



Texas School for the Blind & Visually Impaired Outreach Programs

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Role of the Teacher of Deafblind (TDB) in the FIE Process

Eligibility for Deafblindness: Issues in Determining and Reporting

The Issues:

The Commissioner's/SBOE Rule §89.1040 addresses eligibility criteria for deafblind. At the local level, applying these criteria can be an unfamiliar and confusing process for staff and families. As a result, some students may not be identified. This puts them at risk for receiving inappropriate services and making limited progress. In addition, there are important guidelines for ranking disabilities that should be considered as part of the FIE process. Also, failing to properly identify a child with deafblindness may mean that families fail to receive important information regarding services from state agencies and as well as other state and community resources.

What this means for Teacher of Deafblind

The TDB on the IEP team will need to be familiar with the state's definition of deaf-blindness and prepared to address questions and concerns regarding identifying and reporting this low incidence disability. In addition, there is information for families that need to be shared during the FIE process and the annual ARD. To support the TDB's efforts, the following FAQs are addressed in this document.

1. What is the eligibility definition for Deafblindness in the Commissioner's/SBOE Rules Eligibility Criteria?
2. Why is the student addressed in item (C) considered deafblind?
3. Does it matter if the student is coded DB rather than AI and VI during the FIE process?
4. Why is it recommended that DB always be ranked as the primary disability?
1. 5 What information on community and state service resources for deafblindness is provided to the parents and student?
5. If the DB census is due before the FIE process of assessing vision and hearing is complete, should the child be reported?

TDB Information Sheet:

FAQs Regarding Issues in Determining and Reporting DB Eligibility

What is the eligibility definition for Deafblindness in the Commissioner's/SBOE Rules Eligibility Criteria?

§89.1040. Eligibility Criteria. <http://ritter.tea.state.tx.us/rules/tac/chapter089/ch089aa.html>

2) Deaf-blindness. A student with deaf-blindness is one who has been determined to meet the criteria for deaf-blindness as stated in 34 CFR, §300.8(c)(2). In meeting the criteria stated in 34 CFR, §300.8(c)(2), a student with deaf-blindness is one who, based on the evaluations specified in subsections (c)(3) and (c)(12) of this section:

- (A) meets the eligibility criteria for auditory impairment specified in subsection (c)(3) of this section and visual impairment specified in subsection (c)(12) of this section;
- (B) meets the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;
- (C) has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or
- (D) has a documented medical diagnosis progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

Why is the student addressed in item (C) considered deafblind?

A student with deaf blindness is one who:

"(C) has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance;"

The concern with this type of child is that if vision and hearing are both affected, the combined effects can produce a considerable disruption in both gathering information and participating in the instructional environment. To address this problem, the child may need accommodations, special technology or strategies that require professionals with a background in sensory loss to participate in assessment and program development.

Item (c) mandates a TVI as well as an AI teacher will participate in the child's ARD. This means the professionals with training in these types of sensory losses will be involved in programming for this student. Among other things, they are needed to address optical and amplification devices, accommodations that assure appropriate access to information as well as the development of IEP objectives for the student which address self-advocacy and effective use of sensory devices.

Potential Issues: If the child in question is not already in special education, is 504 a better route? This is the type of student that only the Campus Referral Committee might address. Choosing between 504 and special education as a student with deafblindness label would involve considering several things. First, the parents might resist a DB label in this situation without very good justification. Factors to consider include the sheer number or complexity of accommodations, the need for monitoring by special education professionals in addition to the need for special supports and services. Also, special education has funding tied to it and 504 does not.

Does it matter if the student is coded DB rather than AI and VI during the FIE process?

This question usually refers to the student who meets the criteria for (A) in the Commissioner's/SBOE Rules for eligibility:

(A) meets the eligibility criteria for auditory impairment specified in subsection (c)(3) of this section and visual impairment specified in subsection (c)(12) of this section;

It can also refer to (D) in some instances:

(D) has a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

One example would be students who are currently AI and then are diagnosed with a progressive vision loss, as can occur with Usher Syndrome I.

While either DB or AI VI are legal, it is recommended that Deafblind (DB) be selected and then ranked in the primary position. If the child receiving services through Regional Day School for the Deaf (RDSPD), then the AI label should have either the secondary or tertiary ranking. This information is gathered and affects funding for RDSPD.

If AI services are provided through the district rather than RDSPD, then including AI is optional.

Why is it recommended that DB always be ranked as the primary disability?

The US Department of Education (ED) is required by the Individuals with Disabilities Education Act (IDEA) to report to Congress annually on the number of children receiving special education, by disability category, for ages 3-21 years. The count must be unduplicated - that is, children can only be counted in one category, regardless of the number of disabilities they experience.

<http://www.afb.org/Section.asp?SectionID=3&TopicID=138&DocumentID=3350>

The primary ranking is the only one reported to the federal government for data collection. This information is used in policy development. Since deafblindness is the lowest of the low incidence groups, it is important to be sure they are not missed.

What information on community and state service resources for deafblindness is provided for the parents and student?

It is important that the TDB maintain a current list of important resources for families. Due to the low incidence of deaf blindness, this information is often not included through the typical resources associated with vision loss and deaf/hard of hearing.

If the Texas Deafblind Census is due before the FIE process of assessing vision and hearing is complete, should the child be reported?

“Students for whom vision and hearing loss are suspected but who have not been tested may be reported on the Deafblind Census and remain for one year. During that year, assessment of their sensory functioning should be completed. Technical assistance related to appropriate assessment techniques is available from Texas Deafblind Outreach Project at the Texas School for the Blind and Visually Impaired”.

<http://www.tsbvi.edu/deafblind-census/1981-instructions-for-completing-the-deafblind-census>



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