



Since 1958
LEGAL AID CENTER
of Southern Nevada

**SPECIAL EDUCATION
WHEN YOUR CHILD IS
DEAF/HARD OF HEARING**

WHAT IS SPECIAL EDUCATION?

Special education consists of teaching, services and support for children with disabilities so that they can do well in school. Public schools (including charter schools) must teach children with disabilities by giving them special education. Special education is free and should be “appropriate.” It can help your child make meaningful progress. Special education should treat each child as an individual. Special education is services and supports — it is not a place.


WHAT IS AN IEP?

IEP is an acronym for Individualized Education Program. If your child qualifies for services, you and the IEP team use the evaluation to write an IEP for your child. The IEP is a roadmap of the special education your child will receive. The school must follow what is written in the IEP. The IEP should tell you what the school will do to help your child learn (e.g., use a different way of teaching; make school materials simpler; change the amount or kind of information your child should learn; provide help on class work, homework or tests; give the child services like speech therapy, physical therapy or counseling; provide a person to support your child or her teacher.) You and the IEP team will write goals and objectives for what your child should learn. The IEP team must talk about your child’s IEP and make any changes at least once a year. You can ask for a meeting any time you have questions during the school year.

WHO WRITES THE IEP?

The IEP is written by a team of people. The IEP team must include:

- The child’s parents
- At least one special education teacher or special education provider
- At least one regular education teacher (if the child is, or may be, in any regular education classes)
- A school official qualified to provide or supervise specially designed instruction, who knows about the school’s resources, and who is familiar with the general education curriculum (usually this is the school principal or the special education teacher facilitator)
- Someone who can interpret the child’s evaluations as necessary
- The child, when appropriate.



The IEP team can include anyone the parent or school believes has knowledge or has expertise about the child. The law places great emphasis on parental participation in the IEP team meeting. The school must take steps to get one or both of the child's parents to attend the IEP meeting. That means the school must notify the parents of the meeting early enough so that they can attend, and schedule a meeting at a time and place that is convenient for all parties. The school must provide you with written notice of who will attend the IEP team meeting from the school district.

MY CHILD IS DEAF OR HARD OF HEARING. WHAT IS MY CHILD ENTITLED TO AT SCHOOL?

- Access to peers with similar language abilities
- Assistive technology when needed.

IS MY CHILD ENTITLED TO COMMUNICATE IN THE SAME METHOD THEY USE AT HOME?

In many cases, parents have spent years working with their child in American Sign Language or other modes. Including but not limited to:

- English-based manual or sign language;
- Oral, aural or speech-based training;
- Spoken and written English, including speech reading or lip reading; and communication with assistive technology devices.

Thanks to a new Deaf/Hard of Hearing Bill of Rights, the IEP team must consider the current way your child communicates.

A school is required to provide instruction in more than one communication mode if feasible.

BASIC ADVOCACY TIPS

- Always keep copies of letters, reports or other materials you receive from or provide to school officials. Get organized! Get a three-ring binder and keep all your papers in one place.
- Make notes of any conversations you have with school officials, including the date the conversation took place, and the person's name and position.
- Consider taking a friend or advocate with you to meetings at your child's school. Try not to go alone.
- Before you go to a school meeting, prepare for it. Write a list of issues you want to talk about at the meeting and figure out what type of resolution you would accept.
- When you attend school meetings, ask each person at the meeting to tell you their name and position, and keep a record of that information.
- If you are told "we don't do that," or "we can't do that," ask the school official for a copy of the written policy, law or regulation to which they are referring.
- Always be polite and respectful, but make sure to ask questions if you don't understand something.
- Information is available on the Nevada Department of Education's Web site at www.doe.nv.gov, and www.wrightslaw.com is also an excellent resource for parents.
- Let the school district know if you need an interpreter.
- Don't sign anything you don't understand. You can always take papers home and read them before you sign.
- Follow up with school officials. If a school official has agreed to do something, make sure it gets done. Be persistent!

DEAF/HARD OF HEARING BILL OF RIGHTS

NRS 388.477 Pupils with hearing impairment: Requirements for consideration in development of individualized education program; additional considerations for best feasible instruction.

When developing an individualized education program for a pupil with a hearing impairment in accordance with NRS 388.520, the pupil's individualized education program team shall consider, without limitation:

- a) The related services and program options that provide the pupil with an appropriate and equal opportunity for communication access;
- b) The pupil's primary communication mode;
- c) The availability to the pupil of a sufficient number of age, cognitive, academic and language peers of similar abilities;
- d) The availability to the pupil of adult models who are deaf or hearing impaired and who use the pupil's primary communication mode;
- e) The availability of special education teachers, interpreters and other special education personnel who are proficient in the pupil's primary communication mode;
- f) The provision of academic instruction, school services and direct access to all components of the educational process, including, without limitation, advanced placement courses, career and technical education courses, recess, lunch, extracurricular activities and athletic activities;
- g) The preferences of the parent or guardian of the pupil concerning the best feasible services, placement and content of the pupil's individualized education program; and
- h) The appropriate assistive technology necessary to provide the pupil with an appropriate and equal opportunity for communication access.

When determining the best feasible instruction to be provided to the pupil in his or her primary communication mode, the pupil's individualized education program team may consider, without limitation:

- a) Changes in the pupil's hearing or vision;
- b) Development in or availability of assistive technology;
- c) The physical design and acoustics of the learning environment; and
- d) The subject matter of the instruction to be provided.

DEAF/HARD OF HEARING RESOURCES

Nevada Association of the Deaf

Providing equal access advocacy; trainings, workshops and conferences; and resource sharing for the D/HH community in Nevada.

NVADOlsen@aol.com

775-434-0278

www.nvad.org

Nevada Association of the Deaf

Non-Biased support for families of children who are Deaf or hard-of-hearing

775-351-1959 in Northern NV

702-486-9260 in Southern NV

www.nvhandsandvoices.org

American Society for Deaf Children (ASDC)

ASDC is constantly striving to effectively advocate for families who have children who are deaf and hard of hearing. For a collection of resources and research related to D/HH issues

www.deafchildren.org



Providing civil legal advice and representation
to low-income Nevadans

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