§305. Screening Activities

A. – B.1.a.iii. …

b. The student is considered "at-risk" of having a hearing impairment when one of the following conditions exist:

i. failure to respond at 20db in one of 1000 Hz, 2000 Hz or 4000 Hz frequencies in at least one ear;

ii. failure to respond at 25db in two or more frequencies in at least one ear;

iii. middle ear pressure outside the range of -200 and +50 mm H2O in either ear; or

iv. excessively stiff or flaccid tympanogram in either ear.

B.1.c. – B.2.b.iii. …

c. When the required techniques are unsuccessful because of the student's immaturity, physical impairment, or mental intellectual ability, adapted methods of testing shall be used to determine the extent of the loss.

B.3. – H.1.e. …

i. interventions are required for students suspected of having Autism, Developmental Delay, Emotional Disturbance, Mild Intellectual Disability, Orthopedic Impairment, Other Health Impairment, and Specific Learning Disability. Interventions are not required for a preschool-aged child, a student suspected of being gifted or talented, or a student suspected of having a severe or low incidence impairment.

I. – J.4. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:898 (May 2009), effective July 1, 2009, amended LR 41:.

§307. Referral Process

A. – A.3. …

B. An immediate referral may be made to pupil appraisal services for an individual evaluation of those students suspected of having low incidence impairments such as hearing impairment, visual impairment, deaf-blindness, traumatic brain injury, mental intellectual disability (moderate or severe), multiple disabilities, and some students with severe autism, orthopedic impairments and/or significant health issues; or based on substantial documentation by school building level personnel of any student suspected of being likely to injure him/her- self or others. Screening activities should be completed during the evaluation for these students.

C. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:900 (May 2009), effective July 1, 2009, amended LR 41:.

Chapter 5. Evaluation Responsibilities

§511. Evaluation Timelines

A. …
1. End of the Year Extension. If the LEA begins an evaluation and there are fewer than 60 business days remaining in the LEA's current school year, the LEA may take this type of extension with parent permission. However, the number of days used between the parental signature and June 1 (the SER official beginning date for summer) will be subtracted from the 60 business days, and the timelines will begin again on September 1 (the SER official ending date for summer).

A.2. – B. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.


Chapter 7. Disabilities

§711. Mental Intellectual Disability

A. Definition. Mental Intellectual Disability means significantly sub average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a student's educational performance.

1. In every case, determination of a mental an intellectual disability shall be based on an assessment of a variety of factors including educational functioning, adaptive behavior, and past and current developmental functioning (e.g., indices of social, intellectual, adaptive, verbal, motor, language, emotional, and self-care development for age).

B. Criteria for Eligibility. Evidence of criteria listed in Paragraphs 1 through 5 must all be met.

1. Documented evidence must show that evidence based intervention(s) implemented with fidelity did not significantly modify the areas of concern. The intervention(s) shall include operationally defined target behaviors, systematic measurement of the academic and/or social areas of concern, establishment of baseline, and monitoring of the student's response to the intervention. These results may not be available for students with low incidence impairments.

2. For all students meeting the classification of Mental Intellectual Disability as defined in Subparagraphs a through c, the degree of impairment shall be specified.

a. The measured intelligence and adaptive behavior functioning of a student with a Mental an Intellectual Disability—Mildly Impaired generally falls between two and three standards deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.

b. The measured intelligence and adaptive behavior functioning of a student with a Mental an Intellectual Disability—Moderately Impaired generally falls between three and four standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.

c. The measured intelligence and adaptive behavior functioning of a student with a Mental an Intellectual Disability—Severely Impaired generally falls greater than four standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.

B.3. – D.5. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.


§713. Multiple Disabilities

A. Definition. Multiple Disabilities means concomitant impairments (such as mental intellectual disability-blindness, orthopedic impairment-deafness, autism-orthopedic impairment, or emotional disturbance—mental intellectual disability), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.
§717. Other Health Impairment

A. - D. …

1. a report of a medical examination, conducted within the previous 12 months from a physician or other licensed health care provider authorized by the State of Louisiana and qualified by training or experience in accordance with their licensed scope of practice to assess and diagnose the student’s health problems, giving not only a description of the impairment but also any medical implications for instruction and physical education. When the medical report indicates the student has a health condition requiring health technology, management or treatments including a special diet or medication or that the student needs assistance with activities of daily living, the school nurse or other qualified personnel will conduct a health assessment. For attention deficit disorder or attention deficit hyperactivity disorder, a diagnostic report from a physician or a nurse practitioner shall not be required.

D.2. – D.4. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:910 (May 2009), effective July 1, 2009, amended LR 41:.

§719. Specific Learning Disability

A. Definition. Specific Learning Disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

B. Criteria for Eligibility. Evidence of criteria listed in Paragraphs 1, 2, 3, and 4 must be met:

1. the learning problems are not primarily the result of:
   a. visual, hearing, or motor disability;
   b. mental intellectual disability;

B.1.c. – D.4. …

5. a psychological assessment shall be conducted by a certified school psychologist, when necessary, to rule out a mental intellectual disability;

6. – 7. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:911 (May 2009), effective July 1, 2009, amended LR 41:.

Chapter 15. Related Services

§1509. School Health Services and School Nurse Services

A. – B.1.b. …

c. A prescription from a physician or dentist or other licensed health care professional authorized by the State of Louisiana to practice in Louisiana or adjacent state and qualified in accordance with their licensed scope of
practice prescribes the health treatment, technology, and/or health management that the student must have in order to function within the educational environment; or there is a documented need for a modification of his or her activities of daily living.

C. – C.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:922 (May 2009), effective July 1, 2009, amended LR 41:..