

# Missouri Schools for the Severely Disabled (MSSD) Eligibility Determination Guide

There are two criteria used to determine eligibility for MSSD:

1) Cognitive deficits (which includes adaptive behavior) and 2) least restrictive environment (LRE). Both criteria must be met for the student to be eligible for MSSD. The presence of concomitant/ multiple disabilities or medical conditions are not part of the qualification criteria. The following information is provided to assist local school districts as they prepare documentation to submit to MSSD for determination of student eligibility. All the information provided will be considered when making decisions about student eligibility to ensure that the student would be appropriately served by MSSD. Eligibility decisions can not be appealed. If the district obtains new information an application can be reopened for review. However, all information previously provided will still be considered during the second review.

## **I. Cognitive Deficits may be reported by using one of two methods:**

- A. Standardized assessments; or
- B. Pervasive supports. Pervasive supports required by the student must be documented when the student is unable to be evaluated through standardized cognitive assessments. The information required to evaluate the level of pervasive supports needed by the student is listed below.

### **A. Cognitive Deficits Reported by Standardized Assessment**

1. Scores must fall four or more standard deviations below the mean on a standardized measure of cognitive ability. Assessments are reviewed to ensure that the tests used are valid for the purpose. If a student's ability level is too low for him/her to be assessed using a normative referenced test, a criterion referenced assessment with a cognitive subsection that yields a developmental age level can be utilized.
2. The adaptive functioning must be commensurate with the scores from the cognitive evaluation and must also indicate that the student is functioning in the severe range. The adaptive behavior assessment must be conducted with a normative referenced standardized instrument that yields scores that fall more than four standard deviations below the mean and that are commensurate with the reported cognitive scores. Assessments completed with instruments that only yield basal scores above this level can not be utilized in the application review process. The instrument must include information to assess all areas of adaptive behavior, including:
  - Communication
  - Self-Care
  - Daily Living
  - Social Skills
  - Community Skills
  - Self-Direction
  - Health and Safety

- Functional Academics
- Leisure
- Work (depending on age of student)

Deficits in adaptive behavior must be documented, consistent, and predicated on adaptive behavior being impacted by deficits in cognitive functioning. This means that the adaptive skill deficits must be due to the student's low level of cognitive functioning and not due to a lack of instruction or interference from concomitant disabilities.

The evaluation report must include the following information for each domain assessed:

- The assessment instrument used
- The date the assessment was administered
- The test score
- The number of standard deviations the score is from the mean of the instrument

## **B. Cognitive Deficits Reported By Pervasive Supports**

If a standardized cognitive assessment instrument can not be utilized with the student, information must be provided to show the pervasive level of support required by the student. The information must come from multiple sources of information (not just the adaptive behavior assessment) and include skills the student is capable of performing, as well as those areas in which he/she has difficulty. A comprehensive review must be provided for each of the following areas:

1. Communication
  - Receptive language skills
  - Expressive language skills
  - Understanding of symbols/gestures
2. Self-Care
  - Toileting
  - Hygiene
  - Eating
3. Daily Living
  - Clothing care
  - Cooking
  - Orientation in the home
4. Social Skills
  - Initiation and termination of interactions
  - Recognition of emotions
  - Regulation of own behavior
  - Making choices

5. Community Use
  - Traveling in the community
  - Traveling in the school environment
  - Using appropriate behavior in the community
6. Self-Direction
  - Following a schedule
  - Dealing with novel or problem situations
  - Completing tasks
7. Health and Safety
  - Basic safety
  - Attending to own medical needs and procedures
8. Functional Academics
  - Independent living skills
  - Understanding of concrete to abstract concepts
  - Applied reading and math skills
  - Generalization of skills
9. Leisure
  - Choosing leisure activities
  - Solitary and group play skills
  - Initiation and termination of activities
10. Work
  - Work persistence
  - Work according to a schedule
  - Management of work materials

## II. Least Restrictive Environment (LRE)

The second part of the eligibility criteria is a justification of why the local school district is not the least restrictive environment for the student. In other words, in this section the district must show why it can not educate the student in the local school and justify why the services they have provided are not adequate to meet the needs of the student. This is completed through the Justification for Separate School Placement statement (JOP). This justification must address A) removal of the student from regular education and B) removal of the student from the LEA to a separate school (LRE). There are a total of **eight (8)** questions or areas that must be addressed. Five (5) areas relate to the removal of the student from regular education classes and the other three (3) are oriented toward why the district can not provide for the educational needs of the student. The information for each question/ area can seem redundant, but there is a different purpose or focus for each of the questions or areas and all eight (8) questions must be answered.

## A. Removal from Regular Education

1. Curriculum and goals of the regular education class.
  - a. Specific teaching materials, or equipments used or modified to access general education curriculum.
  - b. The curricular needs of the general education curriculum and the curricular needs of the student are clearly stated.
  - c. Specific statements are provided as to why the student is unable to access the general education curriculum by comparing the general education curriculum against the educational priorities of the student.
2. Sufficiency of the district's efforts to accommodate the child with a disability in the regular classroom.
  - a. The instructional strategies modifications/accommodations attempted and the results are clearly documented.

Note: Reference material of accommodations examples may be obtained from the State IEP Model from DESE and on the MSSD website:  
<https://dese.mo.gov/special-education/mo-schools-severely-disabled/supplementary-aids-services>
  - b. If instructional accommodations were not provided, documentation is given as to what was considered and why it was rejected.

***Cost, availability of services, and staff expertise are not appropriate justifications for separate school placement. The answer must focus on why the student has not benefitted from the program provided by the district and that the program provided was appropriate for the cognitive level of the student.***
3. The degree to which the child with a disability will receive educational benefit from regular education.
  - a. Potential educational benefits a student may receive from attending a general education classroom, or special classes within the local school district, may be identified for a student. Just because a student may receive a potential educational benefit from regular education does not mean regular education is the least restrictive environment. The justification will document that benefit against the overall educational needs of the student.
  - b. A single statement the student is unable to benefit is not a justification for a separate school placement. The reasons why the student is unable to benefit must be part of the justification.
  - c. The diagnostic label of the disability is not a rationale for limiting a student's access to the general education curriculum.
  - d. A student's complex medical condition is not a justification for why a student is unable to receive an educational benefit from regular education.

4. The effect the presence of a child with a disability may have on the regular classroom environment on the education that the other students are receiving.
  - a. Regular education includes a student attending a general education classroom or a special classroom within the local school district.
  - b. Documentation is provided how other students in the regular classroom would be impacted as a result of the student with a disability attending the classroom.
5. The nature and severity of the child's disability.
  - a. A description of the student's disability, physical condition, or special health care needs may be provided.
  - b. The justification must include a discussion of how these factors prevent the district from being able to educate the student in the general education class.
  - c. The nature and severity of the disability cannot be used as the sole reason for a separate placement.

## **B. Removal from LEA**

6. The local school district considered educating the child in the LEA.
  - a. Specific statements of what was considered and the basis of rejection, with supported statements show why the student would not benefit in regular education and/or special education classes.
7. Identify supplementary aids and services that would be needed to educate the child in the LEA special education program.
  - a. The justification lists the specific aids and services provided.
  - b. Examples may be obtained from the MSSD' website:  
<http://www.dese.mo.gov/divspeced/stateschools/SupplementaryAids.html>
8. Documentation shows why the district cannot provide the educational program and services in the special classes within the local school district.
  - a. If the student has been placed on temporary homebound, the district should clearly indicate the homebound is temporary pending placement. There needs to be a clear explanation as to the reason for the homebound placement, whether it is temporary, and why or if permanent homebound is a more restrictive environment than a public separate day school facility.

## **III. Required documents for an eligibility review for State School**

- A. A current IEP from the referring school district or documentation the referring school district is accepting an IEP from another state or local school district.

- B. The school district's most recent evaluation report with testing that reflects the significant cognitive deficits, or
1. Documentation that the referring school district is accepting an evaluation report from another state, agency or local school district.
  2. If a standardized cognitive assessment is not available, documentation listed in the Cognitive Deficits by Pervasive Supports section must be included.
  3. The cognitive and adaptive behavior assessments must reflect the student's current level of abilities and skills.
  4. Students must have a categorical disability classification and cannot be classified under Young Child with a Developmental Delay (YCDD).
  5. Additionally, the evaluation report must have all components required for submission to MSSD. For example, classification of a student in the category of Autism does not require cognitive or adaptive behavior assessments. However, these components must be included in the evaluation report for a complete submission.
- C. A justification for separate school placement (JOP) that addresses the eight (8) areas for determining the least restrictive environment.
- D. Documentation of student progress over two years.
- Two previous IEP's
  - Progress reports on annual goals/benchmarks
  - If progress reports for two years are not available, documentation provided as to why the progress reports are not available and any known information about the student's performance should be provided.
- E. Cover Letter to show the purpose of the documents submitted (eligibility, in-state transfer, out-of-state transfer) and to provide relevant information about the district contact person for the referral.  
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