Access is the Name of the Game: Obtaining Data to Get the Point Across

Purpose of this Session

The ADA now requires schools to determine levels of effective access to school communication. [Shouldn't we know anyway?] Differences between ADA and IDEA access and accommodations will be described. This session will describe ways in which hearing loss professionals can gather data to estimate the level of access for students who are hard of hearing and also for primarily visual learners.

Objectives for this session:

1) Describe how ADA and IDEA differ in regard to access and appropriate accommodations.
2) Access and use available tools to discuss these issues with school teams.
3) Describe procedures to estimate the level of effective communication access for students with hearing loss.

Part I

Describe how ADA and IDEA differ in regard to access and appropriate accommodations. Recognize the key differences between access concerns, academic concerns and educational performance issues.

The Possibilities for Achievement: "Given the opportunities to learn (access) language (vocab, R/E, pragmatic, literacy…) and academic skills through (knowledge, comprehension, application) appropriate and efficient modes of communication, (accommodations & self-advocacy) a learner with a hearing impairment should progress in expected patterns of growth and achievement." (issue of comorbidity) Bunch, G. & Meinyk, T. (1989). *American Annals of the Deaf*

Hearing loss is an ACCESS Issue creating barriers to learning in the typical classroom and impacting social interactions.

You cannot have an IEP and a 504 Plan **WRONG**

- Although the IEP should have appropriate accommodations specified, the 'bar' for expected student performance is higher within the ADA than it is in IDEA meaning there can be accommodations provided in a 504 Plan beyond the IEP.

The Restrictions of Rowley

One of the first special education court cases was about Amy Rowley, a kindergarten student who was bright but deaf. Because she was 'doing okay' in school without an interpreter, she was denied interpreter services in school.

- The early Rowley case established that students in special education need only be "**reasonably calculated to enable the child to receive educational benefit**"
- US Supreme Court is currently deciding whether the "educational benefit" provided by a school district must be "just above trivial" or "meaningful" to satisfy FAPE requirements.

2014 Title II ADA Policy Clarification http://successforkidswithhearingloss.com/access-ada

- Requires schools to ENSURE that communication is as effective for students with hearing loss as peers
- Effective communication is provided through appropriate auxiliary aids and services
- "affording an **equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement** as that provided by others" and "to participate in and enjoy the benefits of the district's services, programs and activities" http://www2.ed.gov/about/offices/list/ocr/letters/colleague-effective-communication-201411.pdf

ADA & IDEA – Different bars for achievement

- **IDEA** = Schools must provide educational benefit for students but do not have to guarantee that the student reaches his or her full potential. Example: Student with 130 IQ achieving Cs in middle school (assume student is a motivated worker)
- **ADA** = affords an **equal** opportunity to obtain the **same** result, to gain the **same** benefit, or to reach the **same level** of achievement as others. If a child with a 130 IQ who had a hearing loss, with appropriate auxiliary aids and services, should be able to achieve at a rate/level expected of the cognitive potential

2014 Title II ADA Policy Clarification:

Applies to all children with a known hearing loss. Schools must comply; puts the onus on the schools. Auxiliary aids and services must be provided in a timely manner – as soon as requested; don't wait for the IEP/evaluation process to be completed. Schools must honor the individual's choice UNLESS they can prove that an alternative is as effective as that provided to students without disabilities. Applies to ALL students with hearing loss, not just those who qualify for IEPs or who have 504 Plans. Applies to perceiving peer-to-peer communication, not just teacher instruction.

How do the IDEA FAPE and the Title II effective communication requirements differ with regard to the obligation to provide communication for students with disabilities attending public elementary and secondary schools? FAQ #10

- Require a district to ensure communication is "as effective as" other
- Require district to provide auxiliary aids and services to afford an "equal opportunity"
- Under IDEA – provide meaningful educational benefit
- IDEA does not require that the district compare the effectiveness of communication (access)
- All students with hearing loss are covered under ADA and may be eligible for IDEA services
- Districts must ensure that BOTH SETS OF LEGAL OBLIGATIONS ARE MET, that none of the rights under each law are diminished or ignored ("educational benefit" + "equal opportunity")
- Services under IDEA MAY satisfy both obligations
- If IDEA services do not ensure communication as effective as peers, then ADA obligations have not been met
- Students with hearing loss eligible under IDEA cannot be asked to give up their rights under ADA

New Parent and Educator Resource Guide: from Section 504 and Office for Civil Rights

- The guide describes the school districts' nondiscrimination responsibilities, including obligations to provide educational services to students with disabilities. It outlines steps parents can take to ensure that their children receive all of the services they are entitled to. **GUIDE** https://www2.ed.gov/about/offices/list/ocr/docs/504-resource-guide-201612.pdf
- Another recent document provides FAQ info on student with disabilities in charter schools. **CHARTER SCHOOLS LETTER** https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201612-504-restraint-seclusion-ps.pdf

Funding: Under what circumstances may a school district use IDEA funds to pay for auxiliary aids or services to ensure effective communication under ADA?

The IDEA funds only apply to students eligible for special education and related services. IDEA funds can only pay for ADA accommodations if the accommodations are specified within the IEP. If a child receives auxiliary aids and services under Title II ADA that are not included in the child's IEP, IDEA funds may not be used to pay for those services.

Case Example in ADA Policy Clarification: Tommy – age 13 with significant hearing loss, CI, relies on lip-reading and social cues, and FM use. Eligible under IDEA (services not stated in case ex.) Tommy has above average grades, completed grade level work and interacts appropriately with peers. Recently Tommy expressed concern that he couldn't hear classmates during class discussions and often must 'fake it.' FM not effective to meet all his needs. Based on above-average grades the IEP team determined CART services were not necessary for Tommy to receive FAPE. Under ADA, he received CART services.

The clarification by ADA has shifted the focus to:

- Can the student communicate as effectively as peers? (perceive verbal instruction & class peers)
- What is needed to ensure that the hearing loss will not interfere with effective understanding in class, thereby limiting the students' opportunity to reach the same level of achievement as peers without hearing loss?
- We cannot just rely on grades for this info.

Every Student Succeeds Act (June 2016)

- Took the place of No Child Left Behind. Specifies that districts have the flexibility to use both Title I and IDEA funding to develop innovative, evidence-based approaches to assist struggling learners in general education with the use of SISPs – **specialized instructional support personnel** (everyone here is an SISP!). **SISPs** can provide their expertise in collaboration with teachers and other school personnel to monitor and improve student outcomes in the educational environment. www.asha.org/uploadedFiles/Every-Student-Succeeds-Act-Key-Issues.pdf

Part II

Access and use available tools to discuss these issues with school teams. Tools that demonstrate access issues. Tools to gain the attention of the teacher or team. Tools that set the stage for them to believe that this student who is 'doing okay' may really be having issues related to access that is interfering with his/her performance. BEFORE sharing data!

Children with Hearing Loss….

- ***May*** have a unique language and culture
- ***Will*** have issues regarding Hearing vs. OVERhearing
- ***Will*** have issues related to reduced opportunities for incidental learning

This FACT about hearing loss is not widely recognized because of the low incidence nature of hearing loss. This is exemplified by a classroom teacher study: half of teachers thought hearing loss and academic problems were not linked. Teachers accused students of daydreaming because they participated inconsistently. Study by Ross, Brackett, and Maxon 1991
We Must Advocate for our 'Zebras'! They have decreased access to all of the parts of speech which impacts student learning. Decreased audibility affects: language (Swiss cheese); phonological awareness; morphological awareness; and finally – reading.

Specific needs of children with CIs

"Hearing" electroacoustically does not have the same fidelity as hearing through typical ears. **Areas of impact include:**

- Auditory experience impacts vocabulary size & auditory skill development
- Memory – storage and recall
- Phonological awareness similar to children with severe hearing loss

Direct instruction needed for auditory skills development, syntax, morphology and semantics.

- Plateau in reading ability at grade 4
- It is imperative for students to be provided with access to and knowledge of audibly insalient components of English as they are critical for gaining access to the vocabulary and grammar common in reading materials beyond the third grade.

What We Need to Get Across

Educators can do much to assist students to obtain age-appropriate English that is acquired by hearing peers and required for academic advancement and employment.
(1) Adults model grammatically correct English.
(2) Adults need to be aware of how difficult it is for students to hear pronouns, articles, and bound morphemes, and, when words or word parts are inaudible to a student, pair sign with speech.
If children who are DHH cannot hear the quick, quiet morphemes of English, they do not use them; if they do not express them, they do not read them well.

What are some strategies to get across the impact of HL?

- HANDOUT: Children with Hearing Loss Miss More than You Think!
- Handy Hearing Loss Simulator (Teacher Tools Library example): Have the teacher(s) plug their ears with fingers and then "play teacher." "Even with hearing aids or cochlear implants students typically hear worse than this." Any material can be read and specific questions asked. Demonstrate listening with back turned, roaming, effects of distance/noise. Have the participants talk about how they 'felt' when their listening was challenged. "Plugged ear loss" 250 Hz=25dB, 500 Hz=25dB, 1000 Hz=20dB, 2000Hz=20dB, 4000Hz=15dB
- Select a Demo – Audio/Video - http://successforkidswithhearingloss.com/demonstrations/
- Relationship of Hearing Loss to Listening and Learning Needs handouts at http://successforkidswithhearingloss.com/relationship-hl-listen-learn/
- Functional Interpretation of Hearing Thresholds on the Audiogram (Teacher Tools Library)
- HANDOUT: Why Involve the Teacher of the Deaf/Hard of Hearing on the Student Support Group Team?

In addition to general information about the impact of hearing loss also share student specifics… Quick inservice:

- General information on low incidence and behaviors (zebras, not horses)
- Allow the teacher/team to experience challenges
- Relate to specific level of hearing loss
- Relate to student's specific observable behaviors
- Relate to specific functional abilities revealed through assessment

Part III

Access is the Name of the Game: Obtaining Data to Get the Point Across

Gather data to estimate the level of access for students who are hard of hearing and also for primarily visual learners.

- It all comes down to effective communication / equal access
- Growing up with a hearing loss results in students being at risk for listening, language, social issues
- The hearing loss is an access issue that interferes with effective communication in the classroom
  - Access to teacher instruction
  - Access to peer-to-peer communication
- Degree of access issues need to be identified and accommodations provided, regardless of grades
- If you've seen one kid with hearing loss, you've seen one kid with hearing loss

We need to estimate access to classroom communication

- Relative prevalence by degree of hearing loss: For every 1 child with a severe to profound hearing loss there are 2 with a moderate loss, 4 with mild degree of loss and 5 with minimal hearing loss. Approximately half of the children who are candidates in the US receive cochlear implants.
- Only 39% of the ability to understand speech in noise can be predicted from hearing thresholds. Yoon, Allen, Gooler (2012).
- 34% of school day = peer-to-peer learning, 22% is front instruction, 13% working individually, 22% exciting activities, 22% group work, 12% interactive lessons, 9% other. Feilner, Rich, Jones (2016).

Assessment of Communication Effectiveness Auditory Learners

Comparing to class peers

- Classroom observation to identify functional performance issues

Auditory Learners

- Precision listening ability – what sounds are missed?
- Functional listening ability
- Student / Teacher Reflections of performance
- Listening comprehension (informal and formal)
- Other measures, including norm-referenced

What does he do with what he can hear, compared to peers with typical hearing?

Classroom Observation

- **Communication Lens**
  - How much instruction does the student understand?
  - What is his level of classroom interaction?
- **Curriculum Lens**
  - Strengths/gaps observed during verbal instruction?
  - Strengths/gaps during class/group discussion?
  - Use/benefit of hearing/access technology?
- Gather Data on Specific Behaviors
- **Participation & Social Language Lens**
  - What self-advocacy strategies are used?
  - What does he do when he doesn't understand?
  - How well does he understand/interact socially?

FREQUENCY – # of times, or how often a student behavior occurs

- "Tyler turned to watch his peers offering oral responses 2/9 times or 22% of the time."

DURATION – total time a student is engaged in a specific behavior

- "During Marianne's 45 -minute civics class on October 12, she attended to the interpreter 44% of the time. The longest interval of attending was 5 minutes."

LATENCY – elapsed time between an event and the expected behavioral response

- "In the morning, it takes William 7 minutes to follow instruction after the teacher gives a direction. In the afternoon, it takes William 4 minutes to follow instruction after the teacher gives a direction."

HANDOUT: Observational Record of Behavior of Deaf and Hard of Hearing Students

Teacher Interviews: i.e., Screening Instruments for Targeting Educational Risk (Preschool, Elementary, Secondary)
http://successforkidswithhearingloss.com/tests/

Precision Listening:

- HANDOUT: Iowa Medial Consonant Test: students who have been early identified, use well-fit amplification and have received some attention to listening skills should achieve 100% (hearing loss 70dB or better)

Functional Listening Evaluation

- Typically hearing students perform at 90% or better in noise and 95% or better in quiet conditions (Bodkin, Madell, Rosenfeld, 1999) Also download from http://successforkidswithhearingloss.com/speech-perception/
- Functional Listening Evaluation has students listen under 8 conditions; preferably to sentences http://successforkidswithhearingloss.com/fle-recorded/
- Lists presented close (3 ft or 50 dB) and far (12 ft or 35 dB) to represent classroom communication
- Quiet/Noise while Watching/Not Watching
- Compare with typical hearing children's estimated ability to perceive speech
- Recorded FLE YouTube Intro https://www.youtube.com/watch?v=4tOxoMaKXG4 or 75-minute webcast http://webcasts.successforkidswithhearingloss.com/using-the-recorded-fle/
- HANDOUT: Impact of Hearing Loss on Listening Comprehension Examples (4 Fill-in Puzzles)

Functional Teacher/Student Input Measures…

- Children's Home Inventory of Listening Difficulties (CHILD) ages 3-12
- Listening Inventory For Education-Revised (LIFE-R) gr 3 and above Student Appraisal and Teacher Appraisal http://successforkidswithhearingloss.com/tests http://successforkidswithhearingloss.com/life-r

Informal Assessments of Listening Comprehension

Estimating Listening Comprehension – 1

- Teacher reads a passage from a text and has the student answer prepared comprehension questions. Perform several trials and average % correct. Compare to the results of at least 2-3 'typical' class peers.
- Can also listen to a lecture during observation and come up with 15-20 questions.
- Typical listening comp. is 70% for gr 1-12 when known vocabulary is used

Estimating Listening Comprehension – 2 (can also do with visual learners)
Use listening comprehension materials available for ESL populations.

- Teacher reads the paragraph and then asks the questions provided from 'typical' distance
  OR plays the YouTube video of the story and questions, in audio only condition
- Do so with/without various accommodations
- For evidence-based practice, a minimum of 2-3 'typical' learners should also be assessed for the sake of comparison of communication effectiveness of peers https://en.islcollective.com

Formal Listening Comprehension Test

- The Listening Comprehension Test 2 (age 6 to 12) The Listening Comprehension Test Adolescent (age 12 to 18) Looks at classroom situational listening: Main idea; Details, Reasoning, Vocabulary, Understanding the message http://successforkidswithhearingloss.com/listening-comprehension-test-2/ Can also be used with visual learners.
- Listening Comprehension in Background Noise in Children with Normal Hearing: 2013 Study of eighteen 6-10 year olds. Performed LCT 2 in a sound booth with -5 S/N noise. All areas were affected. Least affected was main idea. Defining vocabulary low for ½ of participants. Most affected was identifying details, reasoning, and understanding messages subtests

Other Formal (norm-referenced tests) Assessments that shed light on access/communication effectiveness

- Informal Assessment of Fatigue & Listening http://successforkidswithhearingloss.com/tests
- Developmental Test of Auditory Perception (DTAP) ages 6+. Student listens to a CD. 5 subtests resulting in Language Auditory Perception Index, Nonlanguage Auditory Perception Index, and Total Index.

- Test of Auditory Processing Skills – 3 (TAPS-3) ages 4-19 years. Focuses on higher order functions involved in understanding of spoken language. Measures phonologic ability including word discrimination (potentially impacted by hearing loss), memory, auditory comprehension, and reasoning.

Assessment of Communication Effectiveness Visual Learners and SimCom/TC Learners

Comparing to class peers

- Classroom observation to identify functional performance issues

Visual Learners and SimCom/TC Learners

- Tracking and attention in the classroom - comparison
- Functional listening ability including sign conditions
- Student / Teacher Reflections of performance
- Comprehension of visual inputs (informal & formal)
- Other measures, including norm-referenced

Tracking Visual Attention

- Record and/or observe a student during verbal instruction and peer-to-peer activities.
  WHO IS THE STUDENT WATCHING?
- Teacher - Peers - Interpreter - Off-Task Behavior
  - Lecture, including when i.e., SmartBoard is referenced
  - Assignments/directions
  - Class discussion / Group work
- "During Marianne's 45 -minute civics class on October 12, she attended to the interpreter 44% of the time. The longest interval of attending was 5 minutes." What was she doing the other 56% of the time? Effective comm?
- In general, how well are other visual supports accessed?

Adapted FLE for Visual Learners

If no amplification is used then only close and far sign would be performed.

Response: Students could write down the sentences to determine if meaning perceived is equivalent to the written sentences.

	Close (3 ft) Auditory	Close Aud + Vis (Lipreading)	Close Sign (+ Auditory)	Far (12 ft) Sign (+ Auditory)
Quiet	95% or better?	95% or better?	95% or better?	90% or better?
Noise	90% or better?	90% or better?	90% or better?	90% or better?

Expressive Communication Effectiveness

Record/observe the student throughout all class communication types. How does he express himself when the opportunity arises in each situation?

- Through interpreter
- Student voicing
- Student texting
- Nonverbal gestures
- Passing handwritten notes
- Other method used in class
- Also collect information on any methods used for expressive communication for homework other than written assignments (i.e., VLOG)

White Paper Development Help Needed! HANDOUT

- Determining level of communication effectiveness for students who are HOH
- Determining for Visual Learners (Deaf)
- Determining for Students with Expressive Communication Impairments (Deaf, etc)
- **Join the drafting process!** Contact karen@successforkidswithhearingloss.com to join the effort. PLEASE!

Access – the name of the game

Goal: access to the general education curriculum **How?**

- Maximize Input – hearing technology/visual input
- Teacher provides accommodations to make verbal instruction and class discussion as fully accessible as possible
- Student learns skills to allow him to fully benefit from classroom communication – Self-Advocacy

Teacher Accommodations should be selected based on the individual student's demonstrated listening needs. Use LIFE-R Student Appraisal as a pre/post-test to see if accommodations are truly working to improve access.

Summary

- Understand and advocate for "access as effective as others" in school
- Gather data to estimate how well the student is able to access communication in the classroom
- Use data to 'get the point across' and to justify the need for accommodations
- Gather data to determine if recommended accommodations are effectively allowing student to 'compete' in accessing verbal instruction and supporting full participation in the mainstream classroom