

**Yuba County
Special Education
Local Plan Area**

**Eligibility
Criteria
Handbook**

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ELIGIBILITY CRITERIA

GENERAL CRITERIA

CALIFORNIA CODE SECTION 3030 - Eligibility Criteria

3030. A pupil shall qualify as an individual with exceptional needs, pursuant to Section 56026 of the Education Code, if the results of the assessment as required by Section 56320 demonstrate that the degree of the pupil's impairment as described in Section 3030 (a-j) requires special education in one or more of the program options authorized by Section 56361 of the Education Code. The decision as to whether or not the assessment results demonstrate that the degree of the pupil's impairment requires special education shall be made by the individualized education program team, including assessment personnel in accordance with Section 56341(d) of the Education Code. The individualized education program team shall take into account all the relevant material which is available on the pupil. No single score or product of scores shall be used as the sole criterion for the decision of the individualized education program team as to the pupil's eligibility for special education.

The specific policies and procedures for implementation of these criteria shall be developed by each SELPA and should be included in the Local Plan pursuant to Section 56220(a) of the Education Code.

SELPA

The Special Education Local Plan Area (SELPA) assures that to the maximum extent appropriate in both academic and non-academic settings, each individual with exceptional needs shall be educated with pupils who are not disabled. This policy shall include pupils who are in public and private non-sectarian institutions and other care facilities.

Where education in the regular classroom with supplementary aid and service does not meet the identified needs of a pupil, other placement may be considered and recommended. Assignment to special classes, separate schooling, or removal of a pupil from the regular education environment shall occur only in cases of severe disability.

Some pupils may experience multiple disabling conditions, and placement shall be facilitated to meet each pupil's primary educational needs. The needs of these pupils shall be determined through assessment procedures which are nondiscriminatory and conducted in the primary language of the pupil. The IEP team shall be responsible for reviewing assessment data and determining the primary disabling condition for each pupil. Further, it should be stated that the IEP may be reevaluated to determine a change in the primary disabling condition for an individual pupil.

The SELPA shall be in agreement with federal criteria and guidelines in providing appropriate services and programs for pupils with exceptional needs.

DEAF/HARD OF HEARING

CCR Article 3.1

(a) A pupil has hearing impairment, whether permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech reception and speech discrimination.

SELPA Guidelines

Definition:

A. Deaf

1. A hearing loss in the better ear from 70 decibels to inability to distinguish more than two frequencies at highest level of intensity, or
2. A hearing loss in the better ear averaging 50 or more decibels dating from infancy or early childhood, or
3. Referral to program by hearing specialist or qualified educator.

B. Severely Hard of Hearing

1. A hearing loss in the better ear from 45 to 70 decibels, or
2. A hearing loss in the better ear averaging 30 decibels dating from early childhood, or
3. A progressive hearing loss in the better ear averaging 30 decibels.

C. Moderately Hard of Hearing

1. A hearing loss in the better ear from 20 to 40 decibels, and
2. Impaired speech and language, and
3. Inability to progress in regular program, and
4. Individual education needs indicate remedial placement, and
5. Referral to program by hearing specialist or qualified educator.

Guidelines:

- A. Referral validated by report from physician and/or audiologist.
- B. Audiological report regarding pupil's hearing level.

DEAF/BLIND

CCR Article 3.1

(b) A pupil has concomitant hearing and visual impairments, the combination of which causes severe communication, developmental, and educational problems.

SELPA Guidelines

Definition:

- A. A student may be determined eligible by an IEP Team to receive special education services when found to have all of the following:
 - 1. A hearing impairment which is so severe that the child is impaired in the processing of linguistic information through hearing, with or without amplification, which adversely affects educational performance.
 - 2. Visual impairment which, even with correction, adversely affects a child's educational performance.
 - 3. A combination of Items 1 and 2 which causes such severe communication and other developmental and educational problems that the child cannot be accommodated in special education programs solely for deaf or blind children.

- B. A pupil who meets the definitions of both deaf and blind or partially seeing is eligible for services.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program

SPEECH AND LANGUAGE

California Education Code Section 56333. A pupil shall be assessed as having speech or language impairment which makes him or her eligible for special education and related service when he or she demonstrates difficulty understanding or using spoken language to such an extent that it adversely affects his or her educational performance and cannot be corrected without special education and related services. In order to be eligible for special education and related services, difficulty in understanding or using spoken language must be assessed by a language, speech, and hearing specialist who determines that such difficulty results from any of the following disorders:

- A. Articulation disorders, such that the pupil's production of speech significantly interferes with communication and attracts adverse attention.
- B. Abnormal voice, characterized by persistent, defective voice quality, pitch, or loudness. An appropriate medical examination shall be conducted, where appropriate.
- C. Fluency difficulties which result in an abnormal flow of verbal expression to such a degree that these difficulties adversely affect communication between pupil and listener.
- D. Inappropriate and inadequate acquisition, comprehension, or expression of spoken language such that the pupil's language performance level is found to be significantly below the language performance level of his or her peers.
- E. Hearing loss which results in speech or language impairments and significantly affect education performance.

California Code of Regulations Title 5 Regulations--Sections 3030(c) (1) Articulation; 3030(c) (2) Voice; 3030(c) (3) Fluency; 3030(c) (4) Language--cover eligibility criteria for children 0 to 21 inclusive.

A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria:

- 1. Articulation Disorder
 - A. The pupil displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the pupil's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance.
 - B. A pupil does not meet the criteria for an articulation disorder if the sole

assessed disability is an abnormal swallowing pattern.

2. Abnormal Voice

- A. A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.

3. Fluency Disorders

- A. A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.

4. Language Disorder

- A. The pupil has an expressive or receptive language disorder when he or she meets one of the following criteria:

- (1) The pupil scores at least 1.5 standard deviations below the mean, or below the 7th percentile, for his or her chronological age or developmental level on two or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified on the assessment plan, or
- (2) The pupil scores at least 1.5 standard deviations below the mean or the score is below the 7th percentile for his or her chronological age or developmental level on one or more standardized tests in one of the areas listed in Subsection (A) and displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited language sample of a minimum of fifty utterances. The language sample must be recorded or transcribed and analyzed, and the results included in the assessment report. If the pupil is unable to produce this sample, the language, speech and hearing specialist shall document why a fifty utterance sample was not obtainable and the contexts in which attempts were made to elicit the sample. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified in the assessment plan.

Definition:

A student may be considered for special education in the areas of language, speech, or hearing therapy when needs in articulation, receptive language, expressive language, stuttering, and/or voice disorders prohibit him/her from efficiently and effectively interacting and responding to his/her environment. Needs in this area may include attention, auditory discrimination, vocabulary, concept association, memory, and word retrieval problems; verbal expression may be characterized by delayed or inappropriate responses or syntactical and morphological errors. Additional guidelines are as follows:

1. An appropriate assessment will include a minimum of two assessment instruments and/or informal observations of the student's spontaneous communication abilities.
2. The disorder shall significantly interfere with communication and/or attract adverse attention to itself.
3. Myofunctional disorders in the absence of articulatory errors will not be enrolled.
4. A disorder due solely to unfamiliarity with the English language or to cultural differences will not be enrolled.
5. Articulation Sound Development Chart:
Articulation Criteria; CCR Article 3.1, Section 1

<u># Error Sounds</u>	<u>Age</u>	<u>Sounds</u>
4 or more	3-0	b, h, m, n, p, w
4 or more	4-0	d, g, k, t, ng, f, y
3 or more	5-0	sh, l
2 or more	6-0	v
2 or more	7-over	ch, j, zh, th (voiced and voiceless), r, s, z
1 or more	8-over	all sounds acquired

6. Prior to initiation of voice therapy, a medical laryngeal examination must be completed, indicating that voice therapy is recommended.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

VISION IMPAIRMENT

CCR Article 3.1

(d) A pupil has a visual impairment which, even with correction, adversely affects a pupil's educational performance.

SELPA Guidelines

Definition:

Vision deviates from the norm to such an extent that student can benefit from special education services, materials, and equipment.

A. Blind

1. Visual acuity in the better eye after correction is 20/200 or less, supported by medical documentation, or
2. Vision cannot be used as a major channel of learning.

B. Partially Sighted

1. Visual acuity is 20/70 or less in the better eye after correction, or
2. Student requires special services in order to use vision as a major channel of learning.

C. A and B above does not include visual perceptual or visual motor dysfunction resulting solely from a learning disability.

Guidelines:

Referral/report to special program by licensed physician or optometrist.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

ORTHOPEDIC IMPAIRMENT

CCR Article 3.1

(e) A pupil has a severe orthopedic impairment which adversely affects the pupil's educational performance. Such orthopedic impairments include impairments caused by congenital anomaly, impairments caused by disease, and impairments from other causes.

SELPA Guidelines

Definition:

- A. The degree of the pupil's impairment prohibits or restricts participation in the regular program and requires special education and/or related services.
 - 1. Physical disabilities are so severe that they restrict adequate mobility and require the services of trained personnel.
 - 2. Physical disabilities may require training in management of orthopedic/adaptive equipment for improving or maintaining functional ability.
 - 3. Licensed physician diagnoses serious impairment of locomotion or motor function due to any of the following:
 - a. Cerebral Palsy
 - b. Poliomyelitis
 - c. Infection
 - d. Birth Injury
 - e. Congenital Anomalies (Spina Bifida)
 - f. Trauma (burns, amputations, etc.)
 - g. Tumors
 - h. Developmental Disease
 - i. Other Conditions
 - j. Drug Dependency
 - k. Other Causes Described by a Physician

Guidelines:

- A. Report from licensed physician identifying the orthopedic or other health impairment, or
- B. Medical and/or therapy needs shall be determined by the California Children's Services (CCS) physician.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

OTHER HEALTH IMPAIRED

CCR Article 3.1

A pupil has limited strength, vitality or alertness, due to chronic or acute health problems, including but not limited to a heart condition, cancer, leukemia, rheumatic fever, chronic kidney disease, cystic fibrosis, severe asthma, epilepsy, lead poisoning, diabetes, tuberculosis and other communicable infectious diseases and hematological disorders such as sickle cell anemia and hemophilia which adversely affects a pupil's educational performance. In accordance with Section 56026(e) of the Education Code, such physical disabilities shall not be temporary in nature as defined by Section 3001(v).

SELPA Guidelines:

Definition:

Report from licensed physician identifying the health impairment the pupil is purported to have.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

AUTISTIC

CCR Article 3.1

(g) A pupil exhibits any combination of the following autistic-like behaviors, to include but not limited to:

- (1) An inability to use oral language for appropriate communication.
- (2) A history of extreme withdrawal or relating to people inappropriately and continued impairment in social interaction from infancy through early childhood.
- (3) An obsession to maintain sameness.
- (4) Extreme preoccupation with objects or inappropriate use of objects or both.
- (5) Extreme resistance to controls.
- (6) Displays peculiar motoric mannerisms and motility patterns.
- (7) Self-stimulating, ritualistic behavior.

SELPA Guidelines:

Definition:

A. A student may be determined eligible by an IEP Team to receive special education services when the student exhibits over a long period of time and to a marked degree, any combination of the following:

1. Abnormal pattern of intellectual development characterized by developmental discontinuity which cannot be explained by intellectual, sensory, or health factors.
2. Severe and persistent disturbance of language functioning resulting in a general lack of response to communication as identified by a Language Speech and Hearing Specialist.
3. Impairment in or failure to develop satisfactory interpersonal relationships characterized by severe social and emotional withdrawal.
4. Consistent exhibition of inappropriate and bizarre behavior and a combination of the following:
 - a. Severe rigidity, i.e. maintenance of sameness and resistance to change.
 - b. Unusual motoric movements including self-stimulation and/or perseveration.
 - c. Abnormal sensory response to stimuli.
 - d. Obsessive preoccupation with objects and details.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

MENTALLY RETARDED

CCR Article 3.1

(h) A pupil has significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a pupil's educational performance.

SELPA Guidelines

Definition:

A. Severely Disabled/Developmentally Delayed

A student may be determined eligible by an IEP Team when found to have all of the following:

1. General intellectual functioning between three and five standard deviations below the norm, inclusive for the general population as measured by standardized psychological tests. Such measured ability would fall into the AAMD classifications of moderate to severe retardation and would include ranges of 20-51 IQ points on the Wechsler Intelligence Scales.
2. Severe deficit in adaptive behavior as measured by a standardized test or inventory.
3. Observational information to support the findings of Items 1 and 2 above.
4. If Items 1 and 2 are questionable, the IEP Team will make the final placement decision.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

EMOTIONAL DISTURBANCE

CCR Article 3.1

(i) Because of emotional disturbance, a pupil exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affect educational performance:

1. An inability to learn which 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 exhibited in several situations.
4. A general pervasive mood of unhappiness or depression.
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

SELPA Guidelines

Definition:

- A. A student may be determined eligible by an IEP Team to receive special education services when found to have a combination of the following:
 1. Emotional disturbance of such severity as to seriously affect the student's educational performance. The term "educational performance" must be supported by observations by a school psychologist and demonstrated by standardized tests and curriculum based measurements.
 2. The student exhibits, over a long period of time and to a marked degree, one or more of the following characteristics:
 - a. Slow rate of learning which cannot be explained by intellectual, sensory, or health factors.
 - b. Difficulty with socialization skills with peers or adults characterized by restricted contact and/or lack of appropriate and meaningful communication.
 - c. General pervasive mood of unhappiness or depression and/or anxiety, including extreme social, emotional, or intellectual withdrawal.
 - d. Consistent types of behavior as evidenced by verbal or physical actions, or severe disturbance in behavior, or affect under normal circumstances evidenced by one or more of the following:

(1) Uncontrolled, violent, physical/verbal outbursts with no

- apparent cause.
- (2) Extreme ritualistic/obsessive behavior.
- (3) Bizarre mannerisms and postures.
- e. Tendency to develop physical symptoms or fears associated with school or personal problems as manifested by:
 - (1) Constant or prolonged display of psychosomatic symptoms.
 - (2) Markedly disturbed or unrealistic fears.
- 3. The emotional disturbance shall be determined by the IEP Team based upon an evaluation by a school psychologist. The evaluation must also be supported by observational reports and must be accompanied by a health assessment.
- 4. Supporting documentation from Mental Health professionals is welcome; however, educational criteria as defined by CCR Section 3030 must be met in order for the student to be classified as having Severe Emotional Disturbance (3030i). This criteria is not to be confused nor substituted with the DSM III Criteria used by mental health professionals.

Ineligibility Criteria:

Students who are socially maladjusted and are not seriously emotionally disturbed shall be ineligible. The term "socially maladjusted" refers to individuals who (a) deliberately do not comply with accepted social rules, (b) have demonstrated the ability to control unacceptable behavior, and (c) show minimal signs of agitation, anxiety, or depression. Behavior problems, retardation, learning disabilities, and being on home teaching, in and of themselves, are not sufficient criteria for entrance into the program.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

LEARNING DISABLED/SPECIFIC DISABILITIES

CCR Article 3.1

(j) A pupil has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an impaired ability to listen, think, speak, read, write, spell, or do mathematical calculations, and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas specified in Section 56337(a) of the Education Code. For the purpose of Section 3030(j):

1. Basic psychological processes include attention, visual processing, auditory processing, sensory-motor skills, cognitive abilities including association, conceptualization, and expression.
2. Intellectual ability includes both acquired learning and learning potential and shall be determined by a systematic assessment of intellectual functioning.
3. The level of achievement includes the pupil's level of competence in materials and subject matter explicitly taught in school and shall be measured by standardized achievement tests.
4. When standardized tests are considered to be valid for a specific pupil, a severe discrepancy shall be determined by: first, converting into common standard scores the achievement test score and the ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the product of 1.5 multiplied by the standard deviation of this distribution of computed differences indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations, and work samples, as appropriate.
 - A. In determining the existence of a severe discrepancy, the individualized education program team shall use the following procedures: when standardized tests are considered to be valid for a specific pupil, a severe discrepancy is demonstrated by: first, converting into common standard scores, using a mean of 100 and standard deviation of 15, the achievement test score and the ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the standard criterion which is the product of 1.5 multiplied by the standard deviation of the distribution of computed differences of students taking these achievement and ability tests. A computed difference which equals or exceeds this standard criterion, adjusted by one standard error measurement, the adjustment not to exceed 4 common standard score points, indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations, and work samples, as appropriate.
 - B. When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the

assessment plan.

- C. If the standardized tests do not reveal a severe discrepancy as defined in subparagraphs A and B above, the individualized education program team may find that a severe discrepancy does exist, provided that the team documents in a written report that the severe discrepancy between ability and achievement exists as a result of a disorder in one or more basic psychological processes. The report shall include a statement of the area, the degree and the basis and method used in determining the discrepancy. The report shall contain information considered by the team which shall include, but not be limited to:
- (1) Data obtained from standardized assessment instruments.
 - (2) Information provided by the parent.
 - (3) Information provided by the pupil's present teacher.
 - (4) Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores.
 - (5) Consideration of the pupil's age, particularly for young children.
 - (6) Any additional relevant information.

*Section 56337. A pupil shall be assessed as having a specific learning disability which makes him or her eligible for special education and related services when it is determined that all the following exist:

1. A severe discrepancy exists between the intellectual ability and achievements in one or more of the following academic areas:
 - a. Oral expression
 - b. Listening comprehension
 - c. Written expression
 - d. Basic reading skills
 - e. Reading comprehension
 - f. Mathematics calculation
 - g. Mathematics reasoning
2. The discrepancy is due to a disorder in one or more of the basic psychological processes and is not the result of environmental, cultural, or economic disadvantages.
3. The discrepancy cannot be corrected through other regular or categorical services offered within the regular instructional program
4. When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the assessment plan.
5. The discrepancy shall not be primarily the result of limited school experience or poor school attendance.

SELPA Guidelines

Once a referral has been made, the following steps will provide information necessary to determine

the eligibility of a pupil based on a specific learning disability:

A. Determine if the pupil has a severe discrepancy between intellectual ability and achievement. A discrepancy is defined as a 1.5 standard deviation difference criterion between a standardized achievement test and a test of intellectual ability.

B. Determine if the pupil has a disorder in one of the basic psychological processes.

(The above two factors--discrepancy and disorder--are determined by psychoeducational assessment.)

C. The discrepancy must not be due to factors of environment, cultural differences, or economic disadvantage. Also, the discrepancy must not be the result of visual, hearing, or motor handicaps, mental retardation, limited school experience, or poor attendance.

D. The discrepancy cannot be corrected through other regular or categorical services offered within the regular instructional program.

E. The IEP Team must have written documentation that the pupil's academic deficits cannot be corrected through modifications of the regular educational program. A written intervention checklist or narrative is needed to document the effectiveness of school level resources.

The term "specific learning disabilities" does not include students who have learning problems which are primarily the result of the following:

A. Visual, hearing, or motor handicaps.

B. Environmental, cultural, or economic disadvantages.

C. Second language acquisition or dialect/socio-linguistic variants.

D. Limited intellectual functioning.

E. Behavioral disorder.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

MULTIPLE DISABILITIES

CCR Title 5, Sec. 3030

(k) A pupil has concomitant impairments, the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Definition:

Pupil must have at least two severe impairments to establish eligibility within this classification.

The combination of these impairments requires unique modifications and support not available in programs designed solely for one of these impairments.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.

TRAUMATIC BRAIN INJURY

CCR Title 5, Sec. 3030

(l) Traumatic Brain Injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child'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.

Definition:

All three elements listed below must exist to establish eligibility.

- A. The pupil has had an open or closed head injury that has affected one or more of the following:
 - a. Cognitive
 - b. Language
 - c. Memory
 - d. Attention
 - e. Reasoning
 - f. Abstract thinking judgment
 - g. Problem solving
 - h. Sensory, perceptual abilities, motor skills
 - i. Psychosocial behavior
 - j. Physical functions
 - k. Information processing
 - l. Speech
- B. The injury has resulted in total or partial functional disability or psychosocial impairment.
- C. The injury adversely affects educational performance and the pupil's needs cannot be solely met within the regular classroom setting.

Note: 'Children with disabilities' means those children evaluated in accordance with Sec. 300.530-300.534 as having an impairment which adversely affects pupil's education performance and the degree of the impairment requires special education and related services which cannot be provided with modification of the regular school program.