

# ***Information about Eligibility: Does my child need special education?***

**by Diane Willcutts**

**Myth:** If a student is diagnosed with a disability, the student will automatically qualify for special education.

**Fact:** A student is identified as being in need for special education only if **both** of two conditions are met:

1. The student has a "qualifying" disability (see below) **and**
2. Because of the disability, the student needs special instruction targeting his/her individual needs.

Qualifying disability categories include:

- Intellectual disabilities (sometimes called mental retardation)
- Hearing impairments
- Speech or language impairments
- Visual impairments
- Significant "emotional disturbance," e.g., mood disorders, schizophrenia
- Orthopedic impairments
- Autism (including Aspergers and PDD-NOS)
- Traumatic brain injury
- Other health impairments (including ADHD, epilepsy, and other health issues that impact a student's availability for learning)
- Specific learning disabilities, like dyslexia (a disability in reading) dyscalculia, (a disability in math), dysgraphia (a disability in writing), central auditory processing disorders and others.

**You can find the legal definition in Section 1401 of the Individuals with Disabilities Education Act (IDEA):**

*(3) In general, the term 'child with a disability' means a child—*

- (i) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as 'emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; **and***
- (ii) who, by reason thereof needs special education and related services.*

Confused yet? You are not alone. There is more information about what this means in the state and federal law, but many parents find this overwhelming at first.

If you need help, call us at (860) 560-1711. Or you can check with other parent groups, books, and web sites, like the ones found here. (KF: please add link to resources page.)