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# What's the IDEA\* About Eligibility for IDEA Services?

If your child has a hearing loss, she may be eligible for services under the Individuals with Disabilities Education Act. If your child is under age three, the Infant and Toddler Program, or Part C of IDEA, applies.<sup>1</sup> If your child is age three through 21, in most cases Part B of IDEA applies. This fact sheet covers eligibility for children under Part B (age three through 21) of IDEA.

Under Part B, there are two prongs to eligibility:

First, the child must have a disability. The law outlines 13 categories of disabilities. One of them is hearing impairment, including deafness. The law uses these definitions:

*Deafness* means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a child's educational performance.

*Hearing impairment* means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness.

Second, because of the disability, the child needs special education and related services.

*Special education* is specially designed instruction to meet the unique needs of a child with a disability. It includes instruction in the classroom, home, hospital, institution, and other settings.

*Specially-designed instruction* means adapting, as appropriate to the needs of the child, the content, methodology, or delivery of instruction. The purpose of providing specially-designed instruction is to address the unique needs of the child that result from the child's disability and ensure access to the general curriculum. The goal is for the child to meet the educational standards that apply to all children.

*Related services* are developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education. Examples include:

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\*The "What's the IDEA" series describes various sections of the Individuals with Disabilities Education Act. This is educational material, not legal advice. ASDC assumes no liability for this material. © American Society for Deaf Children, 2006.

<sup>1</sup>Please see ASDC's "What's the IDEA About . . . the Infant and Toddler Program, available at [www.deafchildren.org](http://www.deafchildren.org).



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- transportation,
- speech-language pathology and audiology services,
- interpreting services,
- psychological services,
- physical and occupational therapy,
- recreation, including therapeutic recreation,
- social work services,
- school nurse services,
- counseling services, including rehabilitation counseling,
- orientation and mobility services, and
- medical services for diagnostic and evaluation purposes.

There is no requirement that a child be failing school in order to be found eligible for services under IDEA.

If your child's hearing loss causes her to miss spoken language, impacts her education, and causes her to need special education and related services, she should be found eligible for IDEA services. If your child is not receiving services but you believe she should be, contact your local school district to set up an evaluation.