



**ASHA**  
American  
Speech-Language-Hearing  
Association

February 12, 2019

The Honorable Representative Lucy Weber  
Health, Human Services and Elderly Affairs  
New Hampshire General Court  
107 North Main Street  
Concord, NH 03301

RE: HB 631

Dear Representative Weber:

On behalf of the American Speech-Language-Hearing Association, I write to oppose HB 631, which would establish a deaf child's bill of rights and an advisory council on the education of deaf children.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 198,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists identify, assess, and treat speech and language problems, including swallowing disorders. Over 920 of our members reside in New Hampshire.

Commonly known as LEAD-K (Language Equality & Acquisition for Deaf Kids) legislation, HB 631 would establish an advisory council, which would include at a minimum, teachers of the deaf, parents of deaf/hard of hearing (D/HH) children, members of the community who are D/HH, and a member of the New Hampshire Association for the Deaf. HB 631 tasks the council with advising the Department of Education and Department of Health and Human Services on the needs of children who are D/HH. The bill would also require the Department of Education to adopt rules related to the composition of the individual family service plan (IFSP) and individual education plan (IEP) team.

ASHA maintains that this bill, supported by a LEAD-K effort through the National Association for the Deaf, would establish a new precedent of placing hearing disabilities ahead of others identified in the Individuals with Disabilities Education Act (IDEA) by adding disability specific mandates and requiring additional resources for D/HH students only.

### **LEAD-K**

The LEAD-K campaign promotes legislative efforts to ensure that children who are D/HH have early access to American Sign Language (ASL). Campaign proponents

believe that many children who are D/HH are not kindergarten ready because they do not have the foundation of a visual language. While ASL may be the most appropriate choice for some children, ASHA does not believe that this should be the only communication option that is made available to families as there are many options available, including cued speech, spoken language, augmentative and alternative communication, or a combination of multiple modalities.

### **IFSP/IEP Teams**

The requirements in the bill are already required under IDEA and must be included in the IFSP or the IEP planning process. ASHA is concerned that HB 631 would undermine the statutory authority of the IFSP/IEP team, which must include professionals knowledgeable about the assessment and services needed for children with disabilities including those children who are D/HH and their parents.

### **Role of the Family in Determining the Mode(s) of Communication for their Child**

ASHA recognizes that families are the primary decision makers for choosing the desired mode of communication for a child who is D/HH. Furthermore, ASHA maintains that families require information about all available communication options in order to make informed decisions.

### **IDEA**

#### *Importance of a Comprehensive Assessment*

IDEA requires early intervention programs and schools to administer a comprehensive assessment to students who are suspected of having a disability. The assessment team must include qualified providers who are trained to assess the full range of the suspected disability, including communication disorders. Evaluators must administer appropriate assessments and recommend interventions and supports based on the child's needs and their family's priorities.

#### *Annual Assessments for Children who are D/HH*

Under IDEA, the IFSP/IEP team of professionals is tasked with continually evaluating whether the child's individual goals are being met and if he or she is making adequate progress. ASHA is concerned that requiring an annual assessment for children who are D/HH by professionals identified by the advisory committee is a costly and onerous expense that is already required under IDEA.

#### *Role of the IFSP or IEP Team*

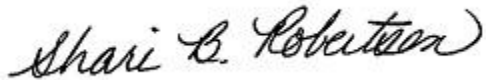
An IFSP or IEP team consists of qualified providers and parents who meet to develop an individualized program to address the student's needs. Families who are dissatisfied with their child's goals or progress on their IFSP/IEP already have the right, under IDEA, to request additional assessments or changes to the IFSP/IEP.

ASHA opposes efforts like HB 631 that would establish a new precedent of placing hearing disabilities ahead of others identified in IDEA by adding disability specific mandates and requiring additional resources for only D/HH students. ASHA

recommends enforcing mandates included in IDEA that utilize talented professionals, including SLPs, who work with students who are D/HH every day, rather than creating costly and redundant systems that violate the tenets of IDEA.

Thank you for your consideration of ASHA's position on HB 631. If you or your staff have any questions, please contact Susan Adams, ASHA's director of state legislative and regulatory affairs, at [sadams@asha.org](mailto:sadams@asha.org).

Sincerely,

A handwritten signature in black ink that reads "Shari B. Robertson". The signature is written in a cursive style with a large, looping initial "S".

Shari B. Robertson, PhD, CCC-SLP  
2019 ASHA President