

ESSU Technical Assistance

The Consideration of Clinical Diagnoses in the Educational Identification of Disabilities in Accordance with IDEA 2004

Students with a medical or clinical diagnosis of a disability do not automatically qualify for special education and related services. Rather, a body of evidence must be considered in the determination of an educational disability and a medical or clinical diagnosis may be one of several considerations.

An Individualized Education Program (IEP) team must determine if the student meets the eligibility requirement for special education as outlined in IDEA. Similarly, a 504 team must determine if a student is eligible for accommodations and/or services under Section 504 of the Rehabilitation Act of 2008.

The intent of this document is to provide guidance to IEP teams in the consideration of medical or clinical diagnoses in the educational identification of disabilities and IEP development under the Individuals with Disabilities Education Act (IDEA).

Specific Considerations:

- A medical or clinical diagnosis of a specific condition or learning problem does not determine that the student is eligible for special education services in the schools. Similarly, a physician may not prescribe special education. However, the specific condition or learning problem may underlie the child's inability to be involved in and progress in the general education curriculum without supplemental supports. The IEP team must consider this when conducting a comprehensive evaluation and in determining educational impact that requires special education and related services.
- Terminology used in medical or clinical reports is often dissimilar to the special education disability categories recognized by the rules for Colorado's Exceptional Children's Education Act (ECEA) and IDEA.
- A medical or clinical diagnosis, a physician's note, or a report, must be considered and documented in the body of evidence along with other information that may be relevant to the eligibility determination or the provision of Free Appropriate Public Education (FAPE).
- Upon consideration, the team may accept or reject information derived from medical or clinical diagnoses, physician's notes, or other medical reports. The IEP team should include the relevant information about a student's educational needs along with the date and source of the information in the IEP team's evaluation reports. This information should be documents to support the development of an effective plan rather than to designate specific programs or school services.

Section 504:

Section 504 is part of Rehabilitation Act of 2008 that guarantees specific rights in federally funded programs and activities to people who qualify as disabled.

Section 504 is enforced by the Office for Civil Rights (OCR), a component of the U.S. Department of Education.

To qualify under Section 504, a multidisciplinary team must determine that a student has a physical or mental impairment which substantially limits one or more major life activities. A major life activity may include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (ADA 2008 34 C.F.R. § 104.3)

OCR can be contacted by calling 303-844-5695. For more information, contact the Section 504/ADA Coordinator for your District.



- The IEP team’s considerations and the reasons for either accepting or rejecting medical or clinical information in relation to academic and functional performance should be documented in the Prior Written Notice.

This CDE guidance document is meant for clarification, is not legally binding, and is not to be confused with legal advice. This guidance reflects CDE’s recommendations, but Administrative Units (AUs) may have developed their own policies or procedures that differ from those described herein. Be sure to refer to your local AU’s policies and procedures through the Director of Special Education. If you are seeking legal advice, please contact your legal counsel.

The contents of this handout were developed under a grant from the U.S. Department of Education. However, the content does not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the federal government.

Colorado Department of Education, Exceptional Student Services Unit
(303) 866-6694 / www.cde.state.co.us/offices/exceptionalstudentservicesunit