Sources of Information About Eligibility Determination Definitions and Practices

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This Milemarkers bibliography includes selected references to sources of information about criteria and practices for determining child eligibility for the Individuals with Disabilities Education Act (IDEA) Early Intervention Program and Preschool Special Education Program. The information is useful for knowing which children with what kinds of disabilities or delays are eligible for early intervention or preschool special education and which practices can facilitate decision making in terms of the enrollment of eligible children.

The Individuals with Disabilities Education Act (1997) and the regulations for both the Part C Early Intervention (Early Intervention Program, 2002) and Part B(619) Preschool Special Education (Assistance to States, 2002) programs include the definitions and eligibility criteria for discerning those infants, toddlers, and preschoolers who are eligible to receive early intervention and preschool special education. The Act and regulations also include information regarding allowable practices (e.g., informed clinical opinion) for determining eligibility and the categories of disability or delay that states can use to make children eligible for early intervention or preschool special education (e.g., developmental delay).

This Milemarkers includes selected references to research and practice pertaining to eligibility determination definitions and practices. We include sources of information that make clear which children by law are eligible for early intervention or preschool special education and which children may be eligible at the discretion of states. We also include sources of information on three practices (informed clinical opinion, presumptive eligibility, and triage) that can facilitate the eligibility determination process. Eligibility definitions and eligibility determination practices are two types of eligibility-related activities (Dunst & Trivette, 2004) that constitute the focus of research and practice at the Tracking, Referral and Assessment Center for Excellence (www.tracecenter.info).

Eligibility Determination Definitions

Early Intervention

Infants and toddlers with identified conditions or disabilities (e.g., Down syndrome, cerebral palsy, hearing loss), infants and toddlers who have a diagnosed physical or mental condition that has a high probability of resulting in a delay or disability (very low birth weight), and infants and toddlers experiencing developmental delays as determined by appropriate assessment procedures and who meet a state’s criteria for being developmentally delayed (see Shackelford, 2004) are eligible for the IDEA Part C Early Intervention Program. At a state’s discretion, infants and toddlers who are at risk for developmental delays or poor outcomes because of environmental or biological risk factors, or both, may be eligible for Part C program participation if the at-risk condition(s) would lead to substantial developmental delay if the children did not receive early intervention.


Preschool Special Education

Preschool-aged children with identified disabilities are eligible for the IDEA Part B(619) Preschool Special Education Program. These include children with mental retardation, hearing impairments, speech or language impairments, visual impairments, serious emotional disturbances, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities. At a state’s discretion, the category of developmental delay may be used for eligibility determination if a child is experiencing a delay in physical, cognitive, communication, social or emotional, or adaptive development. Almost 75% of states (N = 35) now use developmentally delayed as an eligibility category for preschool special education (Danaher, 2004).


Eligibility Determination Practices

Informed Clinical Opinion

The IDEA regulations for the Part C early intervention program include a provision that informed clinical opinion be used to conduct the evaluation and assessment of a child to determine initial and continuing eligibility for early intervention (Early Intervention Program, 2002). As stated in the regulations, informed clinical opinion is based on a review of available child records, formal and informal evaluations of a child’s developmental functioning, and information provided by the child’s parents and other family members. Simeonsson, Huntington, and Parse’s (1980) review of the clinical judgment literature indicates that the practice has been effectively used by professionals for assessing children with disabilities for many years.

Bagnato, Matesa, Smith-Jones, and Fenvor’s (in press) synthesis of the literature on informed clinical opinion or clinical judgment found that the practice “refers to the knowledgeable perceptions of caregivers and professionals about the elusive and subtle capabilities and contexts of children which must be defined and quantified so that an individual and a team can reach an accurate decision about a child’s eligibility for early intervention.” Informed clinical opinion is characterized by the use of different sources of information obtained through various means used to make decisions about a course of action (e.g., eligibility) or the need for supports, resources, or services (Records & Tomblin, 1994).
Presumptive Eligibility

A practice that has major implications for improving early intervention and preschool special education eligibility determination is presumptive eligibility. Presumptive eligibility is a decision-making process that encourages (and empowers) practitioners to make temporary eligibility determinations for individuals who obviously are or have a high probability of subsequently being deemed eligible using more formal eligibility determination procedures (Klein, 2003). The purpose of presumptive eligibility is to prevent delay in the provision of supports, resources, and services to individuals that need or require intervention or treatment.

Presumptive eligibility has been used for almost a decade for expediting enrollment of children in states’ children’s health insurance programs (Klein, 2003). Bagnato, Matesa, Fevola, and Smith-Jones (in press) recently completed a review of the presumptive eligibility literature specifically in terms of its implication for early intervention and preschool special education eligibility determination. These investigators noted that presumptive eligibility, when used in the context of a complete understanding of a state’s eligibility criteria (Danaher, 2004; Shackelford, 2004), can be effectively used for facilitating and streamlining eligibility determination. The references in this section of the bibliography include information about how presumptive eligibility has been used to expedite enrollment in different kinds of service programs.


Triage

A practice that could be used to improve eligibility determination is triage (Robertson & Molyneux, 2001). The procedure is a decision-making process used to both identify persons most in need of attention (treatment, intervention, etc.), and to prioritize those who should be treated or provided services first, then second, and so forth. Triage decision-making procedures have been used in the medical field for many different purposes aimed specifically at improving the timely provision of appropriate treatments or services.

The effectiveness of triage is directly related to the decision-making rules that are used to prioritize service provision (Laupacis, Sekar, & Stiell, 1997). A decision-making rubric could easily be developed for triaging eligibility determination decisions for early intervention or preschool special education program enrollment. For example, one rule might be that all children with identified conditions or disabilities (e.g., trisomies) that are known to be associated with mental retardation be made eligible in the absence of any other information. Similar decision-making rules could be developed to facilitate enrollment of children with other kinds of disabilities as well. The various uses of triage as a decision-making process are described in the references in this section of the bibliography.


Summary

Knowledge of the eligibility definitions for the Part C Early Intervention Program and Part B(619) Preschool Special Education Program and the decision-making practices that are used for eligibility determination, can ensure timely provision of needed supports, resources, and services to infants, toddlers, and preschoolers with or at risk for disabilities or delays. This Milemarkers includes selected references to background information on eligibility definitions and practices that can be used to facilitate eligibility determination. Practitioners interested in improving eligibility determination should find the source material useful for examining current practices and developing new approaches to enrolling eligible children in early intervention or preschool special education.

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References


eligibility promoting program enrollment. Cornerstones, 1(3).


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