

States' and territories' definitions of/criteria for IDEA Part C eligibility¹²³

updated March 4, 2015

State	Web link to definition/criteria and date link last verified	Level of Developmental Delay Required for Eligibility	Serving At-Risk	Date adopted ⁴ ; other comments
Alabama	http://rehab.alabama.gov/v/individuals-and-families/early-intervention/ei-general-information 10/24/14	25% or more delay in one developmental area (cognitive, physical, communicative, social, emotional or adaptive development) ⁵ .	No	
Alaska	http://dhss.alaska.gov/ocs/Pages/infantlearning/program/program_faq.aspx#4 10/24/14	50% or greater in one or more areas of development.	No	
American Samoa	No web link to eligibility criteria. Web link for Part C program is http://www.helpinghands-as.org/index.html 10/24/14	Any delay in one or more areas of development.	Yes (biological /medical)	<i>Confirmed eligibility criteria by e-mail – 10/14</i>

¹ Sources: Correspondence with Part C Coordinators, definitions from states' OSEP-approved applications or current Annual Performance Reports (APRs), and/or definitions from states' websites, including their policies and procedures manuals; data current as of October 2014.

² Note: Diagnosed physical or mental conditions with high probability of resulting in developmental delay, commonly referred to as “established conditions,” is an eligibility category required under Part C and, thus, is not included in this table. States develop their own lists of established conditions; most are available on each state's website.

³ As informed clinical opinion remains a part of the regulatory requirements for Part C, the states' references to this in their eligibility definition are generally not included in this table.

⁴ Date Adopted (if available) or date of most recent policy & procedures manual.

⁵ These five areas of development (cognitive, physical, communicative, social/emotional or adaptive) are common across states, so will not be specified for each state.

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Arizona	https://www.azdes.gov/uploadedFiles/Arizona_Early_Intervention_Program/azeip_definitions_07_2012.pdf 10/24/14	50% delay in one or more developmental domains.	No	
Arkansas	http://humanservices.arkansas.gov/ddds/Pages/FirstConnectionsProgram.aspx 10/28/14	25% or greater delay in one or more areas of development.	No	
California	http://www.dds.ca.gov/EarlyStart/WhatsES.cfm 10/28/14	Infants and toddlers from birth to 36 months may be eligible for early intervention services if through documented evaluation and assessment they meet these criteria: have a developmental delay in either cognitive, communication, social or emotional, adaptive, or physical and motor development including vision and hearing and are under 24 months of age at the time of referral, with a 33% delay in one or more areas of development or are 24 months of age or older at the time of referral, with a 50% delay in one area of development or a 33% delay in two or more areas of development.	No	
Colorado	http://www.eicolorado.org/index.cfm?fuseaction=Policies.content&linkid=742 10/28/14	25% or greater delay in one or more areas of development when compared with chronological age or the equivalence of 1.5 standard deviations or more below the mean in one or more areas of development.	No	7/11
Connecticut	http://www.birth23.org/referrals/ 10/28/14	Eligible children are those under the age of three who are experiencing a developmental delay of 2 SD (standard deviations) below the mean in one developmental area or 1.5 SD below the mean in two or more areas.	No	2/11
Delaware	http://dhss.delaware.gov/dhss/dms/epqc/birth3/files/de_partc_eligibilityev.pdf 11/11/14	A 25% delay when compared to age expected level of development in one or more of the following developmental domains: cognition, physical/motor, social-emotional, adaptive; or, A delay of at least 25% in communication (receptive language) without a delay in one of the other developmental domains; children with expressive language delays only are not eligible except based on clinical judgment. Please refer to the "Delaware Guidelines for Young Children with Communication Delays"; or Any delay in communication in conjunction with a 25% delay in one or more of the following developmental domains: cognitive, physical/motor, social-emotional, adaptive; or At least 1.75 deviation below the mean in any developmental domain when measured by a normed, standardized instrument.	No	1/10

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Department of Defense	https://www.edis.army.mil/eip/eligibility.html 11/11/14	Measured delay of 2 standard deviations (or 25%) in one area of development, or 1.5 standard deviations (or 20%) delay in two or more areas of development.	No	4/05
District of Columbia	http://osse.dc.gov/sites/default/files/dc/sites/oss/e/publication/attachments/Final%20DC%20Part%20C%20Policies.pdf , p. 15 11/11/14	A delay of twenty-five (25%) percent, in two (2) or more developmental areas, as measured by appropriate diagnostic measures and procedures emphasizing the use of informed clinical opinion. In the case of infants born prematurely, the adjusted chronological age [which is calculated by deducting one half of the prematurity from the child's chronological age] should be assigned for a period of up to 6 months.	No	7/13
Florida	http://www.floridahealth.gov/AlternateSites/CMSS-Kids/home/resources/es_policy/es_Policy.html , Component 3 11/11/14	Developmental delay meets or exceeds 1.5 standard deviations below the mean in two or more developmental domains or 2.0 standard deviations below the mean in one or more of the developmental domains, as measured by appropriate diagnostic instruments and procedures.	No	7/10
Georgia	http://dph.georgia.gov/services-babies-cant-wait 11/28/14	Have a diagnosed developmental delay confirmed by a qualified team of professionals.	No	
Guam	https://drive.google.com/viewerng/viewer?a=v&pid=sites&srcid=Z2RvZS5uZXR8Z2Vpc3xneD-o2YTE1N2Q2MjM1NzZlOWVi , p. 18 11/11/14	Children who are eligible for services include those who are functioning two (2) or more standard deviations below the mean or 30% or greater delay in one or more of the following developmental areas, or who are functioning one and a half (1.5) standard deviations or 22% - 29% below the mean in two or more of the developmental areas:	YES (biological and environmental)	6/13
Hawaii	http://health.hawaii.gov/eis/files/2013/05/EIeligibilitycriteria10-21-13.pdf 11/11/14	Child under the age of three (3) years has a significant delay in one or more areas of development, based on one of the following criteria: <ul style="list-style-type: none"> • Greater than one (1) standard deviations below the mean in at least two or more areas or sub-areas of development • Greater than 1.4 standard deviations below the mean in at least one area or sub-area of development 	No	10/13

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Idaho	http://healthandwelfare.idaho.gov/Portals/0/Children/InfantToddlerProgram/ITP_Eligibility_Criteria.pdf 11/11/14	Performs thirty percent (30%) below age norm or exhibits a six-month delay, whichever is less; adjusted for prematurity up to twenty-four (24) months or as designated by the test manual. <ul style="list-style-type: none"> • Demonstrates at least two (2) standard deviations below the mean in one (1) functional area. • Is at least one and one-half (1.5) standard deviation below the mean in two (2) or more of the developmental areas. 	No	9/08
Illinois	http://www.dhs.state.il.us/page.aspx?item=65651 11/11/14	30% or more delay in one or more area of development.	Yes, At risk for developmental delay due to having a parent who has been medically diagnosed as having a severe mental disorder or a developmental disability or three (3) or more qualifying risk factors as defined by DHS.	2014
Indiana	http://www.in.gov/fssa/files/FS_Assessment_Team_manual_-_Revised.pdf , p. 13 11/11/14	<ul style="list-style-type: none"> • 25% or -2 standard deviations from the mean in one or more developmental domains; or, • 20% or -1.5 standard deviations from the mean in two or more developmental domains 	No	
Iowa	https://www.educateiowa.gov/sites/files/ed/documents/iowa%27s%20Early%20ACCESS%20Rules%20%282012%29.pdf , p. 8 11/11/14	A 25% delay in one or more developmental domains.	No	4/12
Kansas	http://www.ksits.org/download/part_c_manual/ELIGIBILITY.pdf , p. XI-3 11/11/14	A child is identified as developmentally delayed when: there is a discrepancy of 25% or more between chronological age after correction for prematurity and developmental age in any one area of development; or, when delays of at least 20% between chronological and developmental age, after correction for prematurity, in 2 or more areas are determined.	No	2013

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Kentucky	http://chfs.ky.gov/NR/rdonlyres/2FA68DC3-86FD-424C-9DB3-99BE1C03021C/0/FirstStepsPolicyProceduresManual7511.pdf , p. 6 11/11/14	The eligibility criterion for developmental delay is: Two (2) standard deviations below the mean in one (1) domain of development or skill area; or, One and one-half (1.5) standard deviations below the mean in two (2) domains of development or skill areas.	No	7/11
Louisiana	http://new.dhh.louisiana.gov/assets/docs/OCD/EarlySteps/ESPolicySummary042014.pdf 11/11/14	Children are eligible for EarlySteps if they demonstrate a developmental delay of at least 1.5 SD (standard deviations) below the mean in two developmental areas.	No	4/14
Maine	http://www.maine.gov/does/specialized/laws/chapter101.pdf , p. 71 11/11/14	A delay of at least 2.0 or more standard deviations below the mean in at least one of the five areas of development; or A delay of at least 1.5 standard deviations below the mean in at least two of the five areas of development.	No	7/13
Maryland	http://www.marylandpublicschools.org/MSDE/divisions/earlyinterv/infant_toddlers/about/message.htm 11/11/14	Maryland's regulations specify that a child, birth through age two is eligible for early intervention in any one of these ways: <ul style="list-style-type: none"> • Has a 25% delay in at least one or more of the five developmental areas OR • Manifests atypical development or behavior in one or more of the five developmental areas, interferes with current development, and is likely to result in a subsequent delay (even when diagnostic instruments and procedures do not document a 25% delay). Maryland's Extended IFSP Option offers families the choice to remain on an IFSP beyond their child's third birthday, if their child is determined eligible for preschool special education and related services as a child with a disability.	No	
Massachusetts	http://www.mass.gov/eohhs/docs/dph/comm/health/early-childhood/ei-operational-standards.pdf , p. 12 11/11/14	The infant or toddler's development is at least 1.5 standard deviations below the mean in one or more areas of development.	A child is considered eligible for Early Intervention when there is a risk for developmental delays or disorders due to four or more defined risk factors being present	7/13

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Michigan	http://www.michigan.gov/documents/mde/Eligibility_for_Early_On_352750_7.pdf 11/11/14	Children are found eligible under developmental delay if they have a delay of 20% or 1 standard deviation below the mean in one or more developmental domains.	No	
Minnesota	http://www.health.state.mn.us/divs/cfh/program/cyshn/guidelines.cfm 11/11/14	A developmental delay is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate assessment and evaluation procedures, in one or more of the developmental areas.	No	8/12
Mississippi	http://www.msdh.state.ms.us/msdhsite/index.cfm/41,0,74,html#documents 11/11/14	33% delay in one area of development or a 25% delay in two or more areas of development; The child has to score 2.0 standard deviations below the mean in one developmental area or 1.5 standard deviations below the mean in each of the two areas on the testing protocols administered.	No	
Missouri	http://dese.mo.gov/sites/default/files/se-fs-eligibility-criteria.pdf 11/11/14	A developmental delay, as measured by appropriate diagnostic measures and procedures emphasizing the use of informed clinical opinion, is defined as a child who is functioning at half the developmental level that would be expected for a child developing within normal limits and of equal age. In the case of infants born prematurely, the adjusted chronological age (which is calculated by deducting one-half of the prematurity from the child's chronological age) should be assigned for a period of up to 12 months or longer if recommended by the child's physician. The delay must be identified in one or more of the developmental domains.	No	6/13
Montana	http://www.dphhs.mt.gov/fssac/MontanaPartCRulesAndRegulations.pdf , p. 25 11/11/14	50% delay in one area or 25% delay in two areas.	No	7/13
Nebraska	http://www.education.ne.gov/LEGAL/webrules/pdf/CLEAN52_2014.pdf , p. 16 11/11/14	At least 2.0 standard deviations below the mean in one area of development; OR At least 1.3 standard deviations below the mean in two areas of development.	No	7/15/14
Nevada	http://health.nv.gov/PDFs/BEIS/English_ParentHandbook.pdf , p. i 11/11/14	A minimum of fifty percent (50%) delay of child's chronological age in one of the developmental areas, adjusted for prematurity, or a minimum of 25% delay of the child's chronological age, adjusted for prematurity, in any two areas.	No	2/13

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New Hampshire	http://www.dhhs.nh.gov/dcbcs/bds/earlysupport/documents/fcess-eligibility.pdf 11/11/14	A 33% delay in one or more of the developmental areas or atypical behavior as documented by the family and qualified personnel.	Yes (child or parent must experience 5 or more conditions or circum-stances from the state's lists.)	
New Jersey	http://nj.gov/health/fhs/eis/documents/policies/nj-eis-02.pdf 11/11/14	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.	No	7/12
New Mexico	http://archive.nmhealth.org/ddsd/nmfit/Documents/Eval%20Assessment%20TA%20doc%20April%202013%20(Final).pdf , p. 20 11/11/14	After correction for prematurity, a delay of 25% or greater, 1.5 standard deviations below the mean or greater, or a designation of Significant Atypical Development determined through "Informed Clinical Opinion", in one or more of the five developmental areas.	Yes (Environmental and Medical/Biological risk)	4/13

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New York	http://w3.health.state.ny.us/dbspace/NYCRR10.nsf/11fb5c7998a73bcc852565a1004e9f87/4b971a3906a101dd8525773d004a57fa?OpenDocument 11/11/14	<p>The presence of a developmental delay which affects functioning in one or more of the developmental domains; and, as measured by qualified personnel using informed clinical opinion, appropriate diagnostic procedures, and/or instruments and documented as:</p> <p>(i) a twelve month delay in one domain; or</p> <p>(ii) a 33% delay in one domain or a 25% delay in each of two domains; or</p> <p>(iii) if appropriate standardized instruments are individually administered in the evaluation process, a score of at least 2.0 standard deviations below the mean in one domain or a score of at least 1.5 standard deviation below the mean in each of two domains; or</p> <p>(iv) notwithstanding subdivisions (i)-(iii) for children who have been found to have a delay only in the communication domain, delay shall be defined as a score of 2.0 standard deviations below the mean in the area of communication; or, if no standardized test is available or appropriate for the child, or the tests are inadequate to accurately represent the child's developmental level in the informed clinical opinion of the evaluator, a delay in the area of communication shall be a severe delay or marked regression in communication development as determined by specific qualitative evidence-based criteria articulated in clinical practice guidelines issued by the Department, including the following:</p> <p>a) for children 18 months of age or older;</p> <p>(i) a severe language delay as indicated by no single words by 18 months of age, a vocabulary of fewer than 30 words by 24 months of age, or no two-word combinations by 36 months of age; or</p> <p>(ii) the documented presence of a clinically significant number of known predictors of continued language delay at 18-36 months of age, in each of the following areas of speech language and non-speech development: (1) Language production; (2) Language comprehension; (3) Phonology; (4) Imitation; (5) Play; (6) Gestures; (7) Social Skills; and, (8) Health and family history of language problems; or,</p> <p>b) for children younger than 18 months of age, documentation that the child has attained none of the normal language milestones expected for children in the next younger age range, and none for the upper limit of the child's current chronological age range, and the presence of a preponderance of established prognostic indicators of communication delay that will not resolve without intervention, as specified in clinical practice guidelines issued by the Department.</p>	No	6/10

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North Carolina	http://www.beeearly.nc.gov/index.php/providers/eligibility-referral 11/11/14	The specific level of the delay shall be: <ul style="list-style-type: none"> • Documented by scores of 2.0 standard deviations below the mean of the composite score (total test score) on standardized tests in at least one of the above areas of development, or • Documented by a 30% delay on instruments which determine scores in months in at least one of the above areas of development, or • Documented by scores of 1.5 standard deviations below the mean of the composite score (total test score) on standardized tests in at least two of the above areas of development, or • Documented by a 25% delay on instruments which determine scores in months in at least two of the above areas of development. 	No	7/06
North Dakota	http://www.nd.gov/dhs/services/disabilities/early-intervention/stateguidelines/ei-policies.pdf , p. 13 11/11/14	25% below age norms in two or more areas of development ; or 50% below age norms in one or more areas.	No	2/13
Northern Marianas Islands	http://www.cnmipss.org/commissioner-of-education/curriculum-instruction-assessment/special-programs/early-intervention-program/ (website under development) 11/11/14	25% delay in one or more developmental domains.	No	
Ohio	http://codes.ohio.gov/oc/3701-8 11/11/14	A developmental delay means functioning at 1.5 standard deviations below the mean or more in at least one of the developmental domains.	No	9/12
Oklahoma	http://ok.gov/sde/sites/ok.gov.sde/files/1401%20Criteria%20for%20Eligibility.pdf 11/11/14	A delay in developmental age compared to chronological age of 50% or a score 2 SD below the mean in one of the developmental domains or subdomains; OR a delay in developmental age compared to chronological age of 25% or score 1.5 SD below the mean in two or more of the developmental domains or subdomains.	No	12/12

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Oregon	http://www.ode.state.or.us/gradelevel/pre_k/eie/cse/medicalconditions.pdf 11/14/14	Two standard deviations or more below the mean in one or more of the developmental areas, or 1.5 standard deviations below the mean in two or more of the developmental areas.	No	8/12
Pennsylvania	http://www.dpw.state.pa.us/cs/groups/webcontent/documents/communication/p_034104.pdf 11/14/14	25% delay or 1.5 standard deviation below the mean in one area of development.	No	4/13
Puerto Rico	http://www.salud.gov.pr/partcprogram/Others/PoliciesandProcedures%20FEB%202013.pdf 11/11/14	Quantitative and qualitative criteria listed for each area, including: Motor, cognitive and language skills: 2.0 standard deviations below the mean or 33% delay; 1.5 standard deviations below the mean or 25% delay with other delays Social-Emotional and Adaptive skills: informed clinical opinion	No	2/13
Rhode Island	http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/EI%20Policies%20and%20Procedures%202013.pdf , p. 2 11/11/14	Developmental delay is defined as 2 standard deviations below the mean in at least one area of development, or 1.5 standard deviations below the mean in two or more areas of development	No	11/13
South Carolina	http://scfirststeps.org/babynet/ <i>(website being revised; policies and procedures not currently posted)</i> 11/28/14	A child is identified as eligible on the basis of documented developmental delay when the discrepancy between chronological age and developmental age is one of the following: <ul style="list-style-type: none"> • Minus 2 standard deviations or a Developmental Quotient (DQ)/Standard core (SS) of 70 in one or more domains of development, or • Minus 1.5 standard deviations or a Developmental Quotient (DQ)/Standard Score (SS) of 78 in two or more domains of development. 	No	7/13

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South Dakota	http://legis.sd.gov/rules/DisplayRule.aspx?Rule=24:14:07:02 11/11/14	At least a 1.5 standard deviation below the mean; OR a child born at 28 weeks gestation or less.	No	20 SDR 223, effective July 7, 1994; 35 SDR 82, effective October 22, 2008; 36 SDR 96, effective December 8, 2009.
Tennessee	http://www.tn.gov/education/early_learning/TEI_S_eligibility.shtml 11/11/14	A 25% delay in two developmental areas or a 40% delay in one area.	No	
Texas	http://www.dars.state.tx.us/ecis/eligibility.shtml#eligibility 11/11/14	At least 25% delay which affects functioning in one or more areas of development.	No	9/11
Utah	http://www.utahbabywatch.org/docs/foreproviders/policies/Final%20Policies/Eligibility%20Criteria%207%202013.pdf 11/11/14	1.5 standard deviations at or below the mean, or at or below the 7th percentile in one or more areas of development.	No	7/13
Vermont	http://education.vermont.gov/documents/education_sped_guide.pdf , p. 49 11/11/14	A developmental delay is a clearly observable and measurable delay in one or more of the developmental areas, and the delayed development shall be at the level that the child's future success in home, school, or community cannot be assured without the provision of early intervention services.		1/13
Virginia	http://www.infantva.org/documents/PracManCh5-5-12.pdf , p. 1 11/11/14	At least 25% below chronological or adjusted age, in one or more of areas of development, OR Children who manifest atypical development or behavior, which is demonstrated by one or more specified criteria (even in the absence of a 25% developmental delay). For children born prematurely (gestation < 37 weeks), the child's adjusted age is used to determine developmental status. Chronological age is used once the child is 18 months old.	No	4/13

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Virgin Islands	http://ectacenter.org/~pdfs/topics/earlyid/VI_partc_elig.pdf 11/11/14	A 25% delay in one or more of the above stated developmental domains when comparing functional age to chronological age; OR Standardized test scores of 1.5 standard deviations below the mean.	No	2005
Washington	http://del.wa.gov/publications/esit/docs/ESIT_policies_procedures.pdf , p. 12 11/11/14	A 25% delay or a 1.5 standard deviation below age level in one or more of the developmental areas.	No	4/13
West Virginia	http://www.wvdhhr.org/birth23/eligibility/reveligibilitypolicyformat2013.pdf , p.2 11/11/14	A very substantial delay (demonstrating the equivalent of a 40% delay in functional abilities/developmental skills) in one or more areas of development; OR A substantial delay (demonstrating the equivalent of a 25% delay in functional abilities/developmental skills) in two or more areas of development; OR Substantially atypical development in two or more developmental areas, even when evaluation does not document a 25% delay; OR Five or more risk categories, that when present in combination, are likely to result in substantial developmental delay if early intervention services are not provided, as defined in policy.	Yes – 5 or more risk categories	2/13
Wisconsin	http://www.dhs.wisconsin.gov/children/birthto3/family/qualify.htm 11/11/14	25% delay or atypical development that adversely affects a child's development.	No	4/14
Wyoming	http://www.health.wyo.gov/ddd/earlychildhood/partcinfo.html (then link to pdf file for Part C Policies and Procedures, p. 25) 11/11/14	1.5 standard deviations below the mean or 25% delay in one or more developmental areas.	No	3/13