**Deaf or Hard of Hearing (D/HH)**

**OAR 581-015-2150 Revisions**

**Criteria Change for**

**Early Childhood Special Education (ECSE) and School Age Special Education (SASE)**

**Eligibility**

**Important Points:**

* Revisions to [OAR 581-015-2150](https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=269521) took effect on 7/1/2020.
* Beginning on 7/1/2020, the term “Hearing Impairment” was replaced with the term “Deaf or Hard of Hearing”.
* The criteria used to establish ECSE and SASE D/HH eligibility was modified to include a wider range of hearing thresholds. EI, ECSE, and SASE now utilize the same criteria to establish special education eligibility.
* By widening the range of hearing thresholds used to establish special education eligibility, a larger group of students (ECSE and SASE) will be eligible for special education services in the area of D/HH.
* Being found eligible for special education services in the area of D/HH will enable students to obtain specialized support from Low Incidence Regional Programs.
* The changes made to the criteria are more inclusive of students with unilateral hearing loss, mild losses, microtia/atresia, and auditory neuropathy. Currently, many of these students are falling through the cracks due to ineligibility for special education. Being on a 504 plan for many students has not been effective, as these students need more than accommodations.
* Many students with unilateral hearing loss are struggling in school and are not receiving services they need. Without intervention and support, many students struggle with instruction, have communication difficulties and/or are behind in literacy and other academic areas.

**Old ECSE & SASE Hearing Impairment Criteria:**

To be eligible as a child with a hearing impairment, the child must meet one of the following minimum criteria:

(a) The child has a pure tone average loss of 25 dbHL or greater in the better ear for frequencies of 500 Hz, 1000 Hz, and 2000 Hz, or a pure tone average loss of 35 dbHL or greater in the better ear for frequencies of 3000 Hz, 4000 Hz, and 6000 Hz; or

(b) The child has a unilateral hearing impairment with a pure tone average loss of 50 dbHL or greater in the affected ear for the frequencies 500 Hz to 4000 Hz; and (c) The loss is either sensorineural or conductive if the conductive loss has been determined to be currently untreatable by a physician.

**New ECSE & SASE Deaf or Hard of Hearing Criteria:**

To be eligible as a child who is deaf or hard of hearing, the child must meet one of the following criteria:

(a) The child must have hearing thresholds in at least one ear of 25 dBHL or greater at two or more consecutive frequencies at 500 HZ, 1000 HZ, 2000 HZ, 4000 HZ, 6000 HZ and 8000 HZ; or

(b) The hearing loss is due to auditory neuropathy spectrum disorder (ANSD) or aural microtia/atresia, as determined by…an audiological assessment… a physician… a nurse practitioner… a physician or a naturopathic physician.

**For a child to be eligible for special education services as a child who is deaf or hard of hearing eligibility, the eligibility team must determine that:**

* The child is deaf or hard of hearing using this definition. “Deaf or hard of hearing” means an impairment in hearing, whether permanent or fluctuation, that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child’s developmental progress (age 3 through 5) or educational performance (age 5 through 21).
* The child is eligible for special education services in accordance with [OAR 581-015-2795](https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=143800) and/or [OAR 581-015-2120.](https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=143232)

**Revised Eligibility forms:**

While EI/ECSE programs and school districts are not required to use the new D/HH eligibility forms developed by ODE, EI/ECSE programs and school districts are required to use an eligibility form that is in compliance with the revisions made to [OAR 581-015-2150.](https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=269521)

* [Early Intervention D/HH Eligibility form](https://www.oregon.gov/ode/students-and-family/SpecialEducation/publications/Pages/EIECSE-Forms-EI-Eligibility-%28Birth---3%29.aspx)
* [Early Childhood Special Education Eligibility form](https://www.oregon.gov/ode/students-and-family/SpecialEducation/publications/Pages/EIECSE-Forms-ECSE-Eligibility-%283-5%29.aspx)
* [School Age Special Education Eligibility form](https://www.oregon.gov/ode/students-and-family/SpecialEducation/publications/Pages/School-Age-Sample-Forms.aspx)

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