

7 his summer at the 2003 Utah Institute on Special Education Law Conference, one of the speakers indicated that “no one knows where the social maladjustment clause in the federal definition of emotional disturbance came from.” This was an interesting comment that was 100% false. The following paragraphs outline some research based information regarding the social maladjustment clause and Utah’s definition of emotional disturbance.

The IDEA definition of serious emotional disturbance (SED) has remained virtually unchanged since the inception of PL 94-142 and is largely based on a single study in Los Angeles School District, conducted

and Van Nagel (1980) anticipated controversy surrounding the exclusionary clause and termed it the “loophole in Public Law 94-142.” Bower (1982) indicated disagreement with the social maladjustment exclusionary clause on the basis that it is illogical since “the emotionally disturbed child as defined in the Bower study had to be socially maladjusted in school” (p.58). Hence, serious emotional disturbance and characteristics of social maladjustment are not mutually exclusive terms.

Some individuals have equated social maladjustment with disruptive disorders (e.g., conduct disorder, oppositional defiant disorder and attention deficit/hyperactivity disorder) and have advised administrative bodies in edu-

## *Social Maladjustment Or Emotional Disturbance?*



cation and policy-making roles to exclude these students from special education services (Kelly, 1988; Slenkovich, 1983, 1992a, 1992b). In response the American Psychological Association (APA, 1989) and Council for Children with Behavioral Disorders (CCBD, 1990) have addressed the exclusionary clause



by the late Eli M. Bower (1960). Section (ii) of the federal definition, which includes language excluding children who are socially maladjusted from the qualification of SED, has been coined the exclusionary clause and is the topic of much debate (Skiba & Grizzle, 1990). In 1980, Raiser

**Hollie Pettersson • Utah Personnel Development Center**  
**Megan Farley, Doctoral Student • University of Utah**



and inconsistent interpretation by suggesting that children identified as conduct disorder, oppositional defiant disorder, and attention deficit/hyperactivity disorder are among the groups offered protection under special education legislation. Additionally, the National Association of School Psychologists (NASP, 1999) has broadened its interpretation of the seriously emotionally disturbed (SED) definition by stating “EBD [emotional and behavioral disorders] can co-exist with other handicapping conditions...” and that EBD include “...sustained disturbances of conduct, attention or adjustment.” Interestingly, the National Longitudinal Transitional Study on Special Education Students (Wagner et al., 1991) found that of students classified with emotional disturbance, 70% displayed patterns historically associated with social maladjustment (e.g. externalizing behavioral patterns and disruptive disorders).

Assessment of serious emotional disturbance for special education qualification and subsequent services is a process which ultimately is the responsibility of the Individualized Education Program (IEP) team, including the local educational agency (LEA). Presumably, the IEP team and LEA adhere to local school district guidelines, which follow state regulations that comply with federal IDEA regulations. In 1994, Skiba found that one-third of states do not include the exclusionary clause in their respective regulation definitions and guidelines. This discrepancy may be due to a lack of validated methods for determining social maladjustment, as few instruments claim to be valid for differentiating social maladjustment and emotional disturbance and none have been deemed valid or reliable by empirical evidence (CCBD, 1990; Nelson et al., 1991).

The Utah definition of emotional disturbance includes additions to the federal definition and helps to clarify the fact that emotional disturbance and social maladjustment are not mutually exclusive terms. The Utah definition also defines emotional disturbance as encompassing both internalizing (i.e. depression) and externalizing (i.e. behavioral problems) disorders which adversely affect educational performance.

It was our aim in writing this article to accomplish three things: (1) clarify the history of the social maladjustment clause and point out the fact that the individual who coined the term (Bower) in no way intended it to be used to exclude students from special education services, (2) mention the additions to the Utah definition of emotional disturbance which aid in clarifying the criteria for qualification, and (3) pique interest in this topic (emotional disturbance) for our forthcoming article on best practices in assessing emotional disturbance in school age children. ■

• If you have questions regarding Emotional Disturbance and Utah’s Rules, please contact: Karen Kowalski, Utah State Office of Education, (801) 538-7568 or [kkowalsk@usoe.k12.ut.us](mailto:kkowalsk@usoe.k12.ut.us).

