

Aligning the Future: Reviewing Stakeholder Perspectives on DD Eligibility Ages

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Purpose of Today's Presentation

- **Review foundational context:** Revisit key regulations and context from previous presentations regarding the proposed shift in the Developmental Delay (DD) eligibility age.
- **Review stakeholder feedback:** Review consensus and insights gathered from Nevada's educators, professionals, and community partners to ensure policy recommendations are community-informed.
- **Support Board action:** Provide State Board Members with the clear framework and data necessary to take potential action on updating the Developmental Delay eligibility age.

Review of Key Regulation and Authority

Individuals with Disability Education Act (IDEA) Sec. 300.8 (b)

(b) Children aged three through nine experiencing developmental delays. Child with a disability for children aged three through nine (or any subset of that age range, including ages three through five), may, subject to the conditions described in §[300.111](#)(b), include a child—

[\(1\)](#) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and

[\(2\)](#) Who, by reason thereof, needs special education and related services.

Review of Key Regulation and Authority (Continue)

NAC 388.430 Identification of certain pupils with developmental delays; termination of services. ([NRS 385.080](#), [388.419](#), [388.433](#))

1. Except as otherwise provided in subsection 5, a pupil under the age of 6 years may be identified with a developmental delay if the eligibility team, comprised of the persons described in subsections 2 and 3, concludes that the pupil has a developmental delay and, by reason thereof, needs special education and related services and that the pupil demonstrates a delay of at least two standard deviations in one, or at least one standard deviation in two or more, of the following areas:
 - (a) Receptive or expressive language
 - (b) Cognitive abilities
 - (c) Gross or fine motor function
 - (d) Self-help.
 - (e) Social or emotional condition.
2. In a case governed by this section, the eligibility team must consist of:
 - (a) A special education teacher or specialist in the field of early childhood education;
 - (b) A licensed school psychologist or a licensed or certified psychologist with documented training in the assessment of preschool pupils with disabilities;
 - (c) A parent of the pupil; and
 - (d) If not otherwise a member of the team, one or more persons qualified, because of personal knowledge of the pupil, to interpret information relating to the pupil's health, family, and social and emotional condition. This person may be, without limitation, a school administrator, school nurse, school counselor, school psychologist or any other certificated or licensed professional.

What We Mean by "Age 7, 8, and 9"

To clarify the upcoming age changes: when we refer to ages 7, 8, or 9, we are talking about children **up until they reach that specific birthday.**

If a child has already celebrated that birthday, they move into the next tier.

Age Threshold	Exact Ages Covered Under This Tier
Up to Age 6 (Current Threshold)	Includes ages 3, 4, and 5 (Up to the 6th birthday)
Up to Age 7	Includes ages 3, 4, 5, and 6 (Up to the 7th birthday)
Up to Age 8	Includes ages 3, 4, 5, 6, and 7 (Up to the 8th birthday)
Up to Age 9	Includes ages 3, 4, 5, 6, 7, and 8 (Up to the 9th birthday)

Students in all categories are (or would be) eligible under both:

Developmental Delay (DD)

and

Any Other Disability Category (Ages 3–21)

Data Collection and Community Feedback

- Statewide survey of the field- September 2024 quantitative and qualitative
- Special Education Directors facilitated discussion December 2024
- Statewide survey of the field April 2026 quantitative and qualitative
- Governors Council on Developmental Disabilities presentation on survey results (June and July)
- Clark County School District Task force recommendations
- Public comment from NVPEP and Special Education Advisory Committee (SEAC)

Evidence for Change

Qualitative feedback from clinical and educational experts served as the primary evidence for changing the Developmental Disability eligibility age.

These data collected and presented highlight a consistent professional observation: a more flexible age threshold prevents premature exits and provides the administrative stability needed to accurately identify student needs as they mature.

What follows is a review of key findings shared at previous State Board Meetings.
Full presentations are linked at the end of this session.

Director Survey Data- September 2024

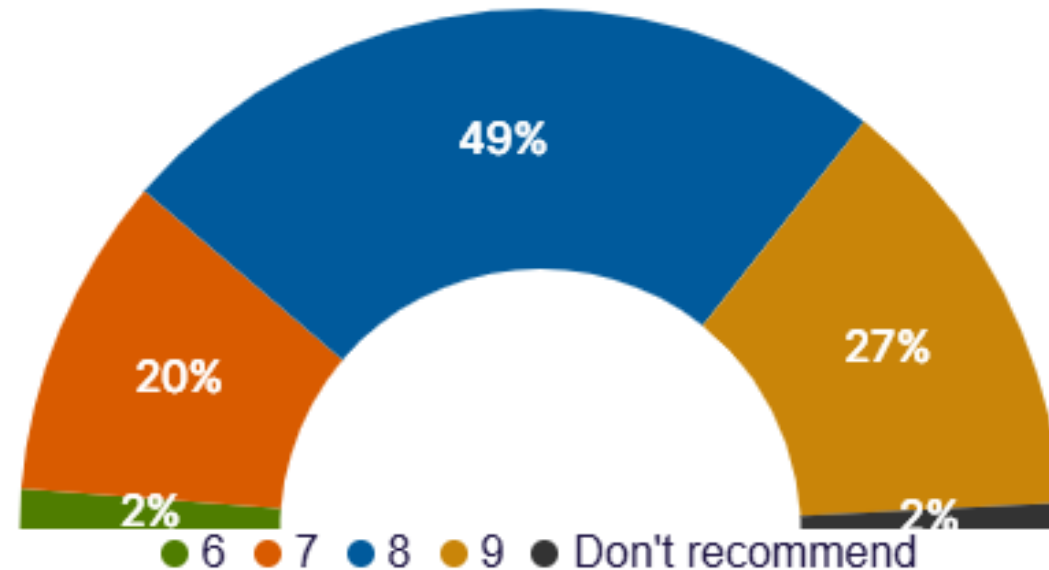
Districts were surveyed regarding their support for a potential change, including the preferred age for the adjustment. The following data reflects the responses from Directors, Assistant Directors, School Psychologists, and Speech and Language Pathologists.

Would you like to see an increase in the age for DD eligibility	Why Yes?
Yes 310/337 91.99%	Yes, I would strongly support an increase in the age for DD eligibility. Extending the eligibility allows students more time to receive the necessary support and developmental opportunities before any formal labels are assigned.
	Yes. It's better for the students and for the team making the decision. They can always be excited before if services are no longer warranted. But to have to make a well-informed decision by the age of 6 can be very challenging
	An increase in the DD age would allow educators more time to sort out true educational disabilities from difficulties that are developmentally appropriate/expected. Specifically, an increase in the DD age would significantly decrease misdiagnosing students who are often dismissed from special education services prematurely and, conversely, students incorrectly identified with DD. Moreover, this would also provide the opportunity to take advantage of the extra time given to facilitate the collection of more meaningful data that could be utilized to better inform decision making and educational planning for students.

These data, from the 2024 district survey results, were shared at the September 2024 board meeting.

Qualitative Summary: Age Recommendation

District Viewpoint: Question 5: At what age would you recommend changing the Developmental Delay eligibility age?



These data, from the 2026 district survey, were shared at the May 2026 board meeting.

CCSD DD Task Force Preliminary Key Findings

Between the **2020–2021** and **2023–2024** school years, **5,866 students** age 3, 4 or 5 received an Initial evaluation under the **Developmental Delay (DD)** eligibility category **before age 6**. **Of these 5,866 students:**

- **3,155 students (53.8%)** immediately requalified under a different special education eligibility category and continued receiving special education services.
- **2,711 students (46.2%)** did NOT immediately requalify for another special education eligibility category, which ended special education services.
- Of the **2,711 students** who did not immediately requalify **before age 6**, **only 76 students (2.8%)** later requalified for special education services under a different category.

These data were shared at the June 2026 board meeting.

CCSD DD Task Force Preliminary Key Findings (Continue)

The **76 students** who later requalified represent an average of **18 students per year** over the four-year period. The average length of time between exiting Developmental Delay **before age 6** and requalifying for special education services was **1.5 years**.

Among the 76 students who later requalified for special education services, the disability categories were distributed as follows:

Eligibility Category	Percentage
Specific Learning Disability (SLD)	31.58%
Speech or Language Impairment (SLI)	22.37%
Hearing Impairment (HE)	19.74%
Autism (AU)	17.11%
Emotional Disturbance (ED)	6.58%
Traumatic Brain Injury (TBI)	1.32%
Intellectual Disability (ID)	1.32%

These data were shared at the June 2026 board meeting.

Strategic Benefits of Eligibility Expansion

- ★ **Provides a Developmental Runway:** Grants children more time to mature and close foundational gaps naturally, avoiding premature or permanent disability labeling.
- ★ **Eliminates the "Service Cliff":** Prevents abrupt disruptions in therapeutic support (like Speech and OT) during the high-stress transition into early elementary grades.
- ★ **Ensures High Diagnostic Accuracy:** Allows more time for comprehensive psychological evaluations through ages 7–9, when cognitive and learning profiles have fully stabilized.
- ★ **Strengthens Family Partnerships:** Offers IEP teams a longer window to build trust with parents, evaluate intervention data transparently, and plan eventual category changes collaboratively.
- ★ **Aligns with the Recommendations from the Field:** Survey results indicate that teachers, psychologists, special

Areas of Impact

Changes required to Ages 7, 8 or 9		Additional Changes to Age 9
Policy and Administrative Changes	Standard Regulation Realignment: Align state regulations with IDEA frameworks, update compliance tools, and amend local board policies for a smooth transition.	Statutory Realignment: Navigate legislative review to formally align state policy definitions across early elementary and special education frameworks.
Teacher Licensure and Credentials	No Change Required: Current early childhood special education licenses naturally cover up to age 8, requiring no credential modifications.	Licensure Restructuring: Must formally amend NAC 391.363 to expand early childhood endorsements (licensure?) past the age 8 cap.
Data and Infrastructure Updates	Systems Reconfiguration: Update state child-count reporting in Infinite Campus (IC) and longitudinal tracking to accept older birthdates for the DD code. Update data requirements in IC.	Advanced Compliance Tracking: Re-engineer automated data flags within state-level systems to trigger specific transition timelines at ages 8 and 9 to prevent technical non-compliance.
Special Education & IEP Restructuring	Process Modifications: Train evaluation teams and school psychologists to apply early-childhood DD assessment criteria to early elementary grades (K–2).	Diagnostic Complexity: Restructure workflows to differentiate general academic deficits from true developmental delays in older students (Grades 3–4) who have had formal reading and math instruction.
Financial and Resource Demands	Review Resource Allocation: Shift staff and funding to cover a mild, predictable influx of retained DD students in early elementary classrooms.	Compounding Caseload Pressures: Manage broader caseload impacts across standard elementary classrooms as students hold non-categorical labels longer, delaying transitions to specific category funding models.
Parental and Diagnostic Impact	Transition Transparency: Clear, proactive messaging to families regarding why a specific category label is being deferred based on standard early-elementary milestones.	Rigorous Category Guardrails: Establish strict, data-driven parameters justify keeping a 3rd or 4th-grade student under a DD label rather than transitioning them to a specific category like Specific Learning Disability (SLD).
Minimal Impact		Moderate Impact
		Significant Impact

Updating DD Data Collection & Reporting

Program Evaluation Questions (What we are tracking & why)	Data Collection Changes (How we will capture it)	Implementation Timeline & Steps (How long it will take)	Strategic Impact (How will this help the system)
What are the specific exit pathways for students leaving DD? Why: To monitor the exact reasons and ages students transition out of Developmental Delay (DD) classifications.	Change: Update exit data reporting requirements to include specific rationale for all ages, removing the previous restriction of only tracking ages 14 and up.	Months 1–6: Partner with IT/vendors to make technical data architecture changes in Infinite Campus (IC). This will happen simultaneously with regulation changes.	So that... The state has comprehensive visibility into special education exits and service ineligibility rates across all age brackets, not just high schoolers.
Why are students becoming ineligible for DD qualifications? Why: To determine if students are aging out, losing eligibility entirely, or shifting to different support models.	Add: Introduce new exit rationale fields to the existing IC eligibility model to specifically track: • No longer eligible due to DD age-out. • No longer eligible at any age. • Changes in disability category.	Months 7–12: Develop and roll out comprehensive training to all school districts regarding new data entry and collection requirements. This will happen after the regulation changes.	So that... The board and districts can accurately measure the direct impact of DD qualification age changes and identify trends in shifting disability categories.
How frequently do students with a history of disability classifications require new assessments? Why: To track the re-entry or mobility rates of students previously identified as needing support.	Expand: Broaden Initial Eligibility data collection to include: • Whether the student was previously found eligible for a disability in Nevada prior to this evaluation. • Whether the student was previously found eligible in another state and subsequently determined ineligible.	Launch Target: If passed by summer 2027, the 12-month window places full implementation at the start of the 2028–2029 school year, allowing districts a clean fiscal and academic start. With compliance requirements in the 2029–2030 school year.	So that... NDE can track the frequency of new initial assessments for students with a prior history of disability classifications, ensuring continuity of care and evaluating the accuracy of previous ineligibility decisions.

Timeline to Change



The Regulatory Process: Each pathway requires regulatory change which moves at its own deliberate pace, adhering to an independent timeline that is entirely outside of our control that may have an impact on proposed timelines to implementation.



Updated Data Collection: These data reporting updates will be implemented simultaneously with regulation changes, requiring immediate configuration within Infinite Campus and targeted district training to ensure full alignment.



Ages 7 & 8 Pathway (9-12 Months): Focuses on regulation changes, standard administrative realignments. Updates data fields in Infinite Campus, coordinates local board policies, and tracks standard early-elementary milestones.



Age 9 Pathway (12–18 Months): Requires a longer process to legally change state teacher certification requirements, restructure and implement policy changes in diagnostic and IEP processes, communicate with parents about changes.



2029–2030 SY Compliance Integration: Both pathways culminate in formal state accountability within the special education compliance monitoring.

Options to Consider for Vote

- ★ No change-regulation remains the same up to age 6
- ★ Change to up to age 7- all students up until their 7th birthday can be considered for eligibility under DD category
- ★ Change to up to age 8- all students up until their 8th birthday can be considered for eligibility under DD category
- ★ Change to up to age 9- all students up until their 9th birthday can be considered for eligibility under DD category

Appendix

- [May 1, 2024 SBE presentation and discussion](#)
- [September 4, 2024 SBE presentation and discussion](#)
- [November 12, 2025 SBE presentation and discussion](#)
- [May 13, 2026 SBE Presentation and discussion](#)
- [June 26, 2026 SBE Presentation and Discussion](#)
- [NDE Qualitative Survey Results](#)
- [NDE Quantitative Survey Results](#)
- [NVPEP Public Comment](#)