

SPECIAL EDUCATION PROGRAMS

OVERVIEW OF DISABILITY CATEGORIES AND ELIGIBILITY REQUIREMENTS

Linda Turner – Director of Special Education Programs

Evaluation



- An **evaluation** is the process of collecting information about a referred student's needs through a series of individual tests, observations, and discussion with the student, the family and others.
- This information is used to determine whether the child has a disability as well as the nature and extent of the special education and related services that the child needs.
- The evaluation is conducted at no cost to parents.
- Parents are members of the team reviewing the evaluation data and deciding whether more information is needed.



South Dakota Evaluation ARSD's



Evaluation Administrative Rules

- **ARSD 24:05:25:04 (07) Evaluation Procedures-General** The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities
- **ARSD 24:05:25:04 (08) Evaluation Procedures-General** The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- **ARSD 24:05:25:04.02. (02) Determination of needed evaluation data** Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine: (a) Whether the student has a particular category of disability as described in this article; (b) The present levels of academic achievement and related developmental needs of the student; and (c) Whether the student needs special education and related services.

Eligibility



The student is eligible for special education services if:

- The student has a disability as defined by IDEA which negatively impacts his/her educational performance, and
- The student needs special education services in order to benefit from education.

Evaluation Process



SELECTING ASSESSMENT INSTRUMENTS

- The team should take into account any exceptionality of the individual in the choice of assessment procedures.
- It is up to the assessment team to determine the appropriate assessment instruments to use for each evaluation.
- The technical qualities of instruments used, such as reliability, validity, and norming should be carefully examined based on the test's technical manuals.
- Assessments should also be culturally and ethnically relevant for each student.

Evaluation Types



Psychological Evaluation (Ability/IQ)

- Psychological evaluations can provide information about an individual's cognitive, sensorimotor, communication, academic, and social skills, as well as behavioral and emotional functioning.
- Psychologists use observations, interviews, tests, scales, checklists, and other instruments to assess these and related skills.
- Tests of intelligence and cognition typically measure skills involving general knowledge, memorization, calculation, reasoning, visual- motor coordination (writing, drawing), classification, problem solving (puzzles), and perceptual organization.

Evaluation Types



Academic Achievement

- Measure specific academic strengths and weaknesses through an individually administered, standardized evaluation.
- They measure what skills have been learned in academic areas such as reading, math, written expression, and language.
- The results serve as a baseline to measure effectiveness of educational programs.

Evaluation Types



Adaptive Behavior

- Measures an individual's social and practical competence to meet the demands of everyday living.

Evaluation Types



Skills Based Assessment

- Skills based assessment information is to be gathered for each skill area affected by the disability
- Documentation of strengths and needs in practical application
- Can be formal or informal assessment

Evaluation Types



<https://doe.sd.gov/sped/documents/I8-EvalInst.xlsx>

****** NOTE: The Evaluation list is updated after the release of the Mental Measurements Yearbooks (MMY) published every three years. (Last publication 2017-20th Edition of MMY)**

Testing Instruments	Grade/ Age Level	Standardization	Reliability	Validity	Qualification	Comments	Type of Assessment
Basic Achievement Skills Inventory (BASI) (2004)	8 to 80 years	Inadequate	Questionable	Inadequate	B1	Designed as Criterion-referenced	Achievement
Basic School Skills Inventory-3 rd Edition (BSSI-3) (1998)	4:0 to 8:11 years	Questionable	Questionable	Questionable		Caution advised when using to determine eligibility.	Achievement
Bracken School Readiness Assessment – 3 rd Edition	2:6 to 7:11	Questionable	Questionable	Questionable	A	***SCREENER (Based on Norms from 1997)	Achievement
BRIGANCE Assessment of Basic Skills-Revised, Spanish Edition (ABS-R) (2007)	Pre – Grade 9	NA	NA	NA		NOT REVIEWED Does not meet minimal technical standards to be reviewed	Achievement
BRIGANCE Comprehensive Inventory of Basic Skills-Revised (CIBS-II) (2010)	5:00 to 12 years	Inadequate	Inadequate	Inadequate		Designed as Criterion-referenced	Achievement
Diagnostic Achievement Battery-Third Edition (DAB-4) (2014)	6:0 to 14:11 years	Adequate	Adequate	Adequate	B1		Achievement

South Dakota Special Education Disability Categories



Campus Code	Defined Disability Category	Abbreviation(s)	Funding Level
500	Deaf-Blindness	DB	Level 3
505	Emotional Disturbance	ED/EBD	Level 2
510	Cognitive Disability	CD	Level 2
515	Hearing Loss	HL	Level 3
525	Specific Learning Disabilities	SLD/LD	Level 1
530	Multiple Disabilities	MD	Level 5
535	Orthopedic Impairment	OI	Level 3
540	Vision Loss	VI	Level 3
545	Deafness	Deaf	Level 3
550	Speech/Language Impairments	SL	Level 1
555	Other Health Impaired	OHI	Level 1
560	Autism	ASD	Level 4
565	Traumatic Brain Injury	TBI	Level 3
570	Developmental Delay	DD	Level 1

Disability Rates in SD



Disabling Condition	December 2016	Annual % change	December 2017	Annual % change	December 2018	Annual % change
Deaf/Blind (500)	3	0.00%	3	0.00%	2	-33.33%
Emotionally Disturbed (505)	1,145	5.05%	1,165	1.75%	1,199	2.92%
Cognitive Disability (510)	1,856	6.24%	1,900	2.37%	1,903	0.16%
Hearing Loss (515)	94	3.30%	85	-9.57%	92	8.24%
Specific Learning Disabled (525)	6,836	1.50%	6,978	2.08%	7,097	1.71%
Multiple Disabilities (530)	541	4.44%	578	6.84%	583	0.87%
Orthopedic Impairments (535)	65	-8.45%	68	4.62%	78	14.71%
Vision Loss (540)	46	-11.54%	51	10.87%	55	7.84%
Deaf (545)	54	-10.00%	54	0.00%	56	3.70%
Speech/Language Impairments (550)	4,294	5.71%	4,499	4.80%	4,587	1.96%
Other Health Impaired (555)	2,623	3.88%	2,767	5.49%	2,932	5.96%
Autism (560)	1,318	14.21%	1,503	14.04%	1,580	5.12%
Traumatic Brain Injury (565)	54	-10.00%	53	-1.85%	48	-9.43%
Developmental Delay (570)	1,299	3.51%	1,384	6.79%	1,413	2.10%
TOTAL CHILD COUNT (Ages 3-21)	20,228	4.14%	21,088	4.27%	21,625	2.55%

Deaf-Blindness (DB)



- **24:05:24.01:07. Deaf-blindness defined.** 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.

Impact on Education/Learning

Deaf-Blindness can negatively affect all areas of development

Cognitive Skills- thinking skills (memory and concept development)

Social Skills- interactive skills that help create and maintain relationships (smiling, eye contact, politeness)

Gross Motor Skills- large muscle movements (trunk control, head control, walking, and running)

Fine Motor Skills- finger and hand movements (in conjunction with eyes, toes, feet, lips, and tongue movement)

Language Skills- enabling, listening, speaking, reading, writing with understanding

Communication Skills- interactive skills for meaningful conversations (expression and gestures)

Determination of Deaf-Blindness



Evaluations:

- Ability
- Academic Achievement
- Ophthalmological or Optometric (vision)
- Audiological (hearing)
- Language
- Adaptive Behavior
- Braille assessment (if age appropriate)
- Orientation and Mobility

Emotional Disturbance (ED/EBD)



24:05:24.01:16. Emotional disturbance defined. Emotional disturbance is a condition that exhibits one or more of the following characteristics to a marked degree over a long period of time:

- (1) An inability to learn that 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;
- (4) A general pervasive mood of unhappiness or depression; or
- (5) A tendency to develop physical symptoms or fears associated with personal or school problems.
- The term, emotional disturbance, includes schizophrenia. The term does not apply to a student who is socially maladjusted unless the IEP team determines pursuant to § 24:05:24.01:17 that the student has an emotional disturbance.

Impact on Education/Learning

- May perform academically below grade level
- May lack social skills (trust, self-esteem, maintaining relationships, getting teacher's attention)
- May display language problems (expressive and receptive)
- May display inability to sustain attention
- May struggle with organization, time management, and memorization skills

**Students Are
At Risk For
Dropping Out!**

Determination of Emotional Disturbance



Evaluations:

- Ability
- Academic Achievement
- Observation across settings, to assess academic, functional, and behavioral skills
- Behavioral/emotional evaluation which may include a behavior/emotional skill rating

Cognitive Disability (CD)

- **24:05:24.01:11. Cognitive disability defined.** Cognitive disability is significantly below-average general intellectual functioning that exists concurrently with deficits in adaptive behavior skills, that is generally manifested before age eighteen, and that adversely affects a student's educational performance. The required evaluative components for identifying a student with a cognitive disability are as follows:

(1) General intellectual functioning two standard deviations or more below the mean as determined by the full scale score on an individual cognitive evaluation, plus or minus standard error of measurement, as determined in accordance with § 24:05:25:04; and

(2) Exhibits deficits in adaptive behavior and academic or preacademic skills as determined by an individual valuation in accordance with § 24:05:25:04.

Impact on Education/Learning

- Difficulty understanding new information
 - Difficulties with communication and social skills
 - Difficulty in the sequential processing of information
 - Difficulties comprehending abstract concepts
- } Slow cognitive processing time

Determination of Cognitive Disability



Evaluations:

- Ability
- Academic Achievement
- Adaptive Behavior

Hearing Loss (HL)

- **24:05:24.01:10. Hearing loss defined.** A student may be identified as having a hearing loss if an unaided hearing loss of 35 to 69 decibels is present that makes the acquisition of receptive and expressive language skills difficult with or without the help of amplification.

Impact on Education/Learning

- Development of receptive and expressive communication skills is delayed (speech and language)
- Language deficits cause learning problems that result in reduced academic achievement
- Vocabulary develops more slowly
- Comprehend and produce shorter and simpler sentences (difficulty understanding and writing complex sentences)
- Difficulty hearing word endings (-s or -ed which leads to misunderstandings)
- Difficulty with all areas of academic achievement (especially reading and math)

Determination of Hearing Loss



Evaluations:

- Ability
- Academic Achievement
- Audiological
- Language

Specific Learning Disability (SLD/LD)



- **24:05:24.01:18. Specific learning disability defined.** Specific learning disability is a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written language that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not apply to students who have learning problems that are primarily the result of visual, hearing, or motor disabilities; cognitive disability; emotional disturbance; or environmental, cultural, or economic disadvantage.

Impact on Education/Learning

- Appears to possess average or above average intelligence based on standardized tests but does not perform at expected achievement levels when exposed to conventional teaching strategies
- Behavior issues
- Disorganized in the use of books and materials

Determination of SLD



Evaluations:

- Eligibility using the discrepancy model will be determined through a comprehensive individual evaluation process which will include:
 - Ability
 - Academic achievement
 - Observation
- Eligibility using RtI will be determined through a comprehensive individual evaluation process based on the district approved plan

Determination of SLD



Areas Eligible under Specific Learning Disability

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

Multiple Disabilities (MD)



- **24:05:24.01:12. Multiple disabilities defined.** Multiple disabilities means concomitant impairments (such as a cognitive disability-blindness or a cognitive 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.

Impact on Education/Learning

- Limited speech or communication
- Difficulty in basic physical mobility
- Tendency to forget skills through disuse
- Trouble generalizing skills from one situation to another
- Need for support in major life activities (domestic, leisure, community, vocational)

Determination of Multiple Disabilities



Evaluations:

- A child with multiple disabilities shall be evaluated by the procedures for each disability; and shall meet the criteria for two or more disabilities. The IEP team determines whether the criteria have been met.
- Evaluation data shall be gathered from those persons designated for each disability in the evaluation of multiple disabilities.

Multiple Disabilities (MD)



Funding of Multiple Disabilities:

- Meet criteria for at least two disability categories in levels two to four, inclusive, excluding the disability of deaf-blindness

Campus Code	Defined Disability Category	Abbreviation(s)	Funding Level
505	Emotional Disturbance	ED/EBD	Level 2
510	Cognitive Disability	CD	Level 2
515	Hearing Loss	HL	Level 3
535	Orthopedic Impairment	OI	Level 3
540	Vision Loss	VI	Level 3
545	Deafness	Deaf	Level 3
560	Autism	ASD	Level 4
565	Traumatic Brain Injury	TBI	Level 3

Orthopedic Impairment (OI)



- **24:05:24.01:13. Orthopedic impairment defined.** Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

There must be evidence of the following:

- (1) That the student's impaired motor functioning significantly interferes with educational performance;
- (2) That the student exhibits deficits in muscular or neuromuscular functioning that significantly limit the student's ability to move about, sit, or manipulate materials required for learning;
- (3) That the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and
- (4) That current medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

Impact on Education/Learning

- Motor limitations (difficulty writing, using a keyboard, reading books, using a microscope)
- Difficult to perform daily tasks (eating, taking off a coat, changing locations, using the restroom, communicating)

Determination of Orthopedic Impairment



Evaluations:

- Ability
- Academic Achievement
- Gross and/or fine motor
- Adaptive Behavior
- Current Medical data from a medical examiner
- Documentation of how impairment adversely affects education

Vision Loss (VI)

- **24:05:24.01:30. Vision loss including blindness defined.** Vision loss including blindness is an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

A student with a vision loss has a deficiency in visual acuity that, even with the use of lenses or corrective devices, requires special education or special education and related services.

Partial sight is one or more deficiencies in visual acuity, as follows:

- (1) Visual acuity of no better than 20/70 in the better eye after correction;
- (2) Restricted visual field;
- (3) Limited ability to move about safely in the environment because of visual disability.

Blindness is a deficiency in visual acuity of 20/200 or less in the better eye with correcting lenses or a limited field of vision in which the widest diameter subtends an angular distance of no greater than twenty degrees or has a medically indicated expectation of visual deterioration.

Impact on Education/Learning

- Have limited ability to learn incidentally (affects cognitive and achievement tests, affects adaptive living skills, difficult understanding new ideas for comprehensive and abstract learning, difficult interpreting social interactions)

Determination of Vision Loss



Evaluations:

- Ability
- Academic Achievement
- Ophthalmological or Optometric
- Adaptive Behavior
- Braille assessment (if age appropriate)

Deafness (Deaf)

- **24:05:24.01:08. Deafness defined.** Deafness is a hearing loss that is so severe that the student is impaired in processing linguistic information through hearing, even with amplification, and that adversely affects a student's educational performance.

A student may be identified as deaf if the unaided hearing loss is in excess of 70 decibels and precludes understanding of speech through the auditory mechanism, even with amplification, and the student demonstrates an inability to process linguistic information through hearing, even with amplification.

Impact on Education/Learning

- Hearing and understanding sounds around them
- Making speech sounds
- Learning new words
- Putting sentences together and using correct grammar
- Effectively expressing themselves
- Understanding speech from other people
- Following directions (in quiet and noisy environments)
- Following conversations with multiple people
- Listening and learning in the classroom (learning to read is difficult when a person can't hear the letter sounds)

Determination of deafness



Evaluations:

- Ability
- Academic Achievement
- Audiological
- Language

Speech/Language Impairments (SL)



- **24:05:24.01:20. Speech or language disorder defined.** Speech or language impairment is a communication disorder such as stuttering, impaired articulation, a language disorder, or a voice disorder that adversely affects a child's educational performance.

Impact on Education/Learning

- Children who have a language disorder have trouble understanding language and communicating.
- There are 2 kinds of language disorders: receptive and expressive (children often have both at the same time).
- A child with a receptive language disorder has trouble understanding words that they hear and read.
- A child with an expressive language disorder has trouble speaking with others and expressing thoughts and feelings.

Receptive Language Disorder	Expressive Language Disorder
Understanding concepts and ideas	Using words correctly
Understanding what people say	Expressing thoughts and ideas
Learning new words	Telling stories
Answering questions	Asking questions
Identifying objects	Naming objects

Determination of SL



Evaluations:

- Articulation: a standardized articulation test and observation
- Fluency: as determined by the speech/language pathologist
- Voice: as determined by the speech/language pathologist, medical evaluation may be necessary
- Language: standardized language assessments, checklists, language samples

Other Health Impaired (OHI)



- **24:05:24.01:14. Other health impaired defined.** Other health impaired 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, because of a chronic or acute health problem, such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, attention deficit disorder or attention deficit hyperactivity disorder, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, Tourette syndrome, or diabetes, that adversely affects a student's educational performance.

Impact on Education/Learning

- Long period of absence due to a chronic or acute health problem;
- Inability to attend to task for the same length of time as peers due to a chronic or acute health problem;
- Inability to attend to task as a result of medication being taken for a chronic or acute health problem; and/or
- Inability to attend school for more than a few hours per day due to limited strength or vitality
- Developmentally inappropriate degrees of attention, impulsivity and overactivity

Determination of OHI



Evaluations:

- Ability
- Academic Achievement
- Documentation of a chronic or acute health problem
- If ADHD – behavioral evaluations must be administered

Autism (ASD)

- **24:05:24.01:03. Autism spectrum disorder defined.** Autism spectrum disorder is a developmental disability that significantly affects verbal and nonverbal communication and social interaction and results in adverse effects, generally evident before age three, on the child's educational performance. Other characteristics often associated with autism spectrum disorder are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.
- (also see **24:05:24.01:04:** criteria)

Impact on Education/Learning

- Joint Attention (limited frequency of shared attention, limitations considering other's intention and perspective)
- Social Reciprocity (difficulty initiating and responding to conversation, limitations with maintaining turn taking)
- Social Cognition (deficits in managing emotions, differentiating feelings, developing goals, handling tasks)
- Language and Related Cognitive Skills (impaired acquisition of words and word combinations, difficulty using and understanding nonverbal and verbal communication)
- Symbolic Play Deficits (repetitive/inflexible play, limited play and interaction)
- Literacy and Executive Functioning Deficits (reading with meaning, understanding main idea, poor problem solving)

Determination of Autism



Evaluations:

- Ability
- Academic Achievement
- Language
- Adaptive Behavior
- Behavior
- Autism Spectrum Disorder instrument
- Observation

Traumatic Brain Injury (TBI)



- **24:05:24.01:29. Traumatic brain injury defined.** A traumatic brain injury is an acquired injury to the brain caused by an external physical force, resulting in a total or partial functional disability or psychosocial impairment, or both, that adversely affects a student'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.

Impact on Education/Learning

- Memory & Memory deficits (long-term memory or previously acquired knowledge is usually intact)
- Cognitive/Perceptual Communication (distracted by extraneous stimuli)
- Speed of Thinking (take longer to process information)
- Communication/Language Functions (writing, reading, speaking, listening, talking out of turn, dominating discussions)
- Spatial Reasoning (ability to recognize shapes of objects, visualize images, comprehend mechanical functions)
- Conceptualization (reduce ability to categorize, sequence, abstract, prioritize, and generalize information)
- Executive Functions (ability to engage in goal setting, planning, and working toward a desired outcome in a flexible manner)
- Psychosocial Behaviors (depression/withdrawal, mental inflexibility, denial, frustration, irritability, restlessness, anxiety)
- Motor, Sensory, and Physical Abilities (can result in specific impairments primarily manifested in the physical or medical condition of the student after the injury)

Determination of Traumatic Brain Injury



Evaluations:

- Ability
- Academic Achievement
- Medical records of documentation of brain injury
- Adaptive Behavior

Developmental Delay (DD)



- **24:05:24.01:09. Developmental delay defined.** A student three, four, or five years old may be identified as a student with a disability if the student has one of the major disabilities listed in § 24:05:24.01:01 or if the student experiences a severe delay in development and needs special education and related services.

A student with a severe delay in development functions at a developmental level two or more standard deviations below the mean in any one area of development specified in this section or 1.5 standard deviations below the mean in two or more areas of development.

The areas of development are cognitive development, physical development, communication development, social or emotional development, and adaptive development.

Impact on Education/Learning

- Language (abilities in verbal comprehension and expression and speech production)
- Gross Motor (physical development in sitting, standing, walking, running, jumping)
- Intellectual Ability or Cognition (ability to learn, think and solve problems)
- Fine Motor (abilities such as eye-hand coordination, use of tools and handwriting)
- Social Skills and Adaptability (essential skills in communication, social interaction, self-care in daily living)

Determination of Developmental Delay



Evaluations:

- Standardized developmental assessment which evaluates skills in all development areas:
 - Cognitive,
 - Physical/Motor (gross and fine)
 - Communication
 - Social/Emotional
 - Adaptive

Resources:



<http://doe.sd.gov/sped/IEP.aspx>

[Eligibility in SD Guide 2016](#)

[Evaluation Instruments](#)

[Eligibility Tools and Resources](#)

[Main Determination of Eligibility](#)

[Autism Spectrum Disorder \(560\)](#)

[Cognitive Disability \(510\)](#)

[Deafness \(545\)](#)

[Deaf Blindness \(500\)](#)

[Developmental Delay \(570\)](#)

[Emotional Disturbance \(505\)](#)

[Hearing Loss \(515\)](#)

[Orthopedic Impairment \(535\)](#)

[Other Health Impaired \(555\)](#)

[Specific Learning Disability \(525\)](#)

[Speech Language \(550\)](#)

[Traumatic Brain Injury \(565\)](#)

[Vision Loss \(540\)](#)