



National Association of the Deaf

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Response Regarding IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR) Indicators

Submitted to the Office of Special Education Programs and Rehabilitation Services (OSERS)

The National Association of the Deaf (NAD) appreciates the opportunity to provide comments regarding the IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR) indicators. We strongly urge the Office of Special Education Programs and Rehabilitation Services (OSERS) to modernize these indicators so they measure meaningful educational outcomes for Deaf and Hard of Hearing (DHH) children rather than emphasizing procedural compliance and numerical placement targets.

For decades, Deaf students have experienced systemic inequities driven by policies that define “success” primarily through physical placement rather than language acquisition, educational access, or long-term outcomes. Current indicators, particularly Indicator #5 regarding Least Restrictive Environment (LRE), have unintentionally incentivized placement decisions that may undermine language access and educational equity for DHH students.

Indicator #5 (Least Restrictive Environment): Harmful Consequences for Deaf Students

Indicator #5 is especially problematic for Deaf and Hard of Hearing students because it often assumes that placement in general education classrooms is inherently the “least restrictive” option. For many DHH students, however, environments without direct communication access, qualified Deaf educators, signing peers, or language-rich settings can become the most restrictive educational environments.

When schools are pressured to increase general education placement percentages to satisfy Indicator #5 targets, placement decisions may prioritize compliance metrics over the individual linguistic and educational needs of the child. This can result in:

- Reduced access to fully accessible language environments
- Social isolation and communication deprivation
- Delayed language acquisition and academic development
- Limited opportunities for direct instruction in the child’s visual language
- Reduced access to Deaf role models and peers
- Inadequate consideration of language outcomes during IEP decision-making

For Deaf students, educational placement cannot be evaluated solely by physical proximity to nondisabled peers. True educational access must include:

- Direct and fluent language and communication access
- Full language acquisition opportunities
- Social and emotional belonging
- Access to qualified personnel with expertise in Deaf education
- Peer interaction in accessible language environments

The NAD urges OSERS to revise Indicator #5 so states are not incentivized to place Deaf students into settings lacking full language accessibility simply to satisfy LRE compliance targets. It has also been suggested that Deaf students be exempted from Indicator #5 entirely.

Recommendations Regarding Other IDEA Indicators

The NAD also encourages OSERS to reevaluate all IDEA indicators through a language-access and outcome-based framework for Deaf and Hard of Hearing students.

Focus on Educational and Language Outcomes

Indicators should measure:

- Language acquisition and developmental milestones
- Academic growth in accessible language environments
- Literacy outcomes
- Student self-advocacy and engagement
- Postsecondary readiness and long-term success

Current indicators too often measure procedural completion rather than whether Deaf children are receiving meaningful educational benefit.

Parent Involvement Indicators

Parent involvement indicators should evaluate whether families receive:

- Accurate and unbiased information about all communication options
- Information about signed languages and visual language acquisition
- Access to Deaf mentors and Deaf professionals
- Culturally and linguistically appropriate support

Families cannot make informed decisions when information about visual language access is minimized or delayed.

Preschool and Early Childhood Indicators

Early childhood indicators should prioritize the prevention of language deprivation by measuring:

- Early accessible language exposure

- Language development outcomes rather than modality preference
- Availability of qualified Deaf education professionals and sign language resources
- Timely intervention when language delays are identified

IEP and Transition Indicators

Indicators related to IEP development and transition planning should include evaluation of:

- Communication access throughout the school day
- Quality of interpreting and direct instruction services
- Opportunities for peer interaction in accessible language environments
- Preparation for higher education, employment, and independent living

Reduce Administrative Burden While Improving Meaningful Data

The NAD supports efforts to reduce unnecessary administrative burden that diverts educator time away from instruction and student support. However, reducing burden should not come at the expense of meaningful accountability.

Rather than collecting large quantities of compliance-based data, OSERS should prioritize data that measures:

- Language outcomes
- Educational access
- Student well-being
- Postsecondary success
- Equity in educational opportunity

Conclusion

The NAD respectfully urges OSERS to revise IDEA indicators so they better reflect the realities and needs of Deaf and Hard of Hearing students. Compliance-driven placement metrics must not outweigh the fundamental right of Deaf children to full language access and meaningful educational opportunity.

For Deaf students, educational success is not determined by physical placement alone. Success is determined by whether children have full access to language, communication, instruction, peers, and identity development necessary to achieve academically and thrive socially.

We encourage OSERS to work collaboratively with Deaf-led organizations, educators, researchers, families, and community stakeholders to ensure future indicators promote genuine educational equity and prevent language deprivation for Deaf children nationwide.

Respectfully,

National Association of the Deaf