometrist which states that the student's central visual acuity is 20/200 or less Assessment of receptive and expressive communication skills and current education in the better eye after best correction with conventional spectacle lenses, or visual acuity is better than 20/200 if there is a field defect in which the widest diameter of the visual field is no greater than 20 degrees.

**6.7.C. DEAFNESS (D):** A severely disabling condition.

Definition:

C.C.R., Title 5, Sec. 3030

A pupil has a hearing impairment whether, permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.

## C.F.R. 300.7(c)(3)

Deafness means 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 education performance.

Deafness: This hearing impairment is so severe that an individual is impaired in processing linguistic information through hearing with or without amplification. This condition adversely affects expressive or receptive communication or both, developmental growth, and/or educational performance.

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information to be considered includes:

- Current audiological measures of auditory functioning with and without amplification as determined by a qualified audiologist.
- Current assessment of receptive and expressive communication skills and current educational performance reveals significant impairment.

**6.7.D. HEARING IMPAIRMENT (HI):** A severely or non-severely disabling condition.Definition:

C.C.R., Title 5, Sec. 3030

A pupil has a hearing impairment, whether permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.

## C.F.R. 300.7 (c)(5)

Hearing impairment means 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 in this section.

Hard of hearing: This hearing impairment, whether permanent or fluctuating, adversely affects an individual's expressive and/or receptive communication, developmental growth, and/or educational performance and makes difficult, but does not preclude, the processing of linguistic information through hearing, with or without amplification.

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information to be considered includes:

- Current audiological measures of auditory functioning with and without amplification as determined by a qualified audiologist.
- Current assessment of receptive and expressive communication skills and current educational performance reveals significant impairment.

**6.7.E. INTELLECTUAL DISABILITY (ID):** A severely or non-severely disabling condition.

**Definition:**

C.C.R., Title 5, Sec. 3030

A pupil has significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a pupil's educational performance.

C.F.R. 300.7(c)(6)

**Intellectual Disability** means 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.

**IMPLEMENTATION PROCEDURES**

A student shall be assessed by a multi-disciplinary team. Relevant information to be considered shall include all of the following:

- The determination of a significant discrepancy (minimum of two standard deviations) between chronological age and ability level, as determined by a credentialed school psychologist.
- An adaptive behavior measure administered by a school psychologist.
- A report by a school psychologist of an observation of the student in the home and/or school situations to confirm that the student's adaptive behavior is significantly below the expectancy level for chronological age. The report shall describe the observed behavior, the environment in which the behavior occurred, culturally appropriate peer and adult interactions, and any other factors relevant to adaptive behavior.

- A developmental history and current medical history including vision and hearing testing.
- The cumulative results, from the multi-disciplinary team, of the examinations and observations investigating such factors as health and developmental history, language development, school achievement, adaptive behavior, and psychological processing substantiate individual test scores indicating mild, moderate or profound delays in overall levels of functioning. These results must verify the need for an educational program which emphasizes, but is not limited to, the development of some or all of the following:
  - Self-help skills
  - Environmental awareness
  - Survival skills
  - Self sufficiency
  - Communication/language
  - Economic usefulness (work skills, vocational education)
  - Independent or semi-independent living skills

The IEP Team shall document that other factors such as racial, cultural, and language background are not major contributing factors to the results of the assessments.

**6.7.F. MULTIPLE DISABILITIES (MD):** A severely disabling condition.

Definition:

34 C.F.R. 300.7 (c)

"Multiple disabilities" means concomitant impairments (such as mental retardation-blindness, ~~mental retardation~~ **intellectual disability** orthopedic impairment, etc.), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

**IMPLEMENTATION PROCEDURES**

A pupil shall be defined as having multiple disabilities when the IEP team determines that the pupil has two or more concomitant disabilities and the combination of disabilities requires unique modifications and support. A written report by a school psychologist shall include an assessment on adaptive behaviors.

**6.7.G. ORTHOPEDIC IMPAIRMENT (OI):** A severe or non-severe disabling condition.

Definition:

C.C.R., Title 5, Sec 3030 (e)

A pupil has a severe orthopedic impairment which adversely affects the pupil's educational performance. Such orthopedic impairments include impairments

caused by congenital anomaly, impairments caused by disease, and impairments from other causes.

C.F.R. 300.7(c)(8)

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

### **IMPLEMENTATION PROCEDURES**

A student shall be assessed by a multi-disciplinary team. Relevant information to be considered includes:

- Observation/assessment by a person with knowledge of orthopedic disabilities, who is trained to select, administer and interpret assessments that accurately measure the abilities of the student.
- A review of medical records which document a diagnosis of physical impairment which may adversely affect educational performance, such as any of the following:
  - Cerebral Palsy
  - Poliomyelitis
  - Infections, including but not limited to, bone and joint tuberculosis and osteomyelitis
  - Congenital anomalies including, but not limited to, amputation, clubfoot, dislocations, or spinal bifida
  - Birth injury, including but not limited to, Erb's palsy and fractures
  - Trauma, including but not limited to, amputations, burns or fractures
  - Tumors, including but not limited to, bone tumors or bone cysts
  - Developmental diseases, including but not limited to, coxaplane or spinal osteochondritis

- Other conditions, including but not limited to, fragile bones, muscular atrophy, muscular dystrophy, Perthe's disease, or juvenile rheumatoid arthritis

**6.7.H OTHER HEALTH IMPAIRMENT (OHI):** A severe or non-severe disabling condition.

Definition:

C.C.R., Title 5, Sec 3030

A pupil has limited strength, vitality or alertness, due to chronic or acute health problems which adversely affects a pupil's educational performance. In accordance with Section 56026 (e) of the Education Code, such physical disabilities shall not be temporary in nature as defined by Section 3001 (v).

C.F.R. 300.8 (c)(9): Other health impairment means having limited strength, vitality or alertness, including a heightened alertness 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 Tourette Syndrome, and
- (ii) adversely affects a child's educational performance.

**IMPLEMENTATION PROCEDURES**

Student shall be assessed by a multi-disciplinary team. Relevant information includes the following:

- The school nurse shall provide the IEP team with specific medical information related to physical limitations and their projected duration.
- Qualified assessors shall include in reports the results of observations within the regular program.
- For students with OHI/diabetes, a written statement from the child's physician as well as a written statement from the child's parent are required before a either a school nurse or other designated personnel may assist a child with the administration of medication. Therefore decisions about what health care services a student will receive, including treatment while at school, such as the timing and dosage of insulin to be administered usually are based on the treating physician's written orders.

**6.7.I EMOTIONAL DISTURBANCE (ED):** A severely or non-severely disabling condition.

Definition:

C.C.R., Title 5, Sec. 3030

Because of a emotional disturbance, a pupil exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affect educational performance:

- (1) An inability to learn which cannot be explained by intellectual, sensory, or health factors.
- (2) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- (3) Inappropriate types of behavior or feelings undernormal circumstances exhibited in several situations.
- (4) A general pervasive mood of unhappiness or depression.
- (5) A tendency to develop physical symptoms or fears associated with personal or school problems.

C.F.R. 300.7(c)(4)

Emotional disturbance is defined as follows:

- (i) The term 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 education performance:
  - (A) An inability to learn that cannot be explained by intellectual, sensory, or health factors.
  - (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
  - (C) Inappropriate types of behavior or feelings under normal circumstances.
  - (D) A general pervasive mood of unhappiness or depression.
  - (E) A tendency to develop physical symptoms or fears associated with personal or school problems.
- (ii) The term includes schizophrenia.  
The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information includes the following:

- A report written by a credentialed school psychologist documenting the presence of a serious emotional disturbance. The report shall include a summary of previous and current assessments of educational and emotional status, educational history, home and school observations, health and developmental history, and attempted interventions.
- Eligibility as emotional disturbance for purposes of educational placement and/or services shall not be determined solely on the basis of any non-educational evaluation (including evaluations by psychiatrists or clinical psychologists).
- The IEP Team must document the following in order to find that a student has a serious emotional disturbance:
  - The disturbance is of such severity that the student's educational needs cannot be met in the regular classroom.
  - The presenting educational difficulties are not the result of social maladjustment (E.C. Section 56026 (e)).
  - The presenting educational difficulties are not the result of a behavior disorder.
  - The behavior has been observed for a period of time longer than six months.
  - The inability to learn cannot be explained by intellectual or sensory factors or by limited school experience or poor attendance.

Additional considerations:

- Eligibility is based on a multi-disciplinary assessment of the student's needs.
- The least restrictive environment shall be considered when determining placement.

**6.7. J SPECIFIC LEARNING DISABILITY (SLD):** A non-severe disabling condition.

Definition:

E.C. 56337

A pupil shall be assessed as having a specific learning disability which makes him or her eligible for special education and related services when it is determined that ll of the following exist:

1. A severe discrepancy exists between the intellectual ability and achievements in one or more of the following academic areas:
  - a. Oral Expression
  - b. Listening comprehension
  - c. Written expression
  - d. Basic reading skills
  - e. Reading comprehension
  - f. Mathematics calculation
  - g. Mathematics reasoning
  - h. Reading fluency
2. The discrepancy is due to a disorder in one or more of the basic psychological processes and is not the result of environmental, cultural, or economic disadvantages.
3. The discrepancy cannot be corrected through other regular or categorical services offered within the regular instructional program.

E.C. 56337.5 (a)

A pupil who is assessed as being dyslexic and meets eligibility criteria specified in Section 56337 and subdivisionn (j) of Section 3030 of Title 5 of the California Code of Regulations for the federal Individuals with Disabilities Education Act (20 U. S. C., Sec. 1400 and following) category of specific learning disailities is entitled to special education and related services.

C.C.R. Tile 5, Sec. 3030

A pupil has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an impaired ability to listen, think, speak, read, write, spell, or do mathematical calculations, and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas specified in Section 56337(a) of the Education Code. For the purpose of Section 3030(j):

- (1) Basic psychological processes include attention, visual processing, auditory processing, sensory-motor skills, and cognitive abilities including association, conceptualization and expression.
- (2) Intellectual ability includes both acquired learning and learning potential and shall be determined by a systematic assessment of intellectual functioning.

- (3) The level of achievement includes the pupil's level of competence in materials and subject matter explicitly taught in school and shall be measured by standardized achievement tests.
- (4) The decision as to whether or not a severe discrepancy exists shall be made by the individualized education program team, including assessment personnel in accordance with Section 56431(d), which takes into account all relevant material which is available on the pupil. No single score or product of scores, test or procedure shall be used as the sole criterion for the decisions of the individualized education program team as to the pupil's eligibility for special education. In determining the existence of a severe discrepancy, the individualized education program team shall use the following procedures:
  - (A) When standardized tests are considered to be valid for a specific pupil a severe discrepancy is demonstrated by: first, converting into common standard scores, using a mean of 100 and a standard deviation of 15, the achievement test score and the ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the standard criterion which is the product of 1.5 multiplied by the standard deviation of the distribution of computed differences of students taking these achievement and ability tests. A computed difference which equals or exceeds this standard criterion, adjusted by one standard error of measurement, the adjustment not to exceed 4 common standard score points, indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations, and work samples as appropriate.
  - (B) When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the assessment plan.
  - (C) If the standardized tests do not reveal a severe discrepancy as defined in subparagraphs (A) or (B) above, the individualized education program team may find that a severe discrepancy does exist, provided that the team documents in a written report that the severe discrepancy between ability and achievement exists as a result of a disorder in one or more basic psychological processes. The report shall include a statement of the area, the degree, and the basis and method used in determining the discrepancy. The report shall contain information considered by the team, which shall include, but not be limited to:
    - i. Data obtained from standardized assessment instruments;

- ii. Information provided by the parent;
- iii. Information provided by the pupil's present teacher;
- iv. Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores;
- v. Consideration of the pupil's age, particularly for young children;
- vi. Any additional relevant information; and
- vii. The discrepancy shall not be primarily the result of limited school experience or poor school attendance.
- viii. The discrepancy shall not be due to limited English proficiency.
- ix. The discrepancy shall not be due to lack of appropriate instruction in reading and math.

C.F.R. 300.7 (10)

Specific learning disability is defined as follows:

(i) *General.* The term 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 an 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.

(ii) *Disorders not included.* The term does 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.

## **IMPLEMENTATION PROCEDURES**

### **Required Factors in Determining Eligibility**

The IEP Team must verify that the following two requirements have been met in order to state that a student is eligible for special education as a child with a specific learning disability:

- There is a severe discrepancy between ability and achievement.
- There is documented evidence of a processing disorder in one or more of the following areas:
  - Attention
  - Visual processing
  - Auditory processing
  - Sensory-motor skills

- Cognitive abilities including association, conceptualization, and expression

NOTE: In order for the student to be eligible for special education program and services the team must find that the student's needs cannot be met in the regular program (including categorical services) without special education support.

\*Determination of a Severe Discrepancy

A multi-disciplinary team shall assess a student in one or more of the following areas of academic instruction:

- Oral expression
- Listening comprehension
- Written expression
- Basic reading skills
- Reading comprehension
- Mathematics calculation
- Mathematics reasoning
- Reading fluency

A report written by a credentialed school psychologist shall document that the pupil demonstrates a severe discrepancy between his ability and achievement.

The determination of a severe discrepancy necessitates the use of a standardized achievement test and a test of intellectual ability.-

\*NOTE: IDEA 2004 allows for LEAs or SEAs to implement a Response to Intervention Model in lieu of the severe discrepancy model. However, California has not established a process for districts to use RtI at this time. See Chapter 15 for further information.

\*NOTE: When standardized tests are considered to be invalid for a specific pupil the discrepancy shall be measured by alternative means as specified on the assessment plan. This determination may be based on such data as the results of informational or criterion-referenced assessments, analysis of pupil work samples, classroom performance and observations.

Additional Considerations:

The psychological processing disorder should be manifested on more than one instrument and be corroborated by an analysis of other test results and observations.

The relationship of the processing disorder to the pupil's academic deficits should be clearly established and become the basis for instructional planning and development of specific objectives for the student's IEP.

The IEP Team shall ensure that neither the documented psychological processing disorder nor the discrepancy is due to factors of environment, cultural differences or economic disadvantage. Also, neither the documented psychological processing disorder nor the discrepancy may be the result of visual, hearing or motor disabilities, mental retardation, limited school experience or poor attendance, limited English proficiency or lack of appropriate instruction in reading and math.

NOTE: The CDE has not offered guidance on using the Response to Intervention (RtI) method to determine eligibility for SLD at this time. However, districts may begin to pilot its use in determining eligibility.

**6.7.K SPEECH OR LANGUAGE IMPAIRMENT: (SLI): A non-severe disabling condition.**

Definition:

E.C.56333. A pupil shall be assessed as having a language or speech disorder which makes him or her eligible for special education and related services when he or she demonstrates difficulty understanding or using spoken language to such an extent that it adversely affects his or her educational performance and cannot be corrected without special education and related services. In order to be eligible for special education and related services, difficulty in understanding or using spoken language shall be assessed by a language, speech and hearing specialist who determines that such difficulty results from any of the following disorders:

- (a) Articulation disorders, such that the pupil's production of speech significantly interferes with communication and attracts adverse attention.
- (b) Abnormal voice, characterized by persistent, defective voice quality, pitch, or loudness. An appropriate medical examination shall be conducted, where appropriate.
- (c) Fluency difficulties which result in an abnormal flow of verbal expression to such a degree that these difficulties adversely affect communication between the pupil and listener.
- (d) Inappropriate or inadequate acquisition, comprehension, or expression of spoken language such that the pupil's language performance level is found to be significantly below the language performance level of his or her peers.
- (e) Hearing loss which results in a language or speech disorder and significantly affects educational performance.

## C.F.R. 300.7 (11)

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

## C.C.R., Title 5, Sec. 3030

A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria:

**(1) ARTICULATION**

## C.C.R., Title 5, Sec. 3030 (c)

## (1) Articulation Disorder.

- (A) The pupil displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the pupil's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance.
- (B) A pupil does not meet the criteria for articulation disorder if the sole assessed disability is an abnormal swallowing pattern.

**IMPLEMENTATION PROCEDURES**

A student having hearing within the normal speech range shall be assessed as having an articulation disorder when the student demonstrates a developmental delay in the production of one or more phonemes.

- A preschool child between the ages of three and five years must have one or more sound articulation errors delayed by a minimum of six months according to a developmental scale of articulation competency.
- Upon entering kindergarten and up to age eight, a student must have one or more sound articulation errors delayed by a minimum of one year according to a developmental scale of articulation competency. An exception to this year delay would be lateralization of sibilant sounds. Students who produce lateralized s, z, sh, ch, or j, should receive therapy as soon as the sound in error goes beyond the developmental scale.
- Students age eight and above must have one or more misarticulations and demonstrate one or more of the following:

- Lack of stimulability in syllables/words.
- Consistency of error in two or more speaking situations.
- Reduced intelligibility in conversational speech.

## **(2) ABNORMAL VOICE**

C.C.R., Title 5, Sec. 3030 (c)

(2) Abnormal Voice. A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.

### **IMPLEMENTATION PROCEDURES**

- A student shall be assessed by a multi-disciplinary team as having abnormal voice when the disorder adversely affects educational performance. When indicated, vocal assessment shall include a medical laryngeal examination.
- The IEP team documents that the abnormal voice is noticeable to both familiar and unfamiliar listeners, interferes with communicating, is noticeable over a long period of time and is inappropriate for the student's age and/or sex.

## **(3) FLUENCY DISORDER**

C.C.R., Title 5, Sec. 3030 (c)

Fluency Disorders. A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.

### **IMPLEMENTATION PROCEDURES**

- A student shall be assessed by a multi-disciplinary team as having a fluency disorder when the student exhibits inappropriate rate or rhythm of speech or excessive repetition, revision, interjection, pauses, and other breaks in the flow of speech that do not enhance meaning.
- A certain degree of normal non-fluent behavior characterizes the speech of very young children. In this case, periodic monitoring and parent education may be more appropriate than direct intervention.

## **(4) LANGUAGE DISORDER**

C.C.R., Title 5, Sec. 3030 (c)

Language Disorder. The pupil has an expressive or receptive language disorder when he or she meets one of the following criteria:

(A) The pupil scores at least 1.5 standard deviations below the mean, or below the 7th percentile, for his or her chronological age or developmental level on two or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified on the assessment plan, or

(B) The pupil scores at least 1.5 standard deviations below the mean or the score is below the 7th percentile for his or her chronological age or developmental level on one or more standardized tests in one of the areas listed in subsection (A) and displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited language sample of a minimum of fifty utterances. The language sample must be recorded or transcribed and analyzed, and the results included in the assessment report. If the pupil is unable to produce this sample, the language, speech, and hearing specialist shall document why a fifty utterance sample was not obtainable and the contexts in which attempts were made to elicit the sample. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified in the assessment plan.

### **IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information shall include the following:

- Assessment in one or more of the following areas of language development:
- Morphology
- Syntax
- Semantics
- Pragmatics

Scores on standardized tests shall meet the requirements set forth in Title 5 quoted above.

Scores from analysis of a language sample must also meet the requirement set forth in Title 5 quoted above.

When standardized tests are considered to be invalid for a specific pupil, the language disorder shall be assessed by alternative means as specified on the assessment plan.

Language Disorder does not include:

- Students who have atypical patterns resulting from lack of familiarity with English, cultural differences, race, or environmental deprivation.
- Students whose language is commensurate with his/her general cognitive functioning.

**6.7.L TRAUMATIC BRAIN INJURY (TBI):** A severe or non-severe disabling condition

Definition:

C.F.R. 300.7 (C)

"Traumatic brain injury" means 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; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information includes the following:

- A review of medical records, which document a diagnosis of traumatic, brain injury.
- A written report by a school psychologist which shall include a summary of previous and current educational performance, cognitive functioning, home and school observations and attempted interventions.
- Assessment by persons knowledgeable in the following areas:
  - Post trauma academic functioning
  - Language and speech production
  - Perceptual and motor abilities
  - Judgment and psychosocial behavior
  - Health and physical functions
  - Adaptive behaviors

- The IEP Team shall determine that the traumatic brain injury adversely affects educational performance.
- The least restrictive environment shall be considered when determining placement.

**6.7.M VISUAL IMPAIRMENT INCLUDING BLINDNESS (VI): A**  
severe or non-severe disabling condition.

Definition:

C.F.R. 300.7 (13)

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

**IMPLEMENTATION PROCEDURES**

A multi-disciplinary team shall assess a student. Relevant information to be considered includes a written report of an eye examination by either a physician or optometrist and a functional vision assessment by a person credentialed to serve the visually impaired. One of the following descriptions should apply:

- Partially Sighted: The student's visual acuity in the better eye, after the best correction, is between 20/70 and 20/200.
- Legally Blind: Central visual acuity of 20/200 or less in the better eye after best correction with conventional spectacle lenses, or visual acuity better than 20/200 if there is a field defect in which the widest diameter of the visual field is no greater than 20 degrees. In the United States this definition has been established primarily for economic and legal purposes.

Blind: The student's visual impairment is so severe that for education purposes, vision cannot be used as a major channel of learning and the visual impairment, even with correction, adversely affects the individual's education.

## ELIGIBILITY SUMMARY FORMS

- Eligibility Summary – Autism (AUT)
- Eligibility Summary – Deaf-Blindness (DB)
- Eligibility Summary – Deafness (D)
- Eligibility Summary – Hearing Impairment (HI)
- Eligibility Summary – Intellectual Disability (ID)
- Eligibility Summary – Multiple Disabilities (MH)
- Eligibility Summary – Orthopedic Impairment (OI)
- Eligibility Summary – Other Health Impairment (OHI)
- Eligibility Summary – Emotional Disturbance (ED)
- Eligibility Summary – Specific Learning Disability (SLD)
- Eligibility Summary – Speech or Language Impairment (SLI) (Articulation Disorder)
- Eligibility Summary – Speech or Language Impairment (SLI) (Abnormal Voice)
- Eligibility Summary – Speech or Language Impairment (SLI) (Fluency Disorder)
- Eligibility Summary – Speech or Language Impairment (SLI) (Language Disorder)
- Eligibility Summary – Traumatic Brain Injury (TBI)
- Eligibility Summary – Visual Impairment (VI)

**Eligibility Summary – Autism (AUT)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil exhibits any combination of the following autistic-like behaviors, to include but not be limited to: (1) an inability to use oral language for appropriate communication; (2) a history of extreme withdrawal or relating to people inappropriately and continued impairment in social interaction from infancy through early childhood; (3) and obsession to maintain sameness; (4) extreme preoccupation with objects or inappropriate use of objects or both; (5) extreme resistance to controls; (6) displays peculiar motoric mannerisms and motility patterns; (7) self-stimulating, ritualistic behavior.

**ELEMENTS All four elements listed below must be checked to establish eligibility.**

1. A written report from a school psychologist or other person with experience and training in working with autistic children.
2. A written report from a speech/language specialist addressing verbal and non-verbal communication skills.
3. Any combination of the following behaviors were documented in the above written reports:
  - \_\_\_ 1. An inability to use oral language for appropriate communication
  - \_\_\_ 2. A history of extreme withdrawal, relating, or other impairment of social interaction.
  - \_\_\_ 3. An obsession to maintain sameness.
  - \_\_\_ 4. Extreme preoccupation or inappropriate use of objects.
  - \_\_\_ 5. Extreme resistance to controls.
  - \_\_\_ 6. Displays peculiar motoric mannerisms or motility patterns.
  - \_\_\_ 7. Self-stimulating, ritualistic behavior.
  - \_\_\_ 8. \_\_\_\_\_
4. Assessment/observation which indicates that the pupil's educational needs cannot be met with modification and/or resources of the regular education program.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " 'A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...autism...and who because of those impairments need special education and related services."***

**Eligibility Summary – Deaf-Blindness (DB)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3033: A pupil has concomitant hearing and visual impairments, the combination of which causes severe communication, developmental, and educational problems.

**ELEMENTS All five elements listed below must be checked to establish eligibility.**

1. Hearing loss, with or without amplification, as determined by a qualified audiologist.
2. A written report by either a physician or an optometrist which states:
  - \_\_\_\_\_ Central visual acuity is 20/200 or less in the better eye after best correction with conventional spectacle lenses.
  - \_\_\_\_\_ Visual acuity is better than 20/200 if there is a field defect in which the widest diameter of the visual field is not greater than 20 degrees.
3. Delays in communication, social, emotional, physical, and educational performance are directly related to the hearing and visual impairment.
4. These deficits adversely affect the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.
5. Needs cannot be accommodated in special education programs solely for children with deafness or children with blindness.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " 'A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...deaf-blindness...and who because of those impairments need special education and related services."***

**Eligibility Summary – Deafness (D)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a hearing impairment whether permanent or fluctuating, which impairs the processing of linguistic information through hearing even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.

**ELEMENTS All four elements listed below must be checked to establish eligibility.**

1. Current audiological evaluation, with and without amplification, as determined by a qualified audiologist.
2. The hearing impairment is so severe that there is an impairment in the processing of linguistic information through hearing with or without amplification.
3. This condition affects the development of expressive or receptive communication, or both, developmental growth and/or educational performance.
4. These deficits adversely affect the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " 'A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...deafness...and who because of those impairments need special education and related services."***

**Eligibility Summary – Hearing Impairment (HI)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a hearing impairment whether permanent or fluctuating, which impairs the processing of linguistic information through hearing even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.

**ELEMENTS All five elements listed below must be checked to establish eligibility.**

1. Current audiological evaluation, with or without amplification, makes it difficult for the pupil to process linguistic information through hearing.
2. The hearing impairment, whether permanent or fluctuating, adversely affects:
  - \_\_\_\_\_ expressive and/or receptive communication.
  - \_\_\_\_\_ developmental growth.
  - \_\_\_\_\_ educational performance.
3. The hearing impairment, with or without amplification, makes it difficult for the pupil to process linguistic information through hearing.
4. These deficits adversely affect the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.
5. Hearing impairment is not included under the definition of deafness.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " 'A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...hearing impairment...and who because of those impairments need special education and related services."***

**Eligibility Summary – Intellectual Disability**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a pupil's educational performance.

**ELEMENTS All five elements listed below must be checked to establish eligibility.**

1. The pupil demonstrates significantly below average intellectual ability.
2. The pupil demonstrates concurrent deficits in adaptive behavior.

Identified areas of weakness include:

- |          |          |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |

3. These deficits were manifested during the developmental period.
4. These deficits adversely affect the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having an intellectual disability...and who because of those impairments need special education and related services.***

**Eligibility Summary – Multiple Disabilities (MD)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.F.R. 300.7(c)(7): A pupil has concomitant impairments, the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

**ELEMENTS Pupil must have at least two severe impairments to establish eligibility within this classification.**

1. Severe Impairment: \_\_\_\_\_

Federal Classification

2. Severe Impairment: \_\_\_\_\_

Federal Classification

3. Additional Impairments: \_\_\_\_\_

Federal Classification

4. The combination of these impairments requires unique modifications and support not available in programs designed solely for one of these impairments.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.530-300.536 as having...multiple disabilities...and who because of those impairments need special education and related services.***

**Eligibility Summary – Orthopedic Impairment (OI)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a severe orthopedic impairment which adversely affects the pupil's educational performance. Such orthopedic impairments include impairments caused by congenital anomaly, impairments caused by disease, and impairments from other causes.

**ELEMENTS Both elements listed below must be checked to establish eligibility.**

1. This pupil has a documented diagnosis of physical impairment:

- \_\_\_\_\_ Cerebral Palsy
- \_\_\_\_\_ Poliomyelitis
- \_\_\_\_\_ Infections (bone and joint tuberculosis)
- \_\_\_\_\_ Osteomyelitis
- \_\_\_\_\_ Congenital anomalies (amputation, clubfoot, dislocations, or spinal bifida)
- \_\_\_\_\_ Birth injury (Erb's palsy and fractures)
- \_\_\_\_\_ Trauma (amputations, burns or fractures)
- \_\_\_\_\_ Tumors (bone tumors or bone cysts)
- \_\_\_\_\_ Developmental diseases (coxaplane or spinal osteochondritis)
- \_\_\_\_\_ Other conditions (fragile bones, muscular atrophy, muscular dystrophy, Perthe's disease, juvenile rheumatoid arthritis)

2. It has been determined by the assessment team that the above-diagnosed physical impairment adversely affects the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...orthopedic impairment...and who because of those impairments need special education and related services.***

**Eligibility Summary – Other Health Impairment (OHI)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has limited strength, vitality, or alertness, due to chronic or acute health problems . . . which adversely affects a pupil's educational performance. In accordance with Section 5626(e) of the Education Code, such physical disabilities shall not be temporary in nature as defined by Section 3001(v).

34 C.F.R. 300.8 (c)(9): Other health impairment means having limited strength, vitality or alertness, including a heightened alertness 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, sickle cell anemia, and Tourette Syndrome. And (ii) adversely affects a child's educational performance.

**ELEMENTS All elements listed below must be checked to establish eligibility.**

1. Documented health problem due to \_\_\_\_\_  
\_\_\_\_\_ (may include, but not limited to: heart condition, cancer, leukemia, rheumatic fever, chronic kidney disease, cystic fibrosis, severe asthma, attention deficit disorder, attention deficit hyperactivity disorder, epilepsy, lead poisoning, diabetes, tuberculosis, an infectious disease, a hematological disorder, such as sickle cell anemia, hemophilia).
2. This health problem results in limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment.
3. This health problem adversely affects the pupil's educational performance.
4. In the case of school staff referral, there is documentation of the resources of the regular education program that have been considered, modified, and when appropriate, the results of intervention. (5 CCR 3021 (b)(2))
5. The resources of the regular education program have been considered, and where appropriate, utilized. (California Ed. Code Section 56303)

***Note: As used in 34 C.F.R. Part 300 Sec. 300.8 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.304-300.311 as having...other health impairment...and who, by the reason thereof, needs special education and related services.”***

**Eligibility Summary – Emotional Disturbance (ED)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: Because of a serious emotional disturbance, a pupil exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affect educational performance:

***One or more must be checked:***

- \_\_\_\_\_ 1. An inability to learn which cannot be explained by intellectual, sensory, or health factors.
- \_\_\_\_\_ 2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- \_\_\_\_\_ 3. Inappropriate types of behavior or feelings under normal circumstances exhibited in several situations.
- \_\_\_\_\_ 4. A general pervasive mood of unhappiness or depression.
- \_\_\_\_\_ 5. A tendency to develop physical symptoms or fears associated with personal or school problems.

**ELEMENTS All *elements listed below must be checked to establish eligibility.***

- 1. The disturbance is of such severity that the pupil's educational needs cannot be met in the regular classroom.
- 2. The presenting educational difficulties are not due primarily to the social maladjustments. (E.C. Sec. 56026 (e)).
- 3. The presenting educational difficulties are not primarily the result of behavior disorder.
- 4. The behavior has been observed for a long period of time and to a marked degree.
- 5. The inability to learn cannot be explained by intellectual or sensory factors or by limited school experience or poor attendance.
- 6. These deficits adversely affect the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having... serious emotional disturbance...and who because of those impairments need special education and related services."***

**Eligibility Summary – Specific Learning Disability (SLD)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

Title 5, Sec. 3030: A pupil has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an impaired ability to listen, think, speak, read write, spell, or do mathematical calculations, and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas specified in Section 56337 (a) of the Education Code.

**ELEMENTS All four elements listed below must be checked to establish eligibility.**

1. This student had demonstrated a severe discrepancy between intellectual ability and achievement in one or more of the following academic areas specified in Sec. 56337 (a) of the Education Code:

<input type="checkbox"/> Oral Expression	<input type="checkbox"/> Reading comprehension
<input type="checkbox"/> Listening comprehension	<input type="checkbox"/> Mathematics calculation
<input type="checkbox"/> Written expression	<input type="checkbox"/> Mathematics reasoning
<input type="checkbox"/> Basic reading skills	<input type="checkbox"/> Reading fluency

2. The discrepancy is due to a disorder in one or more of the basic psychological processes:

<input type="checkbox"/> attention	<input type="checkbox"/> sensory motor skills
<input type="checkbox"/> visual processing	<input type="checkbox"/> cognitive abilities including:
<input type="checkbox"/> auditory processing	<input type="checkbox"/> association
	<input type="checkbox"/> conceptualization
	<input type="checkbox"/> expression

3. The discrepancy cannot be corrected through other regular or categorical services offered within the regular instructional program (E.C. Sec. 56337).
4. It has been determined by the assessment team that the learning problems are not primarily the result of visual, hearing, or motor disabilities; of mental retardation; of emotional disturbance; or, of environmental, cultural, or economic disadvantage (C.F.R. Sec. 300.7 (b)(10). The discrepancy is not primarily the result of limited school experience or poor school attendance, limited English proficiency or lack of appropriate instruction in reading and math. (E.C. Sec. 56341).

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.530-300.536 as having...specific learning disability...and who because of those impairments need special education and related services.”***

**Eligibility Summary – Speech or Language Impairment (SLI) - Articulation Disorder (AD)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that pupil's disorder meets one or more of the following criteria:

**Articulation Disorder:**

C.C.R. Title 5, Sec. 3030 (c) (1):

**ELEMENTS**

(A) The pupil displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the pupil's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance.

(B) A pupil does not meet the criteria for articulation disorder if the sole assessed disability is an abnormal swallowing pattern. **Student demonstrates a developmental delay in production of one or more phonemes. Check one of the following:**

1. Preschool child between ages three and five: One or more sound articulation errors delayed by at least six months.
2. Kindergarten to age eight: One or more sound articulation errors delayed by a minimum of one year. Exception: Production of lateralized s, z, sh, ch, or j, should receive therapy as soon as the sound in error goes beyond the development scale.
3. School age student age eight and above:
  - a. One or more misarticulations and demonstrates one or more of the following:
    - \_\_\_ Lack of stimulability in syllables/words
    - \_\_\_ Consistency or error in two more speaking situations
    - \_\_\_ Reduced intelligibility in conversational speech
  - b. The two elements below must be checked to determine eligibility:
    - \_\_\_ Disorder significantly interferes with communication
    - \_\_\_ Disorder attracts adverse attention

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having... speech or language impairment...and who because of those impairments need special education and related services."***

**Eligibility Summary – Speech or Language Impairment (SLI) - Abnormal Voice**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that pupil's disorder meets one or more of the following criteria:

**Abnormal Voice:**

C.C.R. Title 5, Sec. 3030 (c) (2): A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch or loudness.

**ELEMENTS All of the following must be documented:**

***(When indicated, vocal assessment shall include a medical laryngeal examination.)***

1. The disorder adversely affects educational performance.
2. The abnormal voice is noticeable to both familiar and unfamiliar listeners.
3. The abnormal voice interferes with communicating.
4. The abnormal voice is noticeable over a long period of time.
5. The abnormal is inappropriate for the student's age and/or sex.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...speech or language impairment...and who because of those impairments need special education and related services."***

**Eligibility Summary – Speech or Language Impairment (SLI) - Fluency Disorder (AD)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that pupil's disorder meets one or more of the following criteria:

**Fluency Disorder:**

C.C.R. Title 5, Sec. 3030 (c) (3): A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.

**ELEMENTS *At least one of the following must be documented:***

1. The student exhibits inappropriate rate or rhythm of speech.
2. The student exhibits excessive repetition, revision, interjection, pauses, and other breaks in the flow of speech that does not enhance meaning.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.530-300.536 as having... speech or language impairment...and who because of those impairments need special education and related services.”***

**Eligibility Summary – Speech or Language Impairment (SLI) – Language Disorder**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that pupil's disorder meets one or more of the following criteria:

**Language Disorder:**

C.C.R. Title 5, Sec. 3030: The pupil has an expressive or receptive language disorder when he or she meets criteria A or B listed below.

**ELEMENTS A or B below must be checked.**

- A. The pupil scores at least 1.5 standard deviations below the mean , or below the 7<sup>th</sup> percentile, for his or her chronological age or development level on **two** or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics.
  
- B. The pupil scores at least 1.5 standard deviations below the mean or the score is below the 7<sup>th</sup> percentile for his or her chronological age or development level on **one** or more standardized tests in one of the following areas: morphology, syntax, semantics, or pragmatics **and** displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited language sample of a minimum of fifty utterances.

**Language Sample: Check one.**

\_\_\_\_\_ The language sample is recorded or transcribed and analyzed in the assessment report.

\_\_\_\_\_ There is documentation in the report of why a fifty utterance sample was not obtainable and the context in which attempts were made to elicit the sample.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.530-300.536 as having...speech or language impairment...and who because of those impairments need special education and related services.”***

**Eligibility Summary – Traumatic Brain Injury (TBI)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.F.R. 300.7 (c)(12): Traumatic Brain Injury means 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 a cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

**ELEMENTS All three elements listed below must be checked to establish eligibility.**

1. The pupil has had an open or closed head injury that has affected the following: (check all that apply).
  - \_\_\_\_\_ cognitive
  - \_\_\_\_\_ language
  - \_\_\_\_\_ memory
  - \_\_\_\_\_ attention
  - \_\_\_\_\_ reasoning
  - \_\_\_\_\_ abstract thinking judgment
  - \_\_\_\_\_ problem solving
  - \_\_\_\_\_ sensory, perceptual abilities, motor abilities
  - \_\_\_\_\_ psychosocial behavior
  - \_\_\_\_\_ physical functions
  - \_\_\_\_\_ information processing
  - \_\_\_\_\_ speech
2. The injury has resulted in total or partial functional disability of psychosocial impairment.
3. The injury adversely affects educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 “ ‘ A child with a disability’ means a child evaluated in accordance with Sec. 300.530-300.536 as having...traumatic brain injury...and who because of those impairments need special education and related services.”***

**Eligibility Summary – Visual Impairment (VI)**

Pupil's Name \_\_\_\_\_

Birth date \_\_\_\_\_

School \_\_\_\_\_

Date \_\_\_\_\_

C.C.R. Title 5, Sec. 3030: A pupil has a visual impairment which, even with correction, adversely affects a pupil's educational performance.

**ELEMENTS Both elements listed below must be checked to established eligibility.**

1. This pupil has a documented visual impairment:

\_\_\_\_ with acuity in the better eye, after the best correction, between 20/70 and 20/200 (partially sighted).

\_\_\_\_ with central visual acuity of 20/200 or less in the better eye after best correction with conventional spectacle lenses (legally blind).

\_\_\_\_ with visual acuity better than 20/200 if there is a field defect in which the widest diameter of the visual field is not greater than 20 degrees (legally blind).

\_\_\_\_ Vision cannot be used as a major channel of learning (blind).

2. It has been determined by the assessment team that the above-diagnosed visual impairment adversely affects the pupil's educational performance, and the pupil's needs cannot be solely met within the regular classroom setting.

***Note: As used in 34 C.F.R. Part 300 Sec. 300.7 " ' A child with a disability' means a child evaluated in accordance with Sec. 300.530-300.536 as having...visual impairment...and who because of those impairments need special education and related services."***