

# New Mexico TEAM Professional Development Module: Intellectual Disability

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## **[Slide 1]: Welcome**

Welcome to the New Mexico TEAM technical assistance module on making eligibility determinations under the category of intellectual disability, also known as ID. This module will review the guidance of the NM TEAM section on ID. During this module, you will sometimes be referred back to a different module or other resources for additional information. We encourage you to have a copy of the NM TEAM available and open to the section on ID for reference during this module.

## **[Slide 2]: Learner Objectives**

After successfully completing this module, you will have the knowledge to use evaluation data effectively to make an eligibility determination under the category of ID. Specifically, you will be able to: understand the federal definition of ID, identify some common characteristics of ID and the associated educational impact, and recognize special considerations for assessment for children with known or suspected ID. Additionally, you will be able to understand the highly recommended and potential components of an evaluation for ID, know the criteria required for eligibility under the category of ID, and understand how to document the team's eligibility determination decisions.

## **[Slide 3]: Definition**

When teams are making eligibility determination decisions, IDEA outlines a two-step approach. Each of these steps involves responding to a specific question—the first question is “Does the child have a disability as defined by IDEA?” and the second question is “Does the child require specially designed instruction as a result of this disability?”

This module will walk you through answering those two questions. First, we'll talk about the definition of ID, as defined by IDEA, to help you begin to better understand the disability itself. Next, we'll talk about the impact of the disability on educational performance to help you understand when a child might require specially designed instruction as a result of ID. Later, after establishing this basic framework, we'll talk more specifically about the evaluation components and the eligibility determination decisions.

IDEA's definitions of disability terms are the cornerstones of eligibility determination decisions. The definition, combined with comprehensive assessment data, including detailed information about the child's background, educational strengths and needs, and other pertinent factors, helps schools, educators, and parents determine if the child is eligible for and in need of special education and related services. Please take a moment to read the IDEA definition of ID and then we'll take a closer look at it.

[Slide 4]: Please note that intellectual disability used to be called mental retardation. In 2010, President Obama signed “Rosa's Law” that replaced the term “mental retardation” with “intellectual disability” in Federal Law. This change was also reflected in NMAC in 2011. It is no longer appropriate or accurate to refer to a child with intellectual disability as a child with mental retardation.

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Now let's take a closer look at the definition. This definition of the disability will help teams answer the question: "Does the child have a disability as defined by IDEA?"

[Slide 5]: First, intellectual disability, or ID, must be manifested during the developmental period, which is generally considered to be from birth through approximately age 18, but could span birth through age 21. This is important for eligibility determination teams, also called EDTs, to be aware of because, although most children with ID demonstrate characteristics at an early age, it **is possible** for an older child who may have been previously determined to have a different disability or perhaps no disability at all to be found to have ID.

[Slide 6]: Second, there are two main areas of difficulty that must be present in order for a child to be determined to have ID: intellectual functioning and adaptive behavior. Although we recognize that all children with ID may demonstrate unique characteristics, the two hallmark features of ID, significant deficits in intellectual functioning and adaptive behavior, must be present in order for an eligibility determination to be made under the category of ID.

Intellectual functioning refers to general mental ability, such as reasoning, planning, learning from experience, and other skills of this nature.

Adaptive behavior includes three main domains: conceptual, social, and practical skills. Conceptual skills include language, reading and writing, time concepts, and other skills. Social skills includes interacting with others, demonstrating self-esteem, possessing the ability to avoid being victimized, and following rules, among other skills. Examples of practical skills are self-care and life skills like eating and dressing, being safe across environments and situations, using transportation, following schedules, and engaging in appropriate job skills.

[Slide 7]: It is important to remember that this disability must adversely affect the child's educational performance in order for him to be found eligible for special education and related services. We'll talk about this second step to eligibility determination decisions by first talking about educational performance in general and then looking specifically at issues related to ID.

### **[Slides 8-14]: Educational Performance**

[Slide 8]: To determine the impact of a disability on a child's educational performance, the team needs to answer the question: "Does the child require specially designed instruction as a result of this disability?" If a child with a disability does not require specially designed instruction, then the child would not qualify under IDEA and teams should consider the implementation of a Section 504 plan or other classroom interventions to address the child's needs.

[Slide 9]: According to IDEA, specially designed instruction means adapting, as appropriate, the content, methodology, or delivery of instruction to meet the unique needs that result from a child's disability. This includes special education.

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[Slide 10] In New Mexico, services provided by a speech-language pathologist may also be considered special education, not simply a related service, if the services meet the requirements outlined in the New Mexico Administrative Code, typically referred to as NMAC.

[Slide 11]: When evaluating a child for potential eligibility for special education and related services under the eligibility category of **ID**, according to IDEA, it is important that teams remember to consider three aspects of the child's educational performance. This includes the child's ability to: be involved and make progress in the general education curriculum, participate in extracurricular and other nonacademic activities, and be educated and participate with other children with and without disabilities.

[Slide 12]: Teams are probably most familiar and most comfortable with the first of these areas: determining if a child's disability results in a need for specially designed instruction in order to be involved in and make progress in the general education curriculum. While this includes academic progress, it may also include social skills, problem solving, communication, and other general curriculum areas.

[Slide 13]: Second, it is also important for teams to consider whether a child needs specially designed instruction in order to participate in extracurricular and nonacademic activities, such as recess, sports, choir, drama, and other clubs or school-related activities. For example, a child with ID may be performing satisfactorily in classroom activities because of the amount of supports inherent in the classroom environment. However, this child may have difficulty with participation in extracurricular activities, like soccer or choir, because of the interaction between his disability and the nature of the activities. According to IDEA, this child may be found eligible for special education and related services because of the impact of his disability on his ability to participate in these activities. An example of this might be a child with ID who requires supplementary aids and services to participate in after-school clubs. It is important to recognize that IDEA doesn't guarantee children access to competitive teams or groups **because** of their disability. However, they should be permitted the same opportunity as other children to try out for the activities and/or teams. The New Mexico Activities Association provides guidance regarding academic eligibility for participation for children enrolled in special education programs.

[Slide 14]: The third and final area for teams to consider is the child's ability to be educated and participate with other children, including those with and without disabilities. This is essentially a question of educational environment. For example, a child with ID may be able to access the general **curriculum** and participate in extracurricular activities, but because of his disability, it may be especially difficult for him to be educated in the general education classroom. This is not a discussion about where services will be delivered, but what services are necessary. For example, an EDT may determine that a child with challenging behaviors needs specially designed instruction in order to develop and support appropriate classroom behaviors and interactions. Other examples include a child with attention difficulties who requires specially designed instruction to learn strategies to improve his attention and focus in the classroom, or a child who needs specially designed instruction in the form of social skills

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interventions in order to participate in activities with peers. Where the first question teams ask relates to access to curriculum, this question addresses the educational setting for the child.

Now that we've talked in general about educational performance, let's look specifically at the possible adverse effects of ID on a child's education.

### **[Slides 15-20]: Characteristics and Educational Impact**

[Slide 15]: We're going to highlight some of the developmental areas that are commonly impacted by ID to help teams identify characteristics that may suggest that a child has ID. As we discuss the different areas, we will highlight characteristics and educational impact for both preschool-aged and school-aged children with ID. Although we're examining the same developmental areas for both age groups, the characteristics may be manifested in different ways depending on the developmental level of the child and the demands of the environment. It is important to recognize that the effects of ID will vary considerably, depending in large part upon the interaction between the child's characteristics, and the school, family, and community supports.

To identify the educational impact for a child with ID, the EDT must examine the demands of various settings and environments and the child's abilities to meet those demands by addressing the question of "How do the characteristics of the disability manifest in the child's natural environments (including home, classroom, recess, and others)?" This determination needs to be made at a very individual level for each child and must be based on comprehensive information about the child and his environments, including information gained from observing a child's functional and academic performance across a variety of settings.

[Slide 16]: The characteristics under the category of ID are organized around four domains: cognition, communication, social/emotional, and self-help skills. These domains each include a range of skills that may be impacted by ID.

[Slide 17]: When we are looking at the cognitive domain, we find that preschoolers with ID may have difficulty learning letters, numbers, and shapes; figuring out how to solve simple problems, such as using a stool to reach objects; and using their skills consistently with different people and across tasks and environments. In other words, a child with ID may demonstrate very different skills at home and at day care because of difficulty generalizing skills and different demands and supports across settings. School-aged children with ID may also have difficulty solving problems, including social conflicts, and trying new strategies when first attempts are unsuccessful. They may have difficulties learning academic skills, generalizing skills, and completing abstract tasks.

[Slide 18]: When looking at communication skills, children with ID may have difficulty with expressive, receptive, and nonverbal communication. For preschool-aged children, this could be evident by difficulty using language to share information, following directions, and understanding other's nonverbal communication. Many children with ID who have difficulty with communication don't use gestures to compensate for their language delays. In other words, young children with ID may have difficulty with

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communication because of difficulty using and understanding verbal and nonverbal language. Similar patterns are often seen in school-aged children with ID. While they may be able to communicate basic needs and wants, they may have more noticeable difficulty with abstract concepts, generalization of communication skills, or recognizing when their communication attempts aren't successful and knowing how to try an alternative strategy.

[Slide 19]: Both preschool and school-aged children with ID may have difficulty initiating age-appropriate social skills. In preschoolers, this may be seen in their relationship with siblings or same-aged peers and may include behaviors such as taking turns, sharing, and playing games. School-aged children with ID are also at greater risk of exploitation due to difficulty with social judgment, including gullibility and naïveté.

[Slide 20]: Finally, preschool-aged children with ID may experience delayed attainment of self-help skills, including delayed toilet training, difficulty with mealtime skills, dressing, and other skills. School-aged children may also have difficulty with independence with personal hygiene, using money, telling time, and navigating through the school and community independently.

Please remember that the characteristics presented in NM TEAM are not meant to be exhaustive nor is the NM TEAM suggesting that all children with ID will demonstrate all of the presented characteristics. It is also important for teams to recognize that these characteristics may lead to limited opportunities for engaging in age-appropriate activities, opportunities to be educated with peers, and the learning that accompanies these activities. Given appropriate supports and services, some individuals with ID will learn the skills necessary to lead independent lives and engage in competitive employment and all children with ID have the capacity to learn, to develop, and to grow. They should be provided with opportunities so that they can become contributing and full participants in society.

### **[Slides 21-26]: Special Considerations for Assessment**

[Slide 20]: It is important for EDTs to be aware of issues related to evaluating young children and children with known or suspected disabilities, regardless of the eligibility categories being considered. For example, when evaluating young children, it is imperative that the impact of the family, home environment, home language, and developmental history be considered. Specifically, EDTs must determine that a possible lack of exposure to developmentally appropriate activities is not the **primary** reason for the child's difficulties. In addition, for a child with a known or suspected disability, EDTs must ensure that the assessment results accurately reflect the areas being assessed. For example, be careful that you are not measuring the child's sensory, motor, or speaking skills, unless those are the skills you *wish* to assess. Please review NM TEAM section 6 for more information on these issues.

[Slide 22]: EDTs should use caution when identifying a preschool-aged child as having ID, as cognitive testing during infancy and early childhood is not highly predictive of later cognitive ability. Infant and toddler measures of intellectual functioning tend to emphasize sensory-motor tasks over conceptualization tasks. In addition, low cognitive scores in very young children may reflect factors such as attention span, lack of interest, or poor motivation. That is not to say that it is never appropriate to identify a preschool-aged child with ID. If an evaluation of a young child includes a body of evaluation

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data and documentation that supports identification under the category of ID, including valid cognitive assessment scores that are consistent with other information about the child's abilities, then the EDT may determine that the child would be most appropriately identified as a child with ID. Inappropriately identifying a child with ID, for example identifying them as a child with a speech or language impairment or developmental delay, is both false and misleading and can be detrimental to the life and well-being of the child and family.

[Slide 23]: There are five assumptions regarding ID that are provided by the American Association on Intellectual and Developmental Disabilities. These assumptions should be considered when determining the need for special education and related services under the eligibility category of ID, as they provide teams with guidance to help them identify the importance of considering a child's functioning within the broader context of their environment and support system.

[Slide 24]: The first two assumptions are very closely related. The first assumption is that a child's functioning must be considered within the context of environments that are typical of the child's age, peers, and culture; while the second assumption reminds evaluation teams that assessments must consider cultural and linguistic diversity, communication, sensory, motor, and behavioral factors. Taken together, these assumptions highlight that test scores should not be interpreted in isolation, but rather should be considered as one piece of information that helps provide an explanation for and validation of other information gathered by the team. Low scores on cognitive and/or adaptive behavior assessments, for example, could be explained by impairment in the area assessed or could reflect cultural differences, communication differences, etc. In other words, EDTs must recognize that different cultures, communities, and families have different expectations for independence and skills. For example, in some communities, public transportation is not available, families may not feel safe having their young child move through the neighborhood independently, and the child may not have had access to telephones or computers. In addition, children's performance may be influenced by typical family and cultural differences, such as the value of play activities, access to literacy materials, comfort with testing situations and new people. Sensitivity to these issues is critical and they must be fully explored by the EDT to ensure that the assessments used are interpreted within the broad context of the child's skills and background.

[Slide 25]: The third assumption emphasizes that limitations often coexist with strengths. Evaluators often ask if a child could be considered to have ID if they demonstrate an area of relative strength in one or more subtests on a cognitive assessment, such as in the area of perceptual reasoning skills. It is important for them to recognize that, yes, an individual with ID might demonstrate areas of relative strength, or even areas where they obtain scores in or near the average range. Because limitations coexist with strengths, it is important that evaluators not ignore these strengths or assume that the child doesn't have ID. If the overall evaluation supports that the child does meet the eligibility criteria for ID, then it would be appropriate to determine that the child has ID even with these relative strengths. EDTs must recognize that all children have strengths, even those whose test scores don't approximate the

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average range. EDTs should identify these strengths and use them in developing appropriate educational plans.

The fourth assumption addresses the purpose of identifying limitations. One of the main reasons for identifying limitations is to develop appropriate supports. EDTs should link their evaluation findings to appropriate recommendations that will help the child with ID receive needed supports.

Finally, the fifth assumption reminds teams that children with ID have the capacity to grow and develop. With consistent, appropriate, and personalized supports over an extended period, children with ID will typically demonstrate improved abilities and functioning.

[Slide 26]: One last note: medical and general health factors should be considered for all eligibility determinations, and some specific situations may require medical documentation to make an appropriate eligibility determination.

### **[Slides 27-30]: Initial Evaluation: Intellectual Disability**

[Slide 27]: To answer the questions on the eligibility determination worksheets and make eligibility decisions, it is important to discuss the evaluation components that are outlined in the NM TEAM. A number of the components are the same across most, if not all, of the eligibility categories. These components are outlined and discussed in the “Conducting Initial Evaluations” Module.

Highly recommended evaluation components for ID are listed on the screen in front of you and in the NM TEAM under the ID section. All of the highly recommended components are important and should be addressed in an evaluation, but some of the elements need to be discussed in a bit more depth to help evaluators more clearly understand the component within the context of ID.

Please remember that the assessments chosen must be tailored to assess specific areas of suspected disability and educational need. Assessment of children for whom ID is suspected should be multidisciplinary and comprehensive and conducted by individuals experienced in evaluating individuals with ID. There is no single definitive assessment for suspected ID. Thus, the use of multiple tools, as well as the professional judgment and skill of the professionals who conducted the evaluation, will ensure accurate findings. Please remember that the NM TEAM provides information about common characteristics of children with ID—this information can help EDTs identify if ID may be an appropriate eligibility category for consideration.

Let’s start by talking about the information gathered during a review of existing data, the child’s history, and direct observations of the child’s behavior. When evaluating a child for suspected ID, EDTs should pay particular attention to information suggesting that the child has a history of difficulty learning and generalizing new skills, as well as achieving developmental milestones, particularly in areas related to adaptive behavior. Children with ID often demonstrate difficulty with generalization of skills, so it is possible that they demonstrate skills in one context but are unable to demonstrate the same skills under a different set of circumstances. Because of this, it is important that EDTs observe the children across a

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variety of settings. These different observations will provide EDTs with valuable information about the child's skills, including his ability to generalize skills and function in a variety of situations.

[Slide 28]: A core element of the identification of ID that the disability has to be manifested before the age of 18.

An evaluation of a child with suspected ID must include an assessment of cognitive abilities. It is essential that EDTs recognize that the definition of ID refers to "significantly sub-average general intellectual functioning." This is typically defined as a cognitive score that is approximately 2 standard deviations below the mean, considering standard error of measurement. EDTs must recognize that this is not meant to be a firm "cutoff." Instead EDTs should consider the cognitive assessment results within the complete picture of a child's functioning and should recognize that a standardized cognitive assessment is one piece of the puzzle. The NM TEAM provides general recommendations that scores be considered within a 68% confidence interval, or plus or minus 1 standard error of measurement. However, as with all decisions regarding score interpretations, it is up to the EDT to determine the most appropriate confidence interval to use to interpret scores based on the assessment used, the reason for the assessment, and other factors. Please refer to Section 5 of the NM TEAM for a more thorough discussion of this information.

These same considerations apply to the adaptive behavior assessment. Again, the definition of ID refers to "deficits in adaptive behavior" that are defined in NM TEAM as scores that are at least two standard deviations below the mean. These scores, like cognitive scores, don't reflect a firm "cutoff" and should always be considered as one piece of data during the evaluation process. EDTs should also recognize that it is not necessary for children to obtain scores reflecting deficits in overall adaptive behavior scores or in more than one specific area, such as conceptual, social, or practical. It is not uncommon for some individuals with ID to demonstrate relative strengths in social and practical skills, but have difficulty using those skills in daily life as evidenced by significant deficits in conceptual skills. In addition, because scores in the three adaptive skills domains (conceptual, social, and practical) on standardized assessments are moderately correlated, it is reasonable to assume that a child has a generalized difficulty with adaptive behavior skills even if only one of the areas is significantly below average.

[Slide 29]: In addition, there are other areas that may not specifically be used to make a final eligibility determination decision, but that can be very useful in describing a child's strengths and needs in order to promote the development of an appropriate educational program. These assessment areas include academic achievement and speech, language, and communication. EDTs must remember that children with ID have strengths and weaknesses. It is not essential that a child demonstrate significant deficits in all of these areas in order to be found eligible under the category of ID. Young children, in particular, may demonstrate skills that aren't significantly different from their peers in some areas, such as communication or early academic skills.

[Slide 30]: Finally, it is important to recognize that decisions regarding transition assessments need to be highly individualized for each child and situation. In New Mexico, transition planning must be



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documented on the first IEP in effect when the child turns 14 or during their 8<sup>th</sup> grade year, whichever comes sooner. This type of transition planning specifically relates to the child's progression from the public schools to post-secondary settings. However, EDTs should recognize first that this planning may need to start earlier for some children and second, that transitions occur throughout a child's school tenure. For example, children transition from preschool to elementary school, from elementary school to middle school, between schools, and so on. EDTs should ensure that they have the information necessary to support children through all of these critical transitions, as appropriate for each individual child.

### **[Slide 31]: Potential Additional Components**

It is the responsibility of the team to answer any questions that may arise throughout the evaluation process, including what eligibility category best describes the child's **primary** disability and what supports and services the child needs. The highly recommended evaluation components that we've discussed should help teams answer many of the questions that they might have, but in some situations, teams may require additional information. NM TEAM presents a list of potential additional components that can be found in the Initial Evaluation section of the NM TEAM category of ID. This list may be helpful as teams make eligibility determination decisions, but should not be considered as the only additional areas that the EDT may wish to explore. We will talk about a few of those components now.

One of the potential additional components for an evaluation under the category of ID is a functional behavioral assessment. This may be appropriate if the child is demonstrating behaviors that may need to be more completely understood during the evaluation process and addressed as part of the child's individualized education plan.

Another potential additional component, a current physical examination, may be appropriate to identify any health or medical needs that may also be impacting the child's educational performance.

Finally, EDTs may deem it appropriate to conduct a motor skills assessment and/or an assistive technology evaluation in order to comprehensively document the child's skills and to assist in program planning and the development of an appropriate educational program.

### **[Slides 32-45]: Eligibility Determination Process for Intellectual Disability**

[Slide 32]: Before we examine criteria that are specific to the eligibility determination decision for ID, we would like to remind you that general information regarding the eligibility process and use of the eligibility determination worksheets is presented in the module, "Eligibility Determination and Use of Eligibility Determination Worksheets." We encourage you to listen to that module and to review the information presented in the NM TEAM in "Section Six. Essential Components of Eligibility Determination."

For this discussion, you will find it helpful to refer specifically to the "Eligibility Determination" and "Eligibility Determination Worksheets" sections within the ID chapter of the NM TEAM.

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[Slide 33]: To determine that a child is eligible for special education and related services as a child with ID, an EDT must first determine that the child is a child with a disability, and second that the child demonstrates a need for specialized instruction as a result of his disability. The Eligibility Determination Worksheets are structured to guide the EDT in making these decisions.

[Slide 34]: They provide a detailed road map to guide teams not only in working through the process, but also in documenting their decisions. We will use the ID worksheet as a guide for the rest of this discussion.

[Slide 35]: First, the EDT must document relevant identifying information and the assessment and evaluation data they have collected and will be using in the eligibility determination process. This information should reflect data collected from multiple data sources.

[Slide 36]: Second, under the “Determine the presence of a disability” section, the EDT will address four questions that specifically relate to determining if a child has ID.

[Slide 37]: The first two questions, questions 1 and 2, which are consistent across almost all of the eligibility categories, require that the EDT discuss determinant factors related to the child’s performance, specifically the lack of appropriate instruction in reading and math, as well as limited English proficiency. Essentially EDTs must consider all of the factors contributing to the child’s difficulties and decide which factors are the primary cause or causes of the child’s difficulties. Like all decisions, these decisions must be made based on comprehensive evaluation data and with the input of all of the members of the EDT. It is important that EDTs recognize that a child may have experienced a lack of appropriate instruction and/or have limited English proficiency, but if these factors are not the primary reasons for the child’s difficulties, they would not be considered determinant factors. Once the EDT has ruled out either of these factors, they check “Yes” on the Worksheet. This communicates that “Yes, they have eliminated the possibility that one of these factors is a determinant factor.” If the EDT is considering more than one potential eligibility category, these first two question would be answered the same and use the same documentation across all of the categories. EDTs may find it useful to complete multiple worksheets simultaneously if they are considering more than one eligibility category. Additionally, EDTs should remember that lack of appropriate instruction for preschool-aged children is considered to be a lack of opportunities to participate in developmentally appropriate activities. It is important to remember that the lack of opportunities must be due to a reason other than the nature of the child’s disability in order for it to be considered a determinant factor. For example, it may be that a young child has significant behavioral challenges that make it difficult for the family to involve the child in family and community activities. In this situation, even though the child has had a lack of opportunity to participate in these activities, EDTs should not consider this as the determinant factor for the child’s learning difficulties. Rather, this information might be helpful and used as further documentation to support a decision that indicates that a child is eligible for special education and related services.

[Slide 38]: The third question has three parts and is specifically related to determining whether or not the child meets the requirements of the ID definition: cognitive and adaptive behavior scores that are

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approximately 2 standard deviations below the mean considering standard error of measurement, and evidence that the disability existed before the age of 18. EDTs should remember that these scores should not be considered in isolation, but that they should be contextualized within the child's social and educational history. These scores should be interpreted by the professionals administering the assessments in order to attend to contextual issues such as the age of the child, the validity of the assessment itself, issues that occur during the administration of the assessment, etc. Multiple data sources should be used to support the validity of standardized assessment results, including classroom based assessments, work samples, and other data sources. If the information between these data sources is discrepant, EDTs should very closely examine the assessment data obtained and determine if more information needs to be gathered in order to obtain a clear and accurate understanding of the child's abilities. For more information on the use of standardized scores and the use of standard error of measurement, please refer to Section 5 of the NMTEAM.

[Slide 39]: The fourth and final question to be addressed is also consistent across all eligibility categories, like the questions related to the determinant factors. In this case, the EDT is determining if any other eligibility category better describes the child's disability. It is possible that a child demonstrates more than one disability, but if the EDT determines that ID **best** describes the child's disability, they would respond, "Yes, we've determined that no other category better describes the child's disability." On the other hand, if the child has ID but also has another disability and the other disability better describes the child's difficulties, the EDT would answer, "No, we've determined that another category better describes this child's disability." In either case, it is likely that the EDT will need to complete the "Determine the presence of a disability" section on one or more worksheets for the other eligibility categories being considered.

In addition to answering each of the questions "yes" or "no" in this section, it is critical that the EDT briefly describe the documentation that supported each of their decisions.

[Slide 40]: Each of the four questions serve as a stopping point in the process if the EDT answers "no." Once the EDT has answered "no" to any of the four questions, they have determined that the child is not a child with ID. If this occurs, the EDT should stop moving through those questions. If the EDT either is not considering another potential eligibility category or has already completed the "Determine the presence of a disability" section for other potential categories, the EDT should move to the "Determination of eligibility for special education and related services" section of the worksheet. At this point, the EDT will document the determination that "The child is not eligible under the eligibility category of ID." They also need to indicate why that decision was reached by indicating either that the child doesn't have ID or that a different category best describes the child's disability. The process then stops for this eligibility category.

The response to all of the four questions in this section of the worksheet must be "yes" in order to proceed to the section of the worksheet, "Determination of the need for specially designed instruction." Remember, if you have even one "no" response, you skip over the "Determination of the need for specially designed instruction" section.

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[Slide 41]: To determine the need for specially designed instruction, using the **assessment and evaluation data** collected, the EDT must determine if, as a result of ID, the child requires special education and related services in one or more areas outlined in IDEA.

[Slide 42]: These areas include: being involved in and making progress in the general education curriculum or developmentally appropriate activities; participating in extracurricular and other nonacademic activities; and/or being educated and participating with other children with and without disabilities. The EDT must answer “yes” to at least one of the questions in this section of the worksheet to say that the child requires specially designed instruction because of needs resulting from ID.

[Slide 43]: After answering these three questions, the EDT moves into the final phase of the eligibility determination process—documenting the final eligibility determination decision. This section of the worksheet, “Determination of eligibility for special education and related services,” allows EDTs to document that either the child is eligible for special education and related services under the category of ID, is not eligible under the category of ID, or that more information needs to be collected to make a determination.

[Slide 44]: If the EDT determines that the results of the evaluation indicate that the child requires specially designed instruction as a result of ID, the child would be eligible under the category of ID.

[Slide 45]: If the EDT determines that the child is not eligible under the category of ID, they must indicate the rationale for that decision by checking one of the four options within that decision. These options allow EDTs to document either that the child doesn’t have ID or any other disability, that the child does not have ID, but is eligible under another eligibility category, that the child has ID but another eligibility category better describes the child’s primary disability, or that the child has ID, but doesn’t demonstrate a need for specially designed instruction. This section allows for the documentation that a different eligibility category better describes the primary disability.

EDTs should clearly read the questions presented on the worksheet and determine which situation most accurately describes the child being evaluated. Any child who is found to be “not eligible” for special education and related services must be referred to the SAT.

Finally, if the EDT is unable to make an eligibility determination, they may identify additional information that need to be gathered. They would then reconvene later to make the final eligibility determination decision.

### **[Slide 46]: Reevaluation and Discontinuation of Services**

The Reevaluation worksheets in the NM TEAM will support the EDT through the documentation and decision-making process during reevaluations.

EDTs should remember that with appropriate supports, a child with ID will likely demonstrate improved skills and abilities, so the intensity of their supports may need to be adapted. It is important to avoid prematurely discontinuing special education and related services for a child with ID, because they likely

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will have some long-term support needs. Monitoring of social skills, behavior, communication, current levels of academic performance, and independence may continue to be necessary, even if special education supports are discontinued.

### **[Slide 47]: Closing**

Thank you for participating in this NM TEAM training module. We hope this information has been helpful in clarifying and expanding on the information presented in the manual.