Chapter 4 - Developmental Delay

Definition under IDEA of Developmental Delay

"Students aged 3 through 9 experiencing developmental delays. The term student with a disability for students aged 3 through 9 may, at the discretion of the State and LEA and in accordance with Section 300.313, include a student--

(1) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development
(2) Who, by reason thereof, needs special education and related services.

Overview of Developmental Delay

The Individuals with Disabilities Education Act of 1997 (IDEA 1997) granted states the discretionary authority to establish a developmental delay (DD) categorical option for use with young students with disabilities, beginning at age three and extending up through age nine.

The categorical option of DD may be used at local discretion for preschool and young students ages three through nine, but not beyond the age of nine. The DD option must be implemented by a local school system for preschool students with disabilities, ages three through five, prior to making this option available for students beyond age five. In addition to making the DD option available for preschool and young students, local school systems can continue to use existing disability categories established for preschool students, ages three through five, as appropriate and determined by the Individualized Education Program (IEP) team. Any use of DD beyond age nine is prohibited under current federal regulations.

Prevalence of Developmental Delay

According to the U.S. Department of Education, Developmental Delay represents approximately 6.0 percent of all students having a classification in special education.

Characteristics of Students with Developmental Delays

To determine a student's eligibility for special education programs and/or services, there must be a significant delay or disability in the student's development. Criteria to consider when determining whether a student exhibits a delay or disability in one or more of the major areas of development are as follows:
Delay or Disability in Cognitive Development

A student with a cognitive delay or disability demonstrates deficits in intellectual abilities beyond normal variations for age and cultural background. This might include difficulties in:

- the ability to acquire information
- problem solving
- reasoning skills
- the ability to generalize information
- rate of learning
- processing difficulties
- memory delays
- attention
- organization skills

The Factors, Considerations, and Observable Behaviors that Support or Demonstrate the Presence of a Cognitive Delay or Disability are the following:

- The student has significant delays in cognitive abilities, as reflected in intellectual assessment scores, neuropsychological findings, teacher or parent/guardian rating scales, and/or results of structured observations in a classroom or other setting.
- The student shows significant discrepancies beyond what would be normally expected within or between skill development areas, such as differences between verbal and nonverbal skills, differences within verbal sub-areas, or within perceptual-motor sub-areas. For example, a student with good acuity to visual details may show significant deficits in problem-solving spatial skills.

Delay or Disability in Language and Communication

A student with a delay or disability in language and communication demonstrates deficits beyond normal variation for age and cultural background that adversely affect the ability to learn or acquire skills in the primary language in one or more of the following areas:

- receptive language
- expressive language
- articulation/phonology
- pragmatics
- fluency
- oral-motor skills
- voice (such as sound quality, breath support).

The Factors, Considerations, and Observable Behaviors that Support or Demonstrate the Presence of a Language and Communication Delay or Disability are as follows:
The student does not use communication effectively with peers and/or adults. For example, the student does not express needs and wants in most situations.

The student's speech and language cannot be understood by others in the student's environment who speak the same language. This may include family members, playmates or other students in the student's preschool program.

The student exhibits observable severe or frequent frustration because of communication difficulties.

The student exhibits speech sound and/or phonological process errors that impair intelligibility and are not developmentally appropriate. For example, speech sound production impairs listener's ability to understand the student.

The student has difficulty understanding and using age-appropriate vocabulary, language concepts, and/or conversation (for example, limited vocabulary, sentence structure, and functional use of language restrict communication). In dual language acquisition, delays in both languages in young students are typical.

The student demonstrates specific weaknesses in pragmatic language ability. For example, limited turn-taking, eye contact, asking and responding to questions, or knowledge of the speaker/listener role interfere with communication.

The student demonstrates difficulty processing auditory information. For example, following simple directions or answering simple questions present problems for the student.

The student demonstrates oral motor difficulty, such as in swallowing or feeding, and/or developmental apraxia, the inability to coordinate speech muscle movement to say words. For example, the student has difficulty combining sounds to say words and/or there is excessive drooling or weak oral muscle movement.

The student demonstrates speech dysfluency (stuttering) that interferes with communication abilities (for example, word sound repetitions and/or speech productions that interrupt smooth flow of speech).

**Delay or Disability in Adaptive Development**

A student with a delay or disability in adaptive development demonstrates difficulty learning or acquiring skills necessary for daily living and learning through play. These occur over time, in a variety of situations, and interfere with the effectiveness of the student's ability to meet personal needs, social responsibility, or participation in developmentally appropriate situations and cultural group. Adaptive behavior demonstrates the effectiveness with which the individual copes with the natural and social demands of his/her environment.

The Factors, Considerations, and Observable Behaviors that Support or Demonstrate the Presence of an Adaptive Delay or Disability are as follows:
Adaptive behavior areas would include activities of daily living such as toileting, eating, dressing, and personal hygiene, as well as development of play skills including the acquisition of developmentally appropriate pretend or exploratory play and engagement in peer and adult social play. Consideration should be given to the following factors:

- family history, cultural factors, family expectations, and opportunities to develop self-help skills
- motor contributions to functional skills, such as fine motor skills necessary for managing, fastening, or engaging in object exploration, oral motor components to eating or the gross motor abilities that support environmental exploration
- the student's ability to accomplish activities of daily living adequately and as efficiently as the student's typically developing peers
- the necessity for extensive task adaptations needed to support adaptive skills that are unusual for typically developing peers (for example, while the use of a covered cup or diaper is common for two-year-olds, it is not expected of a four-year-old)
- an inflexibility or rigidity in play behavior (for example, ritualistic self-stimulating behavior or engaging in spinning or rigid horizontal alignment of objects during free play rather than exploratory manipulation that is based on object properties)
- an avoidance of peer social interaction during play, with a preference for interaction exclusively with adults or observation of peers rather than active engagement with them during free play opportunities
- limitations in the initiation of play activities in either independent or free play (for example, some students will seem passive during free play either unaware of the play potential of a situation or afraid to engage in activities unless invited).

**Delay or Disability in Social-Emotional Development**

A student with a delay or disability in social-emotional development demonstrates deviations in affect or relational skills beyond normal variation for age and cultural background. These problems are exhibited over time, in various circumstances, and adversely affect the student's development of age-appropriate skills.

The Factors, Considerations, and Observable Behaviors that Support or Demonstrate the Presence of a Social-Emotional Delay or Disability are as follows:

- The student shows significant observable behaviors such as perseveration, inability to transition, overdependence on structure and routine, and/or rigidity.
- The student exhibits significant patterns of difficulty in the following relational areas: trust building, aggressiveness, compliance, lack of age-appropriate self-control, oppositional/defiant behavior, destructive behavior, poor awareness of self and others, or inappropriate play skills for age.

The student has significant affect difficulties such as depression/withdrawal, limited range of emotions for a given situation, low frustration tolerance, excessive fear/anxiety, radical mood swings, and/or inappropriate fears (for example, a student who often misinterprets the approach of other students or adults as hostile in intent).
Delay or Disability in Motor Development

A student with a delay or disability in motor development demonstrates a deficit beyond normal variability for age and experience in either coordination, movement patterns, quality, or range of motion or strength and endurance of gross (large muscle), fine (small muscle), or perceptual motor (integration of sensory and motor) abilities that adversely affects the student’s ability to learn or acquire skills relative to one or more of the following:

- maintaining or controlling posture
- functional mobility (for example, walking or running)
- sensory awareness of the body or movement
- sensory-integration
- reach and/or grasp of objects
- tool use
- perceptual motor abilities (for example, eye-hand coordination for tracing)
- sequencing motor components to achieve a functional goal

The Factors, Considerations, and Observable Behaviors that Support or Demonstrate the Presence of a Delay or Disability in Motor Development are as follows:

- The student is unable to maintain a stable posture or transition between positions (for example, to go from standing to floor sitting) to support learning or interactive tasks.
- The student is unable to move about the environment in an efficient way that is not disruptive to others. Efficient mobility refers to both the time required for moving from one place to another and the amount of energy the student must expend to move.
- The student uses an inefficient or abnormal grasp or reach pattern that limits the ability to either explore or use objects. An inefficient grasp or reach is one which does not enable flexible manipulation, limits use of tools such as writing implements or silverware in functional tasks, leads to fatigue, or limits the student's ability to obtain or use learning materials.
- The student has problems with learning new gross and/or fine motor abilities and in using motor skills in a flexible functional way. The student does not seem to accomplish motor tasks automatically after practice and attends to the motor aspects rather than cognitive or exploratory components of play or pre-academic programming.
- The student may achieve developmentally appropriate skills as measured on formal testing but has significant asymmetry that interferes with bilateral manipulation or tool use (for example, student is unable to transfer objects from hand to hand or stabilize paper when writing or cutting).
- The student is unable to sequence one or more motor actions in order to accomplish a goal. This includes the student with clumsiness that consistently interferes with goal-directed social or object interaction.
- The student has difficulty participating in gross motor activities, is unable to complete many of the tasks performed by typically developing peers, or may refuse to participate in activities rather than seem uncoordinated.
- The student has problems in the neurological processing of information from any of the senses and organizing it for use.
Procedures and Assessment Measures used to diagnose Developmental Delays

Evaluations for students for a Developmentally Delay (for students ages 3 through 6 years) include:

- a history of the student's developmental, social, and medical history
- vision and hearing screening of the student
- observations in an environment natural to the student, which is completed by appropriately trained specialists familiar with student development
- physical development assessment using standardized (norm-referenced or age-referenced), individually administered instruments in the area of total motor development (fine and gross motor combined)
- cognitive/intellectual functioning administered by appropriate specialists using an individually administered assessment
- language skills assessment of receptive and expressive skills combined, using norm-referenced or age-referenced instruments administered by a speech/language specialist
- social/emotional development assessment using direct and indirect observation data compiled by an appropriate specialist
- adaptive behavior skills assessment by an appropriately trained specialist through an appropriate standardized instrument using the student’s principal caretaker and/or other familiar person (with parent/guardian consent) as an informant

Eligibility for a Diagnosis of Developmental Delay

An evaluation team may determine that a student is eligible for special education services as a student with a developmental delay when all of the following criteria are met:

1. An evaluation that meets the criteria has been conducted.
2. The student is at least 3 years of age but less than 10 years of age.
3. The student has developmental and/or learning problems that are not primarily the result of limited English proficiency, cultural difference, environmental disadvantage, or economic disadvantage.
4. The student meets either of the following two criteria (a or b):

   a. The student functions at least X standard deviations below the mean (See your specific State requirements); or has a X percent delay in age equivalency (See your specific State requirements); or functions at less than the X percentile in one or more of the following five developmental areas (See your specific State requirements):

      (1) Cognitive
      (2) Fine Motor or Gross Motor;
      (3) Speech-Language (that includes articulation, fluency, voice, and receptive/expressive language)
      (4) Social/Emotional; or
      (5) Self-Help/Adaptive.
b. The student functions at least X standard deviations below the mean (See your specific State requirements); or has a X percent delay in age equivalency (See your specific State requirements); or functions at less than the X percentile in two or more of the five developmental areas listed in "a" above (See your specific State requirements for what number is represented by X).

5. The student's condition adversely affects educational performance.

6. The student needs special education.

**Final Thoughts**

At any time a student is suspected of a disability or developmental delay, the student’s IEP Committee shall review existing data including information provided by the parent/guardians, instructional interventions and strategies, current classroom-based assessments, and observations by teachers and related service providers. Through a review of this information, the IEP Committee will decide if additional assessments are needed to determine whether or not a student is experiencing a developmental delay.

The emphasis of assessment of preschool and young students should not be on standardized diagnostic instruments, but rather functional quantitative performance data that provides the IEP Committee, including the parent/guardians, an accurate picture of what their student can and cannot do in the developmental areas as compared to typical developmental performance.

Local school systems may not require a psychological assessment for the determination of eligibility under the DD option. Based on a review of existing assessment information, and identification of areas of concern for an individual student, the IEP Committee may recommend, but not require, the administration of a formal psychological assessment, the purpose of which would be to provide additional information for program planning purposes only, and not as a prerequisite for determination of eligibility under this option.