

CALL TO ACTION ON THE FEDERAL REGULATIONS – Attachment

(A) HOW THE REGULATIONS COULD BE MODIFIED:

“CFR Title 34, Subtitle III, Chapter III, Part 300, Subpart A, §300.34 Related Services

§300.34 Related services. Modify (a) by inserting “intervener services” after “interpreting services” and before “psychological services” as shown below:

(a) General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, intervener services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.

Modify (c) by inserting the following after (4) Interpreting services:

(5) Intervener services means services provided by a qualified intervener that enables a child with deafblindness to receive FAPE by facilitating access to visual and auditory information, communication and interaction in the child’s mode of communication, and instruction needed to learn and make meaningful educational progress.

(B) REASONS FOR MODIFYING THE REGULATIONS

- We are requesting this modification to the list of Related Services so as to clarify the needs of children who are deafblind to have the services of a qualified intervener.
- Including intervener services in the related services list will significantly increase the opportunities for children who are deafblind to have these services considered in their IEP process.
- The use of interveners in educational settings continues to increase across the country.
- Intervener services have been recognized by OSEP as a credible service delivery option for children who are deafblind under the IEP process.
- States are hesitant to recognize the need for these services until they are recognized at a national level.
- Due to the low incidence nature of deafblindness, the needs of these children to have a qualified intervener as part of FAPE are poorly understood.
- Many local education agencies are not aware of what intervener services are and are hesitant to provide them.
- Parents struggle to have these services considered in the IEP process because of the lack of awareness and understanding of their child’s needs for these services.