

*From Michigan Administrative Rules for Special Education and pertinent IDEA regulations.*

The Michigan rules went into effect in September of 2008 and includes updates from April 2009.

**R 340.1706 Emotional impairment; determination; evaluation report.**

*Rule 6.*

(1) Emotional impairment shall be determined through manifestation of behavioral problems primarily in the affective domain, over an extended period of time, which adversely affect the student's education to the extent that the student cannot profit from learning experiences without special education support. The problems result in behaviors manifested by 1 or more of the following characteristics:

- (a) Inability to build or maintain satisfactory interpersonal relationships within the school environment.
- (b) Inappropriate types of behavior or feelings under normal circumstances.
- (c) General pervasive mood of unhappiness or depression.
- (d) Tendency to develop physical symptoms or fears associated with personal or school problems.

(2) Emotional impairment also includes students who, in addition to the characteristics specified in subrule (1) of this rule, exhibit maladaptive behaviors related to schizophrenia or similar disorders. The term "emotional impairment" does not include persons who are socially maladjusted, unless it is determined that the persons have an emotional impairment.

(3) Emotional impairment does not include students whose behaviors are primarily the result of intellectual, sensory, or health factors. (4) When evaluating a student suspected of having an emotional impairment, the multidisciplinary evaluation team report shall include documentation of all of the following:

- (a) The student's performance in the educational setting and in other settings, such as adaptive behavior within the broader community.
- (b) The systematic observation of the behaviors of primary concern which interfere with educational and social needs.
- (c) The intervention strategies used to improve the behaviors and the length of time the strategies were utilized.
- (d) Relevant medical information, if any.

(5) A determination of impairment shall be based on data provided by a multidisciplinary evaluation team, which shall include a comprehensive evaluation by both of the following:

- (a) A psychologist or psychiatrist.
- (b) A school social worker.