

MINNESOTA
COMMISSION OF THE DEAF,
DEAFBLIND & HARD OF HEARING

May 21, 2026

Dear Jenn Purrington, Minnesota Department of Education, and Olmstead Plan Leadership,

We respectfully submit the following comments and objections regarding the current language of **Education Goals #1, #2, and #4**. We have met several times to express our concerns, particularly regarding the lack of consideration for the unique communication access needs of Deaf, DeafBlind, and Hard of Hearing students. We appreciate the opportunity to provide additional context and recommendations.

At the center of these concerns is language development. Educational systems can either support or hinder a child's language acquisition and overall development. Too many Deaf, DeafBlind, and Hard of Hearing students continue to experience language deprivation due to insufficient focus on full direct communication access, language development, and high-quality language assessments. Research consistently demonstrates the long-term harm caused by language deprivation and underscores the importance of ensuring a Free Appropriate Public Education (FAPE).¹

We appreciate the opportunity to meet with leaders from the Olmstead Implementation Office and the Minnesota Department of Education. We hope the feedback shared during the OIO Public Input Forum, your team's visit to Metro Deaf School, discussions with inclusion specialists, the Appendix section of the Olmstead Plan, and the concerns outlined in this letter will encourage meaningful revisions.

We have also shared documentation regarding ongoing national discussions about the definition of Least Restrictive Environment (LRE), particularly as it relates to **Goal #1**. Deaf leaders, schools, organizations, educators, advocates, and parents nationwide are urging federal agencies to adopt measures that better reflect meaningful educational outcomes for Deaf, DeafBlind, and Hard of Hearing students. Office of Special Education Programs is currently reviewing Special Education Indicators (SPP/APR) and seeking public input on how states measure success for students with disabilities.² The Commission and other Minnesotans will also be submitting formal comments by May 22, 2026, and we plan to share our submission with you.

Additionally, we met with Olmstead representatives in August 2024 to discuss concerns that emphasizing "integration" for children with disabilities may negatively affect the language development of Deaf, DeafBlind,

¹ <https://fcsn.org/guidance-on-application-of-least-restrictive-environment-lre-for-students-who-are-deaf-or-hard-of-hearing/>

² [Regulations.gov](https://www.regulations.gov)

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Advocating for communication access and equal opportunity with the
20% of Minnesotans who are deaf, deafblind and hard of hearing.

and Hard of Hearing students. For this reason, we were disappointed to see the proposed plan continue to prioritize increasing the number of students learning in integrated classrooms.

Our shared objective should be to ensure that no student with disabilities, especially Deaf, DeafBlind, and Hard of Hearing students, is harmed by implementation of these goals.

Goal #1

Current goal: “More students with disabilities will learn in integrated classrooms.”

Why this goal is problematic

This goal assumes that integrated settings are universally the best placement for all students with disabilities. While integration may benefit some students, applying this framework broadly can harm Deaf, DeafBlind, and Hard of Hearing students when full and direct communication access is not prioritized. Students and their families should be encouraged by our systems to choose the setting that works best for them, without pressure (direct or indirect) from systems that one type of setting is better than the other.

For these students, educational placement must be determined by communication access and language development needs in accordance with FAPE. A setting that does not provide meaningful communication access cannot be considered the Least Restrictive Environment (LRE). Specifically, “...any setting that does not meet the communication and related needs of a child who is deaf does not allow for the provision of FAPE and cannot be considered the LRE for that child.”³

Several concerns contribute to this issue:

1. Deaf, DeafBlind, and Hard of Hearing students have unique educational needs centered on language acquisition and communication access, which differ significantly from many other disability populations.
2. Minnesota currently lacks a comprehensive language acquisition assessment system and sufficient qualified assessors for Deaf, DeafBlind, and Hard of Hearing students.
3. Placement decisions are often influenced by local resource limitations and district preferences rather than individualized language assessments and communication access needs.

³ Key Policy Documents –

- <http://www.ed.gov/laws-and-policy/civil-rights-laws/federal-register-notice-and-regulations/notice-of-policy-guidance-deaf-students-education-services>
- <https://sites.ed.gov/idea/idea-files/policy-letter-august-23-2010-to-conference-of-educational-administrators-of-schools-and-programs-for-the-deaf-inc-president-edward-h-bosso-jr/>
- <https://sites.ed.gov/idea/idea-files/policy-letter-september-30-2011-to-ronald-stern/>
- <https://www.federalregister.gov/documents/2014/01/30/2014-01668/office-of-the-attorney-general-amendment-of-americans-with-disabilities-act-title-ii-and-title-iii>

4. General education classrooms are not inherently accessible communication environments. Supports such as qualified sign language interpreters, captioning, visual communication strategies, and trained personnel are inconsistent or unavailable.
5. Students frequently receive inadequate services due to shortages of qualified interpreters and itinerant Deaf and Hard of Hearing teachers.
6. Families are often not fully informed nor informed without bias (often unintentional) about placement options, communication access needs, and available advocacy resources.
7. The current language unintentionally suggests that placement with nondisabled peers is the preferred educational setting, creating a negative perception of environments where Deaf, DeafBlind, and Hard of Hearing students learn together with peers who share similar communication access needs.

Recommended goal

Revise the goal to focus on ensuring that students receive educational placements and services that best meet their individual communication access and learning needs.

The goal language should emphasize “**appropriate placement**” rather than increased integration. Placement decisions should be based on individualized determinations of FAPE and meaningful communication access, not local resource limitations, audiograms, district preferences, or federal reporting metrics.

Alternatively, Deaf, DeafBlind, and Hard of Hearing students should be exempted from this goal and related reporting metrics.

Rationale

For Deaf, DeafBlind, and Hard of Hearing students, the true meaning of LRE is the educational setting that provides full and direct communication access.⁴ The Olmstead decision is grounded in person-centered principles and meaningful connection, and this goal should reflect those principles.

Current federal data collection methods do not measure communication access, language development, or meaningful educational access for Deaf, DeafBlind, and Hard of Hearing students. Tracking integration rates without considering these factors perpetuates misunderstandings about both inclusion and LRE.

Additionally, “...there is no requirement that a state place a certain percentage of children into one educational environment over the other, nor...a specific regulatory requirement specifying a state’s SPP/APR target for the percentage of children in the regular classroom environment.”⁵

⁴ <https://sites.ed.gov/idea/regs/b/b/300.114>

⁵ <https://sites.ed.gov/idea/idea-files/policy-letter-september-30-2011-to-ronald-stern/>

Goal #2

Current goal: “Schools will better engage with families of students with disabilities.”

Why this goal is problematic

While family engagement is important, this goal largely reflects responsibilities already required under existing special education law. The IEP process already mandates collaboration between schools and families.

As written, the goal is not sufficiently ambitious and is unlikely to produce meaningful new information that improves educational systems or student outcomes.

Families continue to report feeling unheard, unsupported, or uninformed during the IEP process. Many reports receive incomplete or biased information regarding educational placements, communication access, and language development services. Because Minnesota grants substantial authority to local districts, families often feel their requests for services or placements are denied without meaningful collaboration.⁶

Recommended goal

Replace this goal with one focused on measuring family satisfaction with the IEP process itself.

The revised goal should include both quantitative and qualitative measures to evaluate whether families feel informed, respected, heard, and meaningfully involved in educational decision-making.

Rationale

The Olmstead Plan should promote continuous systems improvement rather than simply reporting information already collected through existing legal processes.

Ideally, a neutral third party would develop and administer tools to gather family feedback, evaluate family experiences, and assess whether student goals and outcomes are progressing appropriately over time.

⁶ <https://www.nasdse.org/docs/nasdse-3rd-ed-7-11-2019-final.pdf>

Goal #4

Current goal: “More staff will be equipped to support children with disabilities in early care and education (ECE).”

Why this goal is problematic

Although the goal broadly references children with disabilities, the proposed data collection methods appear narrowly focused on behavioral concerns.

For Deaf, DeafBlind, and Hard of Hearing children, behavioral challenges are often directly related to inadequate communication access or language deprivation. Early childhood, particularly birth through age seven, is a critical period for language development.

The current goal does not clearly address how programs identify, assess, or support children with hearing loss during these foundational developmental years in Early Care programs.

Recommended goal

Expand both implementation activities and data collection efforts to address the needs of all disability groups, including Deaf, DeafBlind, and Hard of Hearing children.

Programs should have access to resources, training, and expertise that help determine whether communication barriers or language deprivation are contributing to behavioral concerns.

Rationale

Without addressing communication access and early language development, systems may incorrectly interpret language deprivation as behavioral problems. Early intervention and appropriate communication support are essential to healthy educational and developmental outcomes.

We appreciate the opportunity to provide feedback and would welcome the opportunity to meet again to further discuss these recommendations.

Sincerely,

Darlene Zangara, Ph.D., LPC, ACC
Executive Director

Cc Becky Thomas, Chair and John Fechter, Vice Chair