The School Social Work Association of America endorses the position that all students who have behavioral problems that interfere with their ability to learn in the general education classroom have the right to be provided the services and protections of students who are considered to be emotionally disturbed under the provisions of IDEIA 2004.

When the Education for All Handicapped Children Act was passed in 1975, the criteria for the disability category, *emotionally disturbed* deliberately excluded children labeled *socially maladjusted*. This term was never defined in the legislation nor in the regulations issued by the Department of Education in 1977. This situation has created confusion and controversy ever since. It has primarily been used to deny services to children who have broken school rules. Currently, only 1% of the estimated 5% of children with emotional/behavioral disorders are served under the Individuals with Disabilities Education Act and most of these are placed in very restrictive environments.

Some experts have tried to differentiate between the two categories based on volition – those who were emotionally disturbed were viewed as driven by their own neuroses while those who were socially maladjusted were viewed as deliberately choosing to engage in acts of delinquency. This distinction is untenable for two reasons. One is that both interpersonal theory and communication theory see all behavior as purposeful and communicative. Secondly, these theories form the basis for completing functional behavioral assessments by which schools are mandated to determine the purpose of a child’s misbehavior regardless of diagnosis.

The law specifically allows that children who are deemed socially maladjusted are eligible for services if they are also emotionally disturbed. Most children who are socially maladjusted exhibit many of the characteristics of an emotional disturbance, including: an inability to build or maintain satisfactory interpersonal relationships; inappropriate types of behavior or feelings; a general, pervasive mood of unhappiness or depression; and a tendency to develop physical symptoms, pains, or fears, associated with personal or school problems.

Even if one were to restrict the use of socially maladjusted to those who have a DSM diagnosis of conduct disorder or history of criminal arrest, there remains a high possibility of co-morbidity with other eligible categories, such as Attention Deficit/Hyperactivity Disorder, learning disabilities, or depression. Thus, the primary assessment issue for schools should be: Does this child’s behavior interfere with her/his ability to learn? If the answer is yes, then the child should be eligible for services under the Individuals with Disabilities Education Act.

**References**

