**24:05:24.01:13.  Orthopedic impairment defined.** Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease, and impairments from other causes.

There must be evidence of the following:

(1)  That the student's impaired motor functioning interferes with educational performance;

(2)  That the student exhibits deficits in muscular or neuromuscular functioning that significantly limit the student's ability to move about, sit, or manipulate materials required for learning;

(3)  That the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and

(4)  That current medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

**Source:** 23 SDR 31, effective September 8, 1996; 33 SDR 236, effective July 5, 2007; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 13-37-1.1.

**Law Implemented:** SDCL 13-37-1.1.