

Emotional Disturbance



19 TAC §89.1040(c)(4). Eligibility Definitions.

A student with an emotional disturbance is one who has been determined to meet the criteria for emotional disturbance as stated in 34 CFR, §300.8(c)(4):

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.*
- (ii) 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.*

The written report of evaluation must include specific recommendations for behavioral supports and interventions.