

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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**HOUSE BILL 625
Committee Substitute Favorable 6/8/11**

Short Title: Study/Bill of Rights/Deaf/Hearing Impaired.

(Public)

Sponsors:

Referred to:

April 6, 2011

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE A STUDY TO ESTABLISH A BILL OF RIGHTS FOR
CHILDREN WHO ARE DEAF OR HEARING IMPAIRED.

Whereas, children with low-incidence disabilities, as a group, make up approximately one percent of the total statewide enrollment for kindergarten through grade 12; and

Whereas, children with low-incidence disabilities require highly specialized services, equipment, and materials; and

Whereas, deafness impacts the most basic of human needs, such as the ability to communicate with other human beings. Many deaf or hearing-impaired children use, as their primary communication mode, American Sign Language (ASL), while others express and receive language through an English-based sign language system, and others express and receive language orally and aurally, with or without visual signs or cues. Still others, typically young deaf or hearing-impaired children, lack any significant language skills and communication skills in any mode of communication. It is essential for the well-being and growth of deaf and hearing-impaired children that educational programs recognize the unique nature of deafness and ensure that all deaf and hearing-impaired children have appropriate, ongoing, and fully accessible educational opportunities; and

Whereas, it is essential that children who are deaf or hearing impaired, like all children, have an education in which their unique communication mode is respected, used, and developed to an appropriate level of proficiency; and

Whereas, it is essential that children who are deaf or hearing impaired have educational placements in which the children are provided, when appropriate, qualified, certified or licensed teachers, psychologists, speech therapists, assessors, administrators, interpreters, school counselors, and other personnel who understand the unique nature of deafness and are specifically trained to evaluate and work with deaf or hearing-impaired children. These personnel should be proficient in the primary communication and language mode of deaf or hearing-impaired children; and

Whereas, it is essential that deaf or hearing-impaired children, like all children, have an education with a sufficient number of communication mode peers with whom they can communicate directly and who are approximately at the same age and level of proficiency; and

Whereas it is essential that deaf and hearing-impaired children have an education in which their parents are involved in determining the extent, content, and purpose of programs, as well as exposure to deaf or hearing-impaired role models; and



1 Whereas, it is essential that deaf or hearing-impaired children, like all children, have
2 a program in which their unique vocational needs are provided for, including appropriate
3 research, curricula, programs, staff, and outreach; and

4 Whereas, it is essential that deaf or hearing-impaired children be able to participate
5 in all parts of a school program, including after-school social and athletic functions; and

6 Whereas, it is essential that all parents or legal guardians of deaf or
7 hearing-impaired children receive a copy of the 'Deaf Child's Bill of Rights' upon determination
8 of the child's hearing loss and before an eligibility determination for special education services;

9 Now, therefore,

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** The Study Committee on Establishing a Bill of Rights for Deaf or
12 Hearing-Impaired Children is created. The Committee shall consist of five members of the
13 House of Representatives, appointed by the Speaker of the House, and five members of the
14 Senate, appointed by the President Pro Tempore of the Senate. The Speaker of the House of
15 Representatives and the President Pro Tempore of the Senate shall each designate one member
16 as a cochair. Vacancies to the Committee shall be filled by the same appointing authority
17 making the initial appointment. The Committee will meet upon the call of the cochairs. A
18 quorum shall be a majority of the Committee members.

19 **SECTION 2.** The Committee shall study and develop a bill of rights for children
20 who are deaf or hearing impaired. In developing the bill of rights, the Committee shall consider
21 requirements for Individual Education Programs for children who are deaf or hearing impaired,
22 related services and program options for communication access, the continuum of alternative
23 educational placements available, the availability of appropriate, direct, and ongoing language
24 access to teachers of the deaf or hearing impaired, and other matters that the Committee
25 determines are relevant to the study.

26 **SECTION 3.** The Committee, while in the discharge of its official duties, may
27 exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.
28 The Committee may meet in the Legislative Building or the Legislative Office Building.
29 Members of the Committee shall receive subsistence and travel expenses at the rates set forth in
30 G.S. 120-3.1.

31 The Legislative Services Commission, through the Legislative Services Officer,
32 shall assign professional staff to assist the Committee in its work. The House of
33 Representatives shall assign clerical staff to the Committee, and the expenses relating to the
34 clerical employees shall be borne by the Committee. The Committee may contract for
35 professional, clerical, or consultant services as provided by G.S. 120-32.02.

36 **SECTION 4.** The Committee may make an interim report, including any proposed
37 legislation, to the 2012 Regular Session upon its convening. The Committee shall terminate
38 upon filing its final report or upon the convening of the 2013 Session of the General Assembly,
39 whichever is earlier.

40 **SECTION 5.** This act is effective when it becomes law.