



9/2023

Deaf Students' Bill of Rights Toolkit

A Resource for Special Education Providers Regarding the Relevant Services and Placement Options for a Student Who Is Deaf, Deafblind, or Hard of Hearing.

Overview

The Oregon Department of Education developed this toolkit as a resource for providers of special education services in the development and review of Individualized Family Service Plans (IFSPs) and Individualized Education Programs (IEPs) for children who are deaf, deafblind, or hard of hearing to ensure that they are provided a free appropriate public education (FAPE).

HB [3183](#) (2021)

In addition to any other requirements prescribed by the State Board of Education by rule for individualized family service plan or individualized education programs, the board shall require that whenever a plan or program is developed, revised, or reviewed for a child who is deaf, deafblind, or who is hard of hearing, the parents of the child must be provided information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf.

HB [2669](#) (2023)

The Legislative Assembly finds and declares that children who are deaf, deafblind, or hard of hearing who utilize one or more modes of communication have the same rights and potential as children who are not deaf, deafblind, or hard of hearing.

Section 2 of this 2023 Act shall be known and may be cited as the Deaf Students' Bill of Rights.



EI/ECSE Programs, School Districts, Regional Inclusive Services, and the Oregon School for the Deaf must continue to implement requirements of IDEA, ORS, and OAR.

[Chapter 581](#)



As a school district, your responsibilities for children who are deaf, hard of hearing, or deafblind include:

- (a) Provide children who are deaf, hard of hearing, or deafblind appropriate screening and assessment of hearing and vision capabilities and communication and language needs at the earliest possible age and the continuation of screening and evaluation services throughout the educational experience.
- (b) Provide children who are deaf, hard of hearing, or deafblind with individualized and appropriate early intervention to support the acquisition of solid language bases developed at the earliest possible age.
- (c) Inform the parents or guardians of children who are deaf, hard of hearing, or deafblind about all relevant services and programs and placement considerations, including the Oregon School for the Deaf, and provide opportunities for parents and guardians to fully participate in the development and implementation of their child's education plan.
- (d) Strive to provide children who are deaf, hard of hearing, or deafblind opportunities to meet and associate with adult role models who are deaf, hard of hearing or deaf-blind and who utilize varied communication modalities to learn advocacy skills, including self-advocacy.
- (e) Provide children who are deaf, hard of hearing, or deafblind opportunities to meet and associate with their peers in the school environment and during school-sponsored activities.
- (f) Provide direct instruction to children who are deaf, hard of hearing, or deafblind.
- (g) Ensure individualized education programs developed, reviewed and revised for children who are deaf, hard of hearing, or deafblind include communication and educational plans.
- (h) Provide children who are deaf, hard of hearing, or deafblind placement that is best suited to each child's individual needs including, but not limited to, social, emotional, communication, and cultural needs, with consideration for the each child's age, degree and type of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support.
- (i) Provide children who are deaf, hard of hearing, or deafblind individual considerations for free, appropriate education across a continuum of placement options required by law.
- (j) Provide children who are deaf, hard of hearing, or deafblind full support services provided by qualified and certified professionals in their educational settings.
- (k) Provide children who are deaf, hard of hearing, or deafblind full communication access to all programs in the child's educational settings including, but not limited to, extracurricular activities, recess, lunch, media showings, driver education, and public announcements.
- (l) Ensure that parents and guardians of children who are deaf, hard of hearing, or deafblind receive information from appropriately qualified and certified professionals on the medical, ethical, cultural and linguistic issues concerning individuals who are deaf, hard of hearing, or deafblind.
- (m) Ensure that children who are deaf, hard of hearing, or deafblind have direct access to mental health and supporting services from qualified and certified providers fluent in the child's primary mode of communication, including American Sign Language.

REGIONAL INCLUSIVE SERVICES

Oregon's students who experience deafness, deafblindness, or are hard of hearing are supported through Regional Inclusive Services (RIS). RIS provides training, technical tools, and additional support to educators so that all school districts, no matter their size or location, can deliver a Free and Appropriate Public Education (FAPE) .



Helpful Links:

- [ODE Regional Inclusive Services webpage](#)
- [Regional Inclusive Services Map](#)

HELPFUL INFORMATION ABOUT THE OREGON SCHOOL FOR THE DEAF

- [Oregon School for the Deaf: About OSD](#)
- [Directors message](#)
- [Oregon School for the Deaf: Admission Criteria and Process](#)
- [Oregon School for the Deaf: Educational Support Services](#)
- [Oregon School for the Deaf: Residential Program](#)





PLACEMENT

Use the following links to find tools that may be helpful to teams in determining services and placement for students who are Deaf, Deaf Blind, and Hard of Hearing.

IEP/IFSP Placement Tools:

- [Making Sound Placement Decisions For Children with Disabilities, Ages 3-5](#)
- [EI/ECSE Forms - IFSP](#)
- [Conference of Educational Administrators of Schools and Programs For The Deaf: What Constitutes the Least Restrictive Environment for a Deaf or Hard of Hearing Student?](#)
- [Hands & Voices: School Placement for Students Who Are Deaf and Hard of Hearing](#)
- [Optimizing Outcomes for Students who are Deaf or Hard of Hearing: Educational Service Guidelines, Third Edition National Association of State Directors of Special Education, Inc.](#)



Oregon Revised Statutes

- **ORS 343.151**

Individualized Education Programs; Content; Procedures Review

- **ORS 343.475**

Programs of Early Childhood Special Education and Early Intervention Services; Rules

- **ORS 343.521**

Individualized Family Service Plans; Rules; Forms

OREGON ADMINISTRATIVE RULES

Chapter 581 OARs

- [Review and Revision of IEPs](#)
- [Free Appropriate Public Education \(FAPE\) for ECSE](#)
- [IFSP Team Consideration and Special Factors](#)
- [Placement of the Child](#)



References

- [U.S. Department of Education: Deaf Student Education Services](#)
- [National Association of State Directors of Special Education \(NASDSE\) \(2018\).](#)
- [U.S. Department of Education Office of Special Education and Rehabilitative Services, Dr. Stern Letter](#)
- [School Placement Consideration for Students who are Deaf or Hard of Hearing](#)