

The following slides provide guidance on the eligibility category, definition, and criteria for “child with a hearing impairment, including deafness” in Colorado public schools.

These slides may also be found within the Comprehensive Overview Training PowerPoint, which provides guidance on every eligibility category.

If these slides are used as a self-standing training tool, it is recommended that they be supplemented with the posted slides specific to the HB11-1277 Overview, which can be found at: [http://www.cde.state.co.us/cdesped/Training\\_ECEAEligibility.asp](http://www.cde.state.co.us/cdesped/Training_ECEAEligibility.asp)

The HB11-1277 Overview slides will detail the history and timelines of implementation of the new eligibility categories, definitions, and criteria.

## Together We Can

### Vision

**All students in Colorado will become educated and productive citizens capable of succeeding in a globally competitive workforce.**

### Mission

**The mission of CDE is to shape, support, and safeguard a statewide education system that prepares all students for success in a globally competitive world.**

## Hearing Impairment, Including Deafness

- The following slides have been vetted internally within the Colorado Department of Education for training purposes of the definition and eligibility criteria for Hearing Impairment, Including Deafness.
- If you make any changes to these slides, please acknowledge that they are different from this vetted product and may no longer represent the viewpoint of the CDE.

## Eligibility Checklist for Hearing Impairment, Including Deafness

- It is recommended that the following training slides be used in conjunction with the post-HB11-1277 Eligibility Checklist for a Child with Hearing Impairment, Including Deafness, which can be found at:

[http://www.cde.state.co.us/cdesped/IEP\\_Forms.asp](http://www.cde.state.co.us/cdesped/IEP_Forms.asp)

**HEARING IMPAIRMENT / DEAFNESS**

**Hearing Impairment, Including Deafness**  
**(formerly Hearing Disability)**

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If there are any questions about the definition and eligibility criteria for Hearing Impairment, Including Deafness, please be in contact with Ruth Mathers at [mathers\\_r@cde.state.co.us](mailto:mathers_r@cde.state.co.us) or (303) 866-6909.

If there are any questions about whether a specific child meets the established criteria for Hearing Impairment, Including Deafness, please be in contact with the administrative unit's Special Education Director.

2.08 (2) A child with Hearing Impairment, Including Deafness shall have a deficiency in hearing sensitivity as demonstrated by an elevated threshold of auditory sensitivity to pure tones or speech where, even with the help of amplification, the child is prevented from receiving reasonable educational benefit from general education.

2.08 (2) (a) A "deficiency in hearing sensitivity" shall be *one of the following* as measured by behavioral or electrophysiological audiological assessments:

2.08 (2) (a) (i) Three frequency, pure tone average hearing loss in the speech range (500 – 4000 Hertz {Hz}) of at least 20 decibels Hearing Level (dBHL) in the better ear which is not reversible.

2.08 (2) (a) (ii) A high frequency, pure tone average hearing loss of at least 35 dBHL in the better ear for two or more of the

The next four slides include the exact wording of a Child with a Hearing Impairment, including Deafness eligibility criteria that are in current the *Rules for the Administration of the Exceptional Children's Educational Act 1 CCR 301-8*

following frequencies: 2000, 3000, 4000 or 6000 Hz.

2.08 (2) (a) (iii) A three frequency, pure tone average unilateral hearing loss in the speech range (500 – 4000Hz) of at least 35 dBHL which is not reversible.

2.08 (2) (a) (iv) A transient hearing loss, meeting one of the criteria in (a)(i) – (a)(iii) above, that is exhibited for three (3) months cumulatively during a calendar year (i.e., any three months during the calendar year) and that typically is caused by non-permanent medical conditions such as otitis media or other ear problems.

2.08 (2) (b) The Hearing Impairment, Including Deafness, as described above, prevents the child from receiving reasonable

educational benefit from general education as evidenced by *one or more of the following*:

2.08 (2) (b) (i) Delay in auditory skills and/or functional auditory performance including speech perception scores (in quiet or noise), which demonstrates the need for specialized instruction in auditory skill development or assistive technology use;

2.08 (2) (b) (ii) Receptive and/or expressive language (spoken or signed) delay including a delay in syntax, pragmatics, semantics, or if there is a significant discrepancy between the receptive and expressive language scores and/or function which adversely impacts communication and learning;



2.08 (2) (b) (iii) An impairment of speech articulation, voice and/or fluency;

2.08 (2) (b) (iv) Lack of adequate academic achievement and/or sufficient progress to meet age or state-approved grade-level standards in reading, writing, and/or math;

2.08 (2) (b) (v) Inconsistent performance in social and learning environments compared to typically developing peers; and/or

2.08 (2) (b) (vi) Inability to demonstrate self advocacy skills or utilize specialized technology/resources to access instruction.

## To Be Eligible as a Child with Hearing Impairment, Including Deafness

2.08 (2) A child with Hearing Impairment, Including Deafness shall have a *deficiency in hearing sensitivity* as demonstrated by an *elevated threshold* of auditory sensitivity to *pure tones* or speech where, even with the help of *amplification*, the child is prevented from receiving reasonable educational benefit from general education.

~~This rule sets out the two required components for eligibility under Hearing Impairment, including Deafness; (1) an identified hearing loss (2) the child's inability to be educated in general education due to the impact of the hearing loss.

- A diagnosed hearing loss does not automatically guarantee a child's eligibility for special education services

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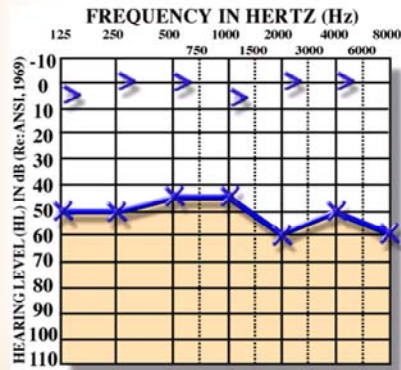
2.08 (2) The term “hearing disability” was changed to “Hearing Impairment, including Deafness.”

- IDEA changed the language in 2004.
- The change established “Hearing Impairment” as a general term for a hearing disability. Specifically, the term was intended to include individuals with mild to moderate losses or who are typically referred to as hard-of-hearing.
- The term “Deafness” was intended to include individuals with severe to profound hearing loss.

## GLOSSARY

~~deficiency in hearing sensitivity - a hearing loss

~~elevated threshold - refers to an increased decibel level as indicated on an audiogram. The range -10dB to +15dB is considered normal hearing. Any decibel threshold “elevated” beyond 20dB indicates a hearing impairment.



~~pure tones – tones at selected pitches (frequencies measured in Hertz [Hz]) from low to high. Much like a piano keyboard, the low tones are to the left and the high tones are to the right.

~~amplification – hearing aids, cochlear implants, FM systems, etc.

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## Cochlear Implants



**2.08 (2) (a)** A "deficiency in hearing sensitivity" shall be one of the following as measured by *behavioral or electrophysiological audiological assessments*:

~~An example of behavioral assessment is behavioral response audiometry measures, such as Play Audiometry

~~Examples of electrophysiological assessments are: Otoacoustic Emissions (OAE) and Auditory Brain Stem Response

~~Only one of subsections (i) – (iv) is required to determine a hearing impairment

**2.08 (2) (a) (i)** Three frequency, *pure tone average* hearing loss in the speech range (500 – 4000 Hertz {Hz}) of at least 20 decibels Hearing Level (dBHL) in the better ear which is not reversible.

**2.08 (2) (a) (ii)** A high frequency, pure tone average hearing loss of at least 35 dBHL in the better ear for two or more of the following frequencies: 2000, *3000*, 4000 or *6000* Hz.

~~The addition of 3000 and 6000 Hz are in response to improved technology

2.08 (2) (a) Behavioral response audiometry is a hearing test in an audiology booth by a certified audiologist where the child being tested is required to give some response to a stimulus that is a "pure tone" (e.g., putting a block in a container, raising a hand, eye blink, etc.)

- OAEs are used for newborn hearing screenings or for individuals who cannot accurately participate in Behavioral Response Audiometry
- Auditory Brain Stem Response tests the viability of the auditory nerves and can only be performed in a clinical setting

2.08 (2) (a) (i)

- A pure-tone air conduction hearing test determines the faintest tones a person can hear at selected pitches (frequencies), from low to high
- Averaging three frequencies is sufficient to determine a hearing loss
- A reversible hearing loss is caused by a non-permanent medical condition such as otitis media or other ear problem

2.08 (2) (a) (iii) A three frequency, pure tone average *unilateral hearing loss* in the *speech range (500 – 4000Hz)* of at least 35 dBHL which is not reversible.

~~**The new language clarifies audiologic specificity for identifying a unilateral loss**

2.08 (2) (a) (iv) A *transient hearing loss*, meeting one of the criteria in (a)(i) – (a)(iii) above, that is exhibited for three (3) months cumulatively during a calendar year (i.e., any three months during the calendar year) and that typically is caused by non-permanent medical conditions such as otitis media or other ear problems.

~~**A transient hearing loss is a chronic condition where hearing level fluctuates and can be proven to impact the child's language and/or academic development. Note that the three month time period is not required to be consecutive.**

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#### 2.08 (2) (a) (iii)

- Unilateral hearing loss is a hearing loss in a single ear
- Speech range: this is new language to reflect increased access to additional frequencies through new technologies

#### 2.08 (2) (a) (iv)

- A transient hearing loss is a chronic condition where hearing level fluctuates and can be proven to impact the child's language and/or academic development. Note that the three month time period is not required to be consecutive.



## Specially Designed Instruction

- “Specially Designed Instruction” *means adapting, as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction* to address the *child's unique needs resulting from the disability* and *ensuring the child's access to the general curriculum* so that he or she can meet the educational standards that apply to all children within jurisdiction of the public agency. 34 CFR 300.39 (b)(3).
- It involves providing instruction that is different from that provided to children without disabilities, based upon the eligible child's unique needs.

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To qualify as a child with Hearing Impairment, Including Deafness, there must be evidence that the child cannot receive reasonable educational benefit from general education without specially designed instruction.



## (HID): The Child Cannot Receive REB from General Education

- **2.08 (2) (b)** The Hearing Impairment, Including Deafness, as described above, prevents the child from receiving reasonable educational benefit from general education as evidenced by *one or more of the following*:
  - **2.08 (2) (b) (i)** Delay in auditory skills and/or functional auditory performance including speech perception scores (in quiet or noise), which demonstrates the need for *specialized instruction* in auditory skill development or assistive technology use; *and/or*
  - *Specialized instruction might include listening therapy during academic instruction or in a small classroom environment, audiologic intervention to learn how to utilize a device, etc*

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Reasonable Educational Benefit = REB

### 2.08 (2) (b)

This section reminds us that there are two components for determining eligibility: (1) a delay as explained in subsections i – vi and (2) proof that delays have impacted the child's academic progress/access to the general education curriculum

To qualify as a child with Hearing Impairment, Including Deafness, there must be evidence that the child cannot receive reasonable educational benefit from general education without specially designed instruction. The specially designed instruction may involve training on the use of specialized equipment.

## (HID): The Child Cannot Receive REB from General Education

**2.08 (2) (b) (ii)** Receptive and/or expressive language (*spoken or signed*) delay including a delay in syntax, pragmatics, semantics, or if there is a significant discrepancy between the receptive and expressive language scores and/or function which adversely impacts communication and learning; and/or

**2.08 (2) (b) (iii)** An impairment of speech articulation, voice and/or fluency; *and/or*

**2.08 (2) (b) (iv)** Lack of adequate academic achievement and/or sufficient progress to meet age or state-approved grade-level standards in reading, writing, and/or math; *and/or*

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### 2.08 (2) (b) (ii)

The student's primary mode of communication may be either spoken or signed. The delay can occur in either mode. Historically, we have only looked at spoken communication.

## (HID): The Child Cannot Receive REB from General Education

**2.08 (2) (b) (v)** Inconsistent performance in social and learning environments compared to typically developing peers;  
*and/or*

**2.08 (2) (b) (vi)** Inability to demonstrate self advocacy skills or utilize specialized technology/resources to access instruction.

~~Subsections (v) and (vi) are new rules for considering a child's eligibility for Special Education services.

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REB = reasonable educational benefit

### 2.08 (2) (b) (v)

Concerns about appropriate social performance might include impulsivity, distractibility, short attention span, inability to focus on tasks, disorganization, unwillingness to venture a guess, social withdrawal, etc.

### 2.08 (2) (b) (vi)

Concerns about appropriate self-advocacy skills in a deaf student might include the lack of understanding of the specifics of his/her disability, the unwillingness to communicate disability-specific needs (FM system, preferential seating, interpreting services, etc.), the inability to know how to tap into personal strengths, the timidity to communicate his/her needs and wants, lack of experience in the real world, etc.

## In the Event of Deaf-Blindness

- If the child with Deaf-Blindness *does not meet the exact eligibility requirements* for Hearing Impairment, Including Deafness (HID), but the combination of an existing hearing loss and the documented vision loss adversely affects the student's educational performance that will prevent the child from receiving reasonable educational benefit from general education, *there is a box on the HID eligibility checklist page for this situation.*

## To Be Eligible as HID, the Child Must Meet All Three Conditions

- 1. Have evidence of a deficiency in hearing sensitivity, as measured by behavioral or electrophysiological audiological assessment conducted by an audiologist.**
- 2. The deficiency of hearing sensitivity must be significant enough that even with the help of amplification, educational performance is adversely affected.**
- 3. The deficiency of hearing sensitivity must create a need for specially designed instruction.**

# Thank You!

