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PARENT INFORMATION CENTER OF DELAWARE

DELAWARE'S BIRTH MANDATE PROCESS FOR DEAF/HARD OF HEARING

OVERVIEW

The Individuals with Disabilities Education Act (IDEA) is a federal law first passed in 1975 that makes a Free Appropriate Public Education (FAPE)—tailored to a child's individual needs—available to all eligible children with disabilities.

IDEA has four parts:

- Part A outlines the general provisions of the law.
- Part B covers assistance for providing a free appropriate public education in the least restrictive environment for children with disabilities ages 3–22. Part B, Section 619 focuses on services for children ages 3–5.
- Part C includes provisions for serving infants and toddlers with disabilities birth–2 and their families.
- Part D includes provisions for federal grants available to support activities related to improving services for children with disabilities, including personnel development, technical assistance and dissemination, technology, and parent-training and information centers.

IDEA Part C is intended to help states ensure that all infants and toddlers with developmental delays or disabilities, and their families, receive early intervention—a comprehensive statewide program. **In Delaware, four disability classifications are considered for birth mandate eligibility. These four disability classifications are Autism, Deaf-Blind, Hearing Impairment and Visual Impairment.**

AUTISM

DEAF-BLIND

HEARING IMPAIRMENT

VISUAL IMPAIRMENT

“For those children identified under birth mandate classifications, the Local Education Agency (LEA) are responsible for evaluating, determining eligibility and ensuring access to appropriate services. These children are eligible for free and appropriate public education (FAPE) at no cost to the families.”





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TIMELINE

■ INITIAL NEWBORN HEARING SCREENING ADMINISTERED

All birthing sites provide hearing screenings prior to discharge. Your baby can be tested safely within the first day of life.

■ CHILD RECEIVES DIAGNOSIS OF "HEARING IMPAIRMENT"

Once the diagnosis is made—generally through an Auditory Brainstem Response (ABR)—both the diagnosis and diagnostic report are sent from the hospital to Delaware Health and Social Services (DHSS).

■ DHSS SENDS REFERRAL TO CHILD DEVELOPMENT WATCH (CDW)

As soon as CDW gets the referral from DHSS, who oversees Delaware's Birth to Three Early Intervention program, CDW then reaches out to the family's LEA. Within two business days of receiving the referral, CDW must schedule a home visit within 10 business days with the family. LEA should be invited to the home visit.

■ INITIAL BIRTH MANDATE INFORMATION SHARING MEETING

At the initial home visit, attendees will include the CDW Family Service Coordinator (FSC), school district representative(s) from LEA and the family. The agenda includes:

- Review of purpose of meeting
- Summary of child's history and services
- Information from family about child
- Review of differences between CDW and school district programs— Individualized Family Service Plan (IFSP) and Individualized Education Program (IEP)
- Next steps for CDW and school district

If the family is interested in moving forward, CDW will conduct its own Multi-Disciplinary Evaluation (MDE) and LEA does its own (generally, observation and review of medical records). Statewide Programs for the Deaf and Hard of Hearing can be invited to support LEA with observation and review of records for the purpose of determining eligibility.

■ LEA HOSTS ELIGIBILITY MEETING

The process is reviewed and the child is or is not determined eligible. If eligible, the team discusses options through Part C and Part B. If the family chooses Statewide Programs for D/HH, they are added to the IFSP. If a family chooses to stay with LEA, the child must transition to an IEP and exit out of CDW.



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DEFINITIONS

Auditory Brainstem Response (ABR) - "Your ear is made up of three parts—the outer, the middle, and the inner ear. The auditory brainstem response (ABR) test tells us how the inner ear, called the cochlea, and the brain pathways for hearing are working. You may also hear it called an auditory evoked potential (AEP).

The test is used with children or others who cannot complete a typical hearing screening. The ABR is also used if your symptoms might be due to hearing loss in the brain or in a brain pathway."

Child Development Watch (CDW) - "Is the statewide early intervention program for children ages birth to 3 that strives to enhance the development of infants and toddlers with disabilities or developmental delays, and to enhance the capacity of their families to meet the needs of their young children. Child Development Watch provides assessments, service coordination, Individualized Family Service Plans, and referrals to community services."

Delaware Health and Social Services (DHSS) - "Improves the quality of life for Delaware's citizens by promoting health and well-being, fostering self-sufficiency, and protecting vulnerable populations."

Individualized Education Program (IEP) - "An Individualized Education Program is a process that outlines the learning goals for a student with disabilities and the services a school must provide the student in order to meet those goals. This process is recorded in written form on the IEP document.

An IEP is developed to meet the individualized needs of each student. The educational services are provided at no cost to the family."

Individualized Family Service Plan (IFSP) - "A written plan developed by a team to record the family's outcomes for themselves and their child. It lists the early intervention services that will best help reach those outcomes and describes when, where, and how those services will be delivered. It will be a map to guide you and the professionals working with you."



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Local Education Agency (LEA) - "The term local education agency means a public board of education or other public authority legally constituted within a State to either provide administrative control or direction of, or perform a service function for public schools serving individuals ages 0 - 21 in a state (0 - 22 in Delaware), city, county, township, school district, or other political subdivision including a combination of school districts or counties recognized in a State as an administrative agency for its public schools. An LEA may provide, or employ professional who provide, services to children included in the Individuals with Disabilities Education Act (IDEA), such services may include, but are not limited to, such medical services as physical, occupational, and speech therapy."

*In Delaware, New Castle County's LEA is determined by district of service—district of childcare (if applicable) or district of residence if no childcare. In Kent and Sussex Counties, LEA is determined by district of residence.

Multi-Disciplinary Evaluation (MDE) - "A MDE or school evaluation is used to find out if a youngster needs or continues to need special education, and, if so, the types of services the child should receive. The evaluation or re-evaluation must be provided at no cost to the child or family. An MDE is 'multi-disciplinary' and uses a 'team' approach—that is, several methods are used by a group of people to do the evaluation. No one test (such as an IQ test), or one person, can determine your child's needs. The parents are part of the MDE 'Team'."

Newborn Hearing Screening Programs - "Early Hearing Detection and Intervention (EHDI) refers to the practice of screening every newborn for hearing loss prior to hospital discharge. Infants not passing the screening receive diagnostic evaluation before three months of age and, when necessary, are enrolled in early intervention programs by six months of age. All 50 states and the District of Columbia have Early Hearing Detection and Intervention (EHDI) laws or voluntary compliance programs that screen hearing."

Statewide Programs for the Deaf and Hard of Hearing - "Offer services to children, students, families, school districts, and the community across the state of Delaware."

PIC is a statewide non-profit organization with a mission to improve health and educational outcomes for children and youth by empowering them, their families and the professionals who serve them. For more information visit www.picofdel.org or call 302-999-7394.



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