

Noncategorical Eligibility System— Example from Iowa

By SWIFT Center

About

The following is an excerpt from Standard 6 of the Iowa Department of Education's special education eligibility standards, which illustrates how to operate a noncategorical eligibility system for students with disabilities (State of Iowa, Department of Education, 2015).

Iowa's noncategorical system: Eligible individuals

What is a Disability? While the particular characteristics of each of the IDEA's disability categories vary, all categories have the following core concepts: (1) a physical or mental condition that (2) adversely affects educational performance. In Iowa, teams use seven performance domains to analyze the "physical or mental condition" component. Those domains are:

1. Academic
2. Behavior
3. Physical
4. Health
5. Sensory
6. Adaptive Behavior
7. Communication.

These domains correspond with the areas of functional limitation implicit in the IDEA's thirteen disability categories. These domains also align with the evaluation considerations listed in state rules.

Physical or Mental Condition. This term is purposefully broad, and encompasses any impairment or diagnosis, of any kind, that might have an adverse effect on educational performance and might require special education.

Adversely Affects Educational Performance. When considering whether a physical or mental condition "adversely affects educational performance," teams consider a child's progress and discrepancy in relationship to the following: (1) "access to general education settings and opportunities," (2) "developmental progress," (3) "involvement and progress in the general curriculum," or (4) "interpersonal relationships or personal adjustment." Please note that "educational performance" is broader than proficiency in reading and mathematics.

Disability and the "Eligible Individual 'Label.'" In Iowa, children with disabilities are referred to as "eligible individuals" (abbreviated as EI), rather than particular labels. This is because labels, standing alone, do not provide parents and educators with information regarding instructional needs. This is also because labelling may be the basis for inappropriately restrictive placement decisions. While not requiring the use of a disability-specific label, the use of the EI "label" does not exempt the team from

determining whether a child is included in one of the IDEA’s disability categories. The law clearly provides:

Classification based on disability not required. Nothing in the Act requires that children be classified by their disability so long as each child who has a disability that is listed in 34 CFR Section 300.8 and who, by reason of that disability, needs special education and related services is regarded as a child with a disability under Part B of the Act. 34 C.F.R. § 300.111(d).

As a condition of using a noncategorical system, Iowa’s noncategorical system must be as broad as the mandate in federal law. Iowa assures this breadth by considering the seven performance domains listed above.

As noted in the 2006 *Standards*, “While specific disability designations are rarely utilized, [Iowa’s] process assures that all individuals with such disabilities, as defined in IDEA, are identified and served.” Statements such as “we don’t identify disabilities in Iowa” do not properly describe what the law requires. While Iowa does not require the use of “labels,” it does require children with disabilities to be identified and served. According to the United States Department of Education, “A child is entitled to FAPE under Part B and not to a particular label.” (*Letter to Anonymous*, 108 LRP 2293, OSEP 2007).

While disability labels are not required, in very exceptional circumstances and given appropriate data, a team may decide that a child’s special education program would benefit from identifying a child based on a label.

If a child does not have a physical or mental condition, or that condition does not adversely affect that child’s performance, the child does not have a disability under these Standards and is not eligible for special education services. Educational performance is broader than proficiency on yearly reading and mathematics assessments.

Suggested Citation

SWIFT Center. (2017). *Non-categorical language for students*. Lawrence, KS: Author.

References

1. Iowa Department of Education. (2015). *Special Education Eligibility and Evaluation Standards*. From www.educateiowa.gov/sites/files/ed/documents/2015-12SpecialEducationEligibilityAndEvaluationStandards.pdf



SWIFT Center produced this document under the U.S. Department of Education, Office of Special Education Programs Grant No. H326Y120005. OSEP Project Officers Grace Zamora Durán and Tina Diamond served as the project officers. The views expressed herein do not necessarily represent the positions or policies of the U.S. Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service or enterprise mentioned in this publication is intended or should be inferred. This product is public domain. Authorization to reproduce it in whole or in part is granted. While permission to reprint this publication is not necessary, please use the citation provided above.