

**Kearsarge Regional School District  
114 Cougar Court  
New London, NH 03257**

**EMOTIONAL DISTURBANCE ELIGIBILITY CHECKLIST**

<b>Student's Name:</b>	<b>Grade:</b>
<b>Date of Meeting:</b>	<b>DOB:</b>

**Emotional Disturbance (34 CFR 300.8(c)(4)):** Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build and maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior and feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance includes Schizophrenia.

The term does not apply to children who are socially maladjusted, unless it is determined that they also have an emotional disturbance under the criteria established above.

**ELIGIBILITY QUESTIONS - Answer ALL questions. Do not stop until ALL are answered.**

1. The student exhibits <b><u>one or more</u></b> of the following characteristics:  Check characteristics that apply:	YES	NO											
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*To be eligible, the answer to Question 1 must be **yes**. Proceed to the next question.*

2. Has the student exhibited the characteristics identified in Question 1 over a long period of time. <ul style="list-style-type: none"> <li>• observed for approximately 6 months, and likely to continue for approximately 6 months.</li> </ul>	YES	NO	

*To be eligible, the answer to Question 2 must be **yes**. Proceed to the next question.*

3. Have the characteristics identified in Question 1 have been displayed to a marked degree? • characteristics/behaviors are displayed at school, and are present at levels significantly beyond those expected as compared to same-age and same-grade peers.		YES		NO

To be eligible, the answer to Question 3 must be **yes**. Proceed to the next question.

4. Is there documentation of an adverse effect on educational performance, due to the characteristics identified in Question 1?		YES		NO
Describe adverse effect:				

To be eligible, the answer to Question 4 must be **yes**. Proceed to the next question.

5. Evaluation confirms that limited English proficiency is <b>NOT</b> a determinant factor in the eligibility decision?		YES		NO

To be eligible, the answers to Question 5 must be **yes**. Proceed to the next question.

6. Evaluation confirms that lack of appropriate instruction in reading and/or math was <b>NOT</b> a determinant factor in the eligibility decision?		YES		NO

To be eligible, the answer to Question 6 must be **yes**. Proceed to the next question.

7. Is the student socially maladjusted rather than emotionally disturbed?		YES		NO
<p>Responses of "NO" verify that significant emotional issues are impacting behavior and academic performance.</p> <p><b>Social Maladjustment</b> is regularly defined by the courts as "a persistent pattern of violating social norms" with lots of truancy, substance abuse, a perpetual struggle with authority, as well as a tendency to be easily frustrated, impulsive and manipulating. See, e.g., <i>Sequoia Union High School District, 559 IDELR 133 (N.D. Cal. 1987)</i>.</p> <p>Behaviors indicative of social maladjustment are often under the student's control, and are understood by the student. See, e.g., <i>Springer v. Fairfax County School Board, 134 F.3d 659 (4th Cir. 1998)</i>.</p>				

To be eligible, the answer to Question 7 must be **no**. Proceed to the next question.

8. If there is an emotional disturbance, does the child require specially designed instruction because of that condition?		YES		NO

To be eligible, the answer to Question 8 must be **yes**. Proceed to Determination.

**DETERMINATION:** The Team used the above evaluation data to determine:

The student has been determined to have an emotional disturbance, and is eligible for special education services.		YES		NO
The student has been determined to have an emotional disturbance, but is <b><u>not</u></b> eligible for special education services at this time.		YES		NO
The student <b><u>does not</u></b> meet requirements to be identified with an emotional disturbance, and is <b><u>not</u></b> eligible for special education services.		YES		NO

**I am in agreement with the above conclusions:**

Name	Title

**I am NOT in agreement with the above conclusions.** (*Dissenting team members shall submit a separate, written statement*).

Name	Title