

Least Restrictive Environment (LRE) Considerations for Students who are Deaf or Hard of Hearing

U.S. DEPARTMENT OF EDUCATION POLICY

- ★ The development of an Individualized Education Program (IEP) and determination of a Free and Appropriate Public Education (FAPE) in the LRE for a deaf or hard of hearing child must take into consideration several factors, including:
 - ★ Communication needs and the child's preferred mode of communication;
 - ★ Linguistic needs;
 - ★ Severity of hearing loss and potential for using residual hearing;
 - ★ Academic level; and
 - ★ Social, emotional and cultural needs, including opportunities for peer interaction and communication.
- ★ Placement is an individualized decision that is based on the goals and services necessary to meet a student's academic and functional needs.
- ★ **Any setting that does not meet the communication and related needs of a child who is deaf does not allow for the provision of FAPE and cannot be the LRE for that child.** Just as the IDEA requires placement in the regular education setting when it is appropriate for children with special needs, it also requires placement outside the regular education setting when the child's needs cannot be met in that setting ([Deaf Students Education Services Policy Guidance, Office of Special Education Programs, Letter to Bosso, August 23, 2010](#), [Letter to Stern, September 30, 2011](#)).
- ★ Meeting the unique communication needs of a student who is deaf is a fundamental part of providing a FAPE to the child. Any setting, including a regular classroom, that prevents a child who is deaf from receiving an appropriate education that meets his or her needs, including communication needs, is not the LRE for that individual child ([Deaf Students Education Services Policy Guidance](#)).
- ★ States must ensure that a continuum of placements is available, including instruction in regular classes, special classes, special schools, home instruction and in hospitals and institutions. Cost is not permitted to drive placement decisions ([34 C.F.R. § 300.115](#)).



INDIANA ARTICLE 7 SPECIAL EDUCATION GUIDANCE

According to 511 IAC 7-42-6, the Case Conference Committee must consider a) language and communication needs, b) opportunities for direct communication with peers and professional personnel in the student's language and communication mode, c) academic level, and d) the student's full range of needs, including opportunities for direct instruction in the student's language and communication mode for children who are eligible for special education services under the Deaf and Hard of Hearing eligibility category. See the [Consideration of Special Factors](#) form.

CONSIDERATIONS

- ★ Children who are deaf and hard of hearing are entitled to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) in an environment that presents the fewest language and communication barriers to their cognitive, social and emotional development ([National Association of the Deaf](#)).
- ★ Direct and uninhibited communication access to all facets of the school's programming is essential for a child who is deaf or hard of hearing to reach their full potential ([NAD](#)).
- ★ Children who are deaf and hard of hearing require language rich environments ([CEASD](#)).
- ★ A general education setting can be considered restrictive by design for children who are deaf and hard of hearing because school curricula, classroom arrangement and educational environments tend to be designed for typical, acoustically able children ([LRE and Deaf Students](#)).

OTHER RESOURCES

- ★ [IDOE Least Restrictive Environment Indicator 5](#)
- ★ [IEPRC LRE FAQs](#)
- ★ [US DOE Policy Letter](#)
- ★ [US DOE Preschool LRE for DHH](#)
- ★ [Office of Civil Rights: Deaf Students Education Services](#)
- ★ [National Association of State Directors of Special Education Optimizing Outcomes for Students who are Deaf or Hard of Hearing: Educational Service Guidelines](#) p. 34
- ★ [Hands & Voices: Preschool Programming Communication Considerations](#)
- ★ [Placements and Readiness Checklists](#)
- ★ Least Restrictive Environment [34 C.F.R. § 300.114](#)

