

FACT SHEET



Developmental Delay

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.

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Developmental delay means such a deviation from average development in one or more of the following developmental areas that special education and related services are required: (A) Physical; (B) cognitive; (C) adaptive behavior; (D) communication; or, (E) social or

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emotional development.
Developmental delay is only applicable to children aged 9 and under and the deviation from

average development shall be documented and measured by appropriate diagnostic instruments and procedures. KAR 91-40-1(q).

More Information and Resources

[KSDE Kansas Special Education Process Handbook](#)

[KSDE Kansas Eligibility Indicators](#)

[Understood - What are developmental delays?](#)

[Center for Parent Information & Resources](#)

For more information, contact:

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