Significant Developmental Delay (SDD)
Frequently Asked Questions

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Eligibility

Does the IEP team have to formally assess and determine if the student meets eligibility criteria in other disability areas such as speech language or specific learning disabilities in order to consider significant developmental delay?
No. Consider" does not mean the same as "rule out"; as there is no requirement to determine or document whether the child meets the eligibility criteria for any or all 13 impairments or disability categories during an evaluation for SDD.

If the student met eligibility criteria in an additional suspected area of impairment, such as speech language, yet was determined to have significant developmental delay by the IEP team, must the criteria for speech language be documented as part of the SDD consideration?
No, if SDD is determined to be the child's impairment, this will be the only disability category that is checked on Form ER-1: Determination of Eligibility for Special Education and reported in the Individual Student Enrollment System (ISES) for child count purposes. The IEP team should document that speech language (or any other areas of impairment) was considered and rejected, and that SDD was more appropriate based on the results of the evaluation.

How should an IEP team "prioritize" eligibility determination if a student qualifies for both significant development delay and speech language?
There is nothing in federal or state law that would require and IEP team to prioritize one impairment over another. However, the SDD rule requires the IEP team to consider other suspected areas of impairment before identifying a student as have a significant developmental delay. If the IEP team determines a student has another impairment (other than SDD), then the student would not be identified as SDD.

Note: The intent of a identifying a student with a significant developmental delay is when the team is not able to obtain enough or sufficient information to determine he/she has a disability in another other areas of impairment. Additionally, a student who meets the criteria for SDD may not be identified as having an additional impairment (including speech language).

Do all of the five major life activities in the significant developmental delay criteria need to be assessed in order to determine eligibility?
Yes. The IEP team must determine if a child is experiencing <u>significant delays</u> in the areas of:

- physical,
- cognition,
- communication,
- social-emotional, or
- adaptive development.

The IEP team may use the referral information and existing data to determine if and what additional assessments (with parental consent) in those areas, need to take place.

If a child is found to demonstrate both fine and gross motor delays, can significant developmental delay be used for eligibility criteria (i.e., counting as 2 separate areas of delay)?
No. The area of physical activity, which includes gross motor *and* fine motor skills, is included as **one** of the five major life activities. If a child demonstrates both fine and gross motor delays, only **one** major life activity would be affected and the criteria indicates that the delays in development must significantly challenge the child in TWO or more of the major life activities.

Can an IEP team consider sensory processing information for SDD criteria?
There is no specific domain that sensory processing is found within one of the five developmental areas of communication, physical, social-emotional, adaptive, and cognition. What the IEP team should address rather, is how the child's sensory processing is affecting his/her communication, physical abilities, adaptive behaviors, social-emotional development and/or motor abilities and is the sensory processing dysfunction causing a delay in one or more of these areas. For eligibility requirements, the child has to have a -1.5 SD below the mean in 2 or more areas of development. If the child's sensory system is causing problems, then it may appear as a delay in one or more areas, such as physical (motor), communication, or even social-emotional. Once the IEP team determines eligibility, then they may choose to address the delays through the IEP and include services to improve sensory processing.

Does a significant delay in articulation development alone qualify as a significant deficit in the major life area/ domain of communication?
The IEP team should consider the broader domain of communication in general, rather than articulation alone when the suspected area of impairment is significant developmental delay. PI

11.36 (c)(3) states that the major life area of communication includes “Communication activity in **expressive** language, such as the production of age−appropriate content, form and use of language; or **receptive** language, such as listening, receiving and understanding language.” As part of the review of existing data, the IEP team needs to address how the child communicates to make his/her needs known and how the child’s expressive and/or receptive language affects his/her ability to communicate. Communication, in general, (rather than specifically, articulation, for example), should be addressed as part of the comprehensive evaluation for SDD. If the student is eligible for special education and related services, the IEP team can address the need for further specific testing, such as articulation, as part of the IEP.

Does an IEP team have to conduct a formal vision and hearing screening? Can vision or hearing screening results be used from other agencies?

The IEP team is required to document a developmental and basic health history, including results from vision and hearing screenings and other pertinent information from parents and, if applicable, other caregivers or service providers.”

If vision and hearing screening results are already available from physicians, health departments, or referring agencies such as Head Start, this information would meet the requirement. If there are no results from the parents or outside agencies, then the IEP team must ensure that the screenings are conducted as part of the eligibility criteria for SDD.

Is someone from the team required to conduct an observation in the child’s natural environment?

Yes. PI 11.36(11)(d) states, “A team member must observe the child in his or her daily living environment such as the child’s home, with a parent or caregiver, or an early education or care setting which includes peers who are typically developing”. For school age children, an observation in the school setting is required, and would be considered the child’s daily living environment. If observation in these settings is not possible, observation in an alternate setting is permitted.

Must a team gather information from parents to document a significant developmental delay?

Yes. PI 11.36 (d) (2) indicates that “a developmental and basic health history, including results from vision and hearing screenings and **other pertinent information from parents** and, if applicable, other caregivers or service providers” must be obtained to document a significant developmental delay. Parents know their child very well, including strengths and weaknesses as well as all of the qualities that make their child unique. Parents can provide the team with insights into their child’s health and development as well as their interests, likes, and dislikes.

Is a self-contained early childhood special education classroom considered a typical preschool environment for observation purposes?

No. An early childhood special education classroom would not be considered a typical preschool environment. However, PI 11.36 indicates that if observation in a child’s daily living environment is not possible, observation in an alternate setting is permitted. The early childhood special education classroom would be considered alternate settings.

Can a preschool child who may be considered at-risk due to socio-economic conditions be identified as having a significant developmental delay?
If a child has educational needs resulting **primarily** from poverty, neglect, delinquency, social maladjustment, cultural or linguistic isolation, or inappropriate instruction, the child may not be identified as a child with a significant developmental delay.

Definition and General Information

What is a significant developmental delay, and what is the age range?
Significant developmental delay means children, ages 3 through 9 years of age, who are experiencing significant delays in the areas of physical, cognition, communication, social—emotional or adaptive development.

Is the Individualized Education Program (IEP) team required to consider other areas of impairment before considering significant developmental delay?
Yes. All other suspected impairments shall be considered before identifying a child's impairment as significant developmental delay. Significant developmental delay should not always be the initial or only area of impairment that the IEP team addresses. When considering the suspected impairments, the IEP team will address, review, discuss, and document how the decision of the significant developmental delay was made. It is important to recognize that some areas of delay cannot be identified until a child has had sufficient prerequisite skills and opportunities to learn. Evaluators should also consider the young child's age, development and maturity, behavior, medical history, previous early learning and social opportunities, etc. in natural settings such as home, school, community as part of the review of existing data. The requirement to conduct a full and individual evaluation does not necessarily mean an IEP team must consider a particular number of impairments, only the suspected impairments.

IEP Team Members

Is a certified early childhood special education teacher required to complete an evaluation and be an IEP team member if the impairment area of significant developmental delay is being considered?
At least one of the child's special education teachers must be included on the IEP team, or, when appropriate, a special education provider of the child. It is the IEP team, not just the early childhood special education teacher, who is required to complete an evaluation and determine eligibility under the category of SDD. The early childhood special educator is a very important part of an early childhood evaluation process and in IEP development. Early Childhood special education teachers have the formal training to serve as members of the district's IEP team and assist with assessment, program planning, IEP development and placement offerings for service delivery for 3 through 9 year old children with disabilities, and can serve in the capacity as a primary member of the child's IEP team.

Is a regular education teacher required to be on an IEP team for all students 3, 4 and 5 years of age?
A regular education teacher is required to participate on an IEP team for 3, 4 and 5 year olds if the child is currently participating in or may participate in a regular early childhood setting during the term of the IEP. This includes children being evaluated for speech and language. A decision

tree and module are available for determining regular education participation on the IEP team for children being evaluated for Early Childhood Special Education (ECSE) services at:

Documentation is required to invite a non-LEA teacher to participate on the IEP team. The form I-1-C was developed to assist the LEA in documenting the request to invite others with knowledge or expertise to an IEP meeting. The LEA should use form I-1-C for the following purposes:

- To invite the community-based appropriately licensed regular early childhood teacher of the child to serve as the regular education teacher representative on the IEP team.
- To invite the community-based teacher of the child, even if he/she is not appropriately licensed, to the IEP team meeting.
- To invite another individual with knowledge or special expertise regarding the child to the IEP team meeting.

Evaluation and Assessment

Is there one assessment tool that will provide all the necessary documentation to identify a child as having a significant developmental delay?
Assessment and evaluation strategies must be individually determined by the needs of the child. These strategies must be appropriate, comprehensive, and inclusive of all categories and classifications. No single strategy, instrument, classification, or category is appropriate for all children.

Is a norm-referenced, standardized tool required as part of finding a child eligible for and in need of special education using the criteria for significant developmental delay?
Yes. PI 11.36 (d) (3) states: **"**Results from norm−referenced instruments shall be used to document significant delays of at least one and one−half standard deviations below the mean in 2 or more of the developmental areas which correspond to the major life activities. If it is clearly not appropriate to use norm−referenced instruments, other instruments, such as criterion referenced measures, shall be used to document the significant delays."

Is a school district required to complete additional testing if current assessment information is available from the Birth to 3 Program?
An LEA evaluation team should consider all of the information available from the Birth to 3 Program. If the team establishes that enough data exists to accurately determine eligibility, further testing is not required.

Re-Evaluation

Can a child continue to receive special education services under significant developmental delay through the age of 10 or to the end of the school year of the child's 10th birthday?
No. Age 10 is the age limit for a student to receive special education and related services under the category of SDD. By the age of 10, the IEP team must conduct a reevaluation to determine whether the student continues to be eligible for special education and related services under a new category; or, is no longer a student with a disability and in need of special education and related services.

When does the IEP team re-evaluate a student identified with a significant developmental delay?
There are natural times when IEP teams may want to consider a re-evaluation for students identified with SDD, especially for determination of a new disability category:

- a routine 3-year re-evaluation (at age 6, 7, 8, or 9);
- discussion at the annual IEP review;
- the end of a school year, (especially during the year of the student's 9th birthday);
- Or, any time the IEP team has enough information to determine a new area of impairment.

The intent of the SDD age extension through age 9 is to allow an extended period of time for the IEP team to gather sufficient information to determine a new category or that special education and related services are no longer needed. All students with a significant developmental delay though, must be reevaluated for special education and related services under a new disability category or determine the student no longer is a student with a disability and no longer in need of special education and related services, by the age of 10.

Does the student have to meet initial criteria as part of a reevaluation for continued eligibility under the category of significant developmental delay?
Upon re-evaluation, a student who previously met initial criteria and continues to demonstrate a need for special education under PI.35 (2), including specially designed instruction, is a student with a significant developmental delay.

Is a re-evaluation required to dismiss a child from significant developmental delay? When considering dismissal from significant developmental delay, are there required assessment tools?
Yes. PI 11.35 Section 3 states in part: "evaluation or reevaluation under s. 115.782, Stats. conducted by the IEP team in determining whether a child is or continues to be a child with a disability…" If a member of the team is aware that the child may no longer be eligible under current identified criteria they would be responsible to initiate re-evaluation. This would not necessarily mean that further assessment would be required. The current assessment information that the team has could be adequate.

If any new eligibility criteria were being considered, as part of the determination of a new disability category, then all requirements related to that determination within PI 11.36 applies. If the child is to be dismissed from special education, an eligibility meeting is needed to determine that the child is no longer a child with a disability eligible under IDEA.

When a student is 9 years old and the IEP team is considering a new disability category, must the student meet initial eligibility criteria for the suspected area of impairment?
Yes. As part of the determination of eligibility under PI 11.35 (1), the IEP team must evaluate the student and determine if the student meets the initial eligibility criteria for the suspected or new area of impairment and is in need of special education and related services.

SDD and Specific Learning Disability

Can a special education teacher implement the intensive interventions for a child with a significant developmental delay (school aged, for example), for a potential specific learning disability (SLD) evaluation?
Yes. If a student has already been identified as a student with a disability and the student's existing IEP already calls for special education programming in an area of concern being considered as part of an initial SLD eligibility decision, the special education teacher may implement the two required intensive, scientific research based interventions (SRBIs) with the student. The SRBIs and progress monitoring data collected must meet the standards in the SLD rule.

Can the IEP consider results from an achievement assessment as part of the eligibility criteria under the cognition domain?
Yes. However, it is the decision of the IEP team what assessments should be administered based on the need for additional testing. The IEP team should consider the age of the child, along with grade level and standards, curriculum, etc. when deciding to use either an achievement test or the cognition section of a developmental test to address the cognition domain.

SDD and Child Outcomes

Do the Child Outcomes ratings (Indicator 7) need to be completed for students, identified as SDD, who are eligible for special education and related services beyond the age of 6?
No. The Child Outcomes ratings only need to completed for students ages 3 to 6 years old and will not be required for students ages 6 through 9 years old.

SDD and Speech Language

Does a student have to meet the eligibility criteria for Speech Language in order to receive speech language services if the student has been identified with a significant development delay?
No. Once a student is eligible for special education and related services under the category of Significant Developmental Delay, the student does not have to meet the eligibility criteria for an additional category in order to receive any needed services. A disability category or label does not determine the IEP services a student may need.

If a student with a significant developmental delay has a -1.5 standard deviation below the mean in language skills under the communication domain, can the student receive speech language services?
Yes. The eligibility criteria found in PI 11.36 (5), Wis. Admin. Code are intended only to identify whether the child has an impairment, not to determine the special education or related services a child receives. There are no 'eligibility criteria' to determine the need for speech and language services, either as special education or as a related service. IDEA states that services and placement for a child with a disability must be based on the child's unique needs and not on the child's category of disability.

Once the IEP team has determined the student's disability category as SDD and is in need of speech language services, should speech language services be a related service and documented of the IEP I-9 form?
Whether a student requires speech language services as a special education service or a related service, is an IEP team decision and is made after eligibility determination. Eligibility criteria alone generally do not define the full extent of an individual student's disability related needs and do not define which special education services a student may or may not receive. A student does not need to meet the particular eligibility criteria to receive special education services or supports related to an area of need. An IEP is individualized for each student and is not impairment specific. Individual educational programming decisions should be based on the student's needs, consideration of the least restrictive environment (LRE), and other requirements related to the development of IEPs.

It is also an IEP team decision to determine and how to document the specific services provided to the student, whether the services are special education or related services. Speech and language services can be either a special education service or a related service. When speech and language is needed by the child to benefit from special education, the service is a related service. Determination of the need for related services for a particular student involves a process of determining educational relevance as well as educational necessity. That is, the IEP team must identify those services (e.g., speech and language) that are needed for the student to have a reasonable opportunity to benefit from special education. To be educationally relevant, a related service must be necessary to support the student's IEP goals. The IEP team needs to identify the areas in the IEP where speech and language services are needed for the child to benefit from special education.

SDD and Other Disabilities

Can an IEP team determine that a child has both a significant developmental delay and an additional disability, such as a speech language impairment?
No. Once the IEP team has determined that the child meets the eligibility criteria and is a child with a significant developmental delay, this will become the only disability category identified. Additionally, SDD will be the only disability category checked on the Determination of Eligibility for Special Education, ER-1 DPI Form, and reported in the ISES.

If a student meets the eligibility criteria for another disability category, such as Speech Language, does the additional area of impairment need to be identified as a secondary disability?
No. There is no requirement to identify a secondary disability category, an additional disability category, or any particular number of disability categories when the student has been identified as having a significant developmental delay.