

# Bill as Introduced

HB 631 - AS AMENDED BY THE HOUSE

7Mar2019... 0638h

2019 SESSION

19-0725

05/01

HOUSE BILL **631**

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

SPONSORS: Rep. Porter, Hills. 1; Rep. Le, Rock. 31

COMMITTEE: Health, Human Services and Elderly Affairs

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ANALYSIS

This bill establishes a deaf children's bill of rights and an advisory council on the education of deaf children.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



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 for  
6 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 have  
23 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, and  
36 athletic activities.

1 XII. Children who are deaf or hard of hearing have the right to a placement best suited to  
2 their individual needs, including, but not limited to age, hearing loss, academic level, modes of  
3 communications, style of learning, motivational levels and family support.

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

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

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

9 III. Support services and advocacy resources from private and public agencies and  
10 institutions.

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

13 186-C:34 Rulemaking. The department of education and the department of health and human  
14 services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules  
15 shall address:

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

18 II. Composition of the individualized family service plan team and the individualized  
19 education plan team.

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

21 IV. Procedures and materials for assessment and placement.

22 V. Psychological counseling and mental health services.

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

24 186-C:35 Advisory Council Established. There is hereby established an advisory council on the  
25 education of children who are deaf or hard of hearing.

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

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

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

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

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

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

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

37 (g) One public school administrator.

1 (h) One speech and language pathologist.

2 (i) One representative of the department of health and human services familiar with  
3 services for children who are deaf or hard of hearing, appointed by the commissioner of the  
4 department of health and human services.

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

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

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

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

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

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

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

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

31 2 Effective Date. This act shall take effect upon its passage.

HB 631 - AS AMENDED BY THE SENATE

7Mar2019... 0638h  
05/23/2019 1745s

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SPONSORS:           Rep. Porter, Hills. 1; Rep. Le, Rock. 31

COMMITTEE:          Health, Human Services and Elderly Affairs

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1 186-C:32 Deaf Children's Bill of Rights.

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

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

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

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

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

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

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

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

30 IX. Children who are deaf or hard of hearing have the right to contact with and to be  
31 exposed to adult role models who are deaf or hard of hearing.

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

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

1 XII. Children who are deaf or hard of hearing have the right to a placement best suited to  
2 their individual needs, including, but not limited to age, hearing loss, academic level, modes of  
3 communications, style of learning, motivational levels and family support.

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

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

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

9 III. Support services and advocacy resources from private and public agencies and  
10 institutions.

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

13 186-C:34 Rulemaking. The department of education and the department of health and human  
14 services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules  
15 shall address:

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

18 II. Composition of the individualized family service plan team and the individualized  
19 education plan team.

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

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24 186-C:35 Advisory Council Established. There is hereby established an advisory council on the  
25 education of children who are deaf or hard of hearing.

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

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

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29 Sign language and one of whom is a regular and effective user of oral/aural or speech based English.

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

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HB 631 - AS AMENDED BY THE SENATE

- Page 4 -

1 (h) One member of the New Hampshire Speech-Language-Hearing Association,  
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15 II. The commissioner of the department of education shall appoint the members under  
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19 first meeting of the council shall be called by the member appointed under subparagraph I(a). The  
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22 human services on the needs and services provided to deaf and hard of hearing children in New  
23 Hampshire. In addition to such duties as may be assigned by the departments, the council shall  
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26 agencies, the types of services being received, the types of services requested by parents or  
27 guardians, and areas of need.

28 V. On or before November 1, the council shall submit an annual report its findings and any  
29 recommendations for proposed legislation to the speaker of the house of representatives, the  
30 president of the senate, the education committees in the house and senate, the New Hampshire  
31 commission on deafness and hearing loss established in RSA 125-Q, the house clerk, the senate  
32 clerk, the governor, and the state library.

33 2 Effective Date. This act shall take effect upon its passage.

CHAPTER 217  
HB 631 - FINAL VERSION

7Mar2019... 0638h  
05/23/2019 1745s

2019 SESSION

19-0725  
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**CHAPTER 217**  
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**- Page 2 -**

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36 to all components of the educational process, including recess, lunch, and extracurricular, social, and  
37 athletic activities.

CHAPTER 217  
HB 631 - FINAL VERSION  
- Page 3 -

1           XII. Children who are deaf or hard of hearing have the right to a placement best suited to  
2 their individual needs, including, but not limited to age, hearing loss, academic level, modes of  
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CHAPTER 217 /  
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27 guardians, and areas of need.

28           V. On or before November 1, the council shall submit an annual report its findings and any  
29 recommendations for proposed legislation to the speaker of the house of representatives, the  
30 president of the senate, the education committees in the house and senate, the New Hampshire  
31 commission on deafness and hearing loss established in RSA 125-Q, the house clerk, the senate  
32 clerk, the governor, and the state library.

217:2 Effective Date. This act shall take effect upon its passage.

Approved: July 12, 2019  
Effective Date: July 12, 2019



# Amendments

Amendment to HB 631

1 Amend RSA 186-C:32, IX as inserted by section 1 of the bill by replacing it with the following:

2  
3 IX. Children who are deaf or hard of hearing have the right to contact with and to be  
4 exposed to adult role models who are deaf or hard of hearing.

5  
6 Amend RSA 186-C:35, I(h) as inserted by section 1 of the bill by replacing it with the following:

7  
8 (h) One member of the New Hampshire Speech-Language-Hearing Association,  
9 appointed by the association.

10  
11 Amend RSA 186-C:35, II as inserted by section 1 of the bill by replacing it with the following:

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

16  
17 Amend RSA 186-C:35, V as inserted by section 1 of the bill by replacing it with the following:

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19 V. On or before November 1, the council shall submit an annual report its findings and any  
20 recommendations for proposed legislation to the speaker of the house of representatives, the  
21 president of the senate, the education committees in the house and senate, the New Hampshire  
22 commission on deafness and hearing loss established in RSA 125-Q, the house clerk, the senate  
23 clerk, the governor, and the state library.

# Committee Minutes

# SENATE CALENDAR NOTICE

## Education and Workforce Development

Sen Jay Kahn, Chair  
 Sen Jeanne Dietsch, Vice Chair  
 Sen Jon Morgan, Member  
 Sen Ruth Ward, Member  
 Sen David Starr, Member

Date: April 10, 2019

### HEARINGS

	Tuesday	04/16/2019
	(Day)	(Date)
Education and Workforce Development		LOB 103
(Name of Committee)		(Time)
9:00 a.m.	<b>HB 131</b>	establishing a commission on mental health education and behavioral health and wellness programs.
9:15 a.m.	<b>HB 258</b>	establishing a committee to study teacher preparation and education programs
9:30 a.m.	<b>HB 570</b>	establishing a commission to study career pathways from full-time service year programs to postsecondary education and employment opportunities in support of New Hampshire's future workforce needs.
9:45 a.m.	<b>HB 631</b>	establishing a deaf child's bill of rights and an advisory council on the education of deaf children.
10:15 a.m.	<b>HB 713-FN-LOCAL</b>	relative to transportation of pupils.

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**HB 131**

Rep. Cornell  
 Rep. Le

Rep. Heath  
 Rep. Van Houten

Rep. Martin  
 Rep. Fenton

Rep. Berrien  
 Rep. T. Smith

**HB 258**

Rep. Heath

Rep. Van Houten

Rep. Cornell

**HB 570**

Rep. Wilhelm

Rep. Heath

Sen. Feltes

Sen. Bradley

**HB 631**

Rep. Porter

Rep. Le

**HB 713-FN-LOCAL**

Rep. Weyler

Rep. Cordelli

Rep. Leishman

Sen. Birdsell

Tricia Melillo 271-3077

Jay Kahn  
 Chairman

**SENATE CALENDAR NOTICE**  
**Education and Workforce Development**

Sen Jay Kahn, Chair  
Sen Jeanne Dietsch, Vice Chair  
Sen Jon Morgan, Member  
Sen Ruth Ward, Member  
Sen David Starr, Member

Date: April 24, 2019

**HEARINGS**

Tuesday	04/30/2019	
(Day)	(Date)	
<hr/>		
Education and Workforce Development	LOB 103	9:45 a.m.
(Name of Committee)	(Place)	(Time)

9:45 a.m.      **HB 631**      establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

(THE PREVIOUS HEARING FOR HB 631 WAS RECESSED ON  
APRIL 16th)

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 631**

Rep. Porter

Rep. Le

Tricia Melillo 271-3077

Jay Kahn  
Chairman

**Senate Education and Workforce Development Committee**  
*Tricia Melillo 271-3077*

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

**Hearing Date:** April 30, 2019

**Members of the Committee Present:** Senators Kahn, Dietsch, Morgan, Ward and Starr

**Members of the Committee Absent :** None

**Bill Analysis:** This bill establishes a deaf children's bill of rights and an advisory council on the education of deaf children.

**Sponsors:**

Rep. Porter

Rep. Le

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**Who supports the bill:** Representative Porter, Representative Tanner, Rick Trombly, Christopher Emerson, Kristy Stellato, Nancy Glynn, Vanessa Gregore, Timothy McKernan, Susan Downes, Bonnie Dunham, Susan Covert, Ryan Donnelly, Liz-Anne Platt, Dennis Jakubowski, Deborah Jakubowski, Maura Willing, Louise Spencer, Melissa Hinebauch, Santana Thibedeau

**Who opposes the bill:** None

**Summary of testimony presented in support:**

**Representative Porter**

- For the past several years, she has served on the Deaf Children's Commission.
- The commission was charged with looking at early education for deaf children.
- New Hampshire does not have a school for the deaf or hard of hearing.
- The subcommittee of this commission was concerned with a deficit of language for the children.
- There is a key period of time when children acquire their language skills. It is important for them to have different ways to communicate early on.
- The subcommittee came up with a deaf child's bill of rights.
- 22 states have already adopted a bill of rights for deaf children. Maine has had one since 1991.
- This bill establishes a standard of what education a deaf child should receive.
- The second part of the bill sets up advisors to look at the programs in New Hampshire to see which ones are successful.
- Right now, people who are deaf and hard of hearing in New Hampshire are not given what they deserve.
- It is the state's duty to make sure these children get the best care.
- There is a gap that exists between their services. Health and Human Services takes care of them from birth to age three, then the Department of Education takes over their care until the age of 21.

- This bill will bring the two departments together to take part in creating rules.
- Senator Ward asked if these children are covered under the American with Disabilities Act, ADA. Representative Porter responded yes, but if being deaf or hard of hearing is not the child's main disability he or she will not be covered. Also, if these children are in public schools they may not be helped by someone who is qualified. These kids have a right to communication skills and a form of education that meets their needs.
- Representative Porter introduced language for a proposed amendment which will bring clarity.
- Senator Kahn asked if Representative Porter could go over what the commission did. Representative Porter responded that the New Hampshire Commission on deaf and hearing loss was established in 2007 and there are 22 members on it. The commission meets the second Monday of every month. When she joined the Commission, they had just started the early intervention subcommittee that she was a part of.
- Senator Kahn asked if there was a sunset date on the committee or commission. Representative Porter responded no there is not on either.
- Senator Morgan asked why there is no member of the legislature on the committee. Representative Porter responded because it is an advisory council.
- Senator Starr asked why the bills says they have a right to these things but does not say it shall be provided. Representative Porter responded that she thought that stating they have a right is more forceful than shall be provided and that it was modeled after other states' bills of rights.
- Senator Kahn asked if this is the first piece of legislation that the subcommittee has proposed. Representative Porter answered no, there was one last session which did not make it through the house.
- Senator Kahn asked if Representative Porter could discuss all the different groups in play. Representative Porter answered that there is the New Hampshire Commission for the Deaf and Hard of Hearing, then there is a subcommittee which has been disbanded but has come up with this piece of legislation. Then there is the advisory counsel that will report back to the legislature regarding how the program is working. She believes they should also report back to the New Hampshire Commission.
- Senator Kahn asked if she could give them the RSA for the Commission. Representative Porter responded yes, RSA 125:Q.
- Senator Kahn asked if she thinks this will be a source of confusion. Representative Porter answered that the commission deals with everything to do with the deaf community and does not focus specifically on children, whereas, the council will be specific to the education of deaf children.
- Senator Kahn commented that some of the members of the two groups may be overlapping.

### **Christopher Emerson**

- This bill will help reduce the burden parents of deaf and hard of hearing children endure by not knowing what their rights are.
- This will bring clarity, as it is more specific about the needs of these children.
- Many parents already have stress about managing their deaf children's needs and should not have to stress about how their schools are managing those needs.

## **Nancy Glynn**

- Her son, Hunter, is hard of hearing.
- They were able to receive services from his diagnosis soon after birth, up to four years old, through a program called MICE.
- They were able to have people in their house to teach them sign language and about the different acoustics of rooms that could help him.
- When they transferred from those programs to the public school they continued to be guided by the MICE program to know what was available for him.
- Unfortunately, this program does not exist any longer.
- She sees kids in her son's school who are deaf or hard of hearing that are not receiving the services they need.
- The teachers in his school were not educated about what needs deaf children have.
- Parents have to go through many steps to get the teachers trained.
- This bill will help them be able to show their son's school what he needs quickly and specifically.
- Senator Kahn asked what grade her son is in. Ms. Glynn answered that her son is in 1<sup>st</sup> grade going into 2<sup>nd</sup>.
- Senator Kahn asked if he is getting the services he needs now. Ms. Glynn responded yes and has improved with aggressive speech therapy. The state would not provide him with that therapy until she fought for it. Now her son can communicate well.

## **Susan W. Downs - Executive Director of Northeast Deaf and Hard of Hearing Services, INC.**

- There is a phrase often used that you would have to be deaf to understand.
- There are parents who have struggled to make this bill of rights a reality.
- She would like the committee to understand that those testifying have walked the walk.
- NDHHS is about making sure they help the deaf community. They have hired an in house teacher.
- Children need to be taught from the beginning.
- They worked with the MICE program when it was in place.
- The state should be providing more teachers and speech pathologists.
- This is not something a non-profit organization should have to pay for, the state should provide special education for these students.
- She has begged the state and she would like the committee to understand the importance of this bill.
- She would one day love to see a deaf or hard of hearing person in the legislature.
- Senator Kahn asked about the MICE Program. Ms. Downs responded that MICE was in the Department of Health and Human Services before it was abolished. The program was established when they had an independent budget many years back, but eventually it was cut by the state. Now there is a system without coordination when services switch over from Health and Human Services to the Department of Education.



## **Hobart D. Clanton - Department of Education**

- Deaf and hard of hearing students arrive at school without a cultural identity or knowing who they are.
- They are left out of a lot of activities like sports or clubs because they cannot communicate.
- This bill has been floating around for a long time and it is very important to deaf adults and children that they have their own bill of rights.
- Senator Dietsch asked if deaf children need to be educated with other deaf children. Mr. Clanton responded that it would be nice to have that, but it all depends on where the children live. He had so many opportunities because he was taught in a high school with other deaf children. It is essential these children gain the skills to communicate.

## **Kristy Stellato**

- Education for deaf children was established in the 1940s.
- Since then there have been many changes and programs.
- They do not have stable guidelines to educate teachers and staff.
- The deaf child bill of rights will function to make recommendations for moving forward.

**Summary of testimony presented in opposition: None**

TM

Date Hearing Report completed: May 3, 2019

# Speakers







# Testimony

To: Senate Education and Workforce Development Committee  
From: New Hampshire Speech-Language-Hearing Association  
Date: April 30, 2019  
Re: HB 631 Deaf Children's Bill of Rights

Dear Chairman Kahn and members of the Committee:

Part of the mission of the New Hampshire Speech-Language-Hearing Association (NHSLHA) is to support the professions of speech-language pathology and audiology as well as individuals with communication and related disorders by

- ensuring that all people with speech, language, and hearing disorders receive services to help them communicate effectively
- facilitating the exchange of information among people and organizations committed to the welfare of the speech, language and/or hearing-impaired populations
- advocate for the rights of persons with communication disorders.

The New Hampshire Speech Language Hearing Association requests the committee's consideration of the following changes to HB631:

Amendments:

In furtherance of our mission, the New Hampshire Speech-Language-Hearing Association proposes the following amendments to HB 631:

Amend 186-C:32 Deaf Children's Bill of Rights.

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

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

I. Members of the council shall be as follows:

✓ (h) ~~One speech and language pathologist~~ One member of the New Hampshire Speech-Language-Hearing Association, appointed by the association.

Add 125: ~~a~~ The NH Commission of Deafness + Hearing loss

**Rationale for Removing “in their educational programs”:**

It would certainly be beneficial for children who are deaf or hard of hearing to be exposed to adult role models who are deaf or hard of hearing, but this is not within the ability of an educational program to provide. Any child with a disability would benefit from such exposure, but educational systems have limited resources which need to be used to provide support for deaf and hard of hearing children that directly enhances their ability to succeed in school.

**Rationale for Changing “one speech-language pathologist” to “One member of the New Hampshire Speech-Language-Hearing Association, appointed by the association.”:**

This wording indicates how the speech-language pathologist would be selected to serve on the Council and mirrors the wording used for the audiology member.

Respectfully submitted,

*Victoria Chesterley*

Victoria Chesterley, MS, CCC-SLP

VP of Governmental Affairs; New Hampshire Speech-Language-Hearing Association



April 15, 2019

Testimony in support of:

House Bill 631: establishing a deaf child's bill of rights and an advisory council on the education of deaf children

Submitted by:

Ashley and Michael Conley

27 Peaslee Road

Merrimack, NH 03054

To the Members of the Committee on Health, Human Services and Elderly Affairs,

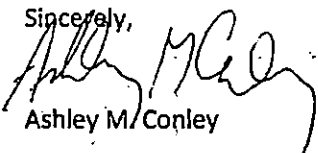
We are the parents of a beautiful 7-year-old boy that is hard of hearing and we are in favor of HB631. We strongly feel that HB631 would benefit children, like our son, that are deaf or hard of hearing. We learned that our son had a sensorineural hearing loss when he turned 4 years old following a routine hearing test at his pediatrician's office. He currently wears hearing aids and uses a DM system in the classroom. In the last 3 years, we have learned a lot about hearing loss and the tools and resources that are needed to help him and children like him succeed. We have also learned talking with other parents and families that not all deaf and hard of hearing children are receiving the resources they need to thrive in an educational setting.

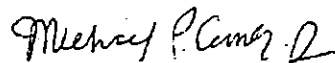
There are a few sections of this bill that we especially feel are needed in NH based on our own experiences with hearing loss.

- "...have the right to a high-quality, ongoing and fluid means of communication, both inside and outside the classroom." Myles got his hearing aids when he was 5 years old and he had to play catch up for all the years he missed hearing complete sentences and conversation. When he started 1<sup>st</sup> grade he was behind in his reading but with the use of a DM system (the teacher wears a microphone and their voice goes to his hearing aids) he was able to go up 5 levels in reading in about 4 months, catching up to his peers. All deaf and hard of hearing children should have access to the technology they need.
- "...have the right to an education in which teachers of the deaf and hard of hearing, related service providers, and assessors understand the unique nature of deafness...". We have worked with 2 school districts in NH. One that was not prepared to work with a child that was deaf or hard of hearing and one that was. It was amazing to see the difference in the experiences we had and are grateful we are live in a town where the school district has an understanding of the needs of these children. Schools that are not well prepared need to have guidance and understand what is needed and ask that a Teacher of the Deaf and Hard of Hearing be involved to ensure appropriate access at school.
- "...have the right to contact with and to be exposed to adult role models who are deaf or hard of hearing in their educational programs." For the first few years, our son struggled with being different and the identify of being hard of hearing. He was challenged at school and social settings with having to explain his hearing aids and learning how to ask for help when needed. Immersing him in events and activities where there are kids and adults that are deaf or hard of hearing has helped him learn to accept his hearing loss and overcome social challenges and anxiety.
- "...have the right to direct and appropriate access to all components of the educational process, including recess, lunch, and extracurricular, social, and athletic activities." It is probably no surprise that to a 7-year-old boy, recess and gym class are his favorite activities at school. He is learning when he plays and socializes with friends at recess and he is learning about health when he is in gym class. They need to have access to all the components of education to succeed.

Having a council that can advise and assist in the educational needs of children that are deaf and heard of hearing will ensure we are getting these children, and our son, the services they need so they can become productive and successful members in our communities.

Sincerely,

  
Ashley M. Conley

  
Michael P. Conley Jr

# Voting Sheets

# Senate Education & Workforce Development Committee EXECUTIVE SESSION RECORD 2019 Session

Bill # HB 631

Hearing date: 4/30/19

Executive Session date: 4/30/19

Motion of: OTP Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input checked="" type="checkbox"/>				
Sen. Dietsch, Vice Chair	<input checked="" type="checkbox"/>				
Sen. Morgan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Sen. Ward	<input checked="" type="checkbox"/>				
Sen. Starr	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		

Motion of: Comm. Amend. Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Dietsch, Vice Chair	<input checked="" type="checkbox"/>				
Sen. Morgan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Sen. Ward	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Sen. Starr	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

Motion of: OTP / A Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Dietsch, Vice Chair					
Sen. Morgan	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Ward	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Starr	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

Reported out by: Sen. Ward

Notes: \_\_\_\_\_

# Committee Report



**Docket of HB631**

Docket Abbreviations

**Bill Title:** establishing a deaf child's bill of rights and an advisory council on the education of deaf children.*Official Docket of HB631.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/16/2019	H	<b>Introduced</b> 01/03/2019 and referred to Health, Human Services and Elderly Affairs <b>HJ 3 P. 22</b>
2/6/2019	H	Public Hearing: 02/13/2019 01:45 pm LOB 205
2/13/2019	H	Division II Subcommittee Work Session: 02/19/2019 01:00 pm LOB 205
2/20/2019	H	Division II Subcommittee Work Session: 02/26/2019 10:00 am LOB 205
2/20/2019	H	==RECESSED== Executive Session: 02/26/2019 01:00 pm LOB 205
2/27/2019	H	==CONTINUED== Executive Session: 03/13/2019 10:00 am LOB 202
2/27/2019	H	Committee Report: Ought to Pass with Amendment <b>#2019-0638h</b> for 03/07/2019 ( <b>Vote 21-0; CC</b> ) <b>HC 14 P. 5</b>
3/7/2019	H	Amendment <b>#2019-0638h</b> : AA VV 03/07/2019 <b>HJ 8 P. 8</b>
3/7/2019	H	<b>Ought to Pass with Amendment</b> 2019-0638h: MA VV 03/07/2019 <b>HJ 8 P. 8</b>
3/19/2019	S	Introduced 03/14/2019 and Referred to Education and Workforce Development; <b>SJ 9</b>
4/11/2019	S	==RECESSED== <b>Hearing:</b> 04/16/2019, Room 103, LOB, 09:45 am; <b>SC 18</b>
4/24/2019	S	==RECONVENE== <b>Hearing:</b> 04/30/2019, Room 103, LOB, 09:45 am; <b>SC 20</b>
4/30/2019	S	Committee Report: Ought to Pass with Amendment <b>#2019-1745s</b> , 05/15/2019; <b>SC 22</b>
5/15/2019	S	Special Order to the next session, Without Objection, MA; 05/15/2019; <b>SJ 16</b>
5/15/2019	S	Committee Report: Ought to Pass with Amendment <b>#2019-1745s</b> , 05/23/2019; <b>SC 23</b>
5/23/2019	S	Special Order to the beginning of the regular calendar, Without Objection, MA; 05/23/2019; <b>SJ 17</b>
5/23/2019	S	Committee Amendment <b>#2019-1745s</b> , AA, VV; 05/23/2019; <b>SJ 17</b>
5/23/2019	S	<b>Ought to Pass with Amendment</b> 2019-1745s, MA, VV; OT3rdg; 05/23/2019; <b>SJ 17</b>
6/13/2019	H	House Concurs with Senate Amendment 1745s (Rep. Weber): MA VV 06/13/2019 <b>HJ 19 P. 9</b>
6/27/2019	S	Enrolled (In recess 06/27/2019); <b>SJ 21</b>
6/27/2019	H	Enrolled 06/27/2019 <b>HJ 20 P. 53</b>
7/16/2019	H	Signed by Governor Sununu 07/12/2019; Chapter 217; Eff: 07/12/2019

# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: HB 631

Senate Committee: Ed. + WFD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

- amendment # 1745      \_\_\_\_\_ - amendment # \_\_\_\_\_
- \_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_
- Executive Session Sheet
- Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

- \_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_
- \_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) {Clerk's Office}**

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s)
- Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

- as amended by the senate      \_\_\_\_\_ as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office JM