

APPENDIX H

IDEA eligibility categories

Children may be eligible for protection under IDEA, if they have at least one of the following qualifying conditions and the condition negatively affects the child’s educational performance.

1. **Autism:** A developmental disability that affects a child’s verbal and nonverbal communication, and social interaction.
2. **Deaf-blindness:** A combination of hearing and visual impairments that causes severe communication, developmental, and educational needs that special education programs for children with deafness or blindness cannot appropriately meet.
3. **Deafness:** A severe hearing impairment that affects a child’s ability to process language information through hearing with or without amplification devices.
4. **Emotional disturbance:** A condition that lasts over a long time period and causes:
 - Inability to learn that cannot be explained by other factors
 - Inability to build and maintain relationships with peers and teachers
 - Inappropriate behaviors or feelings under normal circumstances
 - Overall unhappiness or depression
 - A tendency to develop physical symptoms or fears related to personal or school problems

The emotional disturbance category also includes schizophrenia.
5. **Hearing impairment:** A permanent or fluctuating hearing impairment not included under the deafness category.
6. **Intellectual disability:** Below average intellectual function and deficits in conceptual, social, and practical skills that allow daily function.
7. **Multiple disabilities:** A combination of impairments that causes severe educational needs that special education programs for one impairment cannot appropriately address.
8. **Orthopedic impairment:** An impairment of the musculoskeletal system, including the bones, joints, and nerves, caused by genetics, disease (e.g., poliomyelitis), or other causes (e.g., fractures or burns).
9. **Other health impairment (OHI):** Having limited strength, vitality, or alertness in school due to acute or chronic illness.
10. **Specific learning disability:** A disorder of one or more psychological processes involved in understanding and using written or spoken language, which may affect a child’s ability to listen, think, speak, read, write, spell, or do math.
11. **Speech or language impairment:** A communication disorder, such as stuttering, impaired articulation, or a language or voice impairment.
12. **Traumatic brain injury:** An injury to the brain caused by an external physical force, which leads to total or partial functional disability and/or emotional and social impairment. The category does not include brain injuries present or caused at birth, or injuries to the brain that develop and change over time.

13. Visual impairment, including blindness: A severe vision impairment, including both partial sight and blindness.

Children with chronic illnesses may be eligible for protection under IDEA through the Other Health Impairment (OHI) disability category. Each state may have its own interpretation of the eligibility criteria for OHI. Visit www.projectpencil.com to find additional information about your state's interpretation of IDEA.

The Project PENCIL materials provide general information, which is not intended to constitute legal advice or substitute for obtaining legal advice from your own counsel. Laws vary by state and are subject to change. If you need answers to specific legal questions, please seek professional legal assistance.

To read the IDEA in its entirety, visit the Department of Education's website: idea.ed.gov. The information presented in this appendix can be found in Section 300.8 Child with a disability.