



Washington State Association of School Psychologists

Dear Assessment Committee,

Could WSASP provide any guidance for the appropriate application of the eligibility category of Multiple Disabilities?

Dear School Psychologist,

Per WAC 392-172A-01035 and IDEA SEC. 300.8 (C) (7): “Multiple disabilities means concomitant impairments, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term, multiple disabilities, does not include deaf-blindness.”

Two words from this definition may be worth noting in particular. The word *concomitant* means “accompanying”, especially in a subordinate or incidental way. One example may be chromosomal abnormalities that affect several aspects of a child’s development. The word *severe* in this context implies the combined impact of the disabilities creates an intense, serious educational need. This means the student’s educational needs must be severe enough that they cannot be addressed by providing special education services for only one of the impairments. In the federal definition of the Multiple Disabilities category, intellectual disability-blindness and intellectual disability-orthopedic impairment are listed as examples.

IDEA notes that the purpose of evaluating in all areas of suspected disability is to produce a report that is “sufficiently comprehensive to identify all of the child’s special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.” (34 C.F.R. § 300.304(c)(6)). Looking at how the law has been interpreted in the past may also be helpful in understanding this category’s application. In a response to a citizen’s complaint in 2018, OSPI detailed that “Eligibility under the category of multiple disabilities does not negate the existence of an Autism disability; it just means that the Student has more than one disability.” (SECC NO. 18-71). That is to say, in cases where a student’s needs are being encompassed by their IEP, this category may simply indicate that there is more than one category that may impact the child’s learning. A hearing out of New York completed by the Office of State Review put it in similar wording, “At this juncture, when the student’s eligibility for special education is not in dispute, the significance of the disability category label is more relevant to the local educational agency and State reporting requirements than it



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is to determining an appropriate IEP for the individual student”. (NYSED SRO, NO. 20-138). Though it is important to consider a student’s need when the team decides on a special education eligibility category, the category is not as important as ensuring that the evaluation is sufficiently comprehensive to cover all areas of potential need for a student to receive FAPE.

Looking at the National Center for Educational Statistics, the category of Multiple Disabilities accounts for 133,000 students being served in the United States or about 1.9% of all students that are served in special education. Or, alternatively, looking at the relative incidence rate, when compared to enrollment of all students, about 0.9% of all students will qualify under this category. The placements that serve those identified in this category, based on the 2019-20 data, accounted for the fourth highest placements in separate facilities, behind only categories accounting for visual or hearing impairments. Similarly, the data also indicates that this category has the highest prevalence of all the disability categories in the “Homebound/Hospital” placement. In the school setting, the category also accounts for the second largest number of students, outside of Intellectual Disability, that were included in the general education setting for 0-39% of their school time. Generally speaking, one could extrapolate that the use of the category is relatively rare and that the most common students in this category are often associated with a relatively low percentage of time in general education. It is important to look at the holistic perspective of a student's needs when determining the appropriate eligibility category. In meeting a student's needs, the team should always put the category second to ensuring that the student's right to FAPE is met by their IEP. In some situations, a category may be impactful in demonstrating that an area of eligibility or category was considered for a student in determining their needs. School Psychologists would seem best served by guiding teams towards a robust discussion of which areas most impact a student, and consider how a category may indicate the needs that were considered in serving that student's education best.

References:

<https://app.leg.wa.gov/wac/default.aspx?cite=392-172a-01035>

<https://www.k12.wa.us/sites/default/files/public/specialed/disputeresolution/ccdecisions2018/SECC18-71.pdf>

<https://sites.ed.gov/idea/regs/b/a/300.8/c/7>



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https://nces.ed.gov/programs/digest/d20/tables/dt20_204.30.asp

<https://www.sro.nysed.gov/decision/2020/20-138>