

**Technical Assistance on Orthopedic Impairment Educational Classification in
Utah Public Schools**

October 22, 2015

The purpose of this Technical Assistance (TA) document is to:

- Clarify the role of a medical diagnosis when determining eligibility for the IDEA educational classification of Orthopedic Impairment.
- Clarify the role of individual licensed professionals when providing information for eligibility evaluation.
- Clarify the Utah State Board of Education (USBE) Special Education Rules eligibility evaluation requirements to acquire prior medical and developmental history.

IDEA Eligibility and the role of medical diagnosis (USBE SER II.J.8.c. (1))

An IDEA educational eligibility classification of Orthopedic Impairment (OI) is determined by the eligibility team, which includes a group of qualified professionals and the student's parent(s). The eligibility team should carefully consider information from a variety of sources in order to determine eligibility. This information must include medical history from a qualified health professional. A specific medical diagnosis is not required to be eligible for special education services under IDEA under the Orthopedic Impairment classification, and similarly, having a medical diagnosis does not guarantee IDEA eligibility if the disability does not adversely affect the student's educational performance. However, information provided from a qualified health professional can assist the eligibility team in determining that the student with a disability fits the Orthopedic Impairment criteria.

A student may be eligible for special education services under the Orthopedic Impairment classification if the eligibility team determines that the student has a severe orthopedic impairment that adversely affect a student's educational performance. The team must determine that:

- (1) The orthopedic impairment adversely affects the student's educational performance,
- (2) The student with an orthopedic impairment must require special education and related services, and
- (3) The team must determine that the orthopedic impairment is the student's primary disability.

Role of Licensed Professionals (USBE SER I.E.22)

The role of each licensed educational professional/team member providing information to determine eligibility with an Orthopedic Impairment classification should be understood and documented. Each individual who provides evaluation information may only provide information consistent with the parameters of his or her Utah professional licensure.

For example, a school psychologist, who must hold a Utah Professional Educator license (USBE SER IX.H), may administer psychological and educational tests and interpret the assessment results, consult with the eligibility team regarding information indicated by psychological tests, conduct interviews, conduct direct observations, and/or administer a behavioral evaluation (USBE SER I.E.34.c.(10)). A school psychologist may not provide prior medical history as this information must come from a qualified healthcare professional. A speech-language pathologist (SLP) must hold a Utah Professional Educator License (USBE SER IX.H) and may conduct an appraisal of and diagnose specific speech or language impairment (USBE SER I.E.34.c. (15)), including pragmatic language deficits. An SLP is not licensed to provide information regarding specific medical syndromes or medication.

Prior Medical History (USBE SER II.J.8.c. (1))

As part of the evaluation for determining student eligibility for special education services under the Orthopedic Impairment classification, the student's prior medical history from a qualified health professional must be on record regarding specific syndromes, health concerns, medication, and any information deemed necessary for planning the student's educational program.

Prior Medical History (USBE SER II.J.8.c. (1)). The student's prior medical history regarding specific syndromes, health concerns, and medication must be obtained from the student's healthcare provider. Well-baby check-up records may provide the necessary information. Immunization records or an immunization waiver that is on record with the school may provide the prior medical history. If the team determines that additional medical information such as seizure activity, allergies or other bio-sensory information, or co-morbid conditions, can only be provided by a healthcare provider, the LEA must ensure that the information is acquired in a timely manner at no cost to the parent(s). A medical information release form can be used to request the necessary information from the student's health professional. An example of such a form can be found at this link:

http://www.schools.utah.gov/sars/DOCS/disability/autism/autism_medrelschlfrm.aspx.

Qualified Health Professional (USBE SER II.J.8.c. (1)). A qualified health professional is an individual who has the requisite training and functions in the role of providing medical information to the school evaluation team consistent with his/her professional license. This person could be the student's physician, nurse, or other healthcare professional.

For further information regarding IDEA Orthopedic Impairment classification eligibility see the Utah State Board of Education Special Education Rules located at:

<http://www.schools.utah.gov/sars/Laws,-State-Rules-and-Policies/Rules-and-Regulations.aspx>.

For questions, please contact Jessica Bowman at Jessica.bowman@schools.utah.gov.

Reference

Utah State Board of Education (USBE). (2013). *Special education rules*. Utah State Office of Education. SLC, UT.