

Standards for Special Education Evaluation & Eligibility

The following standards for special education evaluation and eligibility shall be effective July 1, 2017.

EMOTIONAL DISTURBANCE

I. Definition

Emotional disturbance means a condition exhibiting one (1) or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational 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.

Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

II. Evaluation

The characteristics identified in the Emotional Disturbance Definition are present.

Evaluation Procedures

A comprehensive evaluation performed by a multidisciplinary team using a variety of sources of information that are sensitive to cultural, linguistic, and environmental factors or sensory impairments to include the following:

- (1) Vision and hearing deficits ruled out as the primary cause of atypical behavior(s);
- (2) Physical conditions ruled out as the primary cause of atypical behavior(s);
- (3) Review and documentation of previous research/evidence based interventions that target identified concerns and occur over a period of time;
- (4) Documentation that the characteristics associated with Emotional Disturbance have existed for an "extended period of time";

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- (5) Direct and anecdotal observations over time and across various settings by three or more licensed professionals; observations that document characteristics associated with Emotional Disturbance occur at a significantly different frequency, intensity, and/or duration than the substantial majority of typical school peers;
- (6) Cognitive skills;
- (7) Behavior and social-emotional factors (to include self-rating scales when developmentally appropriate);
- (8) Academic skills (criterion and/or norm-referenced individual educational assessment, including direct measures of classroom performance and curriculum based measures to determine the student's strengths and weaknesses);
- (9) Review of past educational performance;
- (10) Comprehensive social history/assessment collected directly from the child's, parent/guardian, custodial guardian, or if necessary, from an individual with intimate knowledge of the child's circumstances, history, or current behaviors which includes:
 - (a) Family history,
 - (b) Family-social interactions,
 - (c) Developmental history,
 - (d) Medical history (including mental health), and
 - (e) School history (including attendance and discipline records); and
- (11) Documentation, including observation and/or assessment, of how Emotional Disturbance adversely affects the child's educational performance in his/her learning environment and the need for specialized instruction and related services (i.e., to include academic and/or nonacademic areas).

Evaluation Participants

Information shall be gathered from the following persons in the evaluation of Emotional Disturbance:

- (1) The parent;

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- (2) The child's general education classroom teacher(s);
- (3) A licensed special education teacher;
- (4) A licensed school psychologist, licensed psychologist, licensed psychological examiner (under the direct supervision of a licensed psychologist), licensed senior psychological examiner, or licensed psychiatrist; and
- (5) Other professional personnel (e.g., mental health service providers, behavior specialist, licensed physician, physician's assistant, licensed nurse practitioner, and/or school social workers), as indicated.