

# IEP Eligibility

Stephanie Nicholls, Training Manager



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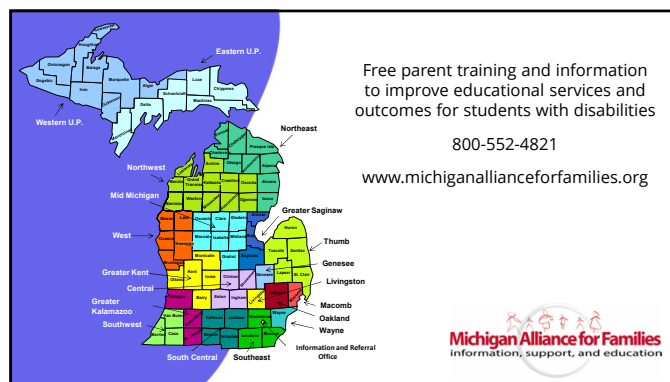
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Free parent training and information  
to improve educational services and  
outcomes for students with disabilities

800-552-4821

[www.michiganallianceforfamilies.org](http://www.michiganallianceforfamilies.org)



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## Individuals with Disabilities Education Act (IDEA)

Federal law that ensures a free appropriate  
public education (FAPE) to eligible children  
with disabilities across the country



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## Michigan Administrative Rules for Special Education (MARSE)

Outlines specific requirements for how special  
education is implemented in Michigan



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### Section 504 ≠ Special Education

#### IEP

An Individualized Education Program (IEP) is prepared for a student who has both a disability and needs specialized instruction. An IEP includes individualized goals, special education services, and related supports like therapy or assistive technology. Students must be evaluated and determined eligible.

**Is Special Education**



#### 504

A Section 504 plan requires public schools to provide equal access to education through reasonable accommodations, such as modified assignments, flexible testing, adaptive equipment, or changes to the learning environment for students who have a physical or mental impairment that substantially limits one or more major life activities.

**Not Special Education**



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### Medical Diagnosis (Dx) ≠ IEP Eligibility



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## Educational Impact

### Learning

- How does the disability impact the student's ability to acquire, retain, and apply academic and functional skills?

### Access

- In what ways does the disability interfere with participation in instruction, materials, assessments, or the learning environment?

### Progress

- How does the disability affect the student's rate of growth or achievement compared to grade-level expectations and peers?



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Eligibility Categories



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## Michigan Data 2025-2026

Percent of Total Special Ed Count

| Disability Category                 | Percent of Total Special Ed Count |
|-------------------------------------|-----------------------------------|
| Autism Spectrum Disorder            | 15%                               |
| Cognitive Impairment                | 10%                               |
| Deaf-Blindness                      | 5%                                |
| Early Childhood Developmental Delay | 5%                                |
| Emotional Impairment                | 5%                                |
| Deaf or Hard of Hearing             | 2%                                |
| Physical Impairment                 | 2%                                |
| Severe Multiple Impairment          | 2%                                |
| Specific Learning Disability        | 25%                               |
| Speech & Language Impairment        | 25%                               |
| Traumatic Brain Injury              | 2%                                |
| Visual Impairment                   | 2%                                |
| Other Health Impairment             | 15%                               |

<https://mischooldata.org/special-education-data-portraits-disability/>



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### Multidisciplinary Evaluation Team (MET)

"Multidisciplinary evaluation team" means a minimum of 2 persons who are responsible for evaluating a student suspected of having a disability. The team shall include at least 1 special education teacher or other specialist who has knowledge of the suspected disability.- [MARSE R 340.1701b](#)

As part of determining eligibility, when the evaluations are done, the Multidisciplinary Evaluation Team holds a meeting to look at the data/results and determine their recommendation.



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### Student with a Disability Rule 340.1702

"Student with a disability" means a person who has been evaluated according to the Individuals with Disabilities Education Act (IDEA) and these rules, and is determined by an individualized education program (IEP) team, an individualized family service plan (IFSP) team, or an administrative law judge (ALJ) 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, and who has not graduated from high school...



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### Student with a Disability Resources



**Michigan Alliance for Families**  
information, support, and education

**Regional Parent Mentors**  
800-552-4821 or email  
[info@michiganallianceforfamilies.org](mailto:info@michiganallianceforfamilies.org)



**MICHIGAN**  
Department of **Education**

**Special Education Information Line**  
888-320-8384 or email  
[mde-ose@michigan.gov](mailto:mde-ose@michigan.gov)



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## Autism Spectrum Disorder (ASD) Rule 340.1715

- Autism spectrum disorder is considered a lifelong developmental disability that adversely affects a student's educational performance in 1 or more of the following performance areas:
  - Academic.
  - Behavioral.
  - Social.
- Autism spectrum disorder is typically manifested before 36 months of age. A child who first manifests the characteristics after age 3 may also meet criteria.
- Autism spectrum disorder is characterized by:
  - qualitative impairments in reciprocal social interactions
  - qualitative impairments in communication, and
  - restricted range of interests/repetitive behavior.



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## Autism Spectrum Disorder (ASD)

Determination for eligibility shall include **all** of the following:



### Qualitative impairments in reciprocal social interactions including at least 2 of the following areas:

- Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction.
- Failure to develop peer relationships appropriate to developmental level.
- Marked impairment in spontaneous seeking to share enjoyment, interests, or achievements with other people, for example, by a lack of showing, bringing, or pointing out objects of interest.
- Marked impairment in the areas of social or emotional reciprocity.

### Qualitative impairments in communication including at least 1 of the following:

- Delay in, or total lack of, the development of spoken language not accompanied by an attempt to compensate through alternative modes of communication such as gesture or mime.
- Marked impairment in pragmatics or in the ability to initiate, sustain, or engage in reciprocal conversation with others.
- Stereotyped and repetitive use of language or idiosyncratic language.
- Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level.

### Restricted, repetitive, and stereotyped behaviors including at least 1 of the following:

- Encompassing preoccupation with 1 or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus.
- Apparently inflexible adherence to specific, nonfunctional routines or rituals.
- Stereotyped and repetitive motor mannerisms, for example, hand or finger flapping or twisting, or complex whole-body movements.
- Persistent preoccupation with parts of objects.

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## Autism Spectrum Disorder (ASD)

Determination may include unusual or inconsistent response to sensory stimuli, in combination with subdivisions (a), (b), and (c) of subrule (2) of this rule.



To be eligible under this rule, there can not be a primary diagnosis of schizophrenia or emotional impairment.

A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team including, at a minimum:

- a psychologist or psychiatrist
- an authorized provider of speech and language and
- a school social worker



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### ASD Resources









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### Cognitive Impairment (CI) Rule 340.1705

- Cognitive impairment shall be manifested during the developmental period and be determined through the demonstration of **all of the following** behavioral characteristics:
  - Development at a rate at or below approximately 2 standard deviations below the mean as determined through intellectual assessment.
  - Scores approximately within the lowest 6 percentiles on a standardized test in reading and arithmetic. This requirement will not apply if the student is not of an age, grade, or mental age appropriate for formal or standardized achievement tests.
  - Lack of development primarily in the cognitive domain.
  - Impairment of adaptive behavior.
  - Adversely affects a student's educational performance.
- A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include a psychologist.






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### CI Resources









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### Deaf-Blindness (DB)

Students have concomitant hearing and visual impairment, the combination of which causes severe communication and other developmental and educational needs that require special supports.





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### Deaf-Blindness (DB)

Deaf-blindness means concomitant hearing impairment and visual impairment, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs without additional supports to address the unique needs specific to deaf-blindness.

Deaf-blindness also means both of the following:

Documented hearing and visual losses that, if considered individually, may not meet the requirements for visual impairment or hearing impairment, but the combination of the losses affects educational performance.

Such students function as if they have both a hearing and visual loss, based upon responses to auditory and visual stimuli in the environment, or during vision and hearing evaluations.

**Rule 340.1717**



A determination of the disability shall be based upon data provided by a multidisciplinary evaluation team which shall include assessment data from **all** of the following:

- Medical specialists such as any of the following:
  - An ophthalmologist.
  - An optometrist.
  - An audiologist.
  - An otolaryngologist.
  - An otologist.
  - A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.
- A teacher of students with visual impairment.
- A teacher of students with hearing impairment



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### DB Resources



**DEAFBLIND CENTRAL**  
Michigan's Training & Resource Project





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### Deaf or Hard of Hearing (DHH) Rule 340.1707

- The term "deaf or hard of hearing" refers to students with any type or degree of hearing loss that interferes with development or adversely affects educational performance.  
  
"Deafness" means a hearing loss that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification.  
  
The term "hard of hearing" refers to students who have permanent or fluctuating hearing loss that is less severe than the hearing loss of students who are deaf and that generally permits the use of the auditory channel as the primary means of developing speech and language skills.
- A determination of impairment must be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include an audiologist and an otolaryngologist or otologist.



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### Deaf or Hard of Hearing (DHH) Resources





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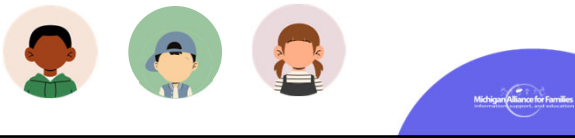
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### Early Childhood Developmental Delay (ECDD) Rule 340.1711

Students eligible under this category are children through seven (7) years of age whose development is significantly delayed in one or more areas, and who do not qualify under any other special education eligibility.



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### Early Childhood Developmental Delay (ECDD)

- "Early childhood developmental delay" means a child through 7 years of age whose primary delay cannot be differentiated through existing criteria within R 340.1705 to R 340.1710 (CI, EI,DHH, OHI, SLI) or R 340.1713 (SLD), to R 340.1716 (TBI) and who manifests a delay in 1 or more areas of development equal to or greater than 1/2 of the expected development.
- This definition does not preclude identification of a child through existing criteria within R 340.1705 to R 340.1710 or R 340.1713 to R 340.1716.
- A determination of early childhood developmental delay shall be based upon a full and individual evaluation by a multidisciplinary evaluation team.



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### ECDD Resources





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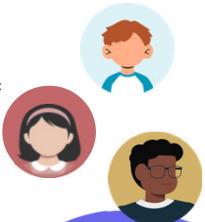
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### Emotional Impairment (EI) Rule 340.1706

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:

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



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### Emotional Impairment (EI)

- 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.
- Emotional impairment does not include students whose behaviors are primarily the result of intellectual, sensory, or health factors.
- When evaluating a student suspected of having an emotional impairment, the multidisciplinary evaluation team report shall include documentation of all of the following:
  - The student's performance in the educational setting and in other settings, such as adaptive behavior within the broader community.
  - The systematic observation of the behaviors of primary concern which interfere with educational and social needs.
  - The intervention strategies used to improve the behaviors and the length of time the strategies were utilized.
  - Relevant medical information, if any.

A determination of impairment shall be based on data provided by a multidisciplinary evaluation team, which shall include a full and individual evaluation by **both** of the following:

- A psychologist or psychiatrist.
- A school social worker.



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### EI Resources



ASSOCIATION FOR CHILDREN'S MENTAL HEALTH  
ACMH  
*Hope for Families. Shaped by Lived Experience.*



NAMI  
National Alliance on Mental Illness

Michigan



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### Other Health Impairment (OHI) Rule 340.1709a

Students with other health impairments have limited strength, vitality, or alertness which adversely affect the student's ability to learn. This includes attention deficit disorder, and health problems such as asthma, epilepsy, and diabetes.



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## Other Health Impairment (OHI)

"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:

Is due to chronic or acute health problems such as any of the following:

- Asthma.
- Attention deficit disorder.
- Attention deficit hyperactivity disorder.
- Diabetes.
- Epilepsy.
- A heart condition.
- Hemophilia.
- Lead poisoning.
- Leukemia.
- Nephritis.
- Rheumatic fever.
- Sickle cell anemia.

The impairment adversely affects a student's educational performance.

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## Other Health Impairment (OHI)

A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include 1 of the following persons:

An orthopedic surgeon.

An internist.

A neurologist.

A pediatrician.

A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.

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## OHI Resources

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### Physical Impairment (PI) Rule 340.1709

- "Physical impairment" means severe orthopedic impairment that adversely affects a student's educational performance.
- A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include assessment data from 1 of the following persons:
  - An orthopedic surgeon.
  - An internist.
  - A neurologist.
  - A pediatrician.
  - A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.



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### PI Resources





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### Severe Multiple Impairment (SXI) Rule 340.1714

Students with severe multiple impairments shall be determined through the manifestation of either of the following:

Development at a rate of 2 to 3 standard deviations below the mean and 2 or more of the following conditions:

- A hearing impairment so severe that the auditory channel is not the primary means of developing speech and language skills.
- A visual impairment so severe that the visual channel is not sufficient to guide independent mobility.
- A physical impairment so severe that activities of daily living cannot be achieved without assistance.
- A health impairment so severe that the student is medically at risk.

Development at a rate of 3 or more standard deviations below the mean or students for whom evaluation instruments do not provide a valid measure of cognitive ability and 1 or more of the following conditions:

- A hearing impairment so severe that the auditory channel is not the primary means of developing speech and language skills.
- A visual impairment so severe that the visual channel is not sufficient to guide independent mobility.
- A physical impairment so severe that activities of daily living cannot be achieved without assistance.
- A health impairment so severe that the student is medically at risk.



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### Severe Multiple Impairment (SXI)

A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include a psychologist and, depending upon the disabilities in the physical domain, the multidisciplinary evaluation team participants required in R 340.1707 (DHH), R 340.1708 (VI), or R 340.1709 (PI), R 340.1709a (OHI), or R 340.1716 (TBI).





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### SXI Resources







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### Specific Learning Disability (SLD) Rule 340.1713

"Specific learning disability" means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to:



listen,



think,



speak,



read,



write,



spell,



or to do mathematical calculations,

including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.





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## Specific Learning Disability (SLD)

Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of cognitive impairment, of emotional impairment, of autism spectrum disorder, or of environmental, cultural, or economic disadvantage.

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## Specific Learning Disability (SLD)

In determining whether a student has a learning disability, the state shall:

- Not require the use of a severe discrepancy between intellectual ability and achievement.
- Permit the use of a process based on the child's response to scientific, research-based intervention.
- Permit the use of other alternative research-based procedures.

A determination of learning disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include **at least both** of the following:

- The student's general education teacher or, if the student does not have a general education teacher, a general education teacher qualified to teach a student of his or her age or, for a child of less than school age, an individual qualified by the state educational agency to teach a child of his or her age.
- At least 1 person qualified to conduct individual diagnostic examinations of children and who can interpret the instructional implications of evaluation results, such as a school psychologist, an authorized provider of speech and language under R 340.1745(d), or a teacher consultant.

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## SLD Resources

Michigan Dyslexia Handbook:  
A Guide to Accelerating  
Learner Outcomes in Literacy

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## Speech and Language Impairment (SLI)

Rule 340.1710

A "speech and language impairment" means a communication disorder that adversely affects educational performance, such as a language impairment, articulation impairment, fluency impairment, or voice impairment.

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## Speech and Language Impairment (SLI)

A communication disorder shall be determined through the manifestation of 1 or more of the following speech and language impairments that adversely affects educational performance:

A **language impairment** which interferes with the student's ability to understand and use language effectively and which includes 1 or more of the following:

**Phonology.**

- study of sounds

**Morphology.**

- study of words and word parts

**Syntax.**

- sentence structure

**Semantics.**

- meaning of language

**Pragmatics.**

- language use

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## Speech and Language Impairment (SLI)

**Articulation impairment**, including omissions, substitutions, or distortions of sound, persisting beyond the age at which maturation alone might be expected to correct the deviation.

**Fluency impairment**, including an abnormal rate of speaking, speech interruptions, and repetition of sounds, words, phrases, or sentences, that interferes with effective communication.

**Voice impairment**, including inappropriate pitch, loudness, or voice quality.

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## Speech and Language Impairment (SLI)

Any impairment under language impairment of this rule shall be evidenced by **both** of the following: <sup>be0</sup>

A spontaneous language sample demonstrating inadequate language functioning.

Test results on not less than 2 standardized assessment instruments or 2 subtests designed to determine language functioning which indicate inappropriate language functioning for the student's age.



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## Speech and Language Impairment (SLI)

- A student who has a communication disorder, but whose primary disability is other than speech and language may be eligible for speech and language services under R 340.1745(a).
- A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include a teacher of students with speech and language impairment under R 340.1796 or a speech and language pathologist qualified under R 340.1792.



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## SLI Resources



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### Traumatic Brain Injury (TBI)

Rule 340.1716

"Traumatic brain injury" means an acquired injury to the brain which is caused by an external physical force and which results in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance.





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### Traumatic Brain Injury (TBI)

The term applies to open or closed head injuries resulting in impairment in **1 or more** of the following areas:

Cognition.

Language.

Memory.

Attention.

Reasoning.

Behavior.

Physical functions.

Information processing.

Speech.





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### Traumatic Brain Injury (TBI)

- The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.
- A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include an assessment from a family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.





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TBI Resources







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Visual Impairment (VI) Rule 340.1708

"Visual impairment including blindness" means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes partial sight, blindness, and a progressively deteriorating eye condition.

A determination of eligibility must be based on a full and individual evaluation by a multidisciplinary evaluation team, which must include **all** of the following:

- An eye report by an ophthalmologist or optometrist or a medical evaluation by a physician as that term is defined in article 15 of the public health code
- A functional vision assessment by a teacher of students with visual impairment.
- A learning media assessment by a teacher of students with visual impairment.




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Visual Impairment (VI)

A certified orientation and mobility specialist shall conduct an orientation and mobility evaluation of this rule for a student who satisfies **at least 1** of the following:

- A visual acuity of 20/200 or less after routine refractive correction.
- A peripheral field of vision restricted to 20 degrees or less.
- A visual acuity of 20/200 or more and a recommendation by a teacher of students with visual impairment, an ophthalmologist, or an optometrist after an evaluation.

The certified orientation and mobility specialist shall conduct the evaluation in familiar and unfamiliar settings and under a variety of lighting and terrain conditions and shall take into consideration the individual needs of the student.




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VI Resources

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Eligible in More Than One Category

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Eligibility Category Opens the Door

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability.

Once a student is found eligible for special education the IEP must meet all the unique student's disability related needs, not just things related to the eligibility category.

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**Eligibility Category  $\neq$  Placement or Services**



**NO FORMULA!!!!**

**Individualized** Education Program (IEP) is the offer of a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).



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## Questions




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## Now what?

- Explore resources
- Request comprehensive educational evaluation
- As you have questions, call your Parent Mentor





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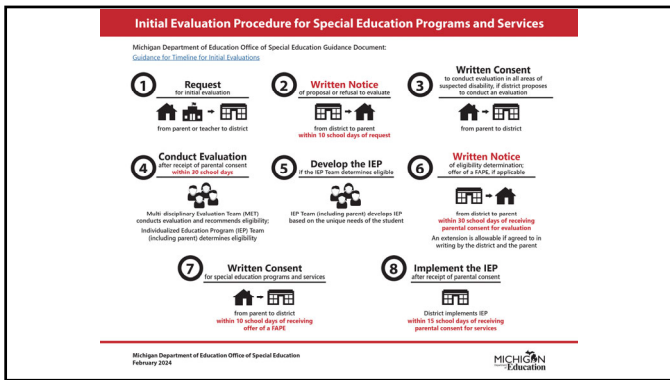
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**We are here to support you!**

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**For more information visit**  
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# Michigan Alliance for Families

Michigan Alliance for Families is an IDEA Grant Funded Initiative of the Michigan Department of Education, Office of Special Education (MDE-OSE); the Michigan Department of Lifelong Education, Advancement, and Potential (MILEAP); and Michigan's Federal Parent-Training and Information Center (PTIC) funded by the U.S. Department of Education, Office of Special Education Programs(OSEP).

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