



El Dorado County Charter SELPA | *ANNUAL DASHBOARD*

Special Education Local Plan Area (SELPA)

REPORT OF SELECT STATISTICS

May 2013

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*FOR ADDITIONAL INFORMATION ON THE CHARTER SELPA, PLEASE VISIT OUR WEBSITE
[HTTP://WWW.EDCOECHARTERSELPA.ORG](http://www.edcoechartersepa.org)*

Charter SELPA Dashboard – May 2013

INTRODUCTION

Charter SELPA	# of Partners	# of Charters	K-12 P-2 ADA
2012-13	74	171	71,065
2011-12	62	138	53,127
2010-11	41	106	38,596
2009-10	16	47	13,920
2008-09	9	23	7,780
2007-08	6	17	4,158
2006-07	4	10	2,357

El Dorado Charter SELPA (Special Education Local Plan Area) began in 2006-07 with four charter partners, operating 10 charter schools. The Charter SELPA has grown to include 74 partners, operating 171 charter schools, representing over 71,000 students.

Special Education law (state and federal) has varied reporting and data collection requirements. The Charter SELPA dashboard compiles the Charter SELPA special education pupil count data, program information, and income/expense data into a context so it

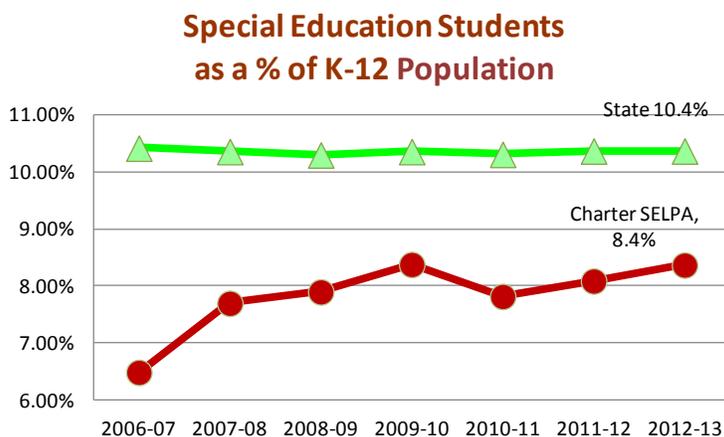
is a useful monitoring tool for the Charter SELPA and its members.

The following report includes 2011-12/2012-13 special education (SpEd) pupil counts and 2011-12 special education income/expense data. Statewide data is provided for comparison purposes.

EXECUTIVE SUMMARY

Pupil Count Data

El Dorado Charter SELPA serves 8.37% of the K-12 population in special education, which is lower but comparable to the state percentage of approximately 10%.



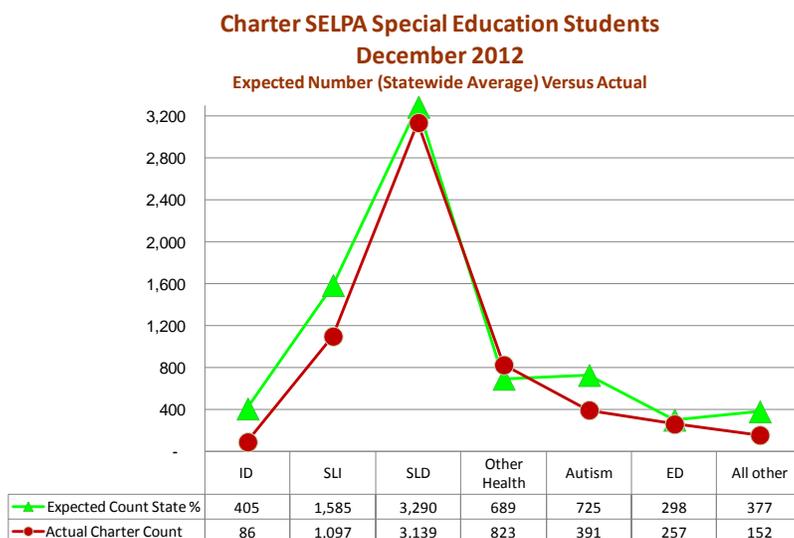
Charters in the first year of operation serve a lower percentage of special education students. As programs and services are developed, the special education population increases.

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El Dorado Charter SELPA serves more students in the category of “non-severely” disabled. For example, in 2012-13, within the 10% of students identified statewide as special education, 45% of students were identified as “Specific Learning Disability”, a non-severe category of disability. In the Charter SELPA, 53% of special education students were identified as “Specific Learning Disability”.

Comparing the Charter SELPA

December special education pupil counts to expected counts based on the state average, consistent patterns of identified students emerge. In this chart, it shows that 3,290 students would be identified as Specific Learning Disability (SLD) based on the state average, compared to the actual Charter SELPA count of 3,139 students served.



2011-12 Student Achievement Data

70% of charters in the Charter SELPA met their API (Academic Performance Index) target (average API score of 819). 30% of charters did not meet their API target (average API score of 730). Only one charter (Gompers) had a significant special education sub-group target (sub-group defined as more than 100 students). They achieved API growth of 12 points; however they had an API sub-group target to meet of 14. Seven charters report under the Alternative School Accountability Model (ASAM), which provides accountability for alternative schools serving highly mobile and at-risk students. All seven met API target goals in 2011-12.

2012-13 Program Compliance Data

While the Charter SELPA special education population is increasing over time; percentages of non-compliance issues have decreased and then stabilized in recent years. In 2012-13 (with almost 6,000 students with IEPs), 24 overdue IEPs and 13 overdue evaluations were noted.

Charter SELPA	Special Education Pupil Count	Overdue Annual IEPs	Overdue Evaluations	% Overdue Annual IEPs	% Overdue Evaluations
2012-13	5,945	24	13	0.40%	0.22%
2011-12	4,299	12	14	0.28%	0.33%
2010-11	3,025	4	6	0.13%	0.20%
2009-10	1,166	2	3	0.17%	0.26%
2008-09	616	5	8	0.81%	1.30%
2007-08	323	19	12	5.88%	3.72%

2011-12 Income

The Charter SELPA special education funding of \$630 per ADA (Average Daily Attendance) does not compare favorably to \$1,200 per ADA state average special education funding. It should also be noted that the state average amount includes funds for infant, preschool, adults, and special education

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transportation plus other grants. Most special education funds are generated based on total student population and not based on a count of identified special education students.

2011-12 Expenditures/Local Contribution

The Charter SELPA is similar to school districts, in that state and federal funds do not cover the cost of special education. On average, 11% of special education expenditures are funded at the local level with a general fund contribution. In 2011-12, charters in the SELPA provided over \$3 million from local sources to fund special education services.

2011-12 Federal Maintenance of Effort and Excess Cost Requirements

There are two federal expenditure “tests” that must be calculated and reported each year.

Federal maintenance of effort (MOE) requires that a charter (and the SELPA) must spend from state and local sources, the same amount as spent in the prior year (with some allowable exceptions). The Charter SELPA in total (and by charter), met federal maintenance of effort (MOE) requirements in 2010-11, 2011-12. The Charter SELPA also met the MOE budget test for 2012-13.

Federal excess cost requirement requires that a charter may not spend federal dollars, until they have spent from state and local resources an amount per special education student FTE, that is equal to the average general fund expenditure per student. All charters in the Charter SELPA met federal excess costs requirements in 2010-11 and 2011-12.

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SPECIAL EDUCATION PUPIL COUNT- QUANTITATIVE ANALYSIS

Special education pupil counts are based on an official count taken in December and are compared to K-12 P-2 ADA counts to determine the special education population as a percentage of overall ADA (Average Daily Attendance). Statewide, approximately 10% of the K-12 population is identified as special education (ages 5 to 18). (When comparing the full range of special education students, ages 0-22, the percentage is over 11%.) As noted in the chart, statewide data is consistent over time at an average of 10.34%. ADA is used instead of an enrollment count, because it is a more reliable measurement. ADA is generally about 95% of enrollment.

Statewide Data	K-12 P-2 ADA *	Special Education Pupil Count K-12	SpEd Pupil Count as % of P-2 ADA (c/b)
a	b	c	d
2011-12	5,961,297	618,239	10.37%
2010-11	5,942,645	612,443	10.31%
2009-10	5,929,190	614,031	10.36%
2008-09	5,958,060	613,833	10.30%
2007-08	5,947,023	616,364	10.36%
Average			10.34%

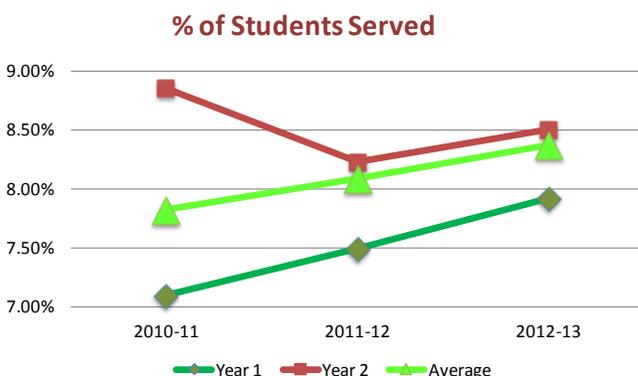
**AB602 ADA used for special education funding formula*

Charter SELPA	K-12 P-2 ADA *	# of Charters	K-12 SpEd Pupil Count**	K-12 SpEd Pupil Count as %
a	b	c	d	d/b
2012-13	71,065	171	5,945	8.37%
2011-12	53,127	138	4,299	8.09%
2010-11	38,596	106	3,019	7.82%
2009-10	13,920	47	1,166	8.38%
2008-09	7,780	23	615	7.90%
2007-08	4,158	17	320	7.70%
2006-07	2,357	10	153	6.49%

**AB602 ADA used for special education funding formula*

El Dorado Charter SELPA serves 8.37% of the K-12 population in special education (2012-13), which is lower but comparable to the state average percentage of 10.37% (2011-12).

Charters in the first year of operation will serve a lower percentage of students. As programs and services are developed, the special education population increases. In 2012-13, first year charters in the SELPA served 7.9% of their population and charters with two or more years in the Charter SELPA served 8.5%.



Charter SELPA	K-12 P-2 ADA *	Special Education Pupil Count K-12	K-12 SpEd Pupil Count as % of P-2 ADA
a	b	c	d
2012-13 Year 1 Charter	16,374	1,297	7.92%
2012-13 Year 2 or More	54,691	4,648	8.50%
Total	71,065	5,945	8.37%
2011-12 Year 1 Charter	9,652	723	7.49%
2011-12 Year 2 or More	43,475	3,576	8.23%
Total	53,127	4,299	8.09%
2010-11 Year 1 Charter	22,726	1,614	7.10%
2010-11 Year 2 or More	15,870	1,405	8.85%
Total	38,596	3,019	7.82%

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There are a number of factors which may be responsible for the Charter SELPA lower percentage (8.37% in 2012-13) versus state average of 10.4% (2011-12):

As noted above, charters in the first year of operation in the Charter SELPA typically start at a lower percentage of students served. There are many new start-up charters in the SELPA, and the special education population typically grows as the charter becomes established.

Many school districts do not directly operate a full range of special education programs at charter schools; therefore a charter school may enter the Charter SELPA needing to start up a full range of offerings.

Many charter schools meet student needs through greater modifications of the general education program that they offer, often decreasing the need for identifying students for special education services.

SPECIAL EDUCATION PUPIL COUNT BY DISABILITY

Federal and state laws require identification and reporting of students by primary disability. The December special education pupil count data is downloaded from the automated IEP (Individualized Education Program) system. Each student has a primary disability identified in their IEP. (See Appendix for listing of disabilities)

Disability categories are further categorized as severe and non-severe. Severely disabled covers individuals with exceptional needs who require intensive instruction and training in programs. Severely disabled includes the following profound disabilities; autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, and severe intellectual disability (mental retardation). All other disabilities are considered “non-severely disabled”. El Dorado Charter SELPA tends to serve more students in the

category of “non-severely” disabled. For example, in the chart (line 10), statewide 45% of special education students were identified as Specific Learning Disability (SLD) and the Charter SELPA identified 53% as SLD, a category of non-severely disabled.

1	Special Education Pupil Count State data (2011) Compared to Charter SELPA 2012 data		State Special Education K-12 Pupil Count Dec 11	State SpEd K- 12 Pupil Count as % of total	Charter SELPA Special Education K-12 Pupil Count Dec 12	Charter SELPA SpEd K-12 Pupil Count as % of total
2	Intellectual Disability	ID	34,059	5.5%	86	1.5%
3	Hard of Hearing	HH	7,684	1.2%	61	1.0%
4	Deaf	Deaf	3,221	0.5%	9	0.2%
5	Speech or Language Impairment	SLI	132,808	21.5%	1,097	18.5%
6	Visual Impairment	VI	3,488	0.6%	22	0.4%
7	Emotional Disturbance	ED	25,288	4.1%	257	4.3%
8	Orthopedic Impairment	OI	11,341	1.8%	43	0.7%
9	Other Health Impairment	OHI	57,992	9.4%	823	13.8%
10	Specific Learning Disability	SLD	275,795	44.6%	3,139	52.8%
11	Deaf- Blindness	DB	115	0.0%	-	
12	Multiple Disability	MD	4,084	0.7%	8	0.1%
13	Autism	AUT	60,804	9.8%	391	6.6%
14	Traumatic Brain Injury	TBI	1,560	0.3%	9	0.2%
15	Total		618,239	100.00%	5,945	100.00%

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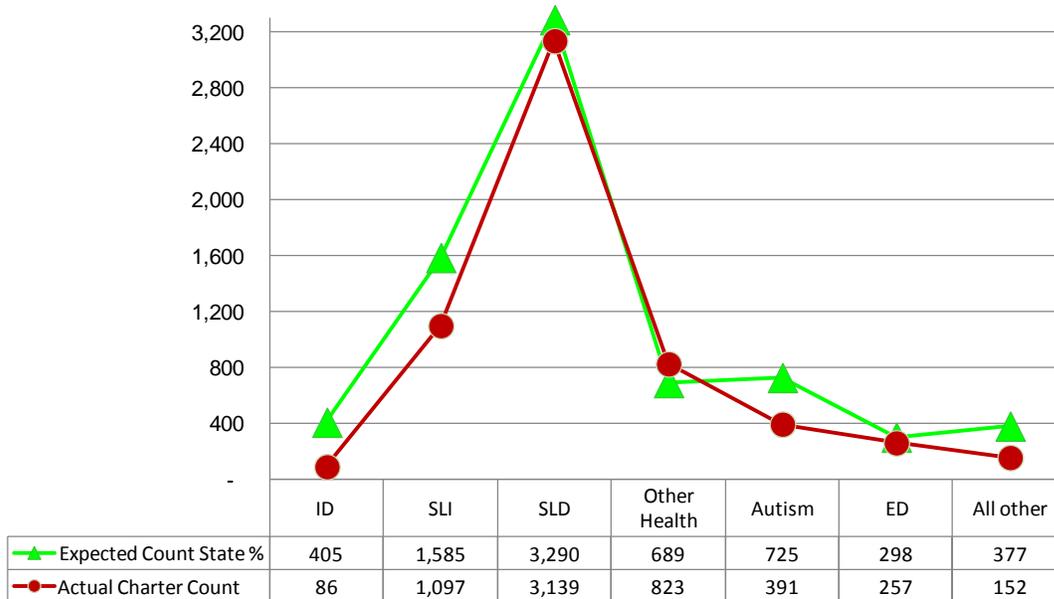
The following chart compares state average percentage to the Charter SELPA special education pupil count.

1	Analysis of Charter SELPA Pupil Count (2012) Compared to State Average (2011)	Charter SELPA Projection Using State Ave.	Charter SELPA Actual	Variance
2	Charter SELPA 2012-13 P-2 ADA	71,065	71,065	
3	% of student served	10.37%	8.37%	
4	Students with Special Needs	7,369	5,945	(1,424)

If the Charter SELPA had followed the state average (10.37%), the overall count of students would have been 7,369. The actual pupil count was 5,945 or 1,424 fewer students.

The graph (below) shows the actual number of students identified as special needs for the Charter SELPA, compared to the expected counts based on state average. The graph illustrates that the Charter SELPA aligns favorably in comparison to the state average.

**Charter SELPA Special Education Students
December 2012**
Expected Number (Statewide Average) Versus Actual



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The chart below provides greater detail on the comparison of expected counts based on state average compared to Charter SELPA actual special education pupil counts.

For example, in the area of Autism (line 16 in the chart below), Charter SELPA serves 391 students. Based on the state average, we would expect to identify 725 students, a difference of 334 fewer students. Specific Learning Disability (line 13) shows the Charter SELPA serves 3,139 students. Based on the state average, we would expect to identify 3,290 students, a difference of 151 fewer students.

1	Special Education Pupil Count State data (2011) compared to Charter SELPA 2012 data		State Special Education K-12 Pupil Count Dec 11	State SpEd K- 12 Pupil Count as % of total	Charter SELPA Special Education K-12 Pupil Count Dec 12	Charter SpEd K-12 Pupil Count as % of total	Expected Charter SELPA count based on State averages	Charter count based on State averages compared to actual
2	a	b	c	d	e	f	g	h
3	P-2 ADA (State/Charter)			5,961,297		71,065	71,065	
4				c/K-12 ADA	actual counts		d/Charter ADA	g-e
5	Intellectual Disability	ID	34,059	0.57%	86	0.12%	405	(319)
6	Hard of Hearing	HH	7,684	0.13%	61	0.09%	92	(31)
7	Deaf	Deaf	3,221	0.05%	9	0.01%	36	(27)
8	Speech or Language Impairment	SLI	132,808	2.23%	1,097	1.54%	1,585	(488)
9	Visual Impairment	VI	3,488	0.06%	22	0.03%	43	(21)
10	Emotional Disturbance	ED	25,288	0.42%	257	0.36%	298	(41)
11	Orthopedic Impairment	OI	11,341	0.19%	43	0.06%	135	(92)
12	Other Health Impairment	OHI	57,992	0.97%	823	1.16%	689	134
13	Specific Learning Disability	SLD	275,795	4.63%	3,139	4.42%	3,290	(151)
14	Deaf- Blindness	DB	115		-		-	-
15	Multiple Disability	MD	4,084	0.07%	8	0.01%	50	(42)
16	Autism	AUT	60,804	1.02%	391	0.55%	725	(334)
17	Traumatic Brain Injury	TBI	1,560	0.03%	9	0.01%	21	(12)
18	Total		618,239	10.37%	5,945	8.37%	7,369	(1,424)

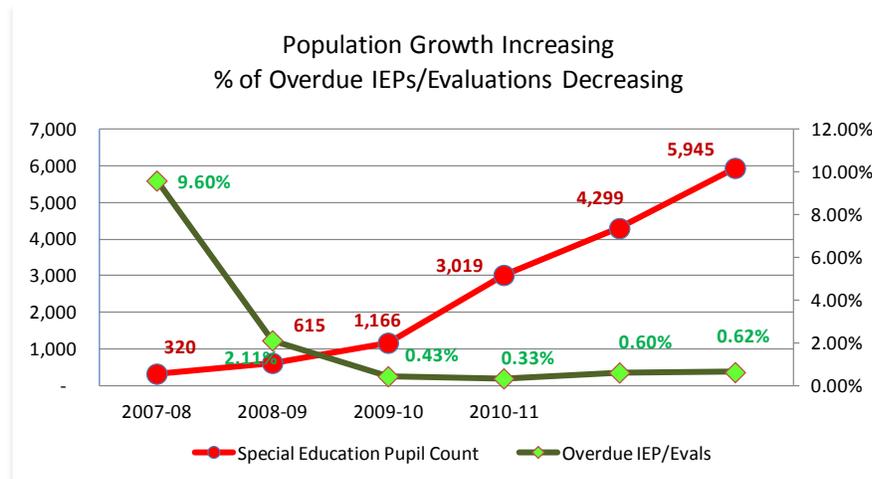
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EL DORADO COUNTY CHARTER SELPA IEP STATISTICS

Charter SELPA	Special Education Pupil Count	Overdue Annual IEPs	Overdue Evaluations	% Overdue Annual IEPs	% Overdue Evaluations
2012-13	5,945	24	13	0.40%	0.22%
2011-12	4,299	12	14	0.28%	0.33%
2010-11	3,025	4	6	0.13%	0.20%
2009-10	1,166	2	3	0.17%	0.26%
2008-09	616	5	8	0.81%	1.30%
2007-08	323	19	12	5.88%	3.72%

While indicators show the Charter SELPA is managing increasing numbers of special education students, it is important to know if the growth is managed with quality. Two measurable outcomes of data analysis are the timeliness of annual IEPs and evaluations. The chart (on the left) illustrates measurable improvements in case management deliverables while undergoing significant growth.

The graph below shows the Charter SELPA special education population increasing over time, while the number of overdue IEPs/evaluations has declined and stabilized. For the past four years, the rate has been below 1%.



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SPECIAL EDUCATION INCOME

Special Education funding in California is a complicated formula, but broken down into its simplest form, each SELPA (Special Education Local Plan Area) receives an amount per K-12 ADA (Average Daily Attendance of the total K-12 population). This SELPA specific rate (often called AB602 rate) ranges from \$600 to \$1,000 (in state and federal funds), based on historical formulas and legislative action over time. Each SELPA develops their own local plan to distribute funds to the LEAs (Local Education Agencies) within the SELPA. There are a large number of specific grant amounts on top of this per ADA entitlement; special education transportation, infant funding, federal preschool grants, out of home care, regionalized services, low incidence funding, mental health and a variety of others. In 2009-10, overall income from state and federal sources (including federal stimulus) was approximately \$1,200 per K-12 ADA (state average).

The Charter SELPA receives state special education funding in the amount of \$465 per current year K-12 ADA. There is a federal special education IDEA grant; which translates to an estimated \$140 per prior year ADA. In 2011-12, \$2.3 million in state and federal mental health dollars came to the Charter SELPA along with increased responsibility for providing mental health services. Low Incidence funds are received by the SELPA and are allocated to purchasing special needs equipment. Program Specialist/Regionalized Services dollars (\$15 per ADA) are used to provide SELPA support to the Charter members. The average per ADA funding based on current year ADA is \$630 (Charter SELPA Average).

1	2011-12 Charter SELPA Funding Summary		ADA	Rate	2011-12
2	Current Year ADA x Rate	State Funding	53,127.33	\$ 465.44	24,727,584
3	Federal Grant Amount	Federal Funding (based on PY data)			5,550,413
4	Mental Health	State/Federal			2,375,227
5	Low Incidence				27,472
6	Program Specialist/Regionalized Services				808,752
7	Total all sources				33,489,448
8	Current Year ADA				53,127.33
9	Average funding using current year ADA				\$ 630.36

It should also be noted that the Charter SELPA does not typically serve (nor receive funding for) the infant and preschool population served by other SELPAs. The

Charter SELPA does not receive special education severely handicapped transportation funding, “out of home care” funding, or a number of other specialized funding sources received by SELPAs in the state.

Charter SELPA Dashboard

SPECIAL EDUCATION EXPENDITURES AND LOCAL CONTRIBUTION

Charter SELPA Combined Expenditures	2010-11	2011-12
Certificated Salaries	9,930,899	13,268,184
Classified Salaries	1,994,465	3,408,970
Employee Benefits	2,552,915	3,644,638
Books and Supplies	401,503	512,862
Services/other operating	5,648,041	9,210,898
Capital Outlay	47,662	5,600
Direct Support:	1,362,172	3,509,465
Indirect Costs	698,818	840,709
Subtotal	22,636,475	34,401,325
Other Admin/Operating	1,236,874	1,471,133
Total Costs	23,873,349	35,872,458

Charter schools are required to account for expenditures of special education funds. The chart on the left shows a summary of Charter SELPA special education expenditures by major categories for 2010-11 and 2011-12. This data is compiled from the individual reporting of each charter member.

School district financial reporting is defined in the California School Accounting Manual (CSAM). Charter schools are not required to follow the CSAM guidelines, but they are required to summarize and report special education expenditures in a similar fashion.

Expenditures include the direct costs of providing special education instruction. Charters will employ staff (certificated or classified salary category) or hire consultants (services/other operating expense category). Charters may include direct support costs such as a pro-rated share of custodial and utility costs. Indirect costs may also be included, which are overhead costs that include business services, payroll, human resources and other administrative functions.

On a statewide basis, special education expenditures exceed funding from federal and state sources by 31%. Stated another way, state and federal sources only fund 69% of expenditures.

The Charter SELPA is similar in that state and federal funds do not cover the cost of special education. Based on a three year average, 11% of special education expenditures are funded at the local level with a general fund contribution. In 2011-12, Charters in the SELPA provided over \$3 million from local sources to fund special education services.

Charter SELPA Expenditures	Federal	State	Local	Total
2011-12	5,704,749	27,105,920	3,061,789	35,872,458
2010-11	2,692,427	18,726,135	2,454,788	23,873,350
2009-10	2,324,428	6,580,677	2,198,666	11,103,771

Charter SELPA Expenditures Per ADA	Federal*	State	Local	Total
2011-12	\$ 107	\$ 510	\$ 58	\$ 675
2010-11	\$ 70	\$ 485	\$ 64	\$ 619
2009-10	\$ 167	\$ 473	\$ 158	\$ 798

**Federal dollars high in 2009-10 because of federal stimulus.*

3 year weighted average	\$ 101	\$ 496	\$ 73	\$ 670
% by Source	15%	74%	11%	100%

Appendix

SPECIAL EDUCATION MAINTENANCE OF EFFORT (MOE)

Special Education federal funds, Part B of the federal Individuals with Disabilities Education Act (IDEA), are subject to a Maintenance of Effort (MOE) requirement. This is stipulated in Section 1413 of Title 20 of the United States Code, Title 34, Section 300.203 of the Code of Federal Regulations, and Education Code Section 56205.

The MOE requires Part B IDEA funds shall not be used, except in specified situations, to reduce the level of expenditures for the education of children with disabilities made by the LEA (Local Education Agency) from state and local funds or from local funds only, below the prior year's level. This test must be met on either an aggregate or a per student basis.

In simplest terms, federal regulations require each SELPA and each LEA to spend (and budget) at the state and local level an amount equal to what was spent in the prior year. There are some very specific exceptions or tests: e.g. an adjustment to the base for an increase in federal funds, decrease in students served, or loss of a high cost placement.

Charters in the SELPA were subject to the test comparing 2011-12 actual expenditures to 2010-11 actual expenditures. All charters passed this test. Charters in the SELPA were also required to pass the test comparing 2012-13 special education budgeted expenditures to 2011-12 actual expenditures. All charters passed the test.

SPECIAL EDUCATION FEDERAL EXCESS COST REQUIREMENT

Amounts provided to an LEA under IDEA Part B may be used only to pay the excess costs of providing special education and related services to children with disabilities. Excess costs are those costs for the education of an elementary school or secondary school student with a disability that are in excess of the average annual per student expenditure in an LEA during the preceding school year for an elementary school or secondary school student, as may be appropriate. An LEA must spend at least the average annual per student expenditure on the education of an elementary school or secondary school child with a disability before IDEA Part B funds are used to pay the excess costs of providing special education and related services.

All charters in the Charter SELPA met federal excess costs requirements in 2010-11 and 2011-12.

Appendix

From CDE website – detailed definitions of disability

Intellectual Disability (formerly) Mental Retardation (MR): Intellectual Disability means significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior, and manifested during the developmental period, which adversely affects a child's educational performance. (34 CFR Part 300.5).

Hard of Hearing (HH): Hard of Hearing means a hearing impairment, whether permanent or fluctuating, which adversely affects a child's educational performance but which is not included under the definition of "deaf" in this section. (34 CFR Part 300.5).

Deafness (DEAF): Deafness means a hearing impairment which is so severe that the child is impaired in processing linguistic information through learning, with or without amplification, which adversely affects educational performance. (34 CFR Part 300.5).

Hearing Impairment (HI): Hearing Impairment is a federal category of disability which includes both hard of hearing and deaf individuals as defined above.

Speech or Language Impairment (SLI): Speech and Language Impairment means a communication disorder such as stuttering, impaired articulation, language impairment, or a voice impairment, which adversely affects a child's educational performance. (34 CFR Part 300.5).

Visual Impairment (VI): Visually Impaired means a visual impairment that, even with correction, adversely affects a child's educational performance. The term includes both partially seeing and blind children. (34 CFR Part 300.5).

Emotional Disturbance (ED): Emotional Disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

An inability to learn which cannot be explained by intellectual, sensory, or health factors;

An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;

Inappropriate types of behavior or feeling under normal circumstances;

A general pervasive mood of unhappiness or depression; or

A tendency to develop physical symptoms or fears associated with personal or school problems.

The term (ED) includes children who are schizophrenic. The term does not include children who are socially maladjusted, unless it is determined that they exhibit one or more of the characteristics listed above. (34 CFR Part 300.5).

Orthopedic Impairment (OI): Orthopedic Impairment means a severe orthopedic impairment which adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns which cause contractures). (34 CFR Part 300.5).

Appendix

Other Health Impairment (OHI): Other Health Impairment means having limited strength, vitality or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, which adversely affects a child's educational performance (34 CFR Part 300.5).

Specific Learning Disability (SLD): 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, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems that are primarily the result of visual, hearing, or motor handicaps, of mental retardation of emotional disturbance or of environmental, cultural, or economic disadvantage. (34 CFR Part 300.5).

Deaf-Blindness (DB): Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot be accommodated in special education programs solely for deaf or blind children. (34 CFR Part 300.5).

Multiple Disabilities (MD): Multiple Disabilities means concomitant impairments (such as mental retardation, blindness, mental retardation, orthopedic impairment, etc.,) the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blind children. (34 CFR Part 300.5).

Autism (AUT): Autism means a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age three, that adversely affects educational performance.

Characteristics of autism include -- irregularities and impairments in communication, engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not include children with characteristics of the disability serious emotional disturbance (SED).

If a child manifests characteristics of the disability category "autism" after age three, that child still could be diagnosed as having "autism" if the criteria in the above paragraph are satisfied. (34 CFR Part 300.5).

Traumatic Brain Injury (TBI): Traumatic Brain Injury means an injury to the brain caused by an external physical force or by an internal occurrence such as stroke or aneurysm, resulting in total or partial functional disability or psychosocial maladjustment that adversely affects educational performance. The term includes open or closed head injuries resulting in mild, moderate, or severe impairments in one or more areas, including cognition; language memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma. (34 CFR Part 300.5).