



First Steps Transition: Part B Special Education Fact Sheet

Overview:

- All Kentucky Local Education Agencies (LEAs) or school districts provide special education and related services, as defined by Part B of the Individuals with Disabilities Education Act (IDEA), to eligible children beginning at age three.
- Children transition from First Steps to the LEA according to the family's residence. Any request to transition to a different LEA is worked out between the LEA of residence and the desired LEA of attendance. First Steps Service Coordinator does not handle this request; parents must make this request to the LEA of residence.
- Eligibility is determined through an evaluation process conducted by the LEA. LEAs have sixty (60) school days to complete the evaluation and determine eligibility for special education. The sixty (60) school days timeline begins on the date that a parent gives written consent for the evaluation.
- Once a child is determined eligible for special education, an Individual Education Program (IEP) is developed within thirty (30) days of the date eligibility was determined.

Eligibility:

To be eligible, a child must meet the specific criteria for one of the disabilities listed below and that disability must have an adverse effect on the child's educational performance that results in a need for special education and related services.

Definitions:

The information in italics paraphrases the definitions for ease of reading. Also included are the definitions as written in state regulations (707 KAR 1:002).

<p>Autism</p>	<p><i>Autism is a brain development disorder characterized by impaired social interaction, communication and by restricted and repetitive behavior. Signs usually begin before a child is 3 years old.</i></p> <p>A developmental disability that significantly affects verbal communication and social interaction, generally evident before age three (3). Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.</p>
<p>Deaf-blindness</p>	<p><i>A hearing and visual impairment that causes severe communication, developmental, and educational needs that must be addressed together.</i></p> <p>Concomitant hearing and visual impairments that have an adverse effect on the child's education performance, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs solely for children with deafness or children with blindness, unless supplementary assistance is provided to address educational needs resulting from the two (2) disabilities.</p>
<p>Developmental Delay (DD)</p>	<p><i>Developmental delay means that a child is not reaching developmental milestones at the expected times.</i></p> <p>A child within the ages of three (3) through eight (8) who does not have the skills expected for his age in one (1) or more of the following developmental areas: cognition, communication, motor development, social-emotional development, or self-help-adaptive behavior. Developmental delay includes a child who demonstrates a measurable, verifiable discrepancy between expected performance for the child's chronological age and current level of performance. The discrepancy shall be documented by:</p> <ul style="list-style-type: none"> (a) Scores of two (2) standard deviations or more below the mean in one (1) of the areas listed above as obtained using norm-referenced instruments and procedures; (b) Scores of one and one-half (1 1/2) standard deviations below the mean in two (2) or more of the areas listed above using norm-referenced instruments and procedures; or (c) The professional judgment of the ARC may be used to declare eligibility if there is a significant atypical quality or pattern of development. Professional judgment shall be used only where normal scores are inconclusive and the ARC documents in a written report the reasons for concluding that a child has a





	developmental delay.
Emotional-Behavior Disability (EBD)	<p><i>This is a long lasting condition that greatly interferes with learning and building or maintaining satisfactory relationships with peers and teacher that cannot be explained by intellectual, sensory, or health factors. The child may act out against others or hurt himself in typical situations. Depression, unhappy mood, physical symptoms (such as stomach aches, headaches, etc.) or fears about school problems or situations may be evident.</i></p> <p>A child, when provided with interventions to meet instructional and social-emotional needs, continues to have one (1) or more of the following concerns, when compared to the child's peer and cultural reference groups, across settings, over a long period of time and to a marked degree:</p> <ol style="list-style-type: none"> 1. Severe deficits in social competence or appropriate behavior which cause an inability to build or maintain satisfactory interpersonal relationships with adults or peers; 2. Severe deficits in academic performance which are not equal with the student's ability level and are not solely a result of intellectual, sensory, or other health factors but are related to the child's social-emotional problem; 3. A general pervasive mood of unhappiness or depression; or 4. A tendency to develop physical symptoms or fears associated with personal or school problems. <p>(b) This term does not apply to children who display isolated (not necessarily one (1)) inappropriate behaviors that are the result of willful, intentional, or wanton actions unless it is determined through the evaluations process that the child does have an emotional-behavioral disability.</p>
Hearing Impairment (Note; This may also be referred to as "deaf" or "hard of hearing")	<p><i>Hearing impairment means that the child has full or some decrease in the ability to detect or understand sounds.</i></p> <p>A hearing loss that: (a) May be mild to profound, unilateral or bilateral, permanent or fluctuating, and is determined by:</p> <ol style="list-style-type: none"> 1. An average pure-tone hearing loss in the speech range (500Hz, 1000Hz, and 2000Hz) of at least 25dB in the better ear; 2. An average pure-tone hearing loss in the high-frequency range (2000Hz, 4000Hz, and 6000Hz) of at least 45dB in the better ear; or 3. An average pure-tone unilateral hearing loss in the speech range (500Hz, 1000Hz, and 2000Hz) of at least 60dB in the impaired ear; <p>(b) Results in difficulty identifying linguistic information through hearing; and (c) has an adverse effect on the child's educational performance.</p>
Mental Disability	<p><i>Mental Disability means a child's limitations to function in areas of daily life, such as communication, self-care, and getting along with others, and school activities.</i></p> <p>A child who has one (1) of the following: (a) A mild mental disability (MMD) in which: 1. Cognitive functioning is at least two (2) but no more than three (3) standard deviations below the mean; 2. Adaptive behavior deficit is at least two (2) standard deviations below the mean; 3. A severe deficit exists in overall academic performance including acquisition, retention, and application of knowledge; and 4. Manifestation is typically during the developmental period; or</p> <p>(b) A functional mental disability (FMD) in which: 1. Cognitive functioning is at least three (3) or more standard deviations below the mean; 2. Adaptive behavior deficits are at least three (3) or more standard deviations below the mean; 3. A severe deficit exists in overall academic performance including acquisition, retention, and application of knowledge; and, 4. Manifestation is typically during the developmental period.</p>
Multiple Disabilities	<p><i>Multiple disabilities means having more than one impairment that require special education services to address all the impairments instead of only one.</i></p> <p>Concomitant impairments that have an adverse effect on the child's educational performance, the combination of which causes severe educational needs that cannot be accommodated in special education programs solely for one (1) of the impairments.</p>





	<p>Examples of MD include mental disability-blindness, and mental disability-orthopedic impairment. Multiple disabilities does not mean deaf-blindness nor does it mean a speech or language impairment in combination with another category of disability.</p>
<p>Orthopedic Impairment</p>	<p><i>Orthopedic impairments are ones where a child's physical abilities are hampered due to neurological or health issues.</i></p> <p>A severe orthopedic impairment that adversely affects a child's educational performance. The term includes:</p> <ul style="list-style-type: none"> (a) An Impairment caused by a congenital anomaly such as clubfoot, or absence of some member; (b) An Impairment caused by disease such as poliomyelitis, or bone tuberculosis; and (c) An impairment from other causes such as cerebral palsy, amputations, and fractures or burns that causes contractures.
<p>Other Health Impairment</p>	<p><i>Other health impairments mean that a child has some type of medical condition that interferes with his functioning and learning in school settings.</i></p> <p>A condition that results in having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that:</p> <ul style="list-style-type: none"> (a) Is due to a chronic or acute health problem, such as acquired immune deficiency syndrome, asthma, attention deficit disorder, attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, Tourette's syndrome, or tuberculosis; and (b) Adversely affects a child's educational performance.
<p>Specific Learning Disability (SLD or LD)</p>	<p><i>Specific learning disability means that a child has trouble performing specific types of skills or completing tasks if left to figure things out by themselves or if taught in usual ways.</i></p> <p>A disorder that adversely affects the ability to acquire, comprehend, or apply reading, mathematical, writing, reasoning, listening, or speaking skills to the extent that specially designed instruction is required to benefit from education.</p> <p>The specific learning disability (LD) may include dyslexia, dyscalculia, dysgraphia, developmental aphasia, and perceptual/motor disabilities. The term does not include deficits that are the result of other primary determinant or disabling factors such as vision, hearing, motor impairment, mental disability, emotional-behavioral disability, environmental or economic disadvantaged, cultural factors, limited English proficiency, or lack of relevant research-based instruction in the deficit area.</p>
<p>Speech or Language Impairment</p>	<p><i>Speech impairment means that a child has difficulty speaking which makes it hard for others to understand. Language impairment means that a child had difficulty expressing his thoughts and ideas because he does not know what words mean, how to make new words, and how to put words together to form sentences.</i></p> <p>A communication disorder, including stuttering, impaired articulation, language impairment, voice impairment, delayed acquisition of language, or an absence of language, that adversely affects a child's educational performance.</p>
<p>Traumatic Brain Injury (TBI)</p>	<p><i>TBI means that a child has had an injury to the brain that results in difficulty controlling, coordinating and communicating their thoughts and actions. They may or may not retain their intellectual abilities, depending on the type and extent of the injury.</i></p> <p>An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury does not mean brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.</p> <p>Traumatic brain injury means open or closed head injuries resulting in impairments in one (1) or more areas, including: (a) Cognition; (b) Language; (c) Memory; (d) Attention; (e) Reasoning; (f) Abstract thinking; (g) Judgment; (h) Problem-solving; (i) Sensory, perceptual, and motor abilities; (j) Psychosocial behavior; (k) Physical functions; (l) Information processing; and (m) Speech.</p>





<p>Visual Impairment</p>	<p><i>Impairment in vision that even with correction adversely affects a child's educational performance.</i></p> <p>A vision loss, even with correction that:</p> <ul style="list-style-type: none">(a) Requires specialized materials, instruction in orientation and mobility, Braille, visual efficiency, or tactile exploration;(b) Has an adverse effect on the child's educational performance; and(c) Meets the following:<ul style="list-style-type: none">1. The child has visual acuity with prescribed lenses that is 20/70 or worse in the better eye; or2. The child has visual acuity that is better than 20/70 and the child has one (1) of the following conditions: a. A medically-diagnosed progressive loss of vision; b. A visual field of twenty (20) degrees or worse; c. A medically-diagnosed condition of cortical blindness; or d. A functional vision loss.
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