

SIGNIFICANT COGNITIVE DISABILITY ELIGIBILITY CRITERIA

On December 9, 2003, revised regulations providing new flexibility for calculation of adequate yearly progress under No Child Left Behind were published. The new regulations allow for the states to determine the definition of students with significant cognitive disabilities. Proficient and advanced scores of students with the most significant cognitive disabilities based on alternate academic achievement standards may be included in adequate yearly progress calculations, but may not exceed 1% of all the students assessed, grades 3-8 and 11, in reading/language arts and mathematics.

Caution is given to IEP teams to **absolutely avoid over representation of those termed significantly cognitively disabled.** Careful consideration regarding the use of standard and non-standard accommodations on statewide assessments is encouraged. In order to determine if an alternate assessment must be given, a student must be identified as meeting the criteria for having a significant cognitive disability.

To be identified as having a significant cognitive disability, the student must meet **all** of the following criteria:

1. The student has an active IEP with annual goals and short term objectives/benchmarks which focus on **South Dakota Extended Content and Alternate Academic Achievement Descriptors for Students with Significant Cognitive Disabilities**; and
2. the student's cognitive abilities are 2.0 standard deviations or more below the mean (inclusive of the standard error of measurement); and
3. the student primarily requires direct and extensive instruction to acquire, maintain, generalize and transfer skills done in naturally occurring settings of the student's life. (e.g. school, community, home, vocational/career, and recreation and leisure)

Documentation of meeting the above three criteria used to determine eligibility for significant cognitive disability must be maintained in the student's file, and the use of alternate assessment of the alternate academic achievement standards must be written into the IEP after such determination by the IEP team.