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## Position Statement on Inclusion

- [Declaración de posición sobre la inclusión](https://www.nad.org/declaracion-de-posicion-sobre-la-inclusion/) (<https://www.nad.org/declaracion-de-posicion-sobre-la-inclusion/>)

The NAD believes that ALL deaf and hard of hearing children are entitled to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), the environment that presents the fewest language and communication barriers to their cognitive, social, and emotional development. The NAD also believes that direct and uninhibited communication access to all facets of a school's programming<sup>1</sup> is essential for a deaf or hard of hearing child to realize his or her full human potential.

The NAD believes that an appropriate educational placement in the LRE for a deaf or hard of hearing child is one that:

- ensures full development of language for the child;
- enhances the child's cognitive, social, and emotional development;
- is based on the language abilities of the child;
- offers direct language and communication access<sup>2</sup> to teachers and other professionals;
- has a sufficient number of age-appropriate and level-appropriate peers who share the child's language and communication preferences;
- takes into consideration the child's hearing level and abilities;
- is staffed by certified and qualified personnel<sup>3</sup> trained to work with deaf and hard of hearing children;
- provides access to the general education curriculum<sup>4</sup> with modifications in pedagogy to account for the child's unique language, learning, and communication needs;
- provides full access to all curricular and extra-curricular offerings customarily found in educational settings;
- has an adequate number of deaf and hard of hearing role models, including adults;
- provides full access to support services;
- has the support of informed<sup>5</sup> parents; and
- is equipped with appropriate communication and learning technologies.<sup>6</sup>

*Full Inclusion* is the placement of all children with disabilities in their neighborhood schools, often irrespective of their unique abilities and needs. It is a concept rooted in ideology that differentiates from, and runs counter to, the provision of FAPE in the LRE. Full Inclusion is **not** a federal mandate that all children be placed in such settings. Full-inclusionists often call for the elimination of special schools and programs<sup>7</sup> for all students with disabilities, including students who are deaf and hard of hearing.

In addition to full-inclusionists there are others who promote *inclusion* and advocate a less-radical approach, one that recognizes the continuum of alternative placement options. However, some advocates of this less-radical approach continue to push the notion that the regular classroom is always the option of first choice, in complete disregard for the provision of essential services, based on a comprehensive assessment of each child. The NAD believes such approaches are in direct violation of the Individuals with Disabilities Education Act (IDEA). In the case of many deaf and hard of hearing children, the failure to properly apply and adhere to the

Special Factors requirements of the 1997 Amendments to the IDEA effectively creates language and communication barriers that are potentially harmful, and consequently deny many of these children a FAPE in the LRE.

As stated in the Special Factors section of the IDEA, Part B, Section 614(d)(3)(B)(iv) – the Individualized Education Program (IEP) Team shall – “consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child’s language and communication needs, opportunities for direct communication with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode.”

Congress further clarified the intent of this provision in accompanying Report language, (Report 105-95, p. 104-5):

“The Team also is to consider the communication needs of the child in order to ensure that local educational agencies better understand the unique needs of children who are deaf or hard of hearing; section 614(d)(3)(B)(iv) includes special factors that must be considered in developing IEPs for these children. The policy included in the bill provides that, in the case of the child who is deaf or hard of hearing, the IEP Team must consider the language and communication needs of the child; opportunities for direct communication with peers and professional personnel in the child’s language and communication mode; the child’s academic level; and the child’s full range of needs, including the child’s social, emotional, and cultural needs and opportunities for direct instruction in the child’s language and communication mode. The Committee also intends that this provision will be implemented in a manner consistent with the policy guidance entitled “Deaf Students Education Services,” published in the Federal Register (57 Fed. Reg. 49274, October 30, 1992) by the U.S. Department of Education.”

This October 1992 policy guidance states:

“Meeting the unique communication needs of a student who is deaf is a fundamental part of providing a free and appropriate public education (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.” (p. 49275)

It further states that the development of an IEP and determination of a 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.

The NAD believes it may be appropriate to place deaf and hard of hearing students in public school settings with hearing and deaf peers if, and only if, the placement decision is based on a comprehensive assessment of the child’s unique needs, including consideration of each of the placement factors noted in this document. It is crucial that educational placements, services, and programming for deaf and hard of hearing children be communication driven and also based on a thorough assessment of the child by qualified personnel who are knowledgeable in the assessment of deaf and hard of hearing individuals. Furthermore, members of IEP team responsible for determining the appropriate placement and educational services that are needed for the individual child, must be thoroughly knowledgeable of issues related to the unique language and communication abilities and needs of the population, including the sociolinguistic diversity of deaf people.

The NAD also supports the development, maintenance, and use of placements mandated by the *Continuum of Alternative Placements* regulations of the IDEA. While the regular classroom in the neighborhood school may be the appropriate placement for some deaf and hard of hearing

students, for many it is not. The NAD is committed to preserving and expanding the use of the *Continuum of Alternative Placements* to ensure that each deaf or hard of hearing child receives a quality education in an appropriate environment.

As stated by the Congress:

“The Committee supports the longstanding policy of a continuum of alternative placements designed to meet the unique needs of each child with a disability. Placement options available include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions...” (codified in regulations under 34 C.F.R. 330.551).

The NAD believes this 1992 U.S. Department of Education policy guidance and the Special Factors Language of the 1997 Amendments to the IDEA must be adhered to, and that placement decisions must be based on a determination of what is appropriate for the individual child. Placement of all deaf and hard of hearing children in regular education classrooms, in accordance with an inclusion doctrine rooted in ideology, is a blatant violation of the IDEA with serious consequences for many deaf and hard of hearing children. The NAD is therefore compelled to call upon the Office of Special Education and Rehabilitative Services, U.S. Department of Education, to significantly increase scrutiny and monitoring of educational placement decisions at the state and local levels in order to insure compliance with the law. The NAD also calls upon state departments of education and local school districts to adhere to the law, and to ensure that deaf and hard of hearing children are placed in appropriate educational settings.

*Prepared by the NAD Education Policy and Program Development Center.*

*Approved by the NAD Board of Directors on January 26, 2002.*

<sup>1</sup> Curricular and extracurricular offerings in totality.

<sup>2</sup> Opportunities to communicate directly with teachers, without intervention by or over-reliance on interpreters and transliterators.

<sup>3</sup> Teachers, counselors, psychologists, interpreters, transliterators, etc.

<sup>4</sup> A curriculum is neither a place nor a placement. Access to a general education curriculum appropriate for the individual child must be provided regardless of the placement. The issue is not the curriculum but rather a program's ability to modify delivery in a manner appropriate for the individual child.

<sup>5</sup> An informed parent is one who is fully aware of the range of available educational options, and the pros and cons of each option, with respect to his or her child's unique abilities and needs.

<sup>6</sup> Including technologies geared towards the child's visual capabilities (e.g., graphic calculators, video technologies, computers, smartboards, etc.).

<sup>7</sup> Residential schools, day schools, center schools within districts, special classes, etc.

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