

# 1308 Children with Disabilities - Module Three

*This Head Start Standards Training Module includes parts of 1308.6  
to parts of 1308.10  
Pages 164 - 166*

## 45 CFR Ch. XIII (10-1-05 Edition)

## § 1308.6

- (1) Developmental screening is a brief check to identify children who need further evaluation to determine whether they may have disabilities. It provides information in three major developmental areas: visual/motor, language and cognition, and gross motor/body awareness for use along with observation data, parent reports and home visit information. When appropriate standardized developmental screening instruments exist, they must be used. The disabilities coordinator must coordinate with the health coordinator and staff who have the responsibility for implementing health screening and with the education staff who have the responsibility for implementing developmental screening.

these screenings and the purposes and results of any subsequent evaluations.

**"Testing and evaluation procedures must be selected and administered so as not to be racially or culturally discriminatory ..."**

- (c) Staff must inform parents of the types and purposes of the screening well in advance of the screening, the results of

(d) Developmental assessment, the second step, is the collection of information on each child's functioning in these areas: gross and fine motor skills, perceptual discrimination, cognition, attention skills, self-help, social and receptive skills and expressive language. The disabilities coordinator must coordinate with the education coordinator in the on-going assessment of each Head Start child's functioning in all developmental areas by including this developmental information in later diagnostic and program planning activities for children with disabilities.

(e) The disabilities coordinator must arrange for further, formal, evaluation of a child who has been identified as possibly having a disability, the third step.

(1) The disabilities coordinator must refer a child to the LEA for evaluation as soon as the need is evident, starting as early as the child's third birthday.

(2) If the LEA does not evaluate the child, Head Start is responsible for arranging or providing for an evaluation, using its own resources and accessing others. In this case, the evaluation must meet the following requirements:

(i) Testing and evaluation procedures must be selected and administered so as not to be racially or culturally discriminatory, administered in the child's native language or mode of

communication, unless it clearly is not feasible to do so.

(ii) Testing and evaluation procedures must be administered by trained (State certified or licensed) personnel.

(iii) No single procedure may be the sole criterion for determining an appropriate educational program for a child.

(iv) The evaluation must be made by a multidisciplinary team or group of persons including at least one teacher or specialist with knowledge in the area of suspected disability.

(v) Evaluators must use only assessment materials which have been validated for the specific purpose for which they are used.

(vi) Tests used with children with impaired sensory, manual or communication skills must be administered so that they reflect the children's aptitudes and achievement levels and not just the disabilities.

(vii) Tests and materials must assess all areas related to the suspected disability.

(viii) In the case of a child whose primary disability appears to be a speech or language impairment, the team must assure that enough tests are used to determine that the impairment is not a symptom of another disability and a speech or language pathologist should be involved in the evaluation.

**"No single procedure may be the sole criterion for determining an appropriate educational program for a child."**

(3) Parental consent in writing must be obtained before a child can have an initial evaluation to determine whether the child has a disability.

(4) Confidentiality must be maintained in accordance with grantee and State requirements. Parents must be given the

opportunity to review their child's records in a timely manner and they must be notified and give permission if additional evaluations are proposed. Grantees must explain the purpose and results of the evaluation and make concerted efforts to help the parents understand them.

evaluation, and its professional opinion that the child does or does not need special education and related services, to the disabilities coordinator. If it is their professional opinion that a child has a disability,

- (5) The multidisciplinary team provides the results of the

164

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Test Questions:

Select the correct option.

**1. Developmental screening is (1308.6)**

- a. an optional procedure if the staff feels that a child will benefit from this.
- b. required of all staff prior to working with children with disabilities.
- c. a procedure that must be done by the parents before the child is enrolled in Head Start.
- d. a check to identify children who need further evaluation to determine if they might have a disability.

**2. Developmental assessment is (1308.6)**

- a. the same procedure as the developmental screening.
- b. the first step to determining if a child might have a disability.
- c. the second step which includes collecting information on a child's function in certain key areas.
- d. the third step that will determine if a child with a disability is eligible for Head Start services.

**3. Parent consent (1308.6)**

- a. is necessary only for treatments for a child with a disability.
- b. in writing must be obtained before a child can have an initial evaluation to determine whether the child has a disability.
- c. although desired is not necessary to provide the treatments that Head Start feels a child needs.
- d. will determine which Head Start staff can work with a child with a disability.

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**Office of Human Development Services,  
HHS**

**§ 1308.7**

the team is to state which of the eligibility criteria applies and provide recommendations for programming, along with their findings. Only children whom the evaluation team determines need special education and related services may be counted as children with disabilities.

children who are in need of special education and related services.

[58 FR 5501, Jan. 21, 1993, as amended at 61 FR 57227, Nov. 5, 1996]

(d) A child may be classified as having an attention deficit disorder under this category who has chronic and pervasive developmentally inappropriate inattention, hyperactivity, or impulsivity. To be considered a disorder, this behavior must affect the child's functioning severely. To avoid overuse of this category, grantees are cautioned to assure that only the enrolled children who most severely manifest this behavior must be classified in this category.

**§ 1308.7 Eligibility criteria: Health impairment.**

(a) A child is classified as health impaired who has limited strength, vitality or alertness due to a chronic or acute health problem which adversely affects learning.

"A child may be classified as having an attention deficit disorder under this category who has chronic and pervasive developmentally inappropriate inattention, hyperactivity, or impulsivity."

(b) The health impairment classification may include, but is not limited to, cancer, some neurological disorders, rheumatic fever, severe asthma, uncontrolled seizure disorders, heart conditions, lead poisoning, diabetes, AIDS, blood disorders, including hemophilia, sickle cell anemia, cystic fibrosis, heart disease and attention deficit disorder.

(1) The condition must severely affect the performance of a child who is trying to carry out a developmentally appropriate activity that requires orienting, focusing, or maintaining attention

(c) This category includes medically fragile children such as ventilator de-pendent

during classroom instructions and activities, planning and completing activities, following simple directions, organizing materials for play or other activities, or participating in group activities. It also may be manifested in overactivity or impulsive acts which appear to be or are interpreted as physical aggression. The disorder must

manifest itself in at least two different settings, one of which must be the Head Start program site.

- (2) Children must not be classified as having attention deficit disorders based on:
- (i) Temporary problems in attention due to events such as a divorce, death of a family member or post-traumatic stress reactions to events such as sexual abuse or violence in the neighborhood;
  - (ii) Problems in attention which occur suddenly and acutely with psychiatric disorders such as depression, anxiety and schizophrenia;
  - (iii) Behaviors which may be caused by frustration stemming from inappropriate programming beyond the child's ability level or by developmentally inappropriate demands for long periods of inactive, passive activity;
  - (iv) Intentional noncompliance or opposition to reasonable requests that are typical of good preschool programs; or

- (v) Inattention due to cultural or language differences.

"Assessment procedures must include teacher reports which document the frequency and nature of indications ..."

- (3) An attention deficit disorder must have had its onset in early childhood and have persisted through the course of child development when children normally mature and become able to operate in a socialized preschool environment. Because many children younger than four have difficulty orienting, maintaining and focusing attention and are highly active, when Head Start is responsible for the evaluation, attention deficit disorder applies to four and five year old children in Head Start but not to three year olds.
- (4) Assessment procedures must include teacher reports which document the frequency and nature of indications of possible attention deficit disorders and describe the specific situations and events occurring just before the problems manifested themselves. Reports must indicate how the child's functioning was impaired and must be confirmed by independent information from a second observer.

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Test Questions:

Select the correct "True" or "False" option.

4. *A child is classified as health impaired who has limited strength, vitality or alertness due to a chronic or acute health problem which adversely affects learning.* (1308.7)

True  False

5. *Symptoms of attention deficit disorder do not have to be severe to fit this classification.* (1308.7)

True  False

6. *Inattention due to cultural or language differences could also be included in the identification of attention deficit disorder.* (1308.7)

True  False

7. *Head Start is responsible for the evaluation, attention deficit disorder, as applies to four and five year old children in Head Start but not to three year olds.* (1308.7)

True  False

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§ 1308.8

**§ 1308.8 Eligibility criteria:  
Emotional/behavioral disorders.**

- (a) An emotional/behavioral disorder is a condition in which a child's behavioral or emotional responses are so different from those of the generally accepted, age-appropriate norms of children with the same ethnic or cultural background as to result in significant impairment in social

**45 CFR Ch. XIII (10–1–05 Edition)**

relationships, self-care, educational progress or classroom behavior. A child is classified as having an emotional/behavioral disorder who exhibits one or more of the following characteristics with such frequency, intensity, or duration as to require intervention:

- (1) **Seriously delayed social development including an inability**

to build or maintain satisfactory (age appropriate) interpersonal relationships with peers or adults (e.g., avoids playing with peers);

- (2) Inappropriate behavior (e.g., dangerously aggressive towards others, self-destructive, severely withdrawn, non-communicative);
- (3) A general pervasive mood of unhappiness or depression, or evidence of excessive anxiety or fears (e.g., frequent crying episodes, constant need for reassurance); or
- (4) Has a professional diagnosis of serious emotional disturbance.

"An emotional/behavioral disorder is a condition in which a child's behavioral or emotional responses are so different from those of the generally accepted, age-appropriate norms ..."

(b) The eligibility decision must be based on multiple sources of data, including assessment of the child's behavior or emotional functioning in multiple settings.

(b) The evaluation process must include a review of the child's regular Head Start physical examination to eliminate the possibility of misdiagnosis due to an underlying physical condition.

### **§ 1308.9 Eligibility criteria: Speech or language impairments.**

(a) A speech or language impairment means a communication disorder such

as stuttering, impaired articulation, a language impairment, or a voice impairment, which adversely affects a child's learning.

(b) A child is classified as having a speech or language impairment whose speech is unintelligible much of the time, or who has been professionally diagnosed as having speech impairments which require intervention or who is professionally diagnosed as having a delay in development in his or her primary language which requires intervention.

(c) A language disorder may be receptive or expressive. A language disorder may be characterized by difficulty in understanding and producing language, including word meanings (semantics), the components of words (morphology, the components of sentences (syntax), or the conventions of conversation (pragmatics).

(d) A speech disorder occurs in the production of speech sounds (articulation, the loudness, pitch or quality of voice (voicing), or the rhythm of speech (fluency).

(c) A language disorder may be receptive or expressive. A language disorder may be characterized by difficulty in understanding and producing language, including word meanings (semantics), the components of words (morphology, the components of sentences (syntax), or the conventions of conversation (pragmatics).

(d) A speech disorder occurs in the production of speech sounds (articulation, the loudness, pitch or quality of voice (voicing), or the rhythm of speech (fluency).

(c) A language disorder may be receptive or expressive. A language disorder may be characterized by difficulty in understanding and producing language, including word meanings (semantics), the components of words (morphology), the components of sentences (syntax), or the conventions of conversation (pragmatics).

(d) A speech disorder occurs in the production of speech sounds (articulation, the loudness, pitch or quality of voice (voicing), or the rhythm of speech (fluency).

- (1) Cultural, ethnic, bilingual, or dialectical differences or being non-English speaking; or
- (2) Disorders of a temporary nature due to conditions such as a dental problem; or
- (3) Delays in developing the ability to articulate only the most difficult consonants or blends of sounds within the broad general range for the child's age.

**§ 1308.10 Eligibility criteria: Mental retardation.**

(a) A child is classified as mentally retarded who exhibits significantly sub-average intellectual functioning and exhibits deficits in adaptive behavior which adversely affect learning. Adaptive behavior refers to age-appropriate coping with the demands of the environment through independent skills in self-care, communication and play.

(b) Measurement of adaptive behavior must reflect objective documentation through the use of an established scale and appropriate behavioral/anecdotal records. An assessment of the child's functioning must also be made in settings outside the classroom.

(c) Valid and reliable instruments appropriate to the age range must be used. If they do not exist for the language and cultural group to which the

"A child is classified as mentally retarded who exhibits significantly sub-average intellectual functioning and exhibits deficits in adaptive behavior which adversely affect learning."

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Test Questions:

*Select the response that is the most correct.*

**8. A emotional/behavioral disorder diagnosis (1308.8)**

- a. could only be considered if the child has hostile and aggressive tendencies.
- b. could not apply to any child admitted to Head Start.
- c. can only be accepted if there is a professional diagnosis of serious emotional disturbance.
- d. could be based upon a general pervasive mood of unhappiness or depression, or evidence of excessive anxiety or fears.

**9. A speech or language impairment (1308.9)**

- a. means a communication disorder such as stuttering, impaired articulation, a language impairment, or a voice impairment, which adversely affects a child's learning.
- b. could apply due to a child coming from a family that does not speak English.
- c. could only apply to a child who is four years old or older.
- d. may be characterized by difficulty in understanding and producing language, including word meanings, but not the components of words, the components of sentences, or the conventions of conversation.

**10. A child is classified as mentally retarded who (1308.10)**

- a. is at least five years old and shows significant sub-average intellectual functioning.
- b. cannot function on an average intellectual level in a classroom.
- c. exhibits significantly sub-average intellectual functioning and exhibits deficits in adaptive behavior which adversely affect learning.
- d. has significant speech or language impairment, and is not responding well to their treatment plan.

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Last Name \_\_\_\_\_

First \_\_\_\_\_ Initial \_\_\_\_

Location \_\_\_\_\_

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