

Committee Report

CONSENT CALENDAR

February 26, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Health, Human Services and Elderly
Affairs to which was referred HB 631,**

**AN ACT establishing a deaf child's bill of rights and an
advisory council on the education of deaf children.**

**Having considered the same, report the same with the
following amendment, and the recommendation that the
bill OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Health, Human Services and Elderly Affairs
Bill Number:	HB 631
Title:	establishing a deaf child's bill of rights and an advisory council on the education of deaf children.
Date:	February 26, 2019
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2019-0638 h

STATEMENT OF INTENT

This bill does two things. First, it underscores the deaf child's rights. While various laws about disability speak to individuals' rights in general and some speak to those of deaf persons more specifically, the listing of rights in this bill brings everything together in one place and with special reference to deaf children. Second, it authorizes an advisory council on the education of deaf children. It is because the long-existing New Hampshire Commission on Deafness and Hearing Loss is concerned with a wide range of hearing issues, that the commission believes that a separate advisory council, in regular conversation with the commission would give the education of deaf children the attention it deserves

Vote 21-0.

Rep. Mark Pearson
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs

HB 631, establishing a deaf child's bill of rights and an advisory council on the education of deaf children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. This bill does two things. First, it underscores the deaf child's rights. While various laws about disability speak to individuals' rights in general and some speak to those of deaf persons more specifically, the listing of rights in this bill brings everything together in one place and with special reference to deaf children. Second, it authorizes an advisory council on the education of deaf children. It is because the long-existing New Hampshire Commission on Deafness and Hearing Loss is concerned with a wide range of hearing issues, that the commission believes that a separate advisory council, in regular conversation with the commission would give the education of deaf children the attention it deserves **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Health, Human Services and Elderly Affairs

BILL NUMBER: HB 631

TITLE: establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

DATE: _____ CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

the listing of bill rights in this bill

This bill does two things. First, it ~~establishes a~~ underscores the deaf child's rights. While various laws about disability speak to individuals' rights in general and some speak to ^{that of} deaf persons more specifically, ~~the~~ ~~lot of rights~~ brings everything together in one place and with special reference to deaf children. Second, it authorizes an advisory council on the education of deaf children.

Because ~~the~~ long-existing New Hampshire Council Commission on Deafness and Hearing Loss is concerned with a wide range of hearing issues, ~~and it~~ ^{that Council Commission} believes that a separate ~~commission~~ advisory council, in regular conversation with the commission,

the attention it deserves. ~~has~~ ~~give~~ the education of deaf children. ~~↑~~ would

COMMITTEE VOTE: _____

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Mark A. Pearson
For the Committee

Rep. M. Pearson, Rock. 34
February 21, 2019
2019-0638h
05/04

Amendment to HB 631

1 Amend RSA 186-C:31, VI(c) as inserted by section 1 of the bill by replacing it with the following:

2

3

(c) English-or other spoken language-based manual or sign systems; or

4

5 Amend the introductory paragraph of RSA 186-C:34 as inserted by section 1 of the bill by replacing
6 it with the following:

7

8 186-C:34 Rulemaking. The department of education and the department of health and human
9 services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules
10 shall address:

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 631

BILL TITLE: establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

DATE: February 26, 2019

LOB ROOM: 205

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. M. Pearson Seconded by Rep. Stapleton AM Vote: 21-0

Amendment # 2019-0638 h

Moved by Rep. M. Pearson Seconded by Rep. McMahon Vote: 21-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Susan Ticehurst, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 631

BILL TITLE: establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

DATE: 2/26/19

LOB ROOM: 205

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # 0638 h (if offered)
- Interim Study (2nd year)

Moved by Rep. M. Pearson Seconded by Rep. Stapleton Vote: 21-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. M Pearson Seconded by Rep. Mc Mahon Vote: 21-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Susan Ticehurst
Rep Susan Ticehurst, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2/7/2019 12:10:51 PM
Roll Call Committee Registers
Report

2019 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB 631 Motion: Amend AM #: 0635h Exec Session Date: 2-26-19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Weber, Lucy M. Chairman	✓		
Campion, Polly Kent Vice Chairman	✓		
MacKay, James R.	✓		
Snow, Kendall A.	✓		
Freitas, Mary C.	✓		
Ticehurst, Susan J. Clerk	✓		
Knirk, Jerry L.	✓		
Salloway, Jeffrey C.	✓		
Cannon, Gerri D.	✓		
Nutter-Upham, Frances E.	✓		
Osborne, Richard G.	✓		
Schapiro, Joe	✓		
Woods, Gary L.	✓		
McMahon, Charles E.	✓		
Nelson, Bill G.	✓		
Guthrie, Joseph A.	✓		
Fothergill, John J.	✓		
Marsh, William M.	✓		
Pearson, Mark A.	✓		
Acton, Dennis F.	✓		
DeClercq, Edward			
Stapleton, Walter A.	✓		
TOTAL VOTE:	21	0	



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2/7/2019 12:10:51 PM
Roll Call Committee Registers
Report

2019 SESSION

Health, Human Services and Elderly Affairs

Bill #: HB 631 Motion: OTPA AM #: 0638h Exec Session Date: 2-26-19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Weber, Lucy M. Chairman	✓		
Campion, Polly Kent Vice Chairman	✓		
MacKay, James R.	✓		
Snow, Kendall A.	✓		
Freitas, Mary C.	✓		
Ticehurst, Susan J. Clerk	✓		
Knirk, Jerry L.	✓		
Salloway, Jeffrey C.	✓		
Cannon, Gerri D.	✓		
Nutter-Upham, Frances E.	✓		
Osborne, Richard G.	✓		
Schapiro, Joe	✓		
Woods, Gary L.	✓		
McMahon, Charles E.	✓		
Nelson, Bill G.	✓		
Guthrie, Joseph A.	✓		
Fothergill, John J.	✓		
Marsh, William M.	✓		
Pearson, Mark A.	✓		
Acton, Dennis F.	✓		
DeClercq, Edward			
Stapleton, Walter A.	✓		
TOTAL VOTE:	21	0	

Rep. M. Pearson, Rock. 34
February 21, 2019
2019-0638h
05/04

Amendment to HB 631

1 Amend RSA 186-C:31, VI(c) as inserted by section 1 of the bill by replacing it with the following:

2

3 (c) English-or other spoken language-based manual or sign systems; or

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5 Amend the introductory paragraph of RSA 186-C:34 as inserted by section 1 of the bill by replacing
6 it with the following:

7

8 186-C:34 Rulemaking. The department of education and the department of health and human
9 services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules
10 shall address:

Sub-
Committee
Actions

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 631

BILL TITLE: establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

DATE: February 26, 2019

Subcommittee Members: Reps. Weber, Campion, Freitas, Knirk, Salloway, R. Osborne, McMahon, Woods, Nelson, Stapleton and M. Pearson

Comments and Recommendations:

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. M. Pearson Seconded by Rep. McMahon AM Vote: 11-0

Amendment # 2019-0638 h

Moved by Rep. M. Pearson Seconded by Rep. McMahon Vote: 11-0

Respectfully submitted,

Rep. Lucy Weber
Subcommittee Chairman

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION on HB-692-FN ⁶³¹

BILL TITLE: ~~relative to dental care for Medicaid recipients. establishing~~
a deaf child's bill of rights

DATE: 2/26/19

Subcommittee Members: Reps. Weber, Campion, Woods, McMahon, M. Pearson, Nelson,
Knirk, Freitas, R. Osborne, Stapleton, DeClereq and Salloway

Comments and Recommendations:

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Adoption of Amendment

Moved by Rep. Pearson Seconded by Rep. McMahon AM Vote: _____

Adoption of Amendment # 0638h

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

OTP/A

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Pearson Seconded by Rep. McMahon AM Vote: 11-0

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

Respectfully submitted,

Rep. Mary Freitas
Subcommittee Chairman/Clerk

Rep. M. Pearson, Rock. 34
February 21, 2019
2019-0638h
05/04

Amendment to HB 631

1 Amend RSA 186-C:31, VI(c) as inserted by section 1 of the bill by replacing it with the following:

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6 it with the following:

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8 186-C:34 Rulemaking. The department of education and the department of health and human
9 services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules
10 shall address:

Hearing Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 631

BILL TITLE: establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

DATE: February 13, 2019

LOB ROOM: 205 **Time Public Hearing Called to Order:** 2:00 PM

Time Adjourned: 3:00 PM

Committee Members: Reps. Weber, Campion, Ticehurst, MacKay, Snow, Freitas, Salloway, Cannon, Nutter-Upham, R. Osborne, Schapiro, Woods, McMahon, Guthrie, Fothergill, Marsh, M. Pearson, Acton and Stapleton

Bill Sponsors:

Rep. Porter

Rep. Le

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

*** 1 Introduced by Rep. Porter, Sponsor -**

The Commission on Deafness and Hard of Hearing has had a subcommittee on early learning that is working to see that children are on target with language learning. The Deaf Children's Bill of Rights has been adopted by some states. The purpose of the bill is to state what rights a deaf child has from birth on. It is modeled after those in Maine and Massachusetts. A bill of rights along with an advisory committee would be a step toward assuring children received the language learning services they need before entering school. From birth to age three, services are underneath Department of Health & Human Services and then become the responsibility of Dept of Education. Bill asks the departments to work together. Amendment 0107h adds the part about working together. Lines 18-24: Council shall determine number of children who are deaf...it mimics what the registry was set up to do. It would be another way to set up the registry.

Susan Wolf Downes, Northern Deaf and Hard of Hearing Services -

Supports the bill. Has been deaf all of her life. This is about her right to have an equal right to an education as every hearing child has. The advisory council would be made up of people with knowledge and experience.

Kristy Stellato -

Supports the bill. Advisory council would be a central place for people who have knowledge and experience to gather. She had gone to school with a deaf education team. Goal was to become a teacher of deaf.

Nancy Glynn -

Supports the bill. Bill speaks directly to her family. Her son is hard of hearing and received services through MICE program, which is no longer available. When transitioning to school, her family had to make the decision about where to live based on where services were available. Families are fighting for basic needs covered under bill of rights. This document would be useful to show to and by parents.

*** 1 Sentina Thibedeau, Administrator Bureau of Student Support, Department of Education -**

Takes no position. Collect information on students whose primary disability area is deafness/hard of hearing. Students who are homeschooled are not included in the data. Parents receive a handout "procedural safeguards" on procedures annually. NH has a state advisory committee charged with

identifying unmet needs; comment in on rules. Similar membership to advisory council proposed including a homeschooling representative. IDEA has procedures for dealing with disputes with parents. State is contracting with an organization to provide training in rights to school districts. The data provided is what the federal office requests.

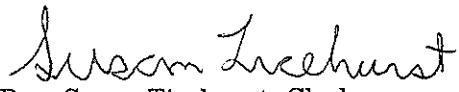
Pam Lovejoy, NH Deaf and Hard of Hearing Services -
Supports the bill.

Rep. Peter Schmidt -

Recalls a previous bill having American Sign Language being taught as a foreign language. Should do everything we can to support and promote the deaf community.

Additional testimony: Attachment #2: American Speech-Language-Hearing Association

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan Ticehurst".

Rep. Susan Ticehurst, Clerk

House Committee on Health, Human Services & Elderly Affairs
Public Hearing on HB 631

Bill Title:	Establishing a deaf child's bill of rights and an advisory council on the education of deaf children.		
Date:			
Room:	205	Time Public Hearing Called to Order:	2:00
		Time Adjourned:	

Committee Members Present:

X	Shapiro
X	Cannon
X	Stapleton
X	Nutter-Upham
X	Marsh
X	Salloway
X	Fothergill
X	Freitas
X	Snow
X	MacKay
X	Ticehurst
X	Weber

	DeClerq
X	Osborne
X	Acton
X	Woods
X	Pearson
	Knirk
X	Guthrie
	Nelson
X	McMahon
X	Campion

Testimony

* Use asterisk if written testimony and/or amendments are submitted.

*	Attch #	Name	Testimony:
*	1	Introduced by Rep. Porter, Sponsor	The Commission on Deafness and Hard of Hearing has had a subcommittee on early learning that is working to see that children are on target with language learning. The Deaf Children's Bill of Rights has been adopted by some states. The purpose of the bill is to state what rights a deaf child has from birth on. It is modeled after those in Maine and Massachusetts. A bill of rights along with

			<p>an advisory committee would be a step toward assuring children received the language learning services they need before entering school. From birth to age three services are unmet by DHHS and then become the responsibility of Dept of education. Bill asks the departments to work together. Amendment 0107h adds the part about working together. Lines 18-24: Council shall determine number of children who are deaf...it mimics what the registry was set up to do. It would be another way to set up the registry.</p>
		<p>Susan Wolf Downes, Northern Deaf and Hard of Hearing Services</p>	<p>Supports the bill. Has been deaf all of her life. This is about her right to have an equal right to an education as every hearing child has. The advisory council would be made up of people with knowledge and experience.</p>
		<p>Kristy Stellato</p>	<p>Supports the bill. Advisory council would be a central place for people who have knowledge and experience to gather. She had gone to school with a deaf education team. Goal was to become a teacher of deaf.</p>
		<p>Nancy Glynn</p>	<p>Supports the bill. Bill speaks directly to her family. Her son is hard of hearing and received services through MICE program, which is no longer available. When transitioning to school, her family had to make the decision about where to live based on where services were available. Families are fighting for basic needs covered under bill of rights. This document would be useful to show to and by parents.</p>
*	1	<p>Sentina Thibedeau, Administrator Bureau of Student Support, Department of Education</p>	<p>Takes no position. Attachment #1 Collect information on students whose primary disability area is deafness/hard of hearing. Students who are homeschooled are not included in the data. Parents receive a handout "procedural safeguards" on procedures annually to explain the ...NH has a state advisory committee. Charged with identifying unmet needs, comment on rules, ...similar membership to</p>

			advisory council proposed including a homeschooling representative. IDEA has procedures for dealing with disputes with aprents. State is contracting with an organization to provide training in rights to school districts. The data provided is what the federal office requests.
		Pam lovejoy, NH Deaf and Hard of Hearing Services	Supports; IDEA addresses aneed to ...this
		Rep. Peter Schmidt	Recalls a previous bill having asl being taught as a foreign language. Should do everything we can to support and promote the deaf community.
			Additional testimony: Attachment #2: American Speech-Lanuage-Hearing Association

Respectfully submitted,

Rep. Susan Ticehurst, Clerk

Testimony

**NEW HAMPSHIRE DEPARTMENT OF EDUCATION
STATEWIDE CENSUS BY DISABILITY
Ages 3 - 21 years old**

YEAR	AUT	DB	DD	DF	ED	HI	MD	ID	OHI	ORT	SLD	SP	TBI	VI	TOTAL
2000	397	5	1009	76	2554	225	419	1010	3747	172	13342	6898	62	161	30077
2001	474	6	1329	77	2561	234	384	996	4009	158	13229	6604	54	155	30270
2002	568	3	1650	70	2701	233	395	963	4183	158	13395	6456	59	147	30981
2003	667	5	1816	73	2687	218	411	982	4474	146	13391	6238	60	143	31311
2004	799	6	1966	69	2672	212	392	955	4767	120	13382	6136	60	139	31675
2005	905	6	2098	73	2580	213	393	934	4812	107	13272	6190	64	135	31782
2006	1060	4	2110	70	2519	214	385	895	4843	105	13000	6014	53	127	31399
2007	1320	6	2310	60	2683	221	407	924	5190	115	12984	5856	65	133	32274
2008	1427	4	2180	*	2363	262	419	823	4982	107	11990	5418	58	123	30156
2009	1593	5	2411	*	2352	258	397	831	5098	98	11620	5364	55	128	30210
2010	1727	6	2412	*	2294	251	401	822	5038	102	11266	5433	58	110	29920
2011	1943	8	2592	*	2268	250	403	789	5072	90	10743	5076	66	122	29422
2012	2191	9	2709	*	2196	237	406	764	5251	84	10365	4931	69	117	29329
2013	2419	9	2871	*	2138	228	408	748	5237	64	9943	4753	74	119	29011
2014	2573	9	3053	*	2139	224	403	755	5230	72	9674	4655	67	124	28978
2015	2714	10	3178	*	2107	223	374	775	5243	67	9439	4478	69	129	28806
2016	2870	10	3414	*	2052	208	390	809	5263	60	9250	4399	75	135	28935
2017	2953	9	3715	*	2041	199	393	829	5258	64	9180	4316	89	125	29171

CODE KEY:

AUT- Autism
DB - Deaf Blind
DD - Development Delay
DF - Deafness
ED- Emotional Disturbance
HI - Hearing Impairment
MD- Multiple Disabilities
ID- Intellectual Disability
OHI- Other Health Impairment
ORT- Orthopedic Impairment
SLD- Specific Learning Disability
SP- Speech/Language Impairment
TBI- Traumatic Brain Injury
VI- Visual Impairment

Counts are based on Student's primary disability

*DF - as of 2008, students with deafness are counted in the Hearing Impaired Count.

HB631, establishing a deaf child's bill of rights and an advisory council on the education of deaf children

Public Hearing

Kristy Stellato
Hillsboro, NH 03244
smacabraca@gmail.com

This bill (DCBR for short) aims to expand on the Individuals with Disabilities Education Act (IDEA) with a focus on rights and roles for deaf and hard of hearing children (DHH for short) and their parents. Several states already have their own DCBR, including MA, RI, CT, and ME. This version includes a section on communication plans, and the advisory council is an added bonus.

The advisory council includes parents, teachers of the deaf, adults who are deaf and hard of hearing, department representatives, and service providers. They will meet to discuss issues and solutions, and make official recommendations. While we do have the Commission on Deafness and Hearing Loss, there's only so much the Commission members and guests can talk about.

There have been instances where departments made their own decisions without input from the community. For example, several years ago the certificate for Teachers of the Deaf was originally "Education of Children who are Accoustically Impaired." It took several years for teachers and community advocates to convince DOE to change the title to something more appropriate and common. Another example was that when DHHS redirected funding from a centralized service provider to area agencies, they decided it was a good idea to require the area agencies to appoint one of their employees as a "hearing champion" to work with the case load of deaf and hard of hearing children age 0 – 3. It also took some convincing to change the title to "hearing resource coordinator."

Having the advisory council puts the community on a level closer to the state departments for improved interactions and communications.

Thank you,
Kristy

- Deleted Items (13)
 - Drafts [65]
 - Inbox (33668)
 - Junk E-mail [4488]
 - Sent Items
- Click to view all folders
- LEAD-K
 - M&CG
 - NH Commission on Deafnes...
 - caucus training
 - constituents
 - hb 232 (14)
 - mentoring and priorities (1)
 - sb 12 2017
- Manage Folders...

Reply Reply All Forward X Junk Close

HB 631 Deaf Child's bill of Rights...

Rick Trombly [rtrombly@nhnea.org]

You replied on 2/15/2019 2:32 PM.

Sent: Friday, February 15, 2019 2:14 PM

To: Porter, Marjorie

Hi Representative Porter,

I hope this email finds you well. I am writing to you about House Bill 631, relative to a deaf child's bill of rights and an advisory council on the education of deaf children. This is a very good piece of legislation and NEA-NH supports it enthusiastically. There were a couple changes we would ask you to consider.

The first is in Paragraph I under the definition of American Sign Language. This change was recommended by a member and at this time I am awaiting clarification from her as to why the change is needed. I thought I would pass it along to you pending hearing back from her. The change would be to the last few words under the definition of American Sign Language. The change would add the word "distinctly different" from English as opposed to how it now reads, "distinct" from English.

I'll get back to you with the rationale when I have it.

The second change is to the appointing authority for the two teacher members to the advisory council. The bill vests those appointments in the commissioner of education. Our concern is that the current commission is clearly hostile to public school educators. We feel it is important that these appointments come from the ranks of public school educators as they have to deal not only with teaching deaf children, but also all the other problems they experience as public school educators. They would bring a unique perspective to an important advisory council others may not. The bill currently does not provide the appointees must teach in a public school. Absent spelling out the appointees must be public school teachers, we are not confident either of the teachers who may be appointed by this commissioner would teach in public schools.

We would ask that you consider changing the appointing authority to the Speaker of the House and the Senate President for the teacher members. This is common and we feel their support for public education will guarantee the advisory council has the thoughtful input for educational professionals who face many different challenges each day in the classroom.

Thank you taking the time to consider these changes and I hope they are acceptable to you.

Rick Trombly

1 I. Children who are deaf or hard of hearing have the right to appropriate screening and
2 assessment of hearing and vision capabilities and language and communication needs at the earliest
3 possible age and to the continuation of intermittent screening services throughout their educational
4 experience.

5 II. Children who are deaf or hard of hearing have a right to early interventions to provide
6 for the acquisition of a solid language base developed at the earliest possible age. Any infant with a
7 documented hearing loss, prior to demonstration of any developmental delay, shall qualify for
8 services as determined by the infant's individualized family service plan team.

9 III. Children who are deaf or hard of hearing have the right to an education in which their
10 parents or guardians have full informed participation in determining the extent, content, and
11 purpose of all their educational planning and programs.

12 IV. Children who are deaf or hard of hearing have the right to placement in the least
13 restrictive educational environment and services based on their unique communication, language,
14 and educational needs, consistent with the federal Individuals with Disabilities Education Act, 20
15 U.S.C. section 1400, et seq.

16 V. Children who are deaf or hard of hearing have the right to an education in which their
17 communication mode, style, and language is respected, used, and developed to an appropriate level
18 of proficiency.

19 VI. Children who are deaf or hard of hearing have the right to a high-quality, ongoing and
20 fluid means of communication, both inside and outside the classroom.

21 VII. Children who are deaf or hard of hearing shall have the opportunity to choose from a
22 variety of language modes and languages and technologies to enhance language learning. They
23 have a right to teachers or interpreters proficient in appropriate language modes and certified in
24 appropriate language modes if certification is available.

25 VIII. Children who are deaf or hard of hearing have the right to an education in which
26 teachers of the deaf and hard of hearing, related service providers, and assessors understand the
27 unique nature of deafness, are specifically trained to work with deaf and hard of hearing students,
28 and can communicate spontaneously and fluidly with these children.

29 IX. Children who are deaf or hard of hearing have the right to contact with and to be
30 exposed to adult role models who are deaf or hard of hearing in their educational programs.

31 X. Children who are deaf or hard of hearing have the right to receive an education with a
32 sufficient number of language mode peers with whom they can communicate directly and who are
33 the same, or approximately the same, age and ability, whenever possible.

34 XI. Children who are deaf or hard of hearing have the right to direct and appropriate access
35 to all components of the educational process, including recess, lunch, and extracurricular, social,
36 and athletic activities.

37 XII. Children who are deaf or hard of hearing have the right to a placement best suited to
38 their individual needs, including, but not limited to age, hearing loss, academic level, modes of

1 communications, style of learning, motivational levels and family support.

2 186-C:33 Right of Parents or Guardians of Children Who Are Deaf or Hard of Hearing. The
3 parents or guardians of deaf or hard of hearing children have a right to balanced and complete
4 information regarding:

5 I. Their child's educational and communication needs.

6 II. Available programmatic, placement, and resource options.

7 III. Support services and advocacy resources from private and public agencies and
8 institutions.

9 IV. Available resources pertaining to hearing loss and the needs of children who are deaf or
10 hard of hearing.

11 186-C:34 Rulemaking. The department of education shall adopt rules under RSA 541-A to
12 implement this chapter. At a minimum, such rules shall address:

13 I. Qualifications of personnel providing professional services to deaf and hard-of-hearing
14 children within the school system.

15 II. Composition of the individualized family service plan team and the individualized
16 education plan team.

17 III. The individualized communication plan for every deaf and hard-of-hearing student.

18 IV. Procedures and materials for assessment and placement.

19 V. Psychological counseling and mental health services.

20 VI. Evaluation of the effectiveness of programs for students who are deaf or hard of
21 hearing.

22 186-C:35 Advisory Council Established. There is hereby established an advisory council on the
23 education of children who are deaf or hard of hearing.

24 I. Members of the council shall be as follows:

25 (a) One professional with experience in using assistive technology.

26 (b) Two teachers of the deaf, one of whom is a regular and effective user of American
27 Sign language and one of whom is a regular and effective user of oral/aural or speech based
28 English.

29 (c) Two parents of deaf or hard of hearing students, one of whom is a regular and
30 effective user of American sign language and one of whom is a regular and effective user of
31 oral/aural or speech based English.

32 (d) Two representatives of the deaf and hard of hearing community, one of whom is a
33 user of American sign language and one of whom is a user of oral/aural or speech based English.

34 (e) One administrator of a college or university program in interpreter training.

35 (f) One director of special education in a public school system.

36 (g) One public school administrator.

37 (h) One speech and language pathologist.

38 (i) One representative of the department of health and human services familiar with

1 services for children who are deaf or hard of hearing, appointed by the commissioner of the
2 department of health and human services.

3 (j) One representative of the early hearing detection and intervention program, in the
4 department of health and human services, appointed by the commissioner of the department of
5 health and human services.

6 (k) One representative of the department of education, division of special education,
7 appointed by the commissioner of the department of education.

8 (l) One member of the New Hampshire Association of Audiologists, appointed by the
9 association.

10 (m) One member of the New Hampshire Association of the Deaf, appointed by the
11 association.

12 II. The commissioner of the department of education shall appoint the members under
13 subparagraphs I(a)-I(c) and the commissioner of the department of health and human services shall
14 appoint the members under subparagraphs I(d)- I(h). Each member shall serve a 2-year term.

15 III. The members of the council shall elect a chairperson from among the members. The
16 first meeting of the council shall be called by the member appointed under subparagraph I(a). The
17 first meeting of the council shall be held within 45 days of the effective date of this section.

18 IV. The council shall advise the department of education and the department of health and
19 human services on the needs and services provided to deaf and hard of hearing children in New
20 Hampshire. In addition to such duties as may be assigned by the departments, the council shall
21 determine the number of children within the state who are identified as being deaf and hard of
22 hearing, the number of those children currently receiving services from both public and private
23 agencies, the types of services being received, the types of services requested by parents or
24 guardians, and areas of need.

25 V. On or before November 1, the council shall submit an annual report its findings and any
26 recommendations for proposed legislation to the speaker of the house of representatives, the
27 president of the senate, the education committees in the house and senate, the house clerk, the
28 senate clerk, the governor, and the state library.

29 2 Effective Date. This act shall take effect upon its passage.