

Chapter 3: Information on Eligibility Criteria

- (3.1) Who is eligible for special education under federal and state law?
- (3.2) Does my child have to be deaf in order to be eligible for special education as student with a hearing impairment?
- (3.3) The county (or district) has a program for deaf/blind children. Does my child really have to be both deaf and blind to be eligible for the program?
- (3.4) What are the eligibility criteria for students with speech and language disorders?
- (3.5) The district provides services for students with visual impairment. Is that limited to students who are actually blind?
- (3.6) What are the criteria for eligibility for special education on the basis of physical disabilities?
- (3.7) What are the criteria for eligibility for special education on the basis of health conditions?
- (3.8) How do school districts determine that a child has autism or a disorder like autism?
- (3.9) Are IQ scores the only basis for eligibility for special education based on intellectual disability?
- (3.10) What are the eligibility criteria for emotional disturbance?
- (3.11) My child has been diagnosed with a conduct/behavior disorder, such as oppositional defiant disorder. Can she qualify for special education?
- (3.12) Can a child with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD) be eligible for special education services?
- (3.13) What are the eligibility criteria and evaluation process for a specific

learning disability?

- (3.14) How does the “discrepancy model” of determining whether a student has a specific learning disability work?
- (3.15) What is the “Response to Intervention (RTI) model” and what part does it play in determining if my child has a specific learning disability?
- (3.16) What additional eligibility criteria are used by the IEP team to determine if a child has a specific learning disability?
- (3.17) Are some children penalized by the learning disability eligibility criteria?
- (3.18) Does a student have to be two years behind academically to be eligible for special education as a learning disability?
- (3.19) Can gifted students be denied special education eligibility for specific learning disabilities based solely on intelligence?
- (3.20) What are the eligibility criteria for children from age three through five years of age?
- (3.21) Can my child be eligible for special education if she only needs some related services, like speech therapy, for example, but does not need special education instruction?
- (3.22) If my family moves to a new school district, does my child need to be found eligible again for special education by the new school district?
- (3.23) If my child does not meet special education eligibility, can my child get Section 504 services to address educational problems?
- (3.24) If a student is eligible for services under Section 504 only, can she receive special education services?
- (3.25) My child is progressing from grade to grade. Can she still be eligible for special education?
- (3.26) Can the school district limit the services that my child receives

based on her disability?

- (3.27) My child is eligible for special education under one of the eligibility categories, but she has other problems which affect her learning. Must the district address these other learning needs too?
- (3.28) Several special education eligibility categories require that a student's condition or disability "adversely affect educational performance." What does that phrase mean?