

## **ELIGIBILITY CRITERIA DIFFERENCES FOR PART C AND PART B**

### **Eligibility Criteria for a Kansas Intervention Program for Infants and Toddlers with Developmental Delay Birth through Two years of Age:**

#### Eligible for Early Intervention Services

Children ages birth through two who are developmentally delayed or are at established risk for developmental delay are eligible for early intervention services. These delays are defined as follows:

#### A. Definition of developmental delay

Children ages birth through two, when measured by appropriate diagnostic instruments and procedures in one or more of the following developmental areas:

cognitive  
physical  
communication  
social or emotional  
adaptive

will be identified as developmentally delayed when:

1. There is a discrepancy of 25% or more between chronological age after correction for prematurity, and developmental age in any one area;  

or
2. Child is functioning at 1.5 standard deviations or more below the mean in any one area;  

or
3. Delays of at least 20% or at least 1 standard deviation below the mean in 2 or more areas are determined;  

or
4. Clinical judgment of the multidisciplinary team (including the professional in the area(s) of delay) concludes a developmental delay exists when specific tests are not available or when testing does not reflect the child's actual performance.

B. Definition of established risk for developmental delay

Children ages birth through two with a diagnosed mental or physical condition that has a high probability of resulting in developmental delay, or based on informed clinical opinion, are eligible for early intervention services. The delay may or may not be exhibited at the services. The delay may or may not be exhibited at the time of diagnosis but the natural history of the disorder includes the need for early intervention services.

Examples of such conditions include, but are not limited to:

1. Chromosomal disorders associated with developmental delay (e.g., Down syndrome);
2. Congenital and acquired syndromes and conditions associated with developmental delay (such as spina bifida, muscular dystrophy, cerebral palsy);
3. Sensory impairments such as hearing or vision impairment;
4. Inborn errors of metabolism;
5. Disorders secondary to exposure to teratogenic substances including fetal alcohol syndrome;
6. Severe attachment disorders;
7. A combination of risk factors that, taken together, makes developmental delay highly probable.

\*\*Information taken from the Procedure Manual for Infant-Toddler Services.

**ELIGIBILITY CRITERIA FOR 3-5 YEARS (PART B) SERVICES**

Early childhood special education eligibility means that a multidisciplinary team has determined that a child age five or under:

- (1)(A) is at least 1.5 standard deviations below the mean on a standardized diagnostic instrument in **one or more** of the following areas:
- (i) **cognitive** - measurement of general mental abilities including specific strengths and weaknesses in sensory-perceptual, learning processes, education skills, and developmental levels including preacademics/academic education.

(ii) **adaptive behavior** - measurement of the ability to meet standards of personal independence (self-help), social responsibility, and functional skills for daily living expected for age group and cultural group.

(iii) **communication**- measurement of articulation skills, auditory perception, voice, fluency, and expressive/receptive language development.

(iv) **motor** - measurement of physiological and neurological conditions including gross-and fine-motor skills, metabolic functioning, and evidence of disease or injury. Assessment may also include laterality, directionality, balance, kinesthetic skills, tactile skills, and ambulatory/postural problems.

(v) **social-emotional development** - measurement of social/emotional/behavioral development in relation to learning, interpersonal relationships, and self.

OR

- (B) requires special education and related services when test results are unreliable or inconclusive, or when the child has a diagnosed condition that has a high probability of resulting in the need for special education and related services. This process shall include a written team report that documents the assessment procedures used, the results of such procedures, and the reasons why the team believes (a) that the assessment results are unreliable\* or inconclusive\* or (b) that the child has a diagnosed condition\* that necessitates special education and related services; and

OR

- (C) the child has a diagnosed condition which necessitates (has a high probability for) the need for special education and related services;

AND

- (2) has special needs which are not primarily the result of environment, economic disadvantage, or cultural differences.

Early Childhood guidelines are intended to identify, and provide special education services, for children with Early Childhood disabilities. **Special education services are not intended for children who are "a little behind," "could benefit from preschool," or who are "at-risk"**. The needs of children who fit in these categories can be met in other ways. The Family Services Coordinator, and Part B evaluation team members, should help families locate available resources in the community.

Speech-Language concerns only:

A speech-language evaluation is completed to answer the following questions:

- 1) Are your child's communication skills significantly different from those of same-age peers?
- 2) Does your child's present level of performance limit his/her ability to participate in age appropriate activities?
- 3) Is it possible to address your child's needs without special education intervention?

After these questions are answered, the evaluation team, including the parent, is able to determine if your child demonstrates a need for special education services.

If your child needs special education services, the team then develops specific goals for your child, and determines which services are necessary to meet those goals. Finally, the team discusses where those services can be provided.

When determining where services will be provided, IEP/IFSP teams are required by law to serve your child where he/she would be if he/she did not have an Early Childhood disability. Only if the team determines that your child would not be successful in such a setting, can the team consider a more restrictive environment (i.e. a self-contained special education class.)

\*Information taken from the Kansas Guidelines for Implementation of Early Childhood Special Education Services manual.