Florida Department of Education  
Bureau of Exceptional Education and Student Services

General Supervision

Part II. Policies and Procedures for Students with Disabilities  
Section B.14: Exceptional Student Education Eligibility for Students with Language Impairments

Statutory and Regulatory Citations

34 CFR §§300.8, 300.306 and 300.34
Chapter 468, Part I, F.S.
Sections 1003.01 and 1003.57, 1011.62 and 1012.44, F.S.
Rules 6A-1.09401, 6A-4.0176, 6A-6.0331 and 6A-6.030121, F.A.C.

Definitions

Language impairments are disorders of language that interfere with communication, adversely affect performance or functioning in the student's typical learning environment, and result in the need for exceptional student education. A language impairment is defined as a disorder in one or more of the basic learning processes involved in understanding or in using spoken or written language. These include:

1. Phonology. Phonology is defined as the sound systems of a language and the linguistic conventions of a language that guide the sound selection and sound combinations used to convey meaning.

2. Morphology. Morphology is defined as the system that governs the internal structure of words and the construction of word forms.

3. Syntax. Syntax is defined as the system governing the order and combination of words to form sentences, and the relationships among the elements within a sentence.

4. Semantics. Semantics is defined as the system that governs the meanings of words and sentences.

5. Pragmatics. Pragmatics is defined as the system that combines language components in functional and socially appropriate communication.

The language impairment may manifest in significant difficulties affecting listening comprehension, oral expression, social interaction, reading, writing, or spelling. A language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

Eligibility Criteria

1. For prekindergarten children

A prekindergarten child is eligible as a student with a language impairment in need of specially designed instruction and related services if all of the following criteria are met:

   a. There is evidence, based on evaluation results, of significant deficits in language. The impairment may manifest in significant difficulties affecting one or more of the following areas:

      i. Listening comprehension

      ii. Oral expression

      iii. Social interaction

      iv. Emergent literacy skills (e.g., vocabulary development, phonological awareness, narrative concepts)

   b. One or more documented and dated behavioral observation(s) reveals significant language deficits that interfere with performance or functioning in the typical learning environment.
c. Results of standardized norm-referenced instrument(s) reveal a significant language deficit in one or more of the areas listed in 1.–5. of the Definitions section above, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in 1.–5. of the Definitions section above. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes.

d. Information gathered from the child's parent(s) or guardian(s), teacher(s), service providers, or caregivers must support the results of the standardized instruments and observations conducted.

e. The language impairment must have an adverse effect on the child's ability to perform or function in the typical learning environment, thereby demonstrating the need for exceptional student education.

f. The language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

2. For students in kindergarten through Grade 12

A student meets the eligibility criteria as a student with a language impairment in need of specially designed instruction and related services if all of the following criteria are met:

a. Due to deficits in the student's language skills, the student does not perform or function adequately for the student's chronological age or to meet grade-level standards as adopted in Rule 6A-1.09401, F.A.C., in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's chronological age or grade:

   i. Oral expression
   ii. Listening comprehension
   iii. Social interaction
   iv. Written expression
   v. Phonological processing
   vi. Reading comprehension

b. Due to deficits in the student's language skills, the student does not make sufficient progress to meet chronological age or State-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the areas identified in the previous paragraph when using a process based on the student's response to scientific, research-based intervention.

c. Evidence of a language impairment is documented based on a comprehensive language evaluation, including all evaluation procedures as specified for students in kindergarten through Grade 12, included under the Conducting Student Evaluations and Reevaluations section of this document. There must be documentation of all of the following:

   i. Documented and dated observations show evidence of significant language deficits that interfere with the student's performance or functioning in the educational environment.

   ii. Results of standardized norm-referenced instrument(s) reveal a significant language deficit in one or more of the areas listed in 1.–5. of the Definitions section above, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in 1.–5. of the Definitions section above. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes.

   iii. Information gathered from the student's parent(s) or guardian(s), teacher(s), and, when appropriate, the student, must support the results of the standardized instruments and observations conducted.
iv. At least one additional observation conducted by the speech-language pathologist when the language impairment is due to a deficit in pragmatic language and cannot be verified by the use of standardized instrument(s). The language impairment may be established through the results of the evaluation procedures as specified in the evaluation procedures for students in kindergarten through Grade 12, included under the **Conducting Student Evaluations and Reevaluations** section of this document, and the additional observation(s) conducted subsequent to obtaining consent for evaluation as part of a comprehensive language evaluation. The evaluation report must document the evaluation procedures used, including the group's rationale for overriding results from standardized instruments, the results obtained, and the basis for recommendations. The information gathered from the student's parent(s) or guardian(s), teacher(s), and, when appropriate, the student, must support the results of the observation(s) conducted.

d. The group determines that its findings under section 2.a) above are not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

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