

# Orthopedic Impairment (OI)

## ORTHOPEDIC IMPAIRMENT

Many school-age children have orthopedic limitations that make it difficult to manage at home and get around the school campus, caused by either congenital birth abnormalities, traumatic accidents or injuries, or diseases. Orthopedic conditions can affect muscle tone, the body's ability to move in a coordinated and purposeful way, and motor skills. Sometimes, the condition affects things like breathing, bladder and bowel control, eating, and talking. Seizures, visual problems, speech and communication problems, and learning difficulties often accompany the congenital birth abnormalities and diseases that cause the orthopedic limitations. Often, corrective treatment may involve surgery, therapy such as occupational, speech, or physical, and special equipment to help them stand, walk, and breathe.

One well-known condition which causes orthopedic impairment is cerebral palsy-known as CP-caused by injury to parts of the brain either before, during, or after birth. Cerebral palsy occurs in approximately 2 out of 1000 live births. Sometimes children with CP can have learning problems, problems with hearing or seeing, or intellectual difficulties. Another common condition is spina bifida, which occurs in about 7 out of every 10,000 births. Spina bifida happens during the first month of pregnancy and means that the baby's spine did not close completely, with resulting damage to the spinal cord. The effects of spina bifida vary from person to person, and depending on the seriousness of injury, can include muscle weakness and paralysis below the area of the spine where

the incomplete closure occurred, loss of bowel and bladder control, cognitive limitations, and a build-up of fluid on the brain. Other less-known conditions which cause orthopedic limitations include:

- Congenital limb deficiencies, post-traumatic amputations and other diagnoses that require a prosthesis;
- Juvenile arthritis, Multiple Sclerosis, Muscular Dystrophy, cerebral dysgenesis, poliomyelitis,
- Brachial plexus lesions, contractures, arthrogyrosis, hip dislocation, lupus,
- Juvenile osteochondrosis, osteogenesis imperfecta (brittle bone)

## EDUCATIONAL ISSUES

Your child may have one of the mentioned conditions, or a different one, and faces many of the same challenges at home and at school, like frequent medical tests, surgeries, and hospitalizations which result in numerous absences from school. Your student may need extra time to manage their bowel and bladder program. He may require individualized help in the classroom because of the cognitive deficits. He may need extra time and assistance to travel the school building. The possibilities are unlimited.



Alabama Parent Education Center 

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## HELP IS AVAILABLE

Yes, help is available to your child, and it begins with a free evaluation for special services. According to IDEA, the nation's special education law, all children suspected of having a disability are entitled to be evaluated without cost to their parents to determine if they have a disability, and because of that disability, need special education services under IDEA. It is important to understand that a medical diagnosis does not mean the same as having a disability in education. Those special services are:

**Early Intervention**-a system of services to support infants and toddlers with disabilities (birth through age 2) and their families. If a child is found eligible for Early Intervention services, staff work with you to develop what is known as an Individualized Family Services Plan or IFSP, which will describe your child's unique needs as well as the services he will receive to address those needs. Contact Alabama Early Intervention Services at 1-800-543-3098.

**Special Education and Related Services**- Services available through the public school system for school-aged children, including preschoolers (ages 3-21). The federal special education law called IDEA, and corresponding state law called Alabama Administrative Code (AAC), require that special education and related services be made available free of charge to every eligible child with a disability, including preschoolers. These services are designed to address the child's individual needs in the classroom resulting from the disability.

## REFERRAL

If you feel your child is in need of special education and related services, the first step is to make a referral to your child's school indicating the challenges you've noticed, and request that he be evaluated for a disability. The referral team will meet with the parent to review existing data including school performance data, behavioral reports, parental concerns, and reports from health care professionals. The team will review all data and reports and parental concerns to determine if evaluation is necessary. If the referral is accepted, a formal referral form is completed, and you must give written consent for the evaluation to be done. The school has 60 calendar days from written consent to complete the evaluation process. If the referral is not accepted, written notice is given to the parent, and the child is referred to the problem-solving team.

Keep in mind that a child does not have to fail in school to be eligible for special education services. A referral for special education should never be denied based solely on the student having passing grades.



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## Orthopedic Impairment

*IDEA and AAC have defined Orthopedic Impairment as:*

Orthopedic Impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g. poliomyelitis, bone tuberculosis), and impairments from other causes (e.g. cerebral palsy, amputations, and fractures and burns that cause contractures). If a medical diagnosis is presented, the medical diagnosis alone is not enough to justify being identified in the area of orthopedic impairment. The impairment must adversely affect the educational performance of the child.

*AAC 290-8-9.03(8)(a)*

- Does my child need special education and related services?

Just the mere presence of a disability does not automatically qualify your child as “**a child with a disability**” under special education laws. Your child must meet the criteria listed for Orthopedic Impairment using certain minimum evaluative components. The evaluative components include passing a visual and hearing screening, and documentation of the medical diagnosis with a physician's statement. There must be a statement providing evidence that the orthopedic impairment adversely affects educational performance, and for the initial evaluation only, evidence of interventions/accommodations that have been tried in the regular education classroom but were deemed unsuccessful. And lastly, there must be performance measures that document how the child's disability affects his or her involvement in the general education curriculum using assessments like development scores, individual intelligence scores, individual educational achievement scores, classroom observations, motor assessments, curriculum-based assessments, and a review of the child's existing records (health, attendance).

Additional considerations in special education evaluations must be considered. The Individuals with Disabilities Education Act (IDEA) and Alabama Administrative Code (AAC) require that evaluation assessments administered to your child must:

- Does my child have a disability?
- Does his disability affect his educational performance?
- Be in your child's native language or communication mode

## EVALUATION

An evaluation is the process of gathering information about your child, their potential disability, strengths, weaknesses, and areas of need. If your child is struggling in school and you are concerned about their learning, educational progress, social skills, or behavior, comprehensive special education evaluation may be the information that can help you and your child's school to meet your child's educational needs. The initial evaluation will serve to answer these questions:



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- Be given by trained and knowledgeable personnel
- Use more than one measure or assessment to make a determination
- Evaluate all areas of suspected disability
- Be sufficient and comprehensive to identify all of your child's special education and related service needs, and
- Must not be culturally, sexually, or racially discriminatory.

## DETERMINING ELIGIBILITY

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When the evaluation process has been completed, the team has 30 days to review all the assessment data and scores, meet with all the other team members, including parents, and make an eligibility decision.

The team will collaborate and create a written report of the testing results. The report will describe your child's strengths and needs, how your child's skills compare to others of the same age or grade level, whether your child has a qualifying disability, and what individualized instruction and related services are recommended to help your child. If you disagree with the report, you have the right to request an independent educational evaluation or IEE, which is an assessment conducted by a qualified professional not associated with the school. The school can provide you with a list of independent evaluators to choose from and the school is responsible for paying. The school is also allowed to deny your request for IEE, but it must take additional steps to prove its evaluation is appropriate.

If your child is identified as “a child with a disability” and determined to be eligible, a meeting to develop the Individualized Education Program (IEP) must be held within 30 calendar days of the initial eligibility determination. The data obtained during the evaluation is used to determine what services are required for the child to make educational progress. An IEP must be developed and in effect before special education and related services are provided. The school must obtain written informed consent from the parent before the initial provision of services to the child.

Sometimes the test scores and data do not meet the qualifying criteria for disability, and your child is denied eligibility for services. If you disagree with the ineligibility decision, you have the right to appeal this decision and should inform the school. Ask about eligibility for 504 Plan services. You will receive a written copy of your Special Education Rights from the school, which contains information on due process procedures to follow. You can also contact our staff for assistance.

## RESOURCES

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Alabama Dept of Education, Special Education Services [www.alsde.edu/sec/ses](http://www.alsde.edu/sec/ses)

Children's Rehabilitation Service [www.rehab.alabama.gov/crs](http://www.rehab.alabama.gov/crs)

Alabama Early Intervention System <http://www.rehab.alabama.gov/individuals-and-families/early-intervention>



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Alabama

Medicaid <http://www.medicaid.alabama.gov/>

## YOUR OPINION MATTERS

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**Stakeholder opinion** is very important to our center. We invite you tell us what you think and make suggestions for trainings and publications. Complete a brief survey, call our center, or join our advisory committee. Your input is always welcome. <https://www.surveymonkey.com/r/ALPT>

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## APEC IS HERE TO HELP

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