

Rule 6A-6.03013 is amended to read:

6A-6.03013 Exceptional Student Education Eligibility ~~Special Programs~~ for Students Who Are Deaf or Hard-of-Hearing.

(1) Definition. Students who are deaf or hard-of-hearing.

A student who is deaf or hard-of-hearing has a hearing loss ~~impairment~~ aided or unaided, that impacts the ~~interferes in~~ processing of linguistic information and which adversely affects performance in the educational environment ~~communication,~~ ~~developmental skills,~~ ~~academic achievement,~~ ~~vocational-career skills,~~ or ~~social-emotional adjustment~~. The degree of loss may range from mild to profound.

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in Rule 6A-6.0331(1) - (3), FAC., must be met.

(3) Evaluation. In addition to the provisions of Rule 6A-6.0331(4), FAC., the evaluation for a student must also include the procedures identified in the district's Policy and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, FAC.

(4) ~~(2)~~ Criteria for eligibility. A student who is deaf or hard-of-hearing is eligible for exceptional student education if the following criteria are met ~~a special program for students who are deaf or hard-of-hearing if both criteria in paragraphs (2) (a) and (2) (b) of this rule are met.~~

(a) An audiological evaluation documents a ~~Evidence of a documented permanent or fluctuating hearing threshold level that interferes with progress in any one (1) of the following areas: developmental skills or academic performance, social-emotional development, or linguistic and communicative skills as evidenced by of:~~

1. 25 decibel (dB) + ~~dB~~ ± 5 dB or greater based on pure tone average of average of 500, 1000, and 2000 Hz ~~(re: ANSI, 1989)~~ unaided in the better ear; or

2. A high frequency hearing threshold level of 25 dB ± 5 dB or greater based on pure tone average of 1000, 2000, and 3000 Hz ~~(re: ANSI, 1989)~~ unaided in the better ear; or

3. A unilateral hearing threshold level of 50 dB ± 5 dB or greater based on pure tone average of 500, 1000, and 2000 Hz ~~(re:ANSI, 1989)~~ unaided; or.

4. Auditory Evoked Potential responses evidencing permanent hearing loss at multiple frequencies equivalent to or in excess of the decibel hearing loss threshold criteria for pure tone audiometric testing specified in subparagraphs (4)(a) 1, 2, and 3., above; and

(b) The student needs special education as defined in Rule 6A-6.03411(1)(c), FAC. ~~Evidence that the hearing threshold level interferes with progress in any one of the following areas: developmental skills or academic performance, social-emotional development, or linguistic and communicative skills, and that the~~

~~student requires special education and/or related services in order to benefit from education.~~

~~(3) Procedures for student evaluation.~~

~~(a) Tests to determine cognitive functioning and learning abilities shall be selected from non-verbal performance scales standardized on, or adapted for, students who are deaf or hard-of-hearing. Evaluation of academic achievement and communication skills shall take into consideration the student's intellectual functioning, degree of hearing loss and method of communication.~~

~~(b) The minimum evaluation shall include:~~

~~1. Audiological evaluation,~~

~~2. Evaluation of developmental skills or academic achievement, including information on the student's academic strengths and weaknesses,~~

~~3. Evaluation of social development,~~

~~4. Evaluation of receptive and expressive communication, and~~

~~5. Individual assessment of intellectual functioning, or developmental scales if more appropriate for students under age seven (7).~~

~~(c) Re-evaluation shall occur at least every three (3) years and shall include a minimum of an audiological evaluation, and, if appropriate, any other formal evaluations addressed in the initial evaluation in accordance with subparagraph 6A-6.03411(2) (i)1., F.A.C.~~

(5)~~(d)~~ A screening for Usher's Syndrome shall be

administered to each student who is deaf or hard-of-hearing at least once during grades 6-12.

~~———— (4) Instructional programs.~~

~~———— (a) The district shall implement a written course of study for the program, updated as necessary, with sufficient scope and depth needed for individual educational plans.~~

~~———— (b) Classes shall be taught by teachers using communication skills appropriate to meet individual needs of students. Each student who is deaf or hard-of-hearing shall have the opportunity to learn speech and to learn to use residual hearing through modern amplification equipment.~~

~~———— (c) Districts shall implement daily monitoring procedures for ensuring proper functioning of personal hearing aids and district auditory amplification equipment.~~

~~———— (d) The grouping of students who are deaf or hard-of-hearing for special and resource room classes shall facilitate each student's development of appropriate methods of communication.~~

~~———— (5) Supportive services. The district shall have or purchase the services of professionals in the areas of audiology, school psychology, guidance, educational assessment, social services and interpreting. These services shall support the instructional program.~~

~~———— (6) Facilities and Equipment.~~

~~———— (a) The program shall be established in conjunction with a regular school appropriate to the age and grade level of students~~

~~who are deaf or hard-of-hearing.~~

~~— (b) Each special class and resource classroom shall be acoustically treated.~~

~~— (c) Each special class and resource classroom shall have auditory amplification equipment available.~~

~~— (d) Auditory equipment shall be calibrated annually, maintained, and considered for replacement on a five (5) year cycle.~~

~~— (e) Visual alarm devices shall be provided in all areas where students who are deaf or hard-of-hearing may be separated from persons with normal hearing; i.e., group toilet rooms, corridors, specific areas designated for the deaf, etc., in accordance with paragraph 6A-2.088(6)(d), F.A.C.~~

~~— (7) Continued eligibility. Students eligible for and enrolled in a special program for students who are deaf or hard-of-hearing prior to the effective date of this rule may continue in the special program and, as appropriate, subsequently be dismissed based on dismissal criteria contained in the approved Special Program and Procedures for Exceptional Students Document as provided in Rule 6A-6.03411, F.A.C.~~

(6) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e) 229.053(1),

230.23(4)(m), 228.041(18) FS. Law Implemented 1001.03,

1003.57(1)(e), 1003.01(3), 1003.21(1), 1011.62 228.041(18), (19),

229.565(3)(b), (c), 230.23(4)(m), 232.01(1)(e), 236.081(1)(c) FS.

History-New 7-1-77, Amended 9-11-84, Formerly 6A-6.3013, Amended
7-1-94,