



Deaf Students' Bill of Rights Toolkit FAQ

September 2026

The Deaf Students' Bill of Rights was adopted by the Oregon Legislature in 2023 through [House Bill 2669](#). Effective January 1, 2024, it affirms the rights of students who are deaf, deafblind, or hard of hearing and establishes expectations for educational access and support. To support implementation, the Oregon Department of Education (ODE) developed the [Deaf Students' Bill of Rights Toolkit](#). This Frequently Asked Questions (FAQ) Document provides answers to commonly asked questions.

What is the Deaf Students' Bill of Rights?

- The Deaf Students' Bill of Rights recognizes that children who are deaf, deafblind, or hard of hearing have the same rights and potential as all other children. It promotes access to language, communication, educational opportunities, qualified personnel, and learning environments that support student success.

Who does the Deaf Students' Bill of Rights apply to?

- The Bill of Rights applies to children and students who are deaf, deafblind, or hard of hearing and receive services through Early Intervention (EI), Early Childhood Special Education (ECSE), or K-12 public education in Oregon.

Does the Deaf Students' Bill of Rights create new special education eligibility requirements?

- No. The Bill of Rights does not change eligibility criteria for special education services. School districts and other educational agencies must continue to follow all requirements under the Individuals with Disabilities Education Act (IDEA), Oregon Revised Statutes (ORS), and Oregon Administrative Rules (OAR).

What rights are emphasized in the Bill of Rights?

- The Bill of Rights highlights the importance of:
 - Appropriate language and communication development.
 - Qualified personnel and specialized services.

- Educational environments that support direct communication.
- Deaf, hard of hearing, and deafblind role models.
- Opportunities for self-advocacy and social development.
- Full participation in educational activities and programs.

What responsibilities do school districts have?

- School districts and educational providers are responsible to:
 - Conduct appropriate assessments and evaluations.
 - Support early language acquisition.
 - Provide access to appropriate educational services.
 - Inform families of available options and resources.
 - Include families in educational planning.
 - Consider communication access and language development in all educational decisions.

What information must schools provide to parents and guardians?

- Parents and guardians must be informed about relevant services, programs, and placement options available through the school district, education service district (ESD), regional programs, and the Oregon School for the Deaf. Families must also have opportunities to participate meaningfully in educational planning and decision-making.

Does the Bill of Rights require placement at the Oregon School for the Deaf?

- No. The Bill of Rights does not require placement at any specific educational setting. Decisions about placement must be made individually by the IFSP or IEP team based on the student's unique strengths, needs, and educational goals. The Oregon School for the Deaf is one placement option that must be considered and discussed.

How does the Bill of Rights relate to IDEA and FAPE?

- The Bill of Rights complements existing federal and state requirements. Educational agencies must continue to provide a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) while ensuring the cultural, communication, and language needs of deaf, deafblind, and hard of hearing students are fully considered.

What should an IEP or IFSP team consider for a deaf, deafblind, or hard of hearing student?

- Teams should consider:
 - Language and communication needs.
 - Communication opportunities with peers and adults.

- o Access to academic instruction.
- o Assistive technology and support services.
- o Cultural and linguistic identity.
- o Opportunities for interaction with deaf, hard of hearing, and deafblind role models.
- o Family priorities and concerns.

Why are role models important?

- The Bill of Rights encourages students to interact with deaf, hard of hearing, and deafblind adults who use a variety of communication modalities. These interactions can support language development, identity formation, self-advocacy, and future planning.

How can families raise concerns about services or placement decisions?

- Families should first discuss concerns with their child's educational team. If concerns remain unresolved, families may access procedural safeguards and dispute resolution options available through IDEA and the Oregon Department of Education.

Is the Deaf Students' Bill of Rights a separate educational program?

- No. The Deaf Students' Bill of Rights is not a separate program or service. It is a framework that helps ensure the unique communication, language, and educational needs of deaf, deafblind, and hard of hearing students are considered when developing and implementing educational services. Existing requirements under IDEA, ORS, and OAR remain in effect.

What is required of IFSP and IEP teams?

- IFSP and IEP teams should ensure that the student's language, communication, cultural, educational access, and placement needs are thoughtfully considered during the planning process. Teams must provide families with information about available services and placement options and include families in educational planning and decision-making.

What is meant by "communication access"?

- Communication access means that a student can fully understand and participate in instruction, social interactions, extracurricular activities, and other educational opportunities using their preferred and appropriate communication methods.

What communication methods are included under the Bill of Rights?

- Students may use one or more communication modalities, including spoken language, American Sign Language (ASL), tactile sign systems, cued speech, augmentative communication systems, interpreters, captioning, or a combination of methods. Educational decisions should be based on individual student's needs.

Can a student use more than one communication modality?

- Yes. Many deaf, deafblind, or hard of hearing students use multiple communication approaches depending on the setting, communication partner, and individual needs. Educational teams should consider all communication needs when developing services and supports.

How does the Bill of Rights support language development?

- The Bill of Rights emphasizes the importance of providing individualized supports and early access to language so students can develop strong communication and literacy skills. Schools should consider whether educational services support age-appropriate language growth and learning.

What should IFSP/IEP teams consider when evaluating communication needs?

- Teams should consider:
 - Expressive and receptive language skills.
 - Access to classroom discussions.
 - Peer interactions.
 - Access to incidental learning.
 - Communication opportunities throughout the school day.
 - The student's preferred communication mode(s).
 - Family input.

What are "incidental learning opportunities"?

- Incidental learning refers to information students acquire naturally through everyday interactions, conversations, observations, and experiences. Educational teams should consider whether a student has equitable access to these learning opportunities.

Does the Bill of Rights address extracurricular activities?

- Yes. Educational providers should consider how students will access school activities, events, clubs, athletics, and other opportunities available to their peers. Communication access should extend beyond the academic classroom whenever appropriate.

How does the Bill of Rights support culturally responsive practices?

- The Bill of Rights recognizes that students who are deaf, deafblind, or hard of hearing may have diverse communication preferences, identities, and cultural experiences. Teams should consider these factors when planning educational services.

What resources are available if a district has limited experience serving deaf, deafblind, or hard of hearing students?

- Districts can consult Regional Inclusive Services, the Oregon School for the Deaf, ODE specialists, and other state and community resources for technical assistance and support. Links are available in the Deaf Student's Bill of Rights Toolkit.

How often should communication and language be reviewed?

- Communication and language needs should be reviewed whenever an IFSP or IEP is developed, reviewed, or revised and whenever the student's needs change. Educational teams should continually monitor progress and adjust services as needed.

How can districts document consideration of the Deaf Students' Bill of Rights?

- Districts may document discussions regarding communication needs, language development, placement options, family input, and access to services within the IFSP or IEP process.