

Eligibility for Special Education Services

During an initial or re-evaluation team meeting, after answering questions about the assessments that were completed, the following questions need to be answered in order to determine if a student is eligible for special education services.

1. Does the student have a disability as defined by regulations?

This question is only the first question that must be answered with a “yes”. Having a disability as defined by the Department of Elementary and Secondary Education does not automatically result in eligibility for special education services.

Even if a student has been given a diagnosis from an evaluator outside of the school district, that does not necessarily mean that the team will agree with that “diagnosis”. The school district does not label a student with a diagnosis, but, along with the team, determines if the student meets criteria for an educational disability.

2. Is the student making effective progress in the general education program?

The team may use various sources to determine whether or not a student is making effective progress: standardized testing, report card grades, teacher reports, work samples, informal testing, etc.

If it is determined that the student is making effective progress, the student is not deemed eligible for special education services and the eligibility process stops here.

3. Is the lack of effective progress a result of the student’s disability/ies?

If the student is not making effective progress, but that lack of progress is not a result of the disability, but is due to another reason/s, then the student is not eligible for special education services. If the team determines that the lack of progress is a result of the disability, then the team goes on to the last question in the eligibility process.

4. Does the student require specialized instruction in order to make effective progress or does the student require related services in order to access the general curriculum? If it is a re-evaluation, does the student continue to need the specialized instruction in order to make effective progress?

If the student does not require any specialized instruction but would benefit from accommodations, the team may recommend that a meeting be scheduled to consider eligibility for a 504 Accommodation Plan. This process is a separate one and does not occur during a special education team meeting.

If the answer is “yes” to the fourth question/s, then the student does meet eligibility requirements for special education services and an Individualized Education Program will be written.