**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.