

# 13 DISABILITY CLASSIFICATIONS FOR IEPs IN NEW YORK STATE

Students who meet the eligibility criteria for one or more of these disability classifications may be considered for special education services under IDEA.

## *What qualifies a student for special education?*

For a student to be identified as a "child with a disability" and thus eligible for special education, the student's academic performance must be adversely affected by one of the 13 educational disability classifications, AND the student must need specially designed instruction or special services or programs to meet their unique needs.



## *What does "adversely affected" really mean?*

Although a student may be medically diagnosed with a condition (for example, autism, cerebral palsy, dyslexia, etc.), this does not automatically make a person eligible for special education in the school setting. The disability must impede their learning and education for them to be considered "adversely affected".



## *Can my student qualify for an IEP even if they are not failing?*

Yes. "Adversely affected" does not mean that a student has to be failing or retained to be eligible for special education. Students can be progressing from grade to grade and still be eligible for an IEP.



## *Who determines a student's disability classification?*

The disability classification is determined by the Committee for Special Education (CSE). This committee includes the CSE Chairperson, school psychologist, general education teacher, special education teacher and the parent/guardian of the student. A student's disability classification will be determined through an evaluation process.



## *Will my child be reevaluated?*

Yes. Under the IDEA, your child must be reevaluated at least every three years. The purpose of this reevaluation is to find out your child's educational needs and if your child continues to be a student with a disability.



Although school districts are required to reevaluate children with disabilities at least every three years, your child may be reevaluated more often if you or your child's teacher(s) request it.



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*Source: New York State Regulations of the Commissioner of  
Education Part 200.1 (zz)*

## **1. Autism**

A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a student's educational performance. 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. The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disturbance as defined in the category Emotional Disturbance. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the criteria in this paragraph are otherwise satisfied.

## **2. Deafness**

A hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a student's educational performance.

## **3. Deaf-Blindness**

Concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.

## **4. Emotional Disturbance**

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 student's educational performance:

- i. an inability to learn that cannot be explained by intellectual, sensory, or health factors.
- ii. an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- iii. inappropriate types of behavior or feelings under normal circumstances;
- iv. a generally pervasive mood of unhappiness or depression; or
- v. a tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.



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## **5. *Hearing Impairment***

An impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of deafness in this section.

## **6. *Learning Disability***

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural or economic disadvantage.

## **7. *Intellectual Disability***

A significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

## **8. *Multiple Disabilities***

Concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which cause such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

## **9. *Orthopedic Impairment***

A severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputation, and fractures or burns which cause contractures).

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## ***10. Other Health Impairment***

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 is due to chronic or acute health problems, including but not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder, or Tourette syndrome, which adversely affects a student's educational performance.

## ***11. Speech or Language Impairment***

A communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, that adversely affects a student's educational performance.

## ***12. Traumatic Brain Injury***

An acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, anoxia or brain tumors with resulting impairments that adversely affect educational performance. The term includes open or closed head injuries or brain injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgement, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not include injuries that are congenital or caused by birth trauma.

## ***13. Visual Impairment Including Blindness***

An impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

***Still have questions?***

Contact us at (585) 546-1700 or [starbridgeinc.org/contact-us](http://starbridgeinc.org/contact-us)

