

	<p><b>POLICIES AND PROCEDURES NEW JERSEY EARLY INTERVENTION SYSTEM</b></p>
<p>No: <b>NJEIS-02</b></p>	<p>Subject: <b>Eligibility</b></p>
<p>Effective Date: <b>July 1, 2012</b></p>	<p>Responsible Party: <b>Part C Coordinator</b></p>

**I. Purpose**

To ensure that the determination of initial and continued eligibility for early intervention is made in accordance with the federal requirements, New Jersey Early Intervention System (NJEIS) rules, approved NJEIS State Plan and these policies and procedures.

**II. Policy**

- A. Determination of eligibility shall be made in accordance with the provisions of the federal Part C regulations, NJEIS rules, NJEIS State Plan and these policies and procedures.
- B. No single procedure may be used as the sole criterion for determining a child’s eligibility.
- C. NJEIS does not include children who are “at-risk” in the definition of eligibility.
- D. Documentation of the child’s eligibility must be included in the child’s early intervention record.
- E. Annual continuing eligibility must be documented throughout the family’s participation in the NJEIS.
- F. Parents must be provided prior written notice before any action related to eligibility is taken by NJEIS.

**III. Eligibility Criteria**

To be eligible for early intervention services through the NJEIS, a child must meet the criteria in at least one of the following two categories:

- A. **Developmental Delay**
  - 1. Must be measured with the NJEIS designated standard evaluation tool, appropriate diagnostic instruments and procedures, including clinical opinion in all of the following areas of development:
    - (a) Physical (gross motor, fine motor, vision and hearing)
    - (b) Cognition
    - (c) Communication

- (d) Social or emotional
  - (e) Adaptive
2. To be eligible, a child must demonstrate measured delays in development of at least:
    - (a) 2.0 standard deviations below the mean in one developmental area; or
    - (b) 1.5 standard deviations below the mean in two or more of the developmental areas.

**B. Conditions with High Probability**

1. This category of eligibility includes children who have identified conditions but who may not be exhibiting delays in development at the time of eligibility.
2. Children are eligible who have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. The high probability diagnosis must be confirmed in a signed statement or report from a physician; advanced practice nurse; or licensed clinical psychologist in the child’s record including a statement that the diagnosed condition for the child has a high probability of developmental delay.
  - (a) Examples of high probability conditions in accordance with Part C of IDEA include:
    - (i) Chromosomal abnormalities;
    - (ii) Genetic or congenital disorders;
    - (iii) Sensory impairments;
    - (iv) Inborn errors of metabolism;
    - (v) Disorders reflecting disturbance of the development of the nervous system;
    - (vi) Congenital infections;
    - (vii) Severe attachment disorders; and
    - (viii) Disorders secondary to exposure to toxic substances, including fetal alcohol syndrome
  - (b) NJEIS has selected the following ten diagnoses that are known to result in developmental delay and have designated these as “Presumptive Eligibility Diagnoses”. The child’s early intervention record must clearly document the presence of the condition. A high probability statement or report from a physician; advanced practice nurse; or licensed clinical psychologist is not required for the following conditions:
    - (i) Down Syndrome
    - (ii) Fetal Alcohol Syndrome
    - (iii) Hearing Impairment
    - (iv) Vision Impairment
    - (v) Autism Spectrum Disorder
    - (vi) Spina Bifida
    - (vii) Cerebral Palsy
    - (viii) Trisomy 13, 18, etc
    - (ix) Fragile X
    - (x) Hydrocephalus

**IV. Related Policies**

NJEIS-07 Initial Evaluation and Assessment

NJEIS-19 Annual Evaluation and Eligibility/IFSP Review Assessment