



Choices Delaware

Making Language Choices Available to Delaware Families of Children with Hearing Loss

From: Nick Fina, Ed.D. Date: June 5, 2014
Project Leader, Choices Delaware

To: The Honorable Peter Schwartzkopf
Speaker of the House

Cc: Members of the House and Senate Education Committees
Members of the Joint Finance Committee
The Honorable Patricia Blevins, President Pro Tem of the Senate
The Honorable Edward Osienski, Member of the House
The Honorable S. Quinton Johnson, Member of the House
The Honorable Matthew Denn, Lieutenant Governor
The Honorable Mark Murphy, Secretary of Education
Dr. Michael Watson, Chief Academic Officer, Department of Education
Ms. Mary Ann Mieczkowski, Director of Exceptional Children Resources
Dr. Teri Quinn Gray, President of the Delaware State Board of Education
Mr. Kyle Hodges, State Council for Persons with Disabilities
Ms. Wendy Strauss, Governor's Advisory Committee for Exceptional Citizens

Dear Speaker Schwartzkopf:

During the past five years, a grassroots organization, Choices Delaware, has advocated for changes in the public policy of Delaware on education of children with hearing loss. A few days ago, you received the report of a task force created by HR20, which passed the House last June. This letter summarizes our concerns with the recommendations of this group. We look forward to opportunities to meet with you and other interested officials in order to explicate these points.

1. **What problem was the Task Force trying to solve? What was its goal?**

We believe the unstated goal of this group was to grant the "Statewide Programs" organization that has been a component of the Christina School District the status of a school district that covers the entire state. "Statewide Programs" has historically channeled families affected by childhood hearing loss into Delaware School for the Deaf (DSD), an educational program based on American Sign Language (ASL). If "Statewide Programs" becomes a school district in its own right, it will have access to information that it doesn't now legally have. The result will be more families routed into an education setting and language that parents might not make if they had informed choice.

In March, 2010 the director of "Statewide Programs," Dr. Della Thomas, made a presentation to Lieutenant Governor Denn at a meeting attended by Representative



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Quinton Johnson, Julie Johnson, me, and others in a conference room at Ms. Johnson's school. In this meeting Dr. Thomas asked Mr. Denn for what the Task Force has now recommended. What the Task Force has recommended is what proponents of ASL as the language of instruction for all children with hearing loss have wanted for years.

2. [In what way was the Task Force membership manipulated to ensure that its goal would be met? Who was on the Task Force? What kinds of people were omitted?](#)

Membership on the Task Force was heavily weighted to favor individuals who support ASL as opposed to auditory-oral (Listening and Spoken Language--LSL) approaches. Choices Delaware has nothing against ASL. However, the Task Force omitted from its membership people from Choices, members of the Hearing Loss Association of Delaware, itinerant teachers of the deaf and audiologists based in local school districts, Child Watch coordinators, and members of the State Board of Education. The Chair of the Task Force, Dr. Kathleen Riley, was represented as a member of the Early Hearing Detection and Intervention group. Unstated was her role as a staff member of DSD and a proponent of ASL. Although meetings were open, the voting membership was carefully controlled from the outset.

3. [What assertions of the Task Force report have no factual basis?](#)

The Task Force report makes many assertions that have no factual basis. It implies that itinerant teachers of the deaf, school audiologists, and district special education administrators are lacking in knowledge and certifications without documenting such claims. It states that the LSL preschool in Christina was a result of the 2011 GACEC subcommittee, when in fact it was mandated by the Lieutenant Governor in February 2012 after that subcommittee (also dominated by DSD/ASL proponents) failed to recommend one. It states that kids with hearing loss "... require specialized instruction and therefore most are expected to have some academic gaps" without showing how kids at DSD are almost universally *below* standards, whereas kids with hearing loss in mainstream environments often perform well—kids like those that members of the Joint Finance Committee heard about on February 19. Children with hearing loss do best when they are educated in the native language of their families. For 95% of families affected by childhood hearing loss, the native language is a spoken one, not ASL, the language of instruction at DSD and the one advocated by "Statewide Programs."

4. [How did the Task Force betray its own process?](#)

The Task Force stated that it would develop a list of alternatives, a list of weighted decision criteria, and measure each alternative against each weighted criterion. After weighting the criteria of the decision matrix, the group apparently skipped (or at least did not report) how the four alternatives scored against these criteria. Instead, says the



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report, by “unanimous vote” the Task Force made a summary judgment that making “Statewide Programs” a statewide school district was the winning alternative. Indeed, the decision criteria were stated as “responsibilities of *the statewide entity*” when in fact an alternative that our group offered was one that would have improved support for children with hearing loss in non-segregated schools without confiscating control of special education from the local school districts.

Some members of our group stated that their input at focus group meetings was not reflected in the Task Force report. I gave my input in person *and* in writing, (see attached). Some of the most critical points I made are not reflected in the raw data of the focus groups.

5. [In what ways would adoption of the Task Force recommendations jeopardize Delaware’s compliance with federal law?](#)

The Individuals with Disabilities Education Act gives responsibility for educating children with special needs to local school districts and requires that children be educated in the least restrictive environment. DSD is operating at half of its student capacity, and Christina School District has stated that the annual cost of supporting a child at DSD is \$102,000. Granting “Statewide Programs” control over deaf education will help fill empty seats at DSD. But it will violate the principal of local control and not help families that want their children in a school environment that more closely resembles the real world their children will enter as adults.

I urge the General Assembly to keep these points in mind as it contemplates legislation or other possible action on the Task Force findings.



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Nick Fina

From: Nick Fina [nickfina@verizon.net]
Sent: Wednesday, March 26, 2014 11:47 PM
To: Cheryl Johnson
Cc: Sarah Celestin (sarah.celestin@doe.k12.de.us)
Subject: E-copy of Nick's Talking Points
Attachments: March 25 Remarks.docx

As promised, here is an electronic copy of the talking points document I used during our meeting on Tuesday.

If you decide to look at our web site (I hope you do), here are some pages of interest:

- Members: <http://choices-delaware.org/about>
- History—major events of the past five years: <http://choices-delaware.org/about/history>

Would be happy to share more. Let me know how I can help.

Nick

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

-- Margaret Mead, American anthropologist

Nick Fina, Ed.D.
Project Leader
Choices Delaware
<http://choices-delaware.org/>

Consumer and Advocate Feedback for the HR 20 Task Force: Remarks by Nick Fina

WHAT'S GOING WELL

- Children in New Castle County whose parents want them to use American Sign Language as a native language have a modern, attractive school to attend.
- Children in Kent and Sussex Counties whose parents want them to use American Sign Language as a native language and who are willing to have their children reside at school also have a solution in DSD.
- A Listening and Spoken Language program is now available in New Castle County.
- Child Development Watch has begun to investigate teletherapy Listening and Spoken Language services from either A.I. DuPont Hospital or Clarke School for young children whose parents are geographically remote from service centers.



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WHAT'S NOT GOING WELL

- Not all, but many, Delaware school districts are abdicating their responsibility to educate children with hearing loss in inclusive settings.
- Although DSD last published test scores of its students two years ago, there is no reason to believe that the grade-12 outcomes of DSD students are competitive with the grade-12 outcomes of children with hearing loss who attend inclusive schools.
- Delaware School for the Deaf has a voracious appetite for enrolling children with any degree of hearing loss. As a result, many children who are at DSD are there inappropriately. The combination of school district abdication of responsibility, DSD's desperate need to fill empty seats, and a historical willingness of the early intervention process to funnel children into DSD has created a system that makes informed choice difficult to achieve.
- Parents of DSD students who have decided to withdraw their children from DSD encounter resistance from the school.
- In general services for families in central and southern Delaware are poor, regardless of parents' language preference for their children.

IS THERE A NEED FOR STATEWIDE SERVICES?

- There is a need for a stronger infrastructure to support children with hearing loss in inclusive school settings.
- About 95% of all parents of children with hearing loss have typical hearing themselves. When given an informed choice, 85% of these parents choose Listening and Spoken Language. The strong emotional and philosophical commitment of Delaware School for the Deaf to bi-cultural/bi-lingual education and American Sign Language disqualifies DSD from serving in the role of managing the education of all Delaware children with hearing loss. Furthermore, a statewide local education agency defined by a prevailing disability would, in my opinion, violate federal law. Because DSD's enrollment is less than 50% of its building capacity and the annual per-student cost exceeds \$100K, DSD will continue to recruit vigorously from among inappropriate population segments. Giving DSD the IEP responsibility for all Delaware students with hearing loss would make the problems described above far worse.
- A better solution is to improve the capability of local school districts, with the possibility of geographically adjacent school districts sharing itinerant resources. A structure modeled after the intermediate unit system of Pennsylvania (see <http://www.aiu3.net/Level2.aspx?id=1466>) could easily serve Delaware well—not just for hearing loss but for other low-incidence and/or challenging disabilities.