

581-015-2180 revisions (IDEA compliance)

IDEA Language

Vision-Visual Impairment

(1) Early Intervention (age birth through 2 in accordance with OAR 581-015-2700(10)): "Visual Impairment" means an impairment in vision, even with correction, currently affecting or has the potential to significantly affect an infant or toddler's developmental progress. The infant or toddler's disability does not need to be presently affecting their development for the infant or toddler to be eligible for EI services. The term includes those infants and toddlers who are partially sighted or blind.

(2) Early Intervention: If an infant or toddler is suspected of having a visual impairment, a comprehensive evaluation must be conducted, including the following:

(a) A vision examination by a person licensed to practice optometry under ORS chapter 683 or by the appropriate authority in another state or a physician who specializes in ophthalmology and who is licensed under ORS 677 or by the appropriate authority in another state. The vision examination should indicate whether:

(A) The infant or toddler has a vision impairment that is uncorrectable by medical treatment, therapy or lenses; or

(B) The vision examination results are inconclusive, and the infant or toddler demonstrates inadequate use of residual vision; or has a progressive eye condition that may result in partial sight or blindness.

(b) A functional vision assessment conducted by a teacher of the visually impaired to identify the infant or toddler's educational and compensatory needs, including a functional assessment of the infant or toddler's residual visual acuity or field of vision; and

(c) Any additional assessments determined by the evaluation team to be necessary to determine the impact of the suspected disability.

(3) Early Intervention: For an infant or a toddler to be eligible for early intervention services as an infant or toddler with a visual impairment, the eligibility team must determine that:

(a) Even with correction, the infant or toddler has a visual impairment as defined in this rule; and

(b) The infant or toddler is eligible for early intervention services in accordance with OAR 581-015-2780.

(4) Early Childhood Special Education (age 3 through 5) and School Age (age 5 through 21): "Visual Impairment" means an impairment in vision that, even with correction, adversely affects a child's developmental progress (age 3 through 5) or educational performance (age 5 through 21). The term includes those children who are partially sighted or blind.

(45) Early Childhood Special Education: If a child is suspected of having a visual impairment, a comprehensive evaluation must be conducted, including the following:

(a) A vision examination by a person licensed to practice optometry under ORS chapter 683 or by the appropriate authority in another state or a physician who specializes in ophthalmology and who is licensed under ORS 677 or by the appropriate authority in another state. The vision examination should indicate whether:

(A) The child has a vision impairment that is uncorrectable by medical treatment, therapy or lenses; or

(B) The vision examination results are inconclusive, and the child demonstrates inadequate use of residual vision; or has a progressive eye condition that may result in partial sight or blindness.

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(b) A functional vision assessment conducted by a teacher of the visually impaired to identify the child's educational and compensatory needs, including a functional assessment of the child's residual visual acuity or field of vision; and

(c) Any additional assessments determined by the evaluation team to be necessary to determine the impact of the suspected disability:

(A) On the child's developmental performance for a preschool child (age 3 through 5); or

(B) On the child's educational performance for a school-age child (age 5 through 21); ~~or~~

~~(B) On the child's developmental progress for a preschool child.~~

(26) Early Childhood Special Education and School Age: For a child to be eligible for special education services as a child with visual impairment, the eligibility team must determine that:

~~(a) The child's visual impairment, even with corrections, has an adverse impact on the child's educational performance; and~~

~~(b) The child needs special education services as a result of the disability.~~

~~(a) Even with correction, the child has a visual impairment as defined in this rule; and~~

~~(b) The child is eligible for special education services in accordance with OAR 581-015-2795 and/or OAR 581-015-2180.~~

Statutory/Other Authority: ORS 343.035(1), 343.045, 343.146 & 343.157;

Statutes/Other Implemented: ORS 343.035(1), 343.045, 343.146, 343.157, 34 CFR 300.8 & 300.306

History:

ODE 13-2019, amend filed 05/17/2019, effective 07/01/2019

Renumbered from 581-015-0051, ODE 10-2007, f. & cert. ef. 4-25-07

ODE 2-2003, f. & cert. ef. 3-10-03

ODE 8-2001, f. & cert. ef. 1-29-01

ODE 11-2000, f. 5-3-00, cert. ef. 7-1-00

EB 22-1995, f. & cert. ef. 9-15-95

EB 16-1992, f. & cert. ef. 5-13-92

EB 25-1991(Temp), f. & cert. ef. 11-29-91

1EB 7-1986, f. & ef. 2-24-86

Reverted to 1EB 29-1978, f. & ef. 7-20-78

1EB 18-1983(Temp), f. & ef. 12-20-83

1EB 29-1978, f. & ef. 7-20-78

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