

## HEARING AIDS IN PUBLIC SCHOOLS

Public schools are a possible source for the provision of hearing aids for children. Many times it is difficult to get schools to provide hearing aids for use during school hours. It is even more difficult to acquire these hearing aids for use at home in conjunction with a child's academic Individualized Education Program (IEP). The following information may be helpful regarding hearing aids: website listings for documents and legislation listed below will follow at the end of this section.

The Office of Special Education Programs (OSEP) has written guidance letters clarifying for schools that "Hearing Aids are Assistive Technology" and that "Presumptively Denying Assistive Technology" is unacceptable. The Individuals with Disabilities Education Act (IDEA) strengthens academic expectations and accountability for the nation's 5.8 million children with disabilities and bridges the gap that has existed between what children with disabilities learn and what is acquired in regular curriculum. The final regulations of IDEA read, "On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP team determines that the child needs access to those devices in order to receive FAPE..."(FAPE is an acronym for "Free and Appropriate Public Education").

Section 504 of the Rehabilitation Act of 1973 protects the rights of individuals with disabilities in programs and activities that receive federal funds. The U.S. Department of Education (ED) enforces Section 504 in programs and activities that receive funds from ED and these include public school districts. This regulation requires a school district to provide a FAPE to each qualified person with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the person's disability.

### OSEP GUIDANCE LETTERS

**"Hearing Aids are Assistive Technology":** [www.listen-up.org/rights2/osep1.htm](http://www.listen-up.org/rights2/osep1.htm)

**"Presumptively Denying Assistive Technology":** [www.listen-up.org/rights2/osep4.htm](http://www.listen-up.org/rights2/osep4.htm)

### LEGISLATION REGARDING HEARING AIDS IN SCHOOLS

***The Individuals with Disabilities Education Act (IDEA):***  
[www.ed.gov/offices/OSERS/Policy/IDEA](http://www.ed.gov/offices/OSERS/Policy/IDEA)

**Section 504 of the Rehabilitation Act of 1973 - FAPE:**  
[www.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html](http://www.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html)