



# The Parent Information Center of Delaware

*Inform. Educate. Advocate.*

## ELIGIBILITY FOR SPECIAL EDUCATION

### AT A GLANCE

In order to be eligible to receive special education and related services under the Federal Individuals with Disabilities Education Act (IDEA) and Delaware special education law, the school district must first conduct an evaluation to determine whether a child meets the definition for one or more of 14 disability categories and requires special education and related services because of that disability.

#### **WHAT ARE THE 14 DISABILITY CATEGORIES?**

- Autism
- Deaf-blindness
- Deafness
- Developmental Delay
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment (can include ADD and ADHD)
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment, including blindness



#### ***How is the decision made about whether a child is eligible for special education and related services?***

*Once the parents have consented to an evaluation and the evaluation is completed, a group of people, including the child's parents and qualified professionals, work together to determine whether the child is eligible. A child is eligible for special education and related services if the evaluation shows that the child meets the educational definition of one or more of the 14 disability categories and needs special education and related services because of that disability.*

**For more information visit [www.picofdel.org](http://www.picofdel.org) or call (302) 999-7394**



PIC is a statewide non-profit organization with a mission to advance effective parent engagement in education.

## **WHAT HAPPENS ONCE THE ELIGIBILITY DECISION IS MADE?**

Once a decision has been made as to whether the child is eligible for special education services, the school district must provide formal written notice to the parents letting them know the school district's proposal or refusal to find the child eligible.

If a child is determined eligible for special education and related services, the school district must hold a meeting within 30 calendar days to develop an Individualized Education Program (IEP) for the child which lays out the special education and related services that the child needs and will receive. The school district must begin to provide those services as soon as possible following the development of the IEP.

## **ARE THERE OTHER SERVICES AND ACCOMMODATIONS THAT MAY HELP ADDRESS A CHILD'S DISABILITY IF THEY ARE NOT FOUND ELIGIBLE FOR SPECIAL EDUCATION?**

Section 504 of the Rehabilitation Act is another Federal law that states schools must not discriminate against children because of a disability. The definition of who is a child with a disability under Section 504 is broader than the definition under the IDEA. Some children who do not qualify for special education and related services under IDEA may be eligible for accommodations under Section 504. (See PIC's fact sheet on Section 504 for more information).

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