

GAINESVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL EDUCATION OPERATING PROCEDURES: DEAF OR HARD OF HEARING

The Gainesville ISD has entered into an Interlocal Agreement to cooperatively operate its special education programs under the authority of Tex. Ed. Code § 11.157. The Denton County Special Education Services Cooperative may provide for the efficient delivery of legally required special education and related services to the Gainesville’s eligible students with disabilities as set forth in the Interlocal Agreement, including the implementation of these Special Education Operating Procedures.

Gainesville ISD Board Policy along with these *Special Education Operating Procedures* constitute the Policies and Procedures of Gainesville ISD, designed to be consistent with the State policies and procedures developed pursuant to the IDEA. Gainesville ISD *Special Education Operating Procedures* are not to be for the purpose of creating a requirement that is not otherwise imposed by the Individuals with Disabilities Education Improvement Act (“IDEA”), together with its implementing federal regulations, state statutes and rules, as they shall from time to time be amended, and shall not be construed to create a higher standard than that established by IDEA. These *Special Education Operating Procedures* will be posted on Gainesville ISD’s website. These *Special Education Operating Procedures* should be interpreted consistent with the IDEA. Gainesville ISD’s *Special Education Operating Procedures* are reviewed and updated, as needed, on at least an annual basis. Gainesville ISD will make timely changes to policies and procedures in response to IDEA amendments, regulatory or rule changes, changes to state policy, or new legal interpretation as are necessary to bring Gainesville ISD into compliance with the requirements of IDEA. Gainesville ISD maintains systems to ensure that all students with disabilities residing in the District, including students with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and provided a free appropriate public education. Gainesville ISD maintains systems to ensure that students with disabilities and their parents are afforded the procedural safeguards required under the IDEA (and its implementing federal regulations, state statutes and rules) including with respect to the confidentiality of records and personally identifiable information.

DEAF OR HARD OF HEARING

A student may be eligible for special education and related services as a student who is deaf or hard of hearing¹ if the hearing impairment is so severe that it impairs the processing of linguistic information through hearing with or without amplification, and that adversely affects educational performance.²

The group of qualified professionals must ensure that the evaluation data includes—

- An otological examination performed by an otolaryngologist or by a licensed medical doctor, with documentation that an otolaryngologist is not reasonably available, and an audiological evaluation performed by a licensed audiologist, and
- a description of the implications of the hearing loss for the student's hearing in a variety of circumstances with or without recommended amplification.³

¹ The terms *deaf or hard of hearing* are referenced in Texas law while federal law typically references the terms *deafness* and *hearing impairment*.

² 34 C.F.R. § 300.8(c)(3)

³ 19 TEX. ADMIN. CODE §89.1040(c)(3)

The group of qualified professionals conducting an evaluation of a student suspected of being deaf or hard of hearing will conduct assessments and observations, and collect data, as necessary for the ARD Committee to make an eligibility determination. The group should consider the student's unique mode of communication when conducting the evaluation.⁴

PRACTICE GUIDE—When evaluating a student suspected of being deaf or hard of hearing, the group of qualified professionals selecting and using standardized tests to assess cognitive functioning and academic achievement may consider whether the tests have been normed for students who are deaf or hard of hearing. The group may request the student's most recent audiological evaluation report and recommendations concerning the student's need for amplification. If appropriate to understand private evaluation reports and their recommendations or conclusions, including recommendations for amplification and use of assistive technology, the District may seek the parent's or guardian's consent to release and exchange confidential information with the private provider. Recommendations in the evaluation report should be based upon the student's unique needs rather than the area of eligibility.

FOR MORE INFORMATION

In Texas, eligibility is determined by the student's Admission, Review and Dismissal (ARD) committee.⁵ The phrase *multidisciplinary team* refers to the group of District staff tasked with using a variety of assessment tools and strategies to gather relevant functional, academic and developmental information about the student, including information provided by the parent, as part of the special education evaluation process.⁶ For more information, please contact The Director of Special Education.

Demonstrations of this procedure's implementation may include, but are not limited to, examples such as:

- Multi-Tiered Systems of Support or Response to Intervention Data
- Student specific data collection and monitoring
- Observation data
- Evaluation Reports
- Collection of information from parents and independent service providers
- ARD committee reports

⁴ Tex. Ed. Code § 29.303

⁵ 19 TEX. ADMIN. CODE § 89.1040(b); 19 TEX. ADMIN. CODE § 89.1050(a)(5)

⁶ 34 C.F.R. § 300.306