

# HOUSE BILL REPORT

## ESHB 2246

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**As Passed House:**

March 12, 2007

**Title:** An act relating to the delivery of educational services to children who are deaf and hearing impaired.

**Brief Description:** Providing for the delivery of educational services to children who are deaf and hearing impaired.

**Sponsors:** By House Committee on Early Learning & Children's Services (originally sponsored by Representatives Kagi, Haler, Fromhold, Wallace, Kenney, Dickerson, Morrell, Simpson, Conway and Ormsby).

**Brief History:**

**Committee Activity:**

Early Learning & Children's Services: 2/20/07, 2/27/07 [DPS].

**Floor Activity:**

Passed House: 3/12/07, 97-0.

**Brief Summary of Engrossed Substitute Bill**

- Expands the mission of and renames the Washington School for the Deaf.
- Directs the establishment of two demonstration projects for regionally-based deaf education programs providing services in the full range of communication modalities.
- Directs various entities to identify program development and other needs within the higher education system for supporting training and professional development for educators serving children who are deaf or hearing impaired.

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### HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Appleton, Hinkle, Pettigrew and Roberts.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Sydney Forrester (786-7120).

**Background:**

The Washington School for the Deaf (WSD) traces its history back to 1886 when the first facility was established in Vancouver, Clark County by then territorial Governor, Watson Squire. In 1888, the original property was exchanged for the site where WSD sits today. In 1906 WSD became officially known as the State School for the Deaf and Blind. Seven years later, in 1913, WSD was separated into the State School for the Deaf and the State School for the Blind. Much of the current statutory framework for operation of WSD has remained relatively unchanged since 1985.

In 2002, the Washington Institute for Public Policy (Institute) examined various models of deaf education and service delivery and in 2006, the Institute studied issues related to the governance and operation of WSD. Following that study, the Legislature appropriated \$55,000 to the Institute for the purpose of contracting with a facilitator to conduct a series of meetings with stakeholders to discuss strengths and weaknesses of educational services available to children who are deaf or hearing impaired. The Institute recently issued a preliminary Report on Stakeholder Views. By June 2007, the Institute will develop recommendations to establish an integrated system of instructional support programs for children who are deaf or hearing impaired. Among the improvements requested in the Institute's preliminary Report of Stakeholder Views is a designated central agency responsible for improving access to information and coordinating and expediting available services.

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**Summary of Engrossed Substitute Bill:**

The Washington School for the Deaf (WSD) is renamed as the Washington State Center for Childhood Deafness and Hearing Loss (Center). The currently appointed superintendent will become the director of the Center and the board of trustees will remain the same. The governance structure of the Center will be the same as it was for WSD.

The Center's primary functions will be to:

- (1) manage WSD and the applied research center/lab school to be established and located at the center;
- (2) provide statewide leadership and support for coordination of regionally-delivered deaf education services in the full range of communication modalities; and
- (3) collaborate with public and private partners in development and operation of an applied research center for training and professional development for educators serving children who are deaf and hearing impaired.

The powers and duties of the director of the Center include all powers and duties currently defined for the superintendent of the WSD, plus the following additional duties:

- (1) providing technical assistance and administrative support to educational service districts for the regional delivery of services to students who are deaf or hearing impaired;

- (2) providing technical assistance and support as appropriate to local and regional efforts to build critical mass and communication-rich networking opportunities for children who are deaf or hearing impaired and their families; and
- (3) participating with the Department of Social and Health Services (DSHS) in providing post-high school transition planning and programming services to students who are deaf or hearing impaired.

The director of the Center will convene an advisory panel (Panel) for the purpose of implementing demonstration programs in two educational service districts (ESD) for the delivery of education services in the full range of communication modalities to children who are deaf or hearing impaired. The Panel will consist of persons selected by the Superintendent of Public Instruction (OSPI), the DSHS, the Washington Association of School District Administrators, the Governor, and the Board of Trustees of the Center.

Representation on the Panel will include the OSPI Washington Sensory Disabilities Services, the DSHS Office of Deaf and Hard of Hearing, an ESD superintendent, a school district superintendent, the Department of Health, the Department of Early Learning, and two non governmental entities. Selection of panel members must be completed by June 1, 2007.

The Panel will then set its meeting schedule and develop a structure for implementing regional programs at two demonstration sites within prescribed parameters. The Panel will select and consult with two ESDs, one of which must be in eastern Washington. By December 1, 2007, the panel will brief the Legislature on its work and identify resources and policy changes essential for full implementation and operation of the demonstration sites.

The director of the Center and the chancellor of Washington State University, Vancouver will consult with the Higher Education Coordinating Board, the State Board for Community and Technical Colleges, and other entities as appropriate to identify program development and other needs to support certification and professional development of teachers, interpreters, auditory and speech therapists, and other professionals essential to providing regional communication-rich educational programs for students who are deaf or hearing impaired.

The term "School for the Deaf" is replaced with "Washington State Center for Childhood Deafness and Hearing Loss" in numerous statutes.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) It is apparent that advancements in technology are changing deaf education. The struggle is to find ways to provide the support parents and children need to access educational

services. We recognize the Washington School for the Deaf (WSD) has a great deal of expertise and is the logical place to focus the technical assistance to support regional delivery of services in the various communication modalities. This bill attempts to lay out a vision for a well-coordinated and comprehensive system of deaf education services.

Parents of deaf children usually have some fear for the future of their children. This bill sets us on a course to provide the best education possible for deaf children through an integrated system of service delivery. This is a great first step. We would like to suggest expanding the concept of the center to also include children with mild to moderate hearing loss. We appreciate this effort to get all systems to communicate with one another to improve outcomes for children who are deaf or hard of hearing.

The most significant part of this bill is the integration of systems. For families and staff to navigate the various systems, it can be very challenging. This bill attempts to bring many entities under the same umbrella to work together toward a common goal of improving educational services for children who are deaf.

We are specifically in favor of Section 40 of the bill. At Washington State University (WSU), Vancouver we are critically aware of the need for regional programs and the need for staff to serve in those programs. Currently, we believe we have identified the need for at least 65 new teachers for the deaf. The move to regional programs will ensure more deaf and hard of hearing students will be educated alongside their peers. We are committed to training teachers in each of the communication modalities. The WSU, Vancouver is a teaching and research institution and this will enhance the efforts of other professionals serving deaf children.

Currently there are so many duplicative efforts so it is exciting to see the WSD transformed into the coordinator and leader of services in deaf education. To get to the positive outcomes we want for kids, we need leadership and coordination and then we will see these efforts funneled to the same end to serve children in all communication modalities.

The WSD would like to maintain its outreach services and expand its outreach for oral communication modalities. This will help better align the state with what special education laws require in terms of responding to all communication modalities. This bill gives parents the confidence that the agency can be responsive to any concerns regardless of the child's communication mode.

Expanding the role of the WSD to include a lab school will result in better supporting the research necessary to serve students who rely on visual communication. Research-based instruction is required under the No Child Left Behind Act. We are especially supportive of partnering with school districts and educational service districts as this will increase the critical mass of students and maximize the expertise of professionals who are difficult to recruit, especially in rural areas.

We support that the bill clearly defines the agency function in a way that will prevent retreat and will require a focus on all students who are deaf and hard of hearing, regardless of their placement and their communication modality.

(In support with concerns) As I first read this bill I was shocked. But 31 pages later, I am thankful. As I look back, I realize that deaf children have just fallen through the cracks of our education system. This bill will close those cracks. Moving to regionalized programs is an excellent idea because 60 to 70 percent of deaf and hard of hearing students are attending local schools without much support or peer groups. Deaf children may be left behind in their local schools. I would like to suggest the name of the Washington School for the Deaf remain as it is. I also would like to suggest adding a deaf person to the advisory panel.

(Opposed) None.

**Persons Testifying:** (In support) Representative Kagi, prime sponsor; Todd Reeves and Larry Swift, Washington School for Deaf; Allie M. Joiner, Washington State School Board and Washington State Association of the Deaf; George Olson, Listen and Talk; Patrick Stone, Washington State University, Vancouver; and Susie Burdick, Hearing, Speech and Deafness Center.

(In support with concerns) Larry Petersen, Washington State Association of the Deaf.

**Persons Signed In To Testify But Not Testifying:** None.