



FACT SHEET: *Special Education Eligibility*

Some children face struggles in life, such as health or learning issues. When we see our children having difficulties, we look in all directions to find the help or services they need. For some children, that help may come through special education services.

- Federal and state laws require that all students identified with a disability have the right to a **free appropriate public education (FAPE)**.
 - At no cost to parents
 - Designed to meet the unique needs of an individual student
 - Services provided in the **Least Restrictive Environment (LRE)**
 - Provided in the general education classroom with students not identified with disabilities to the maximum extent appropriate
 - Includes other services (**related services**) that help the child get to school and benefit from his/her individual program
- Public Schools must locate, evaluate and identify all children who need special education services. This is called **Child Find**, and includes children who are:
 - Enrolled in public, private, home schools or religious schools,
 - Migrant and homeless children,
 - Children advancing from grade to grade,
 - And children incarcerated in a regional or local jail.
- A child may be eligible for special education and related services if:
 - They are identified with one of the 14 disabilities served under the *Individuals with Disabilities Act (IDEA)*, and
 - Documentation shows they need special education services to make progress in school, as determined by a team of individuals (professionals and the child's parents/guardians),
 - And the student is age 3 to 21 years.
- These are the disabilities served under IDEA, **but parents are cautioned not to be discouraged if they do not see their child's specific diagnosis in this list, such as dyslexia, attention deficit disorder, cerebral palsy, etc. The disability categories listed below serve many children with these or other medical conditions.**
 - Mild Mental Disability
 - Functional Mental Disability
 - Multiple Disabilities

- Hearing Impairment
- Visual Impairment
- Speech/Language Impairment
- Emotional Behavioral Disability
- Orthopedic Impairment
- Autism
- Traumatic Brain Injury
- Other Health Impairment
- Deaf-Blindness
- Specific Learning Disability
- Developmental Delay (ages 3 through 8 years)

The specific eligibility forms used in Kentucky Public Schools can be found on the Kentucky Department of Education website, and provide details of the eligibility criteria for each disability category. It includes additional things that must be documented including an adverse educational affect, and evidence that lack of instruction in reading and math and limited English proficiency are not contributing factors to the child's eligibility determination. These requirements have been put in place to ensure all children receive appropriate opportunities to learn and are treated fairly. Determining a child is eligible and needs special education services is part of a process designed to accurately identify children with disabilities and to provide appropriate programs to meet their individual needs.