

Sarah Mohr
Opponent
2/16/2022
HB2621

My name is Sarah Mohr. I am the mother of a Deaf 11 year-old girl, who is a 6th grader at the Kansas School for the Deaf (KSD). Our family lives on a farm in Decatur County, in northwest Kansas. My child makes a six hour one-way trip twice weekly to attend a quality program at KSD, where professionals specialize in educating the deaf brain.

After a 2 year battle with our local school district and the regional educational service center that provides the district's special-education services, my daughter won her due process case against USD 294 and the Northwest Kansas Educational Service Center. The due process hearing officer found that the district and service center were not supporting my child in making educational progress, failed to engage in the services of a qualified interpreter, failed to consider my child's preferred communication mode (American Sign Language), failed to consider my child's social, emotional, and cultural needs, and disregarded the severity of my child's hearing loss. I've talked with parents of other Deaf children in the state, and it is apparent that my child is not the only Deaf/Hard-of-Hearing (D/HoH) child that has or is struggling in accessing fully-accessible education in this state.

Currently under Kansas law, KSD falls further out in the spectrum of the continuum of placement options. A parent cannot enroll their child at KSD without permission from the local school district in the form of a Prior Written Notice, which is developed through an IEP meeting. In order to qualify to have an IEP meeting, a child must be determined to have special education needs. A child who has been cured of their hearing loss or deafness may no longer be in need of special education services. HB 2621 would overstep current Kansas special-ed law and allow for that child to continue attending KSD. This could cause a disservice to the child, as current federal special-ed law states a child should be mainstreamed "to the maximum extent appropriate" under the least restrictive environment provision in the IDEA. Additionally, the child's home school district, KSD, and the child's parents should be meeting annually to discuss if the current placement is appropriate given the child's current circumstances. The communication benefit to the child should not be the lone factor when making an educational placement decision.

IDEA law and guidance from the US Department of Education's Office of Special Education Programs state that certain factors must be taken in to consideration when an IEP team is deciding on a least restrictive environment. These factors are:

1. Communication needs and the child's and family's preferred mode of communication;
2. Linguistic needs;
3. Severity of hearing loss and potential for using residual hearing;

4. Academic level; and
5. Social, emotional, and cultural needs, including opportunities for peer interactions and communication.

HB2621 would eliminate all of the above factors from consideration except one from the decision-making process. The only factor that would matter in Kansas when considering educational placement would be factor number one: “communication needs and the child’s and family’s preferred mode of communication”.

Many resources exist for those fluent in or learning ASL. Especially for parents that reach out to KSD and utilize their family events, parent support group, camps, and seminars. KSD provides many outreach services for families, and all but the family camp are no cost. Deaf social groups, deaf camps, connecting with former deaf classmates in-person and over video- all are ways a native ASL user could keep up their ASL and experience Deaf Culture.

Hearing kids have many specialized resources in the hearing classroom and in special education settings at hearing schools. Deaf and HoH kids do not have the same resources in a hearing environment. Educating D/HoH kids requires the expertise of a Teacher of the Deaf. Teachers of the Deaf are often few and far between in schools statewide, sometimes serving 15+ districts. All of the teachers at KSD are Teachers of the Deaf. The School for the Deaf needs to be able to focus their resources on educating those with hearing loss of varying degrees- because they are the main resource for quality deaf education in this state. Our deaf kids deserve specialized attention to their needs because they are limited in getting it other educational settings.

If House Bill 2621 were to be passed, one can’t help but ask themselves, “where will this end?” Will a child who is born blind but has corrective surgery be allowed to choose to continue attending the Kansas School for the Blind? The snowball effects of this bill must be considered.

I and my child fought a long, hard and potentially expensive battle to get her to KSD. Altering what has been deemed to be the least restrictive environment for her and all the other D/HoH kids attending KSD could have severe impacts on the quality of deaf education received by the kids there. Due to the academic, social, emotional, communication, and therapeutic benefits that can be derived from KSD attendance, if the Educational Committee and Kansas Congress really want to do deaf education some tremendous benefit in this state, the Committee should consider a bill allowing for any D/HoH child in the state to attend KSD if they and their parents desire.

House Bill 2621 will not improve access to quality deaf education in this state. Please consider voting No.