



Guidance

Eligibility and Social Maladjustment Clarification

**Michigan Department of Education Office of Special Education
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When considering eligibility for a student who has challenging behaviors, questions often arise regarding the presence of a social maladjustment or characteristics of a social maladjustment. Multidisciplinary evaluation teams are encouraged to utilize the *Individuals with Disabilities Education Act* (IDEA) and the Michigan Administrative Rules for Special Education (MARSE) requirements for emotional impairment. Once emotional impairment criteria are met, evidence of social maladjustment cannot be used as a rule out for purposes of determining eligibility and the need for special education programs and services.

According to IDEA

1. *Emotional disturbance* means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - a. An inability to learn that cannot be explained by intellectual, sensory, or health factors.
 - b. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
 - c. Inappropriate types of behavior or feelings under normal circumstances.
 - d. A general pervasive mood of unhappiness or depression.
 - e. A tendency to develop physical symptoms or fears associated with personal or school problems.
2. Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance under paragraph (c)(4)(i) of this section. 34 CFR 300.8(c)(4).

According to MARSE

1. Emotional impairment shall be determined through manifestation of behavioral problems primarily in the affective domain, over an extended period of time, which adversely affect the student's education to the extent that the student cannot profit from learning experiences without special education support. The problems result in behaviors manifested by 1 or more of the following characteristics:
 - a. Inability to build or maintain satisfactory interpersonal relationships within the school environment.
 - b. Inappropriate types of behavior or feelings under normal circumstances.
 - c. General pervasive mood of unhappiness or depression.
 - d. Tendency to develop physical symptoms or fears associated with personal or school problems.
2. Emotional impairment also includes students who, in addition to the characteristics specified in subrule (1) of this rule, exhibit maladaptive behaviors related to schizophrenia or similar disorders. The term "emotional impairment" does not include persons who are socially maladjusted, unless it is determined that the persons have an emotional impairment.
3. Emotional impairment does not include students whose behaviors are primarily the result of intellectual, sensory, or health factors.
4. When evaluating a student suspected of having an emotional impairment, the multidisciplinary evaluation team report shall include documentation of all of the following:
 - a. The student's performance in the educational setting and in other settings, such as adaptive behavior within the broader community.
 - b. The systematic observation of the behaviors of primary concern which interfere with educational and social needs.
 - c. The intervention strategies used to improve the behaviors and the length of time the strategies were utilized.
 - d. Relevant medical information, if any.
5. A determination of impairment shall be based on data provided by a multidisciplinary evaluation team, which shall include a full and individual evaluation by both of the following:
 - a. A psychologist or psychiatrist.
 - b. A school social worker. R 340.1706.

Consideration of Social Maladjustment for Eligibility Determinations

Although the term “socially maladjusted” appears in both the IDEA and the MARSE within the emotional disturbance/impairment eligibility definition, this concept is not specifically defined. Since social maladjustment is not defined in either rule or regulation, use of tools which purport to differentiate between social maladjustment and emotional impairment should be eliminated or used with caution, and must not be used to rule out eligibility in special education determinations. Furthermore, both the IDEA and the MARSE, require evaluation teams to first consider whether a student meets the criteria of an emotional disturbance/impairment. If the student meets emotional impairment criteria, any perceived evidence of social maladjustment does not impact the eligibility determination.

Special Considerations

An evaluation must be sufficiently comprehensive to appropriately identify all of a student’s special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified (IDEA 34 CFR §300.301, §300.304 and §300.305, R340.1702 through R340.1717). Teams must also document their consideration of other suspected disability categories for a student who does not meet the eligibility criteria for emotional impairment. For example, if a student has a medical or clinical diagnosis, the team may consider the other health impairment category and document this consideration. Social maladjustment characteristics do not impact any eligibility determination.