

6A-6.03013 Exceptional Student Educational Eligibility 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 aided or unaided, that impacts the processing of linguistic information and which adversely affects performance in the educational environment. The degree of loss may range from mild to profound.

(2) General education interventions and activities. Prior to referral for evaluation, the requirements in subsection 6A-6.0331(1), F.A.C., must be met.

(3) Evaluation. In addition to the provisions of subsection 6A-6.0331(5), F.A.C., the evaluation for determining eligibility shall include the following:

- (a) Audiological evaluation;
- (b) Evaluation of developmental skills or academic achievement, including information on the student's academic strengths and weaknesses;
- (c) Evaluation of social development;
- (d) Evaluation of receptive and expressive communication; and,
- (e) A comprehensive nonverbal assessment of intellectual functioning or developmental scales, if more appropriate, for children under age seven.

(4) 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) An audiological evaluation documents a 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:

- 1. 25 decibel (db) \pm 5 dB or greater based on pure tone average or average of 500, 1000, and 2000 Hz unaided in the better ear; or
- 2. A high frequency hearing threshold level of 25 dB \pm 5 dB or greater based on pure tone average of 1000, 2000, and 3000 Hz unaided in the better ear; or
- 3. A unilateral hearing threshold level of 50 dB \pm 5 dB or greater based on pure tone average of 500, 1000, and 2000 Hz 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 paragraph 6A-6.03411(1)(kk), F.A.C.

(5) Reevaluation shall occur at least every three (3) years and shall include at a minimum an audiological evaluation, and, if appropriate, any other formal evaluations addressed in the initial evaluation in accordance with subsection (3) of this rule.

(6) 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.

Rulemaking Authority 1003.01, 1003.57, 1003.571 FS. Law Implemented 1003.01, 1003.57, 1003.571 FS. History--New 7-1-77, Amended 9-11-84, Formerly 6A-6.3013, Amended 7-1-94, 7-1-07, 12-15-09.