

# Missouri Schools for the Severely Disabled (MSSD)

## Eligibility Determination Guide

Through the eligibility process, public agencies must satisfy two prongs of inquiry. Public agencies must establish the student has a severe intellectual disability characterized by cognitive and adaptive behavior deficits four standard deviations or more below the mean, and public agencies must establish placement in a separate school is the least restrictive environment for the student. Establishing the presence of concomitant-multiple disabilities or medical conditions is not part of the eligibility criteria. The following information is provided to assist public agencies as they prepare documentation to submit to MSSD for determination of student eligibility. All information provided will be considered when making decisions about student eligibility to ensure that the student would be appropriately served by MSSD. Eligibility decisions cannot be appealed. When a public agency obtains new information it may be provided with a request for another eligibility review. However, all information previously provided will still be considered during subsequent reviews.

### **I. Establishing the Existence of a Severe Intellectual Disability**

The existence of a severe intellectual disability is documented in the comprehensive special education evaluation report, which is less than three years old, and establishes severe deficits in both cognitive and adaptive levels of functioning.

#### **A. Establishing Cognitive Deficits**

The public agency must establish the existence of a severe intellectual disability. Students with severe disabilities generally have significant cognitive deficits as evidence by method 1 or 2 described below:

1. The student obtains IQ scores falling four or more standard deviations below the mean using a standardized measure of cognitive functioning. or;
2. The student is not able to respond to any standardized measure of cognitive ability due to a combination of sensory and/or motor impairments, but evaluation information indicates significant deficits in cognitive ability and adaptive behavior skills as evidenced by a description of the student's need for pervasive levels of supports across all life areas, as defined by the American Association on Intellectual and Developmental Disabilities (AAIDD) classification system. Each of the following functional areas should be addressed in the description of the need for pervasive levels of support:

##### Communication

- Receptive language skills
- Expressive language skills
- Understanding of symbols/gestures

##### Self-Care

- Toileting
- Hygiene
- Eating

### Daily Living

- Clothing care
- Cooking
- Orientation in the home

### Social Skills

- Initiation and termination of interactions
- Recognition of emotions
- Regulation of own behavior
- Making Choices

### Community Use

- Traveling in the community
- Traveling in the school environment
- Using appropriate behavior in the community

### Self-Direction

- Following a schedule
- Dealing with a novel or problem situations
- Completing tasks

### Health and Safety

- Basic safety
- Attending to own medical needs and procedures

### Functional Academics

- Independent living skills
- Understanding of concrete to abstract concepts
- Applied reading and math skills
- Generalization of skills

### Leisure

- Choosing leisure activities
- Solitary and group play skills
- Initiation and termination of play skills
- Initiation and termination of activities

### Work

- Work persistence
- Work according to a schedule
- Management of work materials

Include as much detail as you can, referencing multiple sources. Provide information about skills the student is capable of performing along with a description of the level of adult support needed in order for the student to perform the skills. The focus of this narrative should be on the description of supports,

accommodations and services provided to the student day to day across all educational settings and at home.

### **B. Establishing Adaptive Behavior Deficits**

The adaptive behavior assessment must be conducted using 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 or, if the student's cognitive ability could not be measured through assessment, the description of pervasive levels of supports required by the student. Assessments completed with instruments that only yield scores less than four standard deviations below the mean cannot be utilized in the eligibility review process. The instrument must include information to assess all areas of adaptive behavior, including;

- Communication
- Self-care
- Daily living
- Social skills
- Self-direction
- Health and Safety
- Functional academics
- Leisure
- Work (for students age 15 and older)

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 assessment results including standard scores
- The number of standard deviations the score is from the mean of the instrument

## **II. Least Restrictive Environment (LRE)**

Public agencies must provide three statements that justify a student's placement in a separate school (JOP). The public agency must describe with supported details why it cannot educate the student in a placement at the public agency. The JOP statements must include the following:

### **A. The agency considered educating the student in a placement at the public agency**

Provide specific statements describing the placement options considered and the basis of rejection for each option. Supported statements relate to educational benefit provided to the student and the student's ability to make progress at the public agency. Statements supporting the rationale that the student cannot be educated locally include:

1. A description of the instructional strategies, supports, accommodations and program modifications used at the public agency and their impact on the students ability to access the curriculum and make progress on IEP goals
2. A description of any instructional strategies, supports, accommodations and program modifications the public agency considered providing and why they were rejected
3. A description of the harmful effects of the students continued placement in the public agency
4. A description of how the nature and severity of the student's disability impacts access to the curriculum (or alternative curriculum) provided at the public agency

**B. Identify supplementary aids and services that would be needed to educate the student in the public agency's special education program**

- List the specific supplementary aids and services provided
- Examples may be obtained from the MSSD website:  
<http://dese.mo.gov/special-education/mo-schools-severely-disabled/supplementary-aids-services>

**C. Articulate why the public agency cannot serve the student in a placement that would benefit the student**

Cost, availability of services and staff expertise are not appropriate justifications for separate school placement. Statements must focus on why the student has not benefitted from the program provided by the public agency and that the program provided was appropriate for the cognitive level of the student.

1. A description of the instrumental strategies, supports, accommodations and program modifications used would help establish that the program provided by the public agency was appropriate for the cognitive level of the student
2. A description of progress made by the student and/or adverse impact on the student to describe the degree to which the student has received educational benefit at the public agency
3. Only applicable for students in a homebound setting:  
If the student has been placed on homebound, the public agency should clearly indicate the homebound is temporary. There must be a clear explanation of the reason for the homebound placement and why or if homebound is a more restrictive environment than a public separate day school facility. If a student is homebound for health reasons, additional information about the student's health condition may be requested in order to establish whether or not the student would be able to attend a separate public day school.

**III. Required documents for an eligibility review for MSSD**

- A current IEP from the public agency or documentation the IEP provided was accepted at student transfer
- The public agency's most recent evaluation report or documentation the public agency accepted an evaluation report upon student transfer.

- If using a standardized cognitive assessment was not possible, include a description of the student's need for pervasive levels of support
- The cognitive and adaptive behavior assessments must be less than three years old and reflect the student's current level of abilities and skills
- Students must have a categorical disability classification other than Young Child with a Developmental Delay (YCDD)
- 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
- Justification for separate school placement (JOP) statements that address the three areas for determining the least restrictive environments
- Documentation of student progress over two years
- Two previous IEPs
  - 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

Include a cover letter on the public agency's letterhead to show the purpose of the documents submitted (eligibility review, in-state transfer, out-of-state transfer) and to provide contact information for the public agency's contact person. Contact information includes; title, mailing address, email address and phone number with extension.

Mail to:  
Assistant Director for Program Services  
Missouri Schools for the Severely Disabled  
P.O. Box 480  
Jefferson City, MO 65102-0480