



Determining Eligibility for Minnesota's IDEA Part C Infant and Toddler Intervention Services for Young Children with Hearing Differences (2023)

Information for Minnesota EHDI Teams and Early Intervention Service Providers

Updated in 2023 by **Jess Moen**, Statewide Early Hearing Detection and Intervention (EHDI) Specialist MN Low Incidence Projects, jess.moen@brightworksmn.org

In Minnesota, infants and toddlers with health or developmental challenges may be determined eligible to receive IDEA Part C Infant and Toddler Intervention services under (1) *specific disability category criteria* or under (2) *Developmental Delay* as described below. Source: [Minnesota Administrative Rule 3525.1350](https://www.revisor.mn.gov/rules/3525.1350/) (<https://www.revisor.mn.gov/rules/3525.1350/>)

1. The child is determined eligible for IDEA Part C Infant and Toddler Intervention services in Minnesota by meeting the criteria of one of the disability categories listed in the federal Individuals with Disabilities Education Act (IDEA) and in Minnesota Statute. [125A.02 Child with a Disability Defined](https://www.revisor.mn.gov/statutes/cite/125A/full#stat.125A.02)

(<https://www.revisor.mn.gov/statutes/cite/125A/full#stat.125A.02>);

[Categorical Disabilities, MDE](https://education.mn.gov/MDE/dse/sped/cat/) (<https://education.mn.gov/MDE/dse/sped/cat/>)

- For young Minnesota children with hearing differences, early intervention teams often consider if the child is eligible for Part C Infant and Toddler Intervention services by meeting Minnesota's categorical criteria for [Deaf and Hard of Hearing](https://www.revisor.mn.gov/rules/3525.1331) (<https://www.revisor.mn.gov/rules/3525.1331>).
- Young Minnesota children with hearing differences who have additional developmental challenges may be found eligible for Part C Infant and Toddler Intervention services based on the criteria for a different disability category.
- Note: Unlike Minnesota's system, the Part C Early Intervention programs in most other states do not currently include consideration of specific disability category criteria in their process of determining eligibility for early intervention services.

2. The child meets the eligibility criteria for IDEA Part C Infant and Toddler Intervention services in Minnesota under "Developmental Delay" through (a), (b), or (c) below:

(a) The child has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay, regardless of whether the child has a demonstrated need or delay.

- Evaluation teams often refer to this option as an *automatic eligibility* based on a child's diagnosed physical or mental condition or disorder.



- More information on [Diagnosed Conditions Affecting Development](http://helpmegrowmn.org/HMG/HelpfulRes/ResourcesProf/DiagCondAffectDev/index.html) is provided on the Help Me Grow MN website. (<http://helpmegrowmn.org/HMG/HelpfulRes/ResourcesProf/DiagCondAffectDev/index.html>)
- Because of the potential impacts of hearing loss on a young child's language development and learning, hearing loss is considered one of the physical conditions that may result in developmental delays if supports are not provided to the child and family.
- For young Minnesota children with hearing differences, eligibility for Part C Infant and Toddler Intervention services is automatically established for an infant or toddler referred with:
 - i. Any type/degree of permanent hearing loss in one ear (unilateral) or both ears (bilateral) as confirmed with at least one diagnostic measure by a licensed audiologist. This includes sensorineural and/or neural hearing losses, and/or permanent conductive hearing loss (e.g. as a result of physical/structural conditions such as atresia, microtia, middle ear structural anomalies, or trauma).
 - ii. A presumed non-permanent but persistent conductive hearing loss in one ear (unilateral) or both ears (bilateral) occurring either over three consecutive months or at least three times during a 12-month period as documented by a licensed audiologist.

Reference: *Guidance on Hearing Loss that Establishes Eligibility under Part C of the Individuals with Disabilities Education Act (IDEA)*, MN Department of Education, June 2019. [MDE Part C and Part B Resources](https://education.mn.gov/MDE/dse/early/ecse/bc/) (<https://education.mn.gov/MDE/dse/early/ecse/bc/>)

(b) The child is experiencing a developmental delay that is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate diagnostic measures and procedures, in one or more of the following areas:

- a. Cognitive development
- b. Physical development, including vision and hearing
- c. Communication development
- d. Social or emotional development
- e. Adaptive development



(c) The child's eligibility is established through the application of *informed clinical opinion*. Informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments that establish eligibility.

- Educational teams may use their professional *Informed Clinical Opinion*, as an independent basis, to determine that a child and family is in need of, and eligible for, MN Infant and Toddler Intervention services based on their assessment of the child's developmental needs, even if a formal evaluation does not clearly establish eligibility through application of Minnesota categorical criteria for a specific disability or the Part C Developmental Delay criteria described above in 2(a) and 2(b).

References:

[MN Statute 125A.02 CHILD WITH A DISABILITY DEFINED](https://www.revisor.mn.gov/statutes/cite/125A/full#stat.125A.02)

(<https://www.revisor.mn.gov/statutes/cite/125A/full#stat.125A.02>)

[Categorical Disabilities, MDE](https://education.mn.gov/MDE/dse/sped/cat/) (<https://education.mn.gov/MDE/dse/sped/cat/>)

[MN Administrative Rule 3525.1331 DEAF AND HARD OF HEARING](https://www.revisor.mn.gov/rules/3525.1331) (categorical eligibility criteria-DHH) (<https://www.revisor.mn.gov/rules/3525.1331>)

[MN Administrative Rule 3525.1350 INFANT AND TODDLER INTERVENTION SERVICES](https://www.revisor.mn.gov/rules/3525.1350/) (eligibility criteria for children birth through two years of age) (<https://www.revisor.mn.gov/rules/3525.1350/>)

[Diagnosed conditions affecting development, MN Help Me Grow](http://helpmegrowmn.org/HMG/HelpfulRes/ResourcesProf/DiagCondAffectDev/index.html) (<http://helpmegrowmn.org/HMG/HelpfulRes/ResourcesProf/DiagCondAffectDev/index.html>)

[Part B and Part C Resources, MN Department of Education](https://education.mn.gov/MDE/dse/ecse/bc/index.htm)

(<https://education.mn.gov/MDE/dse/ecse/bc/index.htm>)

- *Part C Eligibility Determination Flowchart*
- *Guidance on Hearing Loss that Establishes Eligibility under Part C of the Individuals with Disabilities Education Act (IDEA)*, MN Department of Education, June 2019.