

FACT SHEET



Emotional Disability

Evaluation for Special Education

The Individuals with Disabilities Education Act (IDEA), in 2004, includes important procedures which schools must use when evaluating eligibility for special education services. An initial evaluation involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information to assist in determining if the child is eligible for special education. A two-pronged test for eligibility is used in making the determination: (1) whether the child is a child with an exceptionality (disability or giftedness) as defined in federal and state laws and regulations; and (2) by reason thereof, has a need for special education and related services. Having information, assessments, or diagnosis from sources external to the school is helpful but is not sufficient to determine eligibility for special education under IDEA.

A child must NOT be determined to be

a child with an exceptionality if: (a) the determinant factor is: lack of appropriate instruction in reading, including the essential components of reading instruction (defined in the Elementary and Secondary Education Act as phonemic awareness, phonics, vocabulary development, reading fluency including oral reading skills, and reading comprehension strategies); lack of appropriate instruction in math; or Limited English proficiency; and (b) the child does not otherwise meet the eligibility criteria as a child with an exceptionality.

Emotional Disability

Emotional disability means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance: (1) An inability to learn that 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; (4) a general pervasive mood of unhappiness or depression; or (5) a tendency to develop physical

**Emotional Disability**

symptoms or fears associated with personal or school problems. The term includes schizophrenia, but shall not apply to children who are socially

maladjusted, unless it is determined that they have an emotional disability.

KAR 91-40-1(v).

More Information and Resources

[KSDE Kansas Special Education Process Handbook](#)

[KSDE Kansas Eligibility Indicators](#)

[Center for Parent Information and Resources](#)

[National Dissemination Center for Children with Disabilities \(NICHCY\)](#)

[Disability Fact Sheet #5](#)

[The Special Education Guide](#)

For more information, contact:

Special Education and Title Services Team
1-(800) 203-9462 (Kansas Residents Only)
(785) 296-7454
Special.Education@ksde.gov



Kansas State Department of Education
900 S.W. Jackson Street, Suite 102
Topeka, Kansas 66612-1212
(785) 296-3201
www.ksde.gov

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

February 2025