Senator Michael Dembrow, Chair
Senate Committee on Education
900 Court St. NE
Salem, OR 97301

May 12, 2021

SUBJ: Support HB 3183

To the members of the Senate Committee on Education,

Before I begin with this letter, I wanted to take a moment to be transparent that I work as a Director with Research & Resource Center with Deaf community (RRCD) at Western Oregon University, Executive Director with Bridges Oregon, Inc., and serve on several state advisory committees. I am here only to represent my role as a Deaf Legislative Advocate with Oregon Association of the Deaf (OAD).

With a special thanks to parents, colleagues, and community for their support by helping me put together this letter to the Senate Committee on Education.

This Bill, HB 3183, have a dash two amendment where it asks ODE to set forth a requirement for a full transparency with all families that any school work with by offering full range of information. There are several schools that will tell you, they do not want the parents in our state to be given rights to learn about alternate resources that are readily available to the parents.

Since the IDEA law, there have been many interpretations of how this law should be applied, and some interpretations are harmful and utilized to the benefits of the school district, rather than the benefit of the child. While some schools have stated, that they don't determine placements by disability, that is not entirely true. The goals of the IEP/IFSP are created as a response to this disability and providing the child with all the opportunities to have an equal and accessible education. There are different perspectives on what "equal and accessible" means. We need to be careful with specific programs here in Oregon, because they are not being fully transparent, and utilizing the IDEA law as a rationale for providing the least restrictive environment. As of right now, a low number of deaf and hard of hearing children here in the state of Oregon has passed the Kindergarten assessments and many children struggle to access the full curriculum. Regional programs are unable to provide the full range of services for deaf and hard of hearing children, but still will not give parents full access to information. This violates the child's human right to have every choice made available to them.

Who gets to define what type of education is appropriate? There have been some school districts who have tried to become creative with their services, by stating that the IEP goals are tied to the funding abilities of the school and disregarding many parents with their requests for more IEP goals, simply stating there is no funding for more services. On top of this, many parents do not have the training or the education to know they have the rights for their child. While parents are given the procedural safeguards, they are not fully informed on their full rights, as some schools states "we do not need to include [this option of] the most restrictive." This concerns me, because Oregon School for the Deaf is one place where deaf and hard of hearing children could get all the services they need in one area, but their population is getting smaller, because school districts are keeping the deaf and hard of hearing children in their schools, and keeping the funding, while minimizing the services, stating "inclusion" as a reason for making sure these deaf and hard of hearing children are getting the equal chance to be in the same neighborhood schools.

Frankly, this is an equality versus equity issue. Many school districts push the idea of deaf and hard of hearing children can be equal to hearing children, just simply by attending the same schools as the neighborhood kids. They say that the most restrictive environment is taking the "equal chance" of deaf and hard of hearing children in making friends with the neighborhood children. However, many deaf and hard of hearing children report social isolation, feeling like they are the only ones in their neighborhood with a disability, and feeling ashamed of their disability. Many parents report that they would do it all over again, if they knew they had all of the information. Information or options regarding Oregon School for the Deaf is never given, because it is a "most-restrictive" option, but the question we have to ask- who is the audience in mind? Is it most restrictive, because it does not meet the "image" the parents have of their children? Is it "most-restrictive" because the school districts have to pay for each child to attend this school? Is it most restrictive, because parents and school districts want to deny the fact the child has a disability that should be shared with other students with the same disability? We have forced many children in social isolation because of their disabilities.

When said, it is inappropriate to ask IEP and IFSP teams to discuss a placement that is not appropriate for deaf child. This statement concerns me, because the question is- inappropriate for who? It implies that the IEP/IFSP team, which is composed of mostly, if not all hearing people, determining the fate of the deaf child. Most IEP teams do not allow a native-deaf specialist on the team, and they also tell parents that Oregon is a "IEP team" state, which means that parents can voice their concerns, but may not get all of the information they need. It is also concerning, that the IEP/IFSP team is asked to customize the services for the parents and child, instead of fully explaining the entire scope of what Oregon has to offer. Another concern is the statement that maximum information is "not needed." If I was a parent, and I had to figure out my child's future, I would want to ensure I explored every option possible. Many of these parents have never met a deaf or hard of hearing adult, so they do not get to see the possible "end result." It is hard for these parents to imagine their child's future, and school districts and educational service districts can use that to their advantage.

This should not be left at discretion to the school districts and the IEP/IFSP team. We need to have a law that states that parents have the right to **ALL** information presented to them to make the best decision for their children possible. In fact, I would rather have a deaf specialist on the IEP/IFSP team, to make sure there is a cultural voice at the table. I would compare this to a team of white people making decisions for one minority child. The minority child often does not have a voice at the table, and this is not a fair assessment.

It is important to consider the whole child, and the child's well-being. It is important to provide as much information to parents to make a fully informed choice. Some schools comment invalidates the parent's abilities to make the right decision for their child. Parents are either told by the IEP/IFSP team that there is one or other. There is "normal" or "not-normal." Parents are already grieving the fact that their child is deaf or hard of hearing and will attempt to remedy the disability as much as possible. This is cruel to do to the parents. Parents should be told that their child will see the world in a different way, and there are so many resources out there to support the child. There are thriving communities in the sign language and oral deaf and hard of hearing world. No child deserves being isolated just for vanity.

The main question here is full access. We believe that parents should at least be fully informed at all the possible ways the child can access their education. Withholding information from parents under the assumption of "most restrictive environment" shows that the school districts are willing not to be fully transparent and honest with the communities they serve. This is concerning, because we want to be the state where parents can have all of the necessary information to make an informed decision. If you were a patient in the hospital, would you want to know about all the possible procedures that could be done to save your life, or only the process offered by the hospital? This is the same situation which is happening to families. They are only presented with information in the best interests of the regional programs, not the full picture.

We are not asking for a change in funding, and we are not asking for the requirement that all deaf and hard of hearing children will go to Oregon School for the Deaf. We are asking that all parents have access to all information, so they can make a fully informed choice, without the pressures of the school district making decisions for them. We often say that parents are an equal member of the IEP team, but if everyone else has all the information, and the parents are left in the dark about some schools, how is this equal access for all people? We ask you to allow the parents to have a continuum of services options.

Please vote “aye” with do-pass recommendation.

Sincerely,

Chad A. Ludwig

Chad A. Ludwig, MSW, ADAC, OHCI, DI

Resources to consider:
Attachment One: Experiences of Culturally and Linguistically Diverse Parents with Deaf Children
Attachment Two: Teachers Perceptions of IEP Goals and Related Services