

System Impact of Eligibility Extensions

Evaluating Regulatory, Diagnostic, and Operational Shifts for
Ages 7, 8, and 9 Transitions

NDE State Board of Education Meeting
June 24, 2026



Purpose of Today's Presentation

- **Consider** universal and age-specific modifications in order to determine whether or not to extend Developmental Delay eligibility to age 7, 8 or 9.
- **Discuss** and take action on whether or not to extend Developmental Delay eligibility to age 7, 8 or 9.

IDEA – Individuals with Disabilities Education Act

The Federal Individuals with Disabilities Education Act (IDEA) permits the identification of children with developmental delays and continuity of instructional supports through age 9 as measured by appropriate diagnostic assessments (Title 20 U.S. code 1401 (3)). However, the Nevada State Board of Education's current developmental delay rule NAC 388.430, limits developmental delay identification to children up to the age of 6.

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)

NDE Board of Education Presentations

- [May 1, 2024 SBE presentation and discussion](#) included Survey results and District data
- September 4, 2024 SBE presentation and discussions included impact on the system and pro's and con's for changing age
- November and December 2024 District and Practitioner Discussion and Data Exploration
- [November 12, 2025 SBE presentation and discussion](#)-reviewed the gap in data that is available
- February-April 2026: In consultation with Board Leadership, developed and administered Qualitative and Quantitative surveys.
- [May 13, 2026 SBE Presentation and discussion](#) -included survey results and recapped impact on system.

Governor's Council on Developmental Disabilities

- **Findings**

- Concerns regarding service gaps and delays in support
- Challenges with reevaluation and eligibility decisions
- Need for greater continuity during transition

- **Community Recommendations**

- Extend DD eligibility beyond age 6
- Improve transition planning and family communication
- Increase consistency across districts

- **Intended Impact**

- Reduce disruption in services
- Support developmentally appropriate decision-making
- Improve outcomes for children and families

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:** Postpones comprehensive psychological evaluations until 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 service providers and administrators overwhelmingly support the age change.

Areas of Impact to Age Change

Policy and Administrative Changes	This shift will require aligning state regulations with IDEA frameworks, updating compliance monitoring tools, and amending local education agency (LEA) policies to ensure a seamless administrative transition.
Teacher Licensure and Credentials	Shifting the Developmental Delay (DD) eligibility cutoff to age 9 would require amending NAC 391.363 to expand early childhood special education endorsements, which currently only cover educators teaching children under age 8.
Data and Infrastructure Updates	State data systems, child-count reporting, and longitudinal tracking mechanisms must be reconfigured to accurately capture and report on the expanded student demographic.
Special Education & IEP Restructuring	Local districts will need to modify eligibility processes and individualized education program (IEP) workflows and train evaluation teams to apply developmental delay criteria to the expanded age group.
Financial and Resource Demands	Expanding the eligible age bracket will require district to evaluate resource allocation across schools.
Parental and Diagnostic Impact	Parents will need clear, transparent communication regarding the extended eligibility timeline, alongside robust diagnostic data and collaborative IEP team support to ensure their child's educational continuity and long-term academic progress.

District Spotlight- Clark County Task Force

Recommendations

- Broad support for extended eligibility
- MTSS as an eligibility component of a DD evaluation for students enrolled in school is highly supported
- Procedural guidance relative to MTSS, interventions, and progress monitoring across the five domains may be needed to support school teams

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 <u>NAC 391.363</u> 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

Timeline for Change



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 long-term runway to legally change state teacher certification requirements, restructure and implement policy changes in diagnostic and IEP processes, and handle high-stakes parent communications regarding the absolute 9th birthday cutoff.



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

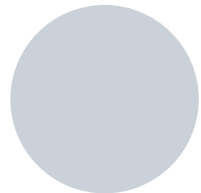
Options to Consider for Vote

- ★ 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

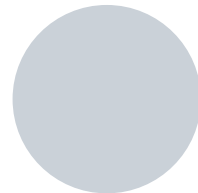
Discussion & Questions



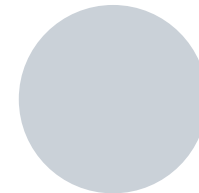
Thank You



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