

Disability Category Changes in Special Education Fall 2013

Background

Under Colorado Law, the Colorado Department of Education (CDE) is responsible for recommending to the State Board of Education the rules necessary to implement the Exceptional Children's Education Act (ECEA). These rules include the state definitions and criteria for special education eligibility (disability categories). In May 2011, House Bill 11-1277 was passed, which amended Colorado's ECEA Rules to align the state definitions and criteria for special education eligibility categories with the federal definitions and criteria as specified in the Individuals with Disabilities Education Act (IDEA) 2004. The ECEA rules were amended in October 2012.

What does this mean for special education students in Colorado?

Of the thirteen disability categories for school-age children, two remained unchanged in both title and content: Specific Learning Disability (SLD) and Speech- Language Impairment (SLI). The remaining 11 disability categories have title changes and/or definition and/or criteria changes which align with federal IDEA 2004 definitions.

Two existing categories (Multiple Disabilities and Physical Disability) were divided into new categories. Deaf-blindness is now a self-standing category and is no longer included in the Multiple Disabilities category. A Physical Disability is a category that no longer exists and has become four new self-standing categories: Orthopedic Impairment, Other Health Impaired, Traumatic Brain Injury and Autism Spectrum

Disorder. The following table details the name changes:

Preschool Child with a Disability (3-6 years)	Child with a Developmental Delay (3-8 years)
Hearing Disability	Hearing Impairment, Including Deafness
Visual Disability	Visual Impairment, Including Blindness
Specific Learning Disability	Specific Learning Disability
Speech Language Impairment	Speech Language Impairment
Significant Identifiable Emotional Disability	Serious Emotional Disability
Significant Limited Intellectual Capacity	Intellectual Disability
Physical Disability	Orthopedic Impairment
	Other Health Impaired
	Traumatic Brain Injury
	Autism Spectrum Disorder
Multiple Disabilities	Multiple Disabilities
	Deaf-Blindness

When will the new categories be implemented?

For children who have already been identified as eligible for Special Education services, the new disability categories will gradually be phased in. At your child's next triennial review, the Individual Education Program (IEP) team will be utilizing the new definitions and criteria to determine continued eligibility for special education. If you are a parent of a child in the process of a first time special education evaluation, the new disability categories will be utilized to determine initial eligibility for your child. As a parent and an integral member of the IEP team, you will be part of the decision making process. By July 2016, all schools in

Colorado will have fully adopted the new disability categories.

What happens if my child is no longer eligible under the new disability categories?

The IEP team carefully reviews the body of evidence that is collected to determine eligibility for Special Education. As a parent and member of the IEP team, you will be part of the process. If a student is determined to be no longer eligible for Special Education services under the new definitions and criteria, the student may be eligible for accommodations under a 504 plan. A 504 plan is a general education plan that would support the student in the general education environment while ensuring a Free and Appropriate Public Education (FAPE).

Where do I go for help?

As we partner through this legislative change, please feel free to contact your child's Special Education case manager with any questions or concerns.