

**281—120.21 (34CFR303) Infant or toddler with a disability.** “Infant or toddler with a disability” means an individual under three years of age who needs early intervention services because the individual:

**120.21(1)** Is experiencing a developmental delay, which is a 25 percent delay as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas:

- a.* Cognitive development;
- b.* Physical development, including vision and hearing;
- c.* Communication development;
- d.* Social or emotional development;
- e.* Adaptive development; or

**120.21(2)** Has a diagnosed physical or mental condition that:

- a.* Has a high probability of resulting in developmental delay; and
- b.* Includes conditions such as chromosomal abnormalities; genetic or congenital disorders; sensory impairments; inborn errors of metabolism; disorders reflecting disturbance of the development of the nervous system; congenital infections; severe attachment disorders; and disorders secondary to exposure to toxic substances, including fetal alcohol syndrome.

[ARC 0100C, IAB 4/18/12, effective 5/23/12]