

May 26, 2010

H 2035. DEAF STUDENTS' BILL OF RIGHTS. Filed 5/25/10. *TO ESTABLISH THE DEAF AND HEARING-IMPAIRED CHILD'S BILL OF RIGHTS, AND TO PROVIDE THAT ALL RESIDENTIAL SCHOOLS UNDER THE OFFICE OF EDUCATION SERVICES SHALL RESTORE THEIR SCHEDULES AS THEY EXISTED ON FEBRUARY 1, 2010, AND THAT THIS RESTORATION BE FUNDED FROM THE OFFICE OF EDUCATION SERVICES CENTRAL OPERATIONS.*

Enacts new GS 115C-107.8 as the title indicates. Presents findings as to the educational needs of deaf and hearing-impaired students. Defines the term *communication mode* to mean, unless the context requires otherwise, one or more of the following communication systems or methods: (1) American Sign Language; (2) English-based manual or sign systems; and (3) oral, aural, or speech-based training.

Requires the distribution of a copy of the "Deaf and Hearing-Impaired Child's Bill of Rights" to parents and legal guardians of deaf and hearing-impaired children upon determination of the child's hearing loss and before the determination of eligibility for special education services. Requires the Individualized Education Program (IEP) team to consider, in addition to requirements under IDEA or the State Board of Education, related services and program options that provide the child with an appropriate and equal opportunity for communication access. Enumerates factors for the IEP team to consider in generating an IEP for the student. Prohibits denying any child the opportunity for instruction in a particular communication mode or language solely because (1) the child has some residual hearing, (2) the child's parents are not fluent in that communication mode, or (3) the child has experience with some other communication mode.

Provides that proposed GS 115C-107.8 is not to be interpreted as (1) preventing instruction in more than one communication mode for a child, (2) requiring a specific number of peers be provided for a child who is deaf or hearing impaired, or (3) limiting parental choice in selecting among public education programs.

Effective July 1, 2010, directs the Schools of the Deaf to restore, prior to the start of the 2010-11 school year, the residential and instructional schedule that was in effect at those schools before February 8, 2010. Directs the Department of Health and Human Services to reduce the funding for the Office of Educational Services' central administrative office in order to fund the restoration of the schedule at the Schools for the Deaf.

Except as otherwise indicated, effective when the act becomes law.

Intro. by Blackwell.

GS 115C