

**Eligibility as Environmental Construct (EEC): Applying an Ecological  
Lens to IDEA Practice**

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## **Abstract**

The Eligibility as Environmental Construct (EEC) framework interprets IDEA eligibility through an ecological lens, deepening the law's focus on access and participation. EEC repositions educational impact as a relational phenomenon emerging from the interaction between learner and environment. The framework draws on Bronfenbrenner's ecological systems theory, Vygotsky's social constructivism, and neurodiversity-affirming ethics to align IDEA's guarantees of Free Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE) with ecological reasoning. The accompanying heuristic—the context-dependent communicator/learner—shows how this perspective can inform eligibility documentation and goal writing without creating new diagnostic categories. Assessment centers on contextual access rather than categorical severity, asking whether specialized instruction is needed to enable participation in environments typical for age peers. By integrating ecological theory, jurisprudence, and inclusive ethics, EEC offers practitioners a coherent framework for interpreting eligibility as environmental access.

### **Eligibility as Environmental Construct (EEC): Applying an Ecological Lens to IDEA Practice**

Eligibility for special education services in early childhood is grounded in demonstrating an adverse educational impact resulting from a disability. Historically, this has resulted in diagnostic categories and

severity labels that fail to reflect the complexity of communication and learning. Such deficit models may obscure contextual relevance and overlook how a child's abilities interact with their environments to facilitate, or at times constraint, participation in everyday early-childhood activities such as peer interaction, play, exploration, and social learning.

The neurodiversity paradigm and current developmental science frame variation as difference, not deficit. Implementing this paradigm in practice requires eligibility frameworks to evaluate environmental fit and contextual access rather than fixed impairments. The EEC framework deepens IDEA's ecological logic, clarifying how existing provisions for access and participation can be operationalized through environmental reasoning. This paper proposes eligibility as an environmental construct and introduces the context-dependent communicator/learner as a heuristic for articulating that relationship.

The term "context-dependent communicator/learner" is introduced as a descriptive heuristic illustrating how participation depends on environmental fit. While this concept note establishes the conceptual foundation, full implementation will require policy alignment, evaluator training, and systems-level translation: work that future practitioner scholarship will address.

### **The Concept of a Context-Dependent Communicator/Learner**

The term context-dependent communicator first appeared in the augmentative and alternative communication (AAC) literature (Dowden,

1999); here, it is used heuristically rather than diagnostically to highlight the environmental contingencies that shape early learning and special-education eligibility decisions. From this perspective, a context-dependent communicator/learner is a child whose ability to communicate or learn effectively depends on how their profile interacts with the supports, expectations, and social dynamics of a given context.

Key characteristics include:

- Reliable communication or learning behaviors in some contexts but not others.
- Apparent competence in familiar or scaffolded environments, with diminished participation in less supported settings.
- Dependence on environmental affordances (visual cues, peer modeling, adult scaffolding) for access.
- Difficulty generalizing skills across contexts, leading to inconsistent participation.

This construct reorients eligibility from measuring deficits to assessing relational access. The operative question becomes: Does this child require specialized instruction to access learning opportunities their peers receive naturally? In eligibility discussions, this lens invites language such as "requires environmental supports to access communication and learning opportunities," rather than categorical descriptors of severity. Formal terminology will vary by state or district conventions; the framework's purpose is to clarify reasoning, not prescribe phrasing.

## **Legal and Policy Foundation**

IDEA's Part B regulations (34 C.F.R. §§ 300.8 & 300.17) define disability and FAPE in terms of educational access. For preschoolers, "educational performance" encompasses participation in age-typical routines and peer interactions, not solely academic achievement (Individuals with Disabilities Education Act, 2004). Rowley (1982) established that access, not potential, defines the adequacy of FAPE, while Endrew F. (2017) required that progress be "appropriately ambitious" considering the child's circumstances. Together, these cases frame educational adequacy as inherently relational, supporting the interpretation of eligibility as environmental access rather than categorical qualification.

Expanding on this, Hehir (2002) defines ableism as a set of environmental barriers—institutional and attitudinal structures that marginalize difference. When exclusion stems from these barriers, eligibility must address systemic access design, not individual limitation. Recent policy guidance further substantiates this environmental framing: The California Department of Education (2024) reaffirms "rightful presence" and defines inclusive early education as belonging and access within community settings—treating the environment, not the child, as the locus of change. In their policy brief published by the Education Law Center, Boylan and Goldman (2010) clarify that inclusion in state pre-K programs is framed as a federal obligation rooted in environmental accessibility. The ECTA Center

(2025) details preschool LRE decision-making criteria, emphasizing environmental analysis over categorical severity.

Collectively, these statutes and rulings demonstrate that IDEA already embeds environmental reasoning throughout service provision. EEC explicitly applies that logic to eligibility determinations, making visible what was implicit in IDEA's access provisions.

### **Theoretical and Scientific Underpinnings**

This framework builds on Bronfenbrenner's (1979) ecological systems theory, situating child development within nested environments (micro- to macrosystem), and on Vygotsky's (1978) sociocultural theory, viewing learning as a co-constructed process mediated by social scaffolding. Both underscore the relational contingency of developmental outcomes. Extending these principles, Goodley (2016) positions disability within a relational-cultural model: difference emerges not in isolation but through interaction with the norms, institutions, and expectations of society. When paired with Bronfenbrenner's multilevel ecology, Goodley's perspective reframes "impairment" as the product of systemic design rather than personal deficiency.

The context-dependent communicator/learner model draws on these frameworks to conceptualize communication and learning as situational phenomena—dynamic, relational, and responsive to environmental scaffolding.

### **Reflexive Note: Language as Ecological Practice**

Terminology and frameworks in special education are necessarily provisional. Each linguistic shift reflects its professional and cultural moment. The phrase context-dependent communicator/learner is offered not as a diagnostic category but as a temporary heuristic, illuminating how participation is shaped by environmental conditions. Like person-first and identity-first language, this construct is intentionally transient: an instrument for reorienting attention toward access and contextual fit, not a new taxonomy.

As paradigms evolve, so too will the language that sustains them. The framework models that evolution consciously, demonstrating how educational systems can examine, revise, and re-author their own criteria for inclusion. As California and federal guidance increasingly emphasize environmental accessibility and rightful presence (CDE, 2024; ECTA Center, 2025), linguistic frameworks evolve in parallel, placing context at the center rather than category.

### **Implications and Future Applications**

EEC translates into practice through shifts in documentation, assessment, and collaboration. The following principles maintain IDEA coherence while enabling ecological reasoning at the eligibility stage:

- Eligibility Documentation should describe performance across contexts, highlighting the supports necessary for relational access rather than categorical severity.

- IEP Development should identify specialized instruction that enables participation in natural environments, with ongoing review of environmental demands during transitions.
- Progress Goals should measure participation and generalization across settings, not isolated skill mastery.
- Training & Policy initiatives should develop ecological assessment and planning competencies among educators and evaluators.
- Collaboration among families, therapists, and community partners is essential for contextual insight and authentic inclusion.
- For example, multidisciplinary teams might embed structured environmental-fit rubrics or ICF-based participation checklists within eligibility documentation to systematically capture environmental access needs while remaining fully IDEA-compliant.

### **Conclusion**

Eligibility determinations are environmental decisions that shape access to education. In districts where inclusive infrastructure is still being developed, eligibility often serves as the de facto gateway to participation. Viewing eligibility as an environmental construct reframes evaluation from a question of individual deficit to one of environmental access. The context-dependent communicator/learner heuristic thus operates both as an assessment tool and as a reflective mechanism for transforming the very systems that necessitate it.



Future work will extend EEC across IDEA Parts B and C, examining how ecological eligibility logic can inform state guidance, interagency collaboration, and evaluator training to bring ecological theory into everyday practice.

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