

**Excerpts from: Michigan Administrative Rules for Special Education  
Supplemented With IDEA Federal Regulations April, 2009**

[http://www.michigan.gov/documents/mde/MARSE-April09\\_274156\\_7.pdf?id=137](http://www.michigan.gov/documents/mde/MARSE-April09_274156_7.pdf?id=137)

**R 340.1702 "Student with a disability" defined. Rule 2, pgs. 10-11.**

"Student with a disability" means a person who is determined by an individualized education program team or a hearing officer to have 1 or more of the impairments specified in this part that necessitates special education or related services, or both, who is not more than 25 years of age as of September 1 of the school year of enrollment, who has not completed a normal course of study, and who has not graduated from high school. A student who reaches the age of 26 years after September 1 is a "student with a disability" and entitled to continue a special education program or service until the end of that school year.

**Eligibility for Special Education under designation of Other Health Impairment**

**R 340.1709a "Other health impairment" defined, Rule 9a, pgs. 13-14.**

(1) "Other health impairment" means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, which results in limited alertness with respect to the educational environment and to which both of the following provisions apply:

- (a) Is due to chronic or acute health problems such as any of the following:
  - (i) Asthma
  - (ii) Attention deficit disorder
  - (iii) Attention deficit hyperactivity disorder
  - (iv) Diabetes
  - (v) Epilepsy
  - (vi) A heart condition
  - (vii) Hemophilia
  - (viii) Lead poisoning
  - (ix) Leukemia
  - (x) Nephritis
  - (xi) Rheumatic fever
  - (xii) Sickle cell anemia
- (b) The impairment adversely affects a student's educational performance.

(2) A determination of disability shall be based upon a comprehensive evaluation by a multidisciplinary evaluation team, which shall include 1 of the following persons:

- (a) An orthopedic surgeon
- (b) An internist
- (c) A neurologist
- (d) A pediatrician
- (e) A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.