

ELIGIBILITY

Special Education Eligibility

The determination of special education eligibility is based on the results of an assessment where no single test or single observer is the sole determining factor. According to Section 3030 of Title 5 of the California Code of Regulations, a student qualifies as an individual with special needs if the results of the assessment demonstrate that the degree of the student's impairment requires special education and related services. The Individualized Education Program (IEP) team, including assessment personnel, shall determine whether or not the assessment results demonstrate that the degree of the student's disability requires special education and related services. The Local Education Agency must assure that the student's academic needs cannot be met through interventions and supports available in the regular education program and that the disability, even with general education interventions and supports adversely affects the individual's educational performance.

All areas of suspected disability must be assessed. There shall be further 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, and areas of need that will help the team identify 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 in order for the child to receive educational benefit.

Three factors must be considered when determining the needs of the student:

- Does the student meet the eligibility criteria as an individual with a disability?
- Does the severity of the disability have an adverse effect on the student's educational performance?
- Does the student require specially designed instruction to achieve a Free Appropriate Public Education (FAPE)?

Eligibility criteria are identified in thirteen federal classifications. Students meet eligibility under any one these federal classifications. (34 C.F.R. Part 300.8) Eligibility Categories:

Autism	Orthopedic Impairment
Deaf/Blindness	Other Health Impairment
Deafness	Specific Learning Disability
Emotional Disturbance	Speech or Language Impairment
Hearing Impairment	Traumatic Brain Injury
Intellectual Disability	Visual Impairment, including Blindness
Multiple Disabilities	