THE DEAF EDUCATION HISTORY IN UTAH

Controversies surrounding communication/educational methods and educational placement regarding the interpretation of “Least Restrictive Environment”

“A generation which ignores history has no past and no future”
Robert Heinlein

By Jodi Becker Kinner

2007
Note

The document of the Deaf Education History in Utah was presented at the Utah Association of the Deaf Conference in September 2007. I want to thank Trenton Marsh for asking me to present at the conference. I also want to express my gratitude to my father-in-law, Kenneth Kinner for sharing the Deaf Education History in Utah with me. If it was not for them, I would not have written this history document.

After carefully conducting research, the information was put together to help better understand the deaf education status in Utah. In addition, the information on history, law/federal policy applications and recommendations for action is included in the document.

With the support of references and personal communication, an overview of the history is provided. Readers are welcome to fill in the missing gaps and/or make corrections by contacting the UAD president. If desired, anyone is welcomed to expand/share personal experiences by writing a document and/or signing in V-Log and have them post on the website along with the document of Deaf Education History in Utah for history preservation.

After working on the Deaf Education History in Utah, I have learned to respect and appreciate Utah Association of the Deaf (UAD) and their hard work to seek improvement in the education of the deaf. The key people, who fought the right to use of American Sign Language in Deaf Education, are included in the document so their names can be remembered and honored. Thus, the Deaf Education History in Utah document is given
to the UAD to be posted on the website for history preservation and for the viewers to read as well. My hats off to UAD and key people!

I wanted to express my appreciation and gratitude to Minnie Mae Wilding-Diaz, Linda Bennett, Julie Smith, Jami Atkinson, Courtney Ruff, and Lee Ellen Stevens for taking their time editing and proofreading this document. I do not know what I would have done without their assistance! Lastly, I want to thank my husband, Duane’s patience and support when writing the document. Thank you!

Opinions expressed do not necessarily reflect this document. It is not intentional to make Utah School for the Deaf or particular parties look bad, but to help give a clear picture of what happened historically from the eyes of the Deaf community. As Robert Heinlein stated, “A generation which ignores history has no past and no future,” it is vital for us to be aware of the deaf educational system history to seek improvement in and to make a difference in the lives of deaf and hard of hearing students.

Thank you,

Jodi Becker Kinner

Gallaudet graduate with MSW/emphasis in Education, Deaf individual, USDB Institutional Council member, wife of Duane L. Kinner, native Deaf Utahn, and parent of two deaf children
Table of Contents

- National Deaf History  5 – 8
- USD’s Communication Methods of Instruction  9 – 12
- A “Y” Program  12 – 21
- Deaf and Hard of Hearing Section  21
- Dr. Grant B. Bitter and Dr. Robert Sanderson  22
- A Dual Track Program  22 – 35
- Research and Recommendations  35 – 38
- A Protest at the University of Utah  38 – 43
- Biased Toward Communication Modes and Methodology  44
- Mainstreaming and LRE  44 – 47
- A New Teacher Preparation Program  47 – 48
- Restructure the USD’s Administrative System  48 – 49
- The Teacher Preparation Program Closed  49
- Integration and Consolidation with Public Schools and the Utah Schools for the Deaf and the Blind  49 – 50
- Commission on Education of the Deaf  50 – 54
- A New Facility  55
- American Sign Language  56
- Deaf Child’s Bill of Rights  57 – 58
- Jean Massieu School  58 – 77
- Biased Toward Placement & Alternative Placement  78 – 79
- IDEA AND LRE  82 – 85
- Should USDB be an Agency or a School?  85 – 87
- Final Thoughts  87 – 94
- Recommendations  94 – 96
- History Track Records  97
- References  98 – 110
National Deaf History

Before we explain the Deaf Education History in Utah, it is important to talk about the national history of deaf education that has roots back to deafness as commonplace on Martha’s Vineyard, off the coast of Massachusetts, for 250 years, beginning with a deaf resident named Jonathan Lambert in 1694. The gene for deafness was spread through generations of his descendants through intermarriage among the isolated islanders. On this island, there were no language barriers; the entire community used sign language, even when there were no Deaf members of the community present. Deaf islanders were full and equal participants in a bilingual and multimodal society. They married hearing people and were respected and active members of their community, holding important posts. To the islanders, deafness was normal, not a sickness, and it was not disabling because everyone was bilingual (Groce, 1985; Shapiro, 1994; Foster, 1998).

In 1817, the American Asylum for the Deaf and Dumb (later named American School for the Deaf) was established in Hartford, Connecticut, by two men who became America’s earliest and most influential educators of the Deaf: Thomas Hopkins Gallaudet, a hearing minister, and Laurent Clerc, a Deaf Frenchman (Gallaudet’s son, Edward M. Gallaudet founded Gallaudet College in 1864). The deaf students at this school were taught in ASL and became equally as literate as their hearing peers. Hundreds of these deaf students went on to become teachers at the school or elsewhere. With the teachers being fluent signers and teaching with ASL, the literacy skills of their deaf students were impressive (Shapiro, 1994). This next generation of deaf students then went on to become teachers and principals at schools for the deaf. They even established numerous schools for the deaf throughout the United
States, which spread sign language throughout the country (Gannon, 1981). The concept of deaf education was pretty much similar to bilingual education: ASL and written English were the language of instruction.

Since the founding of the first deaf school in Hartford in 1817, state associations of the deaf were established in several states. The National Association of the Deaf (NAD) had its first convention in Cincinnati, Ohio in August of 1880 (Gannon, 1981; Van Cleve, 1989). The Cincinnati attendees were the products of an American Deaf school system for a little over 60 years. At the convention, these deaf attendees held various positions, such as teachers, school founders, principals, businessmen and leaders. They were determined to improve deaf people’s quality of life by opposing laws that would restrict their rights, determining to discourage imposters and deaf peddlers, creating a better understanding of deafness by the public at large, pushing for better vocational training in the schools, providing better educational methods, and lastly, fighting employment discrimination (Gannon, 1981).

In September 1880, the Second International Congress on Education of the Deaf met in Milan, Italy. In sharp contrast to the desires of deaf people from throughout the world, they adopted the oral method as the “best” method in deaf education. Around the same time, the most influential oral advocate in America, Alexander Graham Bell, re-emphasized speech training for deaf Americans. Bell promoted the full assimilation of deaf people into hearing society and discouraged intermarriage among Deaf people (Van Cleve, 1989; Shapiro, 1994; Parasnis, 1998). The Milan decision and Bell’s efforts pushed the pendulum of Deaf education in America towards the use of speech as the primary means of communication in the classroom for deaf students (Parasnis, 1998). Following the Milan Conference, an oral education was promoted and bilingual education quickly declined.
While this was going on and being inspired by the NAD Convention, Henry C. White, a Boston native and Gallaudet College graduate, went on to become one of the deaf founders of Deaf schools, founding the Utah School for the Deaf (USD) on August 26, 1884 (Gannon, 1981; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984; Utah School for the Deaf, Ogden, ??). He started with a class of deaf children at the University of Deseret (later renamed to the University of Utah) in Salt Lake City, Utah. White became a teacher and principal of the school for five years (Gannon, 1981). Because he acquired little to no popularity during his place as principal, he was replaced by a hearing high school teacher, Frank W. Metcalf (he later became the first USD superintendent) from Kansas School for the Deaf in 1889 (Silent Worker, p.7; Gannon, 1981; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984). White was not alone in this situation. Other deaf founders faced great obstacles and were removed from their positions as principals for no other cause than hearing people wanted their places. White, along with three other deaf principals were recognized by the Deaf Community as shining lights in this particular, all men who built on firm foundations at the price of great discomfort and in the face of great sacrifices, only to be told to “get out” and make room for hearing men (The Silent Worker, p.101). Under Metcalf’s administration, White became head teacher. However, he resigned his position and severed his connection with USD in February 1890 (Utah School for the Deaf, Ogden, ??).
While the deaf principals were losing their jobs, hundreds of deaf teachers were also dismissed from their jobs in favor of hearing teachers who did not know American Sign Language (ASL) (Lane, 1984; Shapiro, 1994). Since the ravages of the Milan Conference of 1880, almost all teachers of the Deaf were hearing (Lane, Hoffmeister, & Bahan, 1996).

Note: White founded Arizona School for the Deaf (ASD) at the University of Arizona in 1911, an arrangement similar to the one in Utah. During his three years of service as a principal, he devoted his time conscientiously and unselfishly toward the best interest of the school and the students. When ASD was converted into an oral school, White’s employment was terminated through no fault of his own in the midst of the school year making it impossible for him to secure other employment. After a lapse of years, a legislative bill was brought up by John T. Huges, Chancellor of the University of Arizona for relief and act of justice to White in order to recognize and honor his services at the ASD on March 12, 1919 (The Silent Worker vol. 32 no. 6 p.149; Gannon, 1981).
USD’s Communication Methods of Instruction

During the early years of USD’s existence, ASL was utilized on campus. Back then, the concept of ASL was known as Combined Method. At that time in the nation, the education of the deaf had long been a contentious issue. Between the dominant society that views deaf people as defective hearing people, and the deaf minority that continues to fight for the right to be educated in an accessible language, the education of the deaf continued to be an area of immense debate. This debate was no stranger to Utah, as the Utah Association of the Deaf (UAD) which was founded in 1909, had protested this issue in the past (Pollock, 2006, personal communication).

At USD, three basic methods of instruction were eventually offered and they were: The Manual Method, the Oral Method, and the Combined Method (Burnett & Sanderson, 1955-1956). USD alumni of UAD had been exposed to each of the three basic methods of instruction. As a result, similar to the Deaf community nationwide, large members of the UAD supported the Combined Method. In July 1955, the National Association of the Deaf had its convention and they reaffirmed its support of the Combined Method of instruction (Burnett & Sanderson, 1955-1956).

Between 1955 and 1956, USD reported in public that its primary classes were to be taught in the Oral Method, and that a gradual switch-over to the Combined Method occurred during the later intermediate grades. UAD stated that they believe “there are a number of inherent drawbacks in early oral instruction which unduly interfere with the equality of opportunity of each child to progress accordingly to his ability” (p. 2). Hence, the Utah State Board of Education appointed the committee to investigate the educational methods in use at the USD. UAD supported the investigation as long as it conducts with an honest, fair, and impartial attitude. UAD requested that all sides must be given equal opportunity to be heard. Prejudice or bias was emphasized not be placed in an investigation (Burnett & Sanderson, 1955-1956).
During the investigation process, the alumni of the USD and the adult deaf of UAD presented their views on educational methods and related subjects to the general public, to educators, to parents, and especially to the members of the investigating committee. Throughout the investigation, they viewed that the USD, a residential school, was the best possible place for the deaf children to acquire their education there. They enter a fine vocational training program allowing them to have an advantage over a normal hearing child in preparing for future jobs and also find immediate jobs upon graduation. Additionally, they felt a residential school expands a better social life for deaf children. From their experience in an inadequate oral program, they felt the parents should be aware that the purely oral method was not an adequate program in educating a deaf child.

They emphasized the importance of deaf children receiving adequate education by developing their academic skills in reading, writing, and arithmetic. They believed that once their three basic subjects were mastered, lip-reading and speech can more easily be learned as valuable social arts. Lastly, they expressed their concern about USD’s educational program. They felt there was a lack of positive direction. They felt USD should develop a definite goal for potential students, and the goal should be college. At this time, high school students were not urged to prepare themselves for college, nor were they directly taught what benefits they could derive from higher education. It was suggested that USD should provide college preparation for students in the first year of high school and the whole program should be planned around college entrance requirements (Burnett & Sanderson, 1955-1956).

In 1956, Joseph B. Burnett, UAD President (1954-56) and the UAD officers had been engaged in a bitter battle with proponents of oral methods of instruction of the deaf. They had been trying to preserve what they felt was most valuable at USD: The Combined Method of Instruction. During the past several years, the trend had been to more oral instruction, with consequent loss of educational standards. UAD officers understood that it was very difficult to make normal hearing persons understand what the deaf accept as a matter of simple fact. They emphatically stated that:
“EDUCATION IS MORE IMPORTANT TO THE DEAF THAN THE MERE ABILITY TO SPEAK AND READ LIPS! And the most efficient and quickest way to educate deaf children is competent application of the Combined Method (UAD Bulletin, June, 1956).”

Kenneth Burdett’s USD Algebra Class in the 50’s

Jerry Taylor’s USD Class in the early 60’s

Main Building built in 1896       Main Building built in 1954
The result of investigation concerning the educational methods was unknown. Over the years, USD gradually provided two communication methodology programs: Oral and Simultaneous Communication.

In the fall of 1959, USD started an Extension Department for deaf children in different parts of the state of Utah (First Reunion of the Utah School for the Deaf Alumni, 1976; Gannon, 1981). Since its beginning, the Extension Division had grown from one class to over twenty classes in Salt Lake City, Ogden, Provo and Logan. At first, the deaf children were integrated with hearing children on the playground and at lunch. Eventually, they were integrated with hearing children into regular classes for activities such as physical education and there was some partial integration on an individual basis for one or more periods (First Reunion of the Utah School for the Deaf Alumni, 1976; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984).

A “Y” Program

Prior to the 1960s, USD was like many other schools for deaf children in that sign language was returning to the classrooms. However, some people continued to believe in the oral/aural approach and due to philosophical differences between the two main communication methods, controversy started in the early 1960s.

In 1962, the University of Utah established a Teacher Preparation Program, Area of the Deaf, in the Department of Speech Pathology and Audiology (this program was later moved to the Department of Special Education in 1967-1968) (Utah State Board of Education, 1973; Campbell, 1977, Utah’s Hearing Impaired Children At High Risk, 1986; Pollock, 2005, personal communication; Kinner, 2006, personal communication).
At this time, Dr. Grant B. Bitter was teaching the deaf at USD (he only taught at USD for two years), he coordinated the program on a part-time basis from its inception until 1971, when he became a full-time faculty member at the University of Utah (Utah Eagle, 1967; Summary Report for Tenure, 1985; Pollock, 2005, personal communication). Because of his deaf daughter, Colleen he became a strong oral leader and incorporated an oral teaching method in the Teacher Preparation Program, the only program of its kind in Utah (Summary Report for Tenure, 1985; Palmer, 1986; Baldwin, 1990; Pollock, 2005, personal communication). Since the Teacher Preparation program was formed, the controversy between oral and simultaneous communication broke out.

The philosophy of this program for prospective teachers was oral, and they were proponents of “mainstreaming.” Their influence was strong due to the fact that most of the parents of deaf children who supported the philosophy were hearing persons (Campbell, 1977). Because 90% of deaf children have hearing parents (Baldwin, 1975, p. 1 and others), most parents at that time, wanting their children to learn to talk in order to fully assimilate and function in the society at large, were hearing proponents of the movement. Most of the adult deaf community, on the other hand, was proponents of the simultaneous communication. The deaf community felt the simultaneous communication pedagogy should also be included in the Teacher Preparation Program (Campbell, 1977).

At this time, the problems of the deaf education system were not limited to Utah but were common nationwide. Due to philosophical differences between educational and communication methods, the controversy has occurred within the deaf educational system for years. The controversy between oral and simultaneous communication was nationwide, but perhaps was more heated in Utah because of the oral training being implemented in the Teacher Preparation Program (Campbell, 1977).
In the fall of 1962, during the administration of Superintendent Robert W. Tegeder, Bitter and other oral advocating parents were successful in their push for major education reforms by establishing a policy within USD to shift from a sign language approach to an oral/aural approach. The philosophy of USD for prospective teachers changed to oral. Speech became the primary means of communication in the classroom for Deaf students (Kinner, 2006 & 2007, personal communication). The new policy was called a “Y” program, meaning that all children had to start in the oral program.

The older students were not aware of the reform until the first day of school. Based on parental preference, they were “forced” to be separated into the oral and simultaneous communication programs. The “wall” was formed where the students were not allowed to interact with each other. In one example, high school sweethearts were unexpectedly placed in separate programs, and were forbidden to see each other on school campus. Not only that, when the “Y” program was being established, the students feared they would lose their long-time well-respected deaf teachers, Donald Jensen, Jerry Taylor, Kenneth C. Burdett, father of Ronald Burdett, USD sophomore and Dora B. Laramie, mother of Celia Mae Baldwin, also USD sophomore.

Robert W. Tegeder
USDB Superintendent

Donald Jensen  Jerry Taylor  Kenneth Burdett  Dora Laramie
The result of this shift created an intense protest among the USD older students as well as controversy between veteran teachers and the Deaf community (Pollock, 2005, personal communication). More than half of the high school students were involved in the protest. Starting a strike against the reform was Johnny Murray’s idea. Thus, he became a leader of his senior class to lead the protest along with most of the sophomores and juniors (there was no freshman class in Ogden at this time). For a week, Johnny and students of the simultaneous communication program worked together to write posters with shoe polish and used wood sticks to hold them. The USD teachers, especially four deaf teachers, Kenneth Burdett, Donald Jensen, Dora Laramie and Jerry Taylor were unaware of their plan to strike.

After a week of secret strike preparation, on Friday the third week of September 1962 at 8:30 A.M., Johnny and students arrived at the old gym after the Seminary class of the Church of Jesus Christ of Latter Day Saints. They held the posters and marched into the USD campus. Some teachers were disgusted and astonished at the striking students. One of the teachers, Thomas Van Drimmelen was so upset that he pulled Celia May (Laramie) Baldwin out of the march. Her mother, Dora B. Laramie caught him and yelled, “Let C.M. go and don’t touch her!”

The students left the USD campus and walked to the Lorin Farr Park to hide while two teachers and police looked for them. When they couldn’t find the students, the students walked through the drive-in movie lot and arrived at Burdett’s backyard between 11:00 to 11:30 A.M. In the backyard, Johnny asked them, “How much money do we have?” After they chipped in their money, one went to the grocery store on 26th and Quincy Avenue to purchase cookies and punch for their “lunch time.”

Johnny and students stayed in the backyard until 3:00 P.M. The teachers were still looking for them. Burdett and Laramie feared they would lose their jobs because of their children’s involvement in the strike. By the time, they arrived at their USD dormitories,
their houseparents told them to report to the library, which they did. Superintendent Tegeder met with them there and asked them, “Why did you go on strike?” Instead of answering his question, they asked, “Why do we have two departments on the school campus?” They also asked him, “Why does the Oral Department have more students than the Simultaneous Communication Department? He, at this time supported the oral philosophy said, “Oh well!” They expressed their deep distress and disappointment with the reform of the oral and simultaneous communication students being separated in their dormitories, dining rooms, physical education classes, cooking classes, sewing classes, printing classes, workshop classes, and different events. They missed the old way, especially their friends.

While Johnny and students were gone during the day, a reporter from the Standard Examiner came to USD and asked questions and took pictures. The news was all over television and newspapers. However, no one listened. Despite the protest, Burdett and Laramie didn’t lose their jobs (Pollock, 2005, Kinner, 2006, Burdett, 2007, DeGraw, 2007, Murray, 2007, Sausedo, 2007, and Williams, 2007. personal communication).

The students who participated in the strike were:

**Senior Class:**

![Johnny Murray](image1.png)  ![Robert Gillespie](image2.png)  ![Brant Skelton](image3.png)  ![Connie (Perkins) Curtis](image4.png)

Johnny Murray  Robert Gillespie  Brant Skelton  Connie (Perkins) Curtis
Junior Class:

Diane (Quinn) Williams
Eric Przybyla
Clarinda (Jack) Weston
Lorenzo (Veldon) Haddon
Rhonda (Hurst) Christensen
Ronald Perkins

Dennis Calley
Lou Ann Collier
Clyde Fowler
Renee Hallett
Note:

While USD’s education was starting to deteriorate, Ronald Burdett and Celia Mae (Laramie) Baldwin passed their exams and departed for Gallaudet University during their senior year.

Ronald Burdett was Professor and Dean of Deaf Studies and Special Services at Ohlone College, Fremont California and Vice President of Community Relations at Sorenson Communications.

Celia May (Laramie) Baldwin was a teacher of Utah School for the Deaf and later became teacher, principal and Dean of Student Life at California School for the Deaf, Fremont and former interim chairperson of the Gallaudet University Board of Trustee.
Despite the protest, the “Y” program was officially established in Ogden where the residential school was located (this school was moved to Ogden in 1896) as well as in schools in a district in the Salt Lake area. This program required all deaf children to enroll in the oral program. There were no other options for parents to choose. When the children reached the ages of 10 and 12, their parents had to decide to branch the children out into one of two programs: Oral or Simultaneous Communication (First Reunion of the Utah School for the Deaf Alumni, 1976; Kinner, 2006, personal communication). The families in the Salt Lake area preferring simultaneous communication would have to send their older deaf child to a simultaneous communication program at residential school in Ogden or pull their children out of USD and enroll them in a public school with a sign language interpreter. The educational placement options were severely limited in that area (Kinner, 2006, personal communication).

Shortly after the “Y” program was in effect and protest was over, Tony Christopulos, USD principal, called older deaf students in and wrote down both Deaf World and Hearing World on the black board. He emphasized them that they should not go to the Deaf World. He made an X on the Deaf World and then circled the Hearing World. He again emphasized that they must go to the hearing world (Burdett, 2007, personal communication). It was the beginning of the oral movement.

The UAD members were unaware of the reform until the protest was announced in public (Kinner, 2006, personal communication). After the protest, UAD members, Dr. Robert Sanderson, Leon Curtis, Ned Wheeler, Robert Welsh, Joseph Burnett, Dave Mortensen, Kenneth Kinner, and Gladys ( ) Wenger intervened and met with State Superintendent E. Ellen Bateman of Public Instruction. They expressed their concerns about the “Y” program. They felt
the signing environment on campus should remain unchanged. However, Bateman showed a pile of letters from parents of deaf children to the UAD members and picked one letter expressing a desire to place a deaf child in an oral program. In spite of parents’ wish, there was not much UAD members could do about this situation (Kinner, 2006, personal communication).

It was suspected that the UAD was behind the plan for the student strike. Hence, the Utah State Board of Education investigated but failed to see the connection between the students and the UAD (Sanderson, 1963). Dr. Robert Sanderson, UAD President (1960-63) denied having to do with it and stated in the UAD Bulletin of spring 1963 that “the strike was spontaneous – a reaction of the students against conditions, restrictions, and personalities which they felt had become intolerable” (p. 7).
This movement had impact. Because the majority of parents preferred the oral program, the majority of faculty were trained and hired to serve in the oral program (Campbell, 1977). As a result, oralism was utilized as the primary method of teaching in residential setting and school districts, upsetting those in favor of the total communication approach, which included sign language.

USD Oral Program

Deaf and Hard of Hearing Section

In accordance with the website of Alexander Graham Bell Association for the Deaf and Hard of Hearing, an oral advocate association, stated Utah became the first state to found the Deaf and Hard of Hearing Section (DHHS) in 1964 to carry out AG Bell’s mission of encouraging the use of the oral approach in educating children with hearing loss. DHHS was a group of adults who are deaf or hard of hearing and choose to communicate through spoken language and speech reading (http://www.agbell.org/DesktopDefault.aspx?p=Deaf_and_Hard_of_Hearing_Adults&lin kid=4)
Dr. Grant B. Bitter and Dr. Robert Sanderson

Due to the rapid growth of the oral movement and decline of sign language in the educational system, Dr. Robert Sanderson, the first Deaf Utahn with PhD and a respected deaf leader of the Deaf community, battled with Dr. Grant B. Bitter in 1965 to increase public awareness of the importance of preserving sign language and promoting quality of education for deaf children. It was difficult to battle with Bitter because he had parents’ influence and leverage to increase his power to promote oralism in deaf education. While hundreds of oral advocate parents were so agitated with Sanderson’s constant battle with Bitter that they demanded his boss have him fired. Luckily, his boss was kind enough to let Sanderson keep his job at the Division of Vocational Rehabilitation despite his heavy political involvement outside of his employment (Sanderson, 2006, personal communication).

Through the legislative process, Bitter made an effective lobbying effort based on the needs to better prepare deaf and hard of hearing students to live in the oral/aural English-speaking society, also known the mainstream of “normal” daily living (Baldwin, 1990). Similar to Alexander Graham Bell, the most influential oral advocate in America in 19th century, Bitter was determined to promote the full assimilation of deaf people into hearing society and he was so committed to the perspective that deaf people should learn to talk. Thus, he founded the Oral Deaf Association of Utah, Utah Registry of Oral Interpreters, directed the teacher preparation program at the University of Utah, and served as Chairman of the Governmental Relations Committee of the Alexander Graham Bell Association for the Deaf and so forth (Summary Report for Tenure, 1985; Pollock, 2005, personal communication).

A Dual Track Program

In 1965, the parents were actively involved in the Parent-Teacher Association (PTA). Linda Harrop, a hearing parent was the PTA president. She, along with most hearing parents were oral proponents. Other parents, along with Kenneth Kinner, PTA Vice-President, were proponents of the simultaneous communication. There was heated
controversy between oral and simultaneous communication in the PTA functions. At this time, deaf parents were not allowed to sit on the front row. They were asked to sit on the back row with a sign language interpreter so sign would not be seen or exposed. Additionally, both deaf and hearing parents who favored simultaneous communication couldn’t voice as it was oppressed; they were unable to voice their concerns about the education issues (Kinner, 2006, personal communication). Deaf parents were not the only ones who had to deal with these barriers. The oral deaf children were covered by their parent’s coats so sign language wouldn’t be seen in the PTA meetings (Campbell, 2007, personal communication).

Out of the PTA members’ frustration, they met with Della Loveridge, a Representative and expressed their concern about the situation with PTA in 1970. She suggested that the deaf and hearing parents who support sign language establish “an exiting PTA,” which they did. They named the association Parent Teacher Student Association (PTSA) and it focused on deaf students’ linguistic, educational and social needs. The majority of deaf parents joined the PTSA. The general PTA changed its name to an Extension Oral PTA. As a result, oral PTA and PTSA divided due to educational philosophy differences. The new PTSA was given an opportunity to voice their concerns to make a difference in deaf education. That led to developing a proposal to create a new program to replace the “Y” Program to provide options for parents to choose (Kinner, 2006, personal communication).

Because the “Y” Program did not seem to work out very well during the few years it operated, Superintendent Robert W. Tegeder sought assistance from the Utah State Board of Education (USBE), especially Dr. Jay J. Campbell, Associate Superintendent of Utah State of Education, supervisor of USD and husband of a sign language interpreter, Beth Ann (Moon) Stewart (a former Administrator of the Sanderson Community Center), who had became interested in the welfare of deaf children (First Reunion of the Utah School for the Deaf Alumni, 1976; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984).
While Superintendent Tegeder got assistance from the USBE and Campbell, the PTSA proposed a Dual Track Program that allowed parents to have a choice between oralism and total communication to the Governor’s Advisory Council (later renamed Institutional Council). Ned C. Wheeler, UAD President (1944-46) was the deaf chairperson of the Governor’s Advisory Council at this time (The Ned C. Wheeler Scholarship Foundation for the Deaf is named after him). Upon approval, the proposal was then submitted to the Utah State Board of Education for funding approval (Kinner, 2006, personal communication). When the request reached Campbell’s hands, he changed to a unique instructional system known as the Dual Track Program (First Reunion of the Utah School for the Deaf Alumni, 1976; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984).

The name of the communication method known as Simultaneous Communication was replaced with Total Communication because it was an innovative idea at the time. The adoption of “Total Communication” at many schools restored the use of ASL in classrooms for the first time since the early 1900’s (Gannon, 1981; Kinner, 2006, personal communication). It has since fallen out of favor by the Deaf Education establishment. Total Communication is a philosophy which was a very important development in the history of educating American deaf students in classrooms in the late 1960’s and early 1970’s. The original idea was to incorporate all possible means communicating with deaf students through a variety of methods to communicate in the classroom, including ASL, written and spoken English, gestures, fingerspelling, manual coded English system, etc. However, many educators knew how to use spoken and written English and in actual practice, it devolved into speaking English and simultaneously signs the prominent words in what was spoken in English word order (Lane, Hoffmeister, & Bahan, 1996; Lane, 1999; Pollock, 2006, personal communication).

On December 28, 1970, the Utah State Board of Education (USOE) adopted two policies to try and help USD solve its educational philosophy differences. According to Campbell, (1977), Policy One stated that both the Oral and Total Communication programs should
be available to each student in accordance with school policy. Policy Two dealt with placement; it stated that student and parent judgments should be factors in determining placement, but that the most important consideration should be the needs of individual students (p. 149). The Dual Track Program became official in 1972 (First Reunion of the Utah School for the Deaf Alumni, 1976; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984; Kinner, 2006, personal communication).

Attached are Recommendations on Policy for the Utah School for the Deaf. Policy One and Policy Two were part of the recommendations as listed below.
RECOMMENDATIONS ON POLICY FOR THE
UTAH SCHOOL FOR THE DEAF

During the fall of 1970, two committees conducted extensive study of
the educational program of the Utah School for the Deaf. One committee
was appointed by the State Board of Education upon recommendation of the
Governor’s Advisory Council; the second committee was subcommittee
number 4-Deaf, Blind, and Socio Economic Handicapped-of the State Committee
for Handicapped Children.

Both committees made oral presentations of their findings and recommendations
to the State Board of Education on December 11, 1970. Additionally, written
recommendations were submitted to the Board on behalf of the committees.

Recommendations tendered herewith are a composite of existing policy
at the school and recommendations presented in writing from the two committees,
as those recommendations could be harmonized.

It is recommended that the State Board of Education adopt as policy for
the operation of the Utah School for the Deaf the following:

1. There shall be two distinct programs of instruction at the School
(Crèal and Total Communication); both programs shall be available to all
students at the school at their election in accordance with school policy,
throughout their years of attendance.

2. The superintendent of the School for the Deaf shall be responsible
for delineating a formalized procedure for identification and placement of
all students; such a procedure shall make provisions for transfer of students:
from one program to the other as the needs of a particular student direct.
The procedure shall recognize the desirability of parent and student
involvement in the determination of student direction but the actual placement
and transfer shall be the sole responsibility of the professional staff at the school and shall reflect professional ability in the diagnosis of student needs and prescription of student programs.

3. Continuous examination and evaluation of the program and of the results obtained therefrom shall be a responsibility of the Division of Research and Innovation of the State Board of Education in cooperation with the superintendent and staff at the school. Data obtained from evaluation shall be used by the superintendent of the school in re-directing programs and in recommending policy alteration to the State Board of Education. Periodic accreditation evaluation visits will be made to the school under the direction of the accreditation section of the State Board of Education.

4. The academic program at the school shall be closely aligned with the program in the public schools; faculty shall be selected and utilized for specific subjects and grade levels on the basis of their particular skills, interests, and professional preparation and in consideration of that which shall be most beneficial to students at the school.

5. Vocational training programs shall consist of pre-vocational, vocational preparation, and post-graduate work. The pre-vocational program shall be organized to prepare students for the more complex demands of vocational preparation; regular vocational programs shall be as comprehensive as the needs of students demand and limited resources permit; post-graduate work will be essentially for special students who are unable to profit from training at other schools because of communication or other limitations. The vocational training programs shall utilize the service and expertise of staff from the divisions of Vocational Education and Vocational Rehabilitation of the State Board of Education, for cooperative and placement programs to
enable students to profit from these experiences.

6. The school shall develop full cooperation with the public elementary, secondary, and post-secondary schools of the state to the end that deaf students shall be better serviced. Such cooperation shall include but not be limited to attendance at public schools by deaf students in such programs as will bring benefit to them, use of special facilities that will encourage and serve deaf students more fully, interchange programs of special merit to promote greater understanding and association with hearing students.

7. The school shall, in cooperation with the staff of the State Board of Education and the State Division of Health, develop a program of early identification of children with impaired hearing and in cooperation with the respective staff of the two agencies provide programs for habilitation, education, and health treatment which will help the deaf child communicate more adequately and which will help the parent to aid the deaf child in his early education.

8. A program of orientation and education shall be initiated and developed for parents whose children are at the school. Such a program shall include orientation to different communicative methodologies of educating deaf children and alternatives that are available to the students at the Utah School for the Deaf.

9. Students in Oral and Total Communication programs conducted at the school and students who attend public schools shall be separated through the junior high school years; students at the high school level, residential or day school, shall not be separated socially.

10. The school shall operate an extension program in the state wherever
there are sufficient students at a homogeneous level to justify a class. All
off-campus classes for the deaf will be under the administration of the school.
Classes for Oral and Total Communication programs shall not be conducted in
the same facility. The State Board of Education shall annually set aside
sufficient distribution units for allocation to school districts for programs
of the deaf to enable the School for the Deaf to conduct the required extension
classes.

11. A continuous study of the professional and support personnel needs to
serve the deaf student shall be conducted by the Division of Instructional
Support Services of the State Board of Education, in cooperation with the
school and the University of Utah. Factors to be included in the study are:

   a. Job categories needed, including aides, specialists,
      paraprofessional, and professional personnel.
   b. Curricula at the teacher training institutions necessary to
      train personnel for each of the required job categories.
   c. Certification and licensure standards necessary to properly
      credential each required job category.
   d. Vertical and horizontal mobility from one occupation to
      another.
   e. Reciprocity among states.

As a means of initiating this study program, the State Board of Education
shall select a broadly based committee, consisting of membership drawn
from teacher training institutions which prepare educational personnel to serve
the deaf and other professional and lay groups, which shall within a period
of not to exceed one year report to the Board its findings and recommendations.
Additionally, the State Board of Education shall request the University of Utah, through the State Board of Higher Education, to conduct a study to determine if its curriculum is adequate to meet the professional and support personnel needs of the deaf community. The Board shall also request that the Study Committee and the University of Utah harmonize the two studies for greater affect and impact upon the School for the Deaf.

12. There shall be an inservice training program at the school, conducted on a continuous basis, under the direction of the Superintendent, which shall deal with methodologies employed and policies effected, designed primarily to develop within the faculty such cooperative endeavors as will best serve the deaf child.

13. Every effort shall be made by the administration at the school to effect harmony among the school patrons representing differing instructional methodologies. Periodic meetings shall be held for the membership of each group and combinations of the two for the purpose of defining commonalities that may be shared. The administration shall utilize the PTA and the Governor's Advisory Council to the extent possible in this endeavor.

14. The State Board of Education shall direct that the various divisions of the Office of the State Superintendent of Public Instruction shall provide consultative services to the school and extension classes under its direction, subject to the supervision of the administration of the school. The line and staff organization for the operation of the school shall be as follows:
15. The school shall continue to develop the capacity both in staff and facilities to serve the multiply-handicapped whose handicapping conditions include deafness. Continuous research and experimental programs shall be conducted by a committee appointed by the State Board of Education for both Total Communication and Oral departments. This policy is not intended to affect the study of the Deaf-Blind currently underway.

16. Relationships between faculty and students at the school shall reflect mutual respect for individuality and responsibilities of members of both groups. Students shall be subject to faculty direction and to all rules and regulations promulgated by the school in accordance with the basic policies described herein. The Superintendent of the School shall have authority to suspend students whose behavior is threatening to fellow students or which
As a result, USD offered a dual track: an oral/aural program in one department and a total communication program in another department at both the residential school and extension program in the Salt Lake area (Gannon, 1981; Pollock, 2005, personal communication; Kinner, 2006, personal communication). USD was the only state to administer both the oral/aural and total communication programs in a dual track system. This provided parents a choice between the total communication of methods of instruction or the oral method of instruction for a deaf child from 2 ½ to 21 years old of age (First Reunion of the Utah School for the Deaf Alumni, 1976; Utah School for the Deaf 100th Year Anniversary Alumni Reunion, 1984; Kinner, 2006, personal communication). However, according to Campbell (1977), USD apparently did not comply with these policies. The two programs were not equally available to each student and placement of students was not based on professional evaluation of student need.

The USD Parents Infant Program (PIP) tended to lead parents to a commitment to the oral program and restricted the availability of the total communication program. The PIP tried to teach listening and oral language skills as early as possible because the majority of parents preferred the oral program. The PIP preferred not to teach or use signs. The PIP would place the children in the oral program and only recommend the total communication program if progress was not being made (Campbell, 1977, Pollock, 2005). The PIP and the student placement procedures tended to place the more promising
students in the oral program and students with multiple disabilities in the total communication program (Campbell, 1977). The students with more severely disabilities were found in the total communication program (Campbell, 1977). Apparently, this program was treated as a last resort.

The children that went into the total communication program were often considered failures, not having been successful with the oral program. For instance, when the normal deaf children who couldn’t make it “orally,” they were transferred from the oral program to total communication program. Their best learning opportunity in the oral program had been lost (Campbell, 1977). These oral students had been taught that the total communication was not a good philosophy. Now that they failed in the oral program and were transferred to the total communication program, they disliked it, which caused self-image problems (Campbell, 1977). When this occurred, students were labeled oral failures (Lane, 1999), a label which undoubtedly had a deleterious effect on the students (Pollock, 2005, personal communication).

With the entire problem with inappropriate placement, it was found that the most of the USD staff assumed that signing inhibits oral language development, so therefore they recommended initial placement in the oral program unless the child had additional disabilities or the parents preferred the total communication program (Campbell, 1977). Furthermore, the coordinators and staff members of both the oral and total communication programs believed their own program to be better for most students than the alternative program. Campbell (1977) stated that “they offered only one communicative system for all deaf children were denying children the most important educational alternative that a deaf child needs” (p. 82). If the child was not making adequate academic progress in the oral program, the staff conference was called to discuss alternative placement. The conference consisted of one or both curriculum coordinators, the principal, audiologist, and a teacher. Students were never invited to the meeting and parents were seldom invited (Campbell, 1977).
Campbell expressed his concern regarding the placement of students in one or the other was, according to Policy Two, the responsibility of the professional staff members. The purpose of this policy was to create interminable conflicts and unprofessional placement decisions. His concern had been expressed that there was no uniform periodic assessment of placement nor was there adequate objective test data to evaluate placements. It was recommended that decisions concerning placement of students in programs not be made the responsibility of the staff or administration of the school. In addition, it was recommended that the administration of the two programs be completely separated, not combined under a common principal (Campbell, 1977). Ironically, Janet Cannon of the Utah State of Education’s question fits Campbell’s suggestion. In 2004, she asked the Institutional Council to see if USD should be headed one administrator officer, or should each school have its own principal?

It was not Campbell’s desire to abolish either program (Subcommittee #4, 1971). He recommended the “two track system” be continued in completely separate programs in order to solve the internal/external strife between the Oral and Total Communication Programs and reduce the competition, as well as tension among these programs. Each program should have its own dean, its own supervisor, its own principal, its own teachers and students emphasis. Additionally, through feedback among the USD teachers, the principals favored one program to another, they were spread too thin to do a good job, and were unable to develop any personal rapport and relationships with faculty members due to commitment with the various extension programs and the two on-campus divisions (Campbell, 1977).

Because of all the problems and tension faced by the USD staff, the teachers supported the recommendation of hiring two principals: one for the Oral Department and the second for the Total Communication Department. It was almost impossible for one principal to supervise two different philosophies in the extension division and the residential school adequately. Another recommendation was for two separate facilities to house the two departments. Due to policy of the State Board, separate programs were not allowed, but USD could have the students located in two separate facilities so that the oral program
can be in a total oral environment and the total communication program could be developed separately because they felt the present principal was not fully committed to their educational philosophy (Campbell, 1977).

In a Dual Track program in which children start with either the Oral or the Total Communication programs (USD later added JMS and its ASL/English bilingual option in 2005). The children could stay in their program for the rest of their school years, or they could transfer to the other. This system remains today.

**Research and Recommendations**

Campbell was appointed by USOE to supervise USD in 1966. During his supervision, he observed the constant controversy between Bitter and Sanderson as well as controversy between the two programs at USD over communication methodology. In order to strengthen the USD programs, he began a study on deaf education in 1975, which was created and authorized by USOE (Campbell, 2007, personal communication).

After two years of comprehensive study, having worked with outside, neutral researchers, Campbell finished the report on February 15, 1977. The results were based on data gathered between 1960 and 1977 and included those being mainstreamed in the school districts and those under the auspices of the Utah School for the Deaf. The report basically indicated that many deaf students were not receiving a good education (Campbell, 1977; Campbell, 2007, personal communication).

Since two programs were offered at USD, the educational achievement had been poor due to conflict between the two philosophies of educating the deaf students. Additionally, the child’s needs had been lost in the controversy over philosophies. The aides and tutors
were in short supply at USD; teachers felt burdened teaching mix children with different ages, languages, and cognitive skills in one classroom. One teacher expressed it this way: “In most classes, there is a marked difference in ability levels between students. Often a teacher must teach at two or more different levels at the same time. A competent aide can help the teacher to utilize the student’s time efficiently by carrying out certain instructional activities with part of the class while the teacher instructs other students. Besides increasing the actual amount of instruction time for teach student, utilization of aide personnel can also increase the amount of language input received by each student during the day” (Campbell, 1977, p. 78). Many deaf students were not prepared to earn a living and did not have the basic skills necessary to function adequately in the society (Campbell, 1977). It was suggested that early intervention into the education of the deaf was needed. Not only that, it was difficult for USD to provide quality of education because the percentage of children with additional disabilities had increased over the years (Campbell, 1977). In many cases, the school districts did not have the commitment or the trained personnel to do the job adequately. Moreover, the school districts were not educating deaf children adequately (Campbell, 1977). Interaction between deaf and hearing students was limited. It was found that deaf students were happier and better adjusted if they had other deaf students to associate with (Campbell, 1977).

During the study, the USOE appointed Sanderson to conduct a survey of the alumni of the Utah School for the Deaf to confirm their feelings about the education they received at the school. The survey compared graduates from the USD prior to 1948, those who had graduated from 1948 to 1959, and those who also had graduated from 1960 to 1977. The results showed a marked difference in feelings. Those that graduated prior to 1948 seemed to like school, understood teachers, and liked the administrators much better than those who graduated from 1960 to 1977. The results of the students graduating between 1948 to 1959 fell between the two other categories (Sanderson, 1977).

From the results, Campbell developed some recommendations including the following:
1. Restructure and strengthen the programs to reduce the competition as well as tension and meet the children’s educational needs through fair placement process,
2. Improve the evaluation on each student for proper placement based on communication methods used in educating the deaf,
3. Provide periodic evaluations of all students and recommendations for transfer,
4. Provide aid and education to parents in their decision regarding placement,
5. Improve curriculum and offer vocational courses to insure training to develop necessary skills to obtain employment,
6. Encourage teachers and parents to become involved with the Deaf community and have the right attitude toward the deaf,
7. Include the state evaluative process for deaf children in school districts under the direction of USD and make recommendation on placements, whether it was oral, total communication or districts,
8. Keep up with the research on services and education progresses,
9. Coordinate the educational research of USD with research from other states, and
10. Reconsider and rewrite USD policies to clarify their intent and ensure that they reflect a coherent and consistent policy (Campbell, 1977).

After developing a list of recommendations, Campbell gave a presentation to the Utah State Board of Education. Approximately 200 oral advocate parents were in present in the board meeting. They were so distressed with his study that they demanded that he be fired. Instead, Dr. Walter D. Talbot, State Superintendent of Public Instruction assigned Campbell to a different position at USOE. His comprehensive study with recommendations of possibility improving USD’s education through fair evaluation and placement procedures were forgotten and buried. Thus the trend at USD of establishing “inappropriate” placement procedures partly due to unshared information continued (Kinner, 2006, personal communication; Campbell, 2007, personal communication).
Some people believed that Dr. Grant B. Bitter was behind this plan because of his constant criticism toward Campbell’s comprehensive study. The evidence of his criticism can be found in his documents preserved at the J. Willard Marriott Library, University of Utah.

**A Protest at the University of Utah**

Since the 1960s, the controversy between oral and total communication was heated because of the oral training being implemented in the Teacher Preparation Program within the Special Education Department at the University of Utah. Under the direction of Dr. Grant B. Bitter, his program impacted the oral philosophy movement at the Utah School for the Deaf and the mainstreaming growth in the education of the deaf. The history of protest at the University of Utah gives us a background of how UAD and the Deaf community’s concerns were not fully met.

The controversy regarding the Oral Teacher Preparation Program became public on November 28, 1977 and December 2, 1977 when members of the UAD, led by Dave Mortensen, a long time and respected UAD President (1971-85, 1987-91, & 1993-97) and father of a deaf daughter, Kristi Mortensen, protested outside the Utah State Board of Education office and in front of the Park Building on the University campus (Chaffin, November 19, 1977, p. 30 A; UAD Flier, 1977).
For years, UAD, especially Lloyd Perkins, Chair of the Education Committee and the Deaf community expressed their concerns about the University of Utah’s decision to not introduce a pedagogical approach known as Total Communication into the Teacher Preparation Program. The Special Education program strongly believed that deaf students should be educated orally and that sign language should be discouraged. Throughout the debate, a new policy was formed to require teachers who prepare to teach all deaf students to master the basic manual communication competencies. However, UAD/Deaf community and Special Education department had a different view regarding the extent to which total communication courses would be offered in the teacher preparation program (Pollock, 2006, personal communication).

In 1974, Utah State of Education studied the feasibility of the establishment of a parallel preparation program in total communication and it was decided it was not economically feasible to add a total communication program to the teacher Preparation program. It was approved that a sum of money be appropriated to recruit total communication teachers from outside the state. It was agreed to include some total communication experiences in the oral training program (The University of Utah, November 28, 1977; Hunt, December 2, 1977).

Utah State Board of Education promised that the Teacher Preparation Program under its director would be fair and equal in training teachers for both systems of deaf education. However, it was found that the director had provided only 3 hours of sign language instruction while scheduling 15 hours
of speech therapy training. Not only that, UAD and the Deaf Community presented their concerns regarding the Teacher Preparation Program as biased toward oral-only education with absolutely no research justification and it favored day schools, rather than the more effective residential school in use now. The director of this program did not understand or was familiar with the deaf issues. Moreover, the concern had been expressed that the Teaching Preparation Program Advisory Committee was staffed entirely by hearing persons who were receptive to an oral-only program. The deaf community was unrepresented. They asked that more professional deaf people from the community be added to the Advisory Committee in order that the ratio of deaf and hearing people be more equal. They were frustrated with Bitter being biased against the Deaf Community and the use of the total communication method of teaching. They stated that he had tried to force deaf persons who use interpreters to go ‘to the back of the class’ so the rest of his students could not even see the use of sign language. UAD and the Deaf Community proposed that the University of Utah set up a separate special education department teaching Total Communication with someone who is favorable to this method of instructions as its director. Furthermore, UAD was concerned about the professional practices of an assistant professor at the University of Utah and wished to discuss this with the President to resolve several issues within channels that had not been productive, and had received no responses whatever. Lastly, UAD questioned the use of university time and materials for personal use (UAD letter, 1977; UAD Flier, 1977).

*Attached is the UAD Flier below.*
UAD Flier, 1977

Flier distributed on the University of Utah Campus, Monday, November 28, 1977 and Friday, December 2, 1977.

U OF U ADMINISTRATION TURNS A DEAF EAR TO THE DEAF

THREE MONTHS AGO THE FOLLOWING POINTS WERE PRESENTED TO VICE PRESIDENT GARDNER BY LEADERS OF UTAH'S DEAF COMMUNITY. THE UNIVERSITY HAS SINCE FAILED TO ANSWER THESE POINTS FULLY AND ABOVEBOARD. ANY RESPONSE THAT HAS BEEN RECEIVED HAS BEEN VAGUE, ABSTRACTS, AND INCONCLUSIVE AT BEST. AS TAXPAYERS AND CONCERNED CITIZENS WE DESERVE AND DEMAND SOME ANSWERS!

1. The deaf teacher training program is biased toward oral-only education with ABSOLUTELY NO RESEARCH JUSTIFICATION -- hardly a university concept.
2. The director of the teacher training program does not understand deafness nor the deaf community he 'teaches' about; he cannot communicate with deaf adults and, indeed, tries to force the deaf into utilizing his own inefficient mode of communication -- hardly a 'cooperative' community effort.
3. Drs. Erdman and Henley promised the State Board of Education that the deaf teacher training program under its director would be fair and equal in its training of teachers for both systems of deaf education -- the time proven total communication method and the experimental oral-only method. But the director has, in fact, provided only three hours of sign language instruction (mandatory for the total communication method) while scheduling 15 hours of speech therapy training...hardly equal, since three hours of instruction would not be sufficient to qualify anyone at the university level for any foreign language. There are several questionable practices being followed in the make-up of even this 'three hours' of sign language training. Each two-hour class actually contains only one hour of instruction, followed by one hour of classroom time being used by none other than the program director to de-emphasize the first hour of sign language instruction. This constitutes a blatant misuse of university funds in paying someone to teach under contract for 'ten' hours when only five hours' instruction is given.
4. This director, Grant Bitter, is biased against the deaf community and the use of the total communication method of teaching. He has actually tried to force deaf persons who use interpreters to go 'to the back of the class' so that the rest of his students cannot even see the sign language in use.
5. Items 3 and 4 above are ample reason to submit a complaint to the university's professional practices committee due to the unethical and discriminatory practices being used by Grant Bitter.
6. The teacher training program Advisory Committee (possibly disbanded by press time) is staffed entirely by hearing persons who are receptive to an oral-only program. The deaf community is wholly unrepresented. We feel that more professional deaf people from the community should be contained in this Advisory Committee in order that the ratio of deaf and hearing people be more equal.
7. Further clearly biased direction of the teacher training program is favoring day schools, rather than the more effective residential school now in use.
8. The deaf community is proposing that the University of Utah set up a separate special education department teaching Total Communication with someone who is favorable to this method of instruction as its director.
9. The Utah Association for the Deaf is seriously concerned about the professional practices of an assistant professor at the university and wishes to discuss the matter with the president himself, inasmuch as efforts to resolve several issues through channels have not been productive, and have brought no response from the university whatsoever. These practices involve the misuse of university time and materials for personal endeavors.

WE THE DEAF PEOPLE OF THE STATE OF UTAH INVITE YOUR SUPPORT IN REQUIRING THAT ANY TRAINING PROGRAM TO PRODUCE TEACHERS FOR THE DEAF CHILDREN IN UTAH BE FORMULATED UPON PROVEN EFFECTIVE METHODS, IN ORDER THAT THESE DEAF CHILDREN MAY GROW UP WITH THE BENEFIT OF THE BEST EDUCATION THAT CAN BE PROVIDED FOR THEM. THE END RESULT OF A GOOD EDUCATION SHOULD BE, AS ALWAYS, A HAPPY, CONTRIBUTING MEMBER OF SOCIETY, NOT A BURDEN TO SOCIETY. YEARS OF RESEARCH HAVE SHOWN THAT THE METHODS BEING SHOWN TO THE TEACHER TRAINEES ON TH U OF U CAMPUS ARE NOT
Bitter, who directed a training program for teachers of the deaf, denied being biased against the Deaf community. Even through the training program emphasized oralism, he responded to the protest by saying “we are endeavoring to be fair and meet individual needs” (Hunt, November 29, 1977, p. 1; Hunt, December 2, 1977) He favored the oral-only because in his view, it was the best way to help the deaf become independent, functional members of the society, with a healthy self-concept (Hunt, November 29, 1977, p. 1). Additionally, he believed that oralism best prepared a deaf person for a normal life as part of society, and the independence aspect should be underscored in any program. He also stated that basic skills in sign language are also taught at the training program, along with an opportunity for contact with the deaf community through practicum. Bitter reminded the protesters that the University of Utah had fulfilled its obligation to the Utah State Board of Education by providing experiences in total communication in the oral curriculum (The University of Utah, November 28, 1977; Hunt, December 2, 1977).

After the Utah State Board of Education meeting, the following decisions had been made:

- Two distinct programs of instruction shall be conducted at the Utah School for the Deaf, in Ogden, Oral and Total Communication.
- A procedure shall be established for diagnosis, evaluation and placement of students according to their needs, and such placement shall require the approval of parents and guardians.
- A long-range research shall be instituted to determine the characteristics of students for whom certain programs work best.
- Students in oral and total programs at the school shall be separated through junior high school.
- The Utah School for the Deaf shall report to the board’s office in Instructional Services. This means that if the policy is adopted, USD Superintendent Robert Tegeder would report to Associate Superintendent Lerue Winget, rather than to Associate Superintendent Jay J. Campbell.
- School faculty members (and also members of the state board staff) were constrained from taking sides in disputes regarding methodology (Chaffin, November 19, 1977, p. 30 A).

Apparently, because of oral advocate parents’ complaint, Campbell was out of the picture and could no longer supervise USD. Appointment of an advisory committee was deferred. The USOE Board called for studies to determine whether or not a total communication program of teacher preparation was needed (Chaffin, November 19, 1977, p. 30 A).

Because of constant controversy over the Teacher Preparation Program, Dr. Walter D. Talbot wrote a letter to Don Logan, Chairman of the Department of Special Education at the University of Utah on August 27, 1979 (Utah State Board of Education, 1979). In his letter, he recognized the concerns expressed by members of the Board in discussing the matter related to the feeling that the total communication area was being neglected in the training program. He (1979) stated that even through all students in the program had opportunity for experiences in Total Communication, the emphasis was largely on oral. He (1979) even stated the board felt there needs to be a program in total communication equal to that oral of the program.

Talbot tried to help find a solution for bringing total communication into equal status with oral by recommending 1. A change in the role assignment by the Regents to permit a Total Communication program be provided at another Utah teacher training institution, 2. Disapprove the University of Utah’s program by refusing to certify individuals graduating from that program, and 3. There be no program in Utah higher education institutions for training educators of the deaf (Utah State Board of Education, 1979). The first recommendation was not met until 1982.

For more information, refer to the Utah Deaf Education Controversy: Total Communication Versus Oralism at the University of Utah document written by Jeff W. Pollock dated May 4, 2005.
Biased Toward Communication Modes and Methodology

While the Total Communication Program was available at the USD, many parents continued not to be aware of it. Bitter hosted an Oral Demonstration Panel at the University of Utah. When he opened for questions, Sanderson stood up and asked, “Have you heard the other sided program?” Bitter quickly closed the meeting and the audience left without knowing the answer (Kinner, 2006, personal communication).

With ongoing heated controversy between oral and total communication and parents’ struggle to make decisions based on conflicting advice from USD professionals, Sanderson pointed out that he supported the right of parents of deaf children to decide on a program for them, based on fair information. He opposed improper, biased, one-sided information that lacked research basis (Sanderson, ?). One example applied to this situation. A father of a 14 year old met with Campbell and expressed his concern about his son being in the oral program and still could not read and write well. He asked Campbell for his advice. Campbell asked if he had heard of the other side: Total Communication Program. The Father said no; he had never heard of that program (Campbell, 2007, personal communication; Kinner, 2007, personal communication).

Because of parents’ ignorance of USD programs’ availability, Campbell recommended that procedures be established for parent orientation and student placement, with a pamphlet provided that explained the two programs and their different communication methodologies. It was emphasized that this brochure be updated periodically with summaries of empirical research (Campbell, 1977). However, Bitter objected to the plan. The plan collapsed (Campbell, 1977; Pollock, 2005, personal communication; Campbell, 2007, personal communication).

Mainstreaming and LRE

USD became a leader of mainstreaming classes through the Extension Division during the 1960s, before the term became popular with the passing in 1975 of Public Law 94-
142, now known as IDEA, and Utah’s trend towards mainstreaming grew steadily in the education of deaf children (Baldwin, 1990). Campbell (1977) stated that much of the emphasis for mainstreaming came from the University of Utah and Dr. Bitter. In 1990, Baldwin wrote, “Bitter argued that residential schools were too isolated from society, and advocated day schools and classes in public schools.”

Despite this argument, many other educators and parents expressed great concern about IDEA and were fearful that USD as a “special school” would soon be lost in Utah (Campbell, 1977). Campbell further stated, “The residential school is essential and should not be closed. There are many students who can best be served in special schools, and they would not receive an adequate education in the local districts. The residential school and local districts need to cooperate in the overall program and students need to be evaluated and placed where their needs will best be served” (p. 142).

Nevertheless, the law impacted the decision-making process of educational placement for deaf and hard of hearing students in Utah and mainstreaming became the term most often used to describe the placement of the students: in general education classrooms and/or public schools. As now mandated by law, students were to be placed in the “least restrictive environment” (or LRE). In fact, Section 612 (5) [later renamed as IDEA 2004 612 (a) (5) (A)] states,

“…special classes, special schooling, or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes, with the use of supplementary aides and services, cannot be achieved satisfactory” (p.1).

With this in mind, Dr. Richard C. Brill, hearing Superintendent of California School for the Deaf, Riverside (1977) stated in Campbell’s comprehensive study, that the term “least restrictive environment” was generally thought of in terms of physical barriers or physical placement – such a concept assumes that if one is physically placed within a group that automatically the
individual is part of the group (p.2). He further pointed out that “communication and psychological relatedness were essential for integration or lack of restriction in the environment” (p. 2). Lastly, Brill clarified that “because a child is placed in a regular classroom with many other children rather than in a special class, it does not mean that this child is automatically in a LRE (p.3). In support of this last statement, Siegel (2000) stated that under IDEA most environments that are communication-rich, and therefore fundamentally “least restrictive” for deaf and hard of hearing children, have no legal imprimatur (p.18). Additionally, Thomas (1986) states, “PL 94-142 apparently supports mainstreaming, but it does not support quality of education or a rich language and social environment, factors which mainstream program directors neither understand nor feel compelled to consider” (p. 16).

While serving on the USD Institutional Council, Dr. Robert Sanderson expressed concern about the lack of strong, consistent effort by the state of Utah to evaluate the results of either oral or total communication in the mainstreamed programs. Sanderson recommended that research be conducted to learn about the programs, whether oral or total communication. Sanderson wanted to know if the programs were having problems, and if so, the state would be better situated to address and solve the problems. However, school staff and parents were afraid of facts and declined research (Sanderson, ??).

Public Law 94-142 required the school settings to allow deaf and hard of hearing students to be educated as appropriate in the LRE. However, this law does not satisfactorily define “restrictive” (Champie, 1986). While Stephen Baldwin (1975) was employed at USD as a Curriculum Coordinator of Total Communication Division, he asked why mainstream educators weren’t soliciting the opinions, feelings and suggestions of the deaf people themselves. Baldwin (1975) also asked why they [deaf] did not participate in the decision-making process to contribute their insightful input. For 15 years, he did not receive a satisfactory answer; the mainstream classes grew rapidly to
meet parents’ wishes to have their children mainstreamed as well as to “normalize” them in the educational life – learn to talk, behave, think and act like a normal hearing person (Campbell, 1977; Baldwin, 1990). Richard Stoker (1990), Central Institute for the Deaf (a private oral school in St. Louis) Director, clarified that “mainstreaming doesn’t make you ‘normal,’ whatever that is.” He emphasized that children should be placed into society to an extent they can handle, but parents should not try to force them into mainstream society as children may either sink or swim in a mainstream setting. He even suggested that children should be exposed to whatever aspects of society they can deal with (Williams, 1990).

A New Teacher Preparation Program

Three years after Talbot sent a letter to Logan in 1979, the Utah State Board of Regents granted approval to Utah State University to establish a Teacher Preparation Program with an emphasis on Total Communication (this program was later changed to ASL/English bilingual program) on April 20, 1982. However, no budget was approved for the program. The aural/oral preparation program (speech, spoken language, listening skills, etc) remained at the University of Utah.

After this time, there were no further issues raised by the UAD or the Deaf community concerning the University of Utah Teacher Preparation Program, (G.B. Bitter Papers, 1970; Pollock, 2005, personal communication). Controversy had quiet down.

In 1985, Utah State University began a modest preparation program to provide a total communication component with the help of Dr. Thomas Clark, a hearing child of deaf parents and a founder of the SKI-HI program (Utah’s Hearing Impaired Children At Risk, 1986; Kinner, 2007, personal communication). [Clark's parents were among the first members of UAD when it was formed in 1909. His father, John Clark was a designer of roads and tunnels in the Zion National Park.
John’s 1st cousin was none other than Elizabeth DeLong, first UAD President and first woman graduate of USD to go to Gallaudet University and returned as USD teacher until 1917 (Samuelson, 2007, personal communication).

It was a victory to UAD. For years, UAD had fought to realize this program (Sanderson, 2005, personal communication) and today this program is currently administered by Dr. Freeman King who replaced Clark.

Dr. Freeman King

Restructure the USD’s Administrative System

Between 1986 and 1987, the controversy between the oral and total communication programs continued. When Thomas Bannister was appointed as a Superintendent at USD, he was appalled with the controversy, especially with biased, one-sided information provided to families. One example from Dr. Jay J. Campbell’s comprehensive study back in 1977 was that staff were concerned that Tony Christopoulos as a principal supervising two departments, gave unfair advantage to the oral side which hurt the Total Communication Department. It was revealed in a variety situations that he was somewhat less committed to total communication as an educational philosophy. Christopoulos was unable to utilize it himself because he often favored the oral division (Campbell, 1977). Thus, Bannister shook up the administrative system to end the controversy by changing the position from two principals to one principal to supervise both oral and total communication programs. Tony Christopoulos and Boyd Nielson, principals of the oral program and long time oral advocate, were unhappy with the new change so they resigned and retired (Kinner, 2007, personal communication).
Bannister assigned new principals to charge both oral and total communication programs and established a rule to prohibit bias (Kinner, 2007, personal communication). This was when a well known oral advocate among the Deaf community, Steven Noyce became the new Deaf Program Administrator and supervised two programs in the Salt Lake area. Apparently, Bannister was not aware of Campbell’s recommendation to USD administration of the two programs be physically separated, not combined under a common principal back in 1977.

The Teacher Preparation Program Closed

The Teacher Preparation Program in the Department of Special Education at the University of Utah was closed in 1986 after operating for nearly 23 years.

Despite Bitter’s appeal letter, “Utah’s Hearing Impaired Children…At Risk!” to Irvin Altman, Vice President of Academic Affairs and numerous supporters that tried to prevent elimination of the program, it was decided the program be closed due to state budgetary limitations, lower student enrollment, and production of fewer teachers and master’s candidates each year.

After the Teacher Preparation Program was eliminated, Bitter retired as Associated Professor of Special Education on June 30, 1987 at the age of 66.

Integration and Consolidation with Public Schools and the Utah Schools for the Deaf and the Blind

While mainstreaming continued to grow steadily since the 1960s, the situation is an example of how the concept of integration in a mainstreamed setting was so popular in Utah.

In 1989, the USD Institutional Council was planning to present to the legislature a proposed architectural plan of consolidations of the Schools for the Deaf and the Blind.
However, the plan was interrupted by a petition signed by 25 parents of USD students (Deseret News, June 15, 1989, p. A19). The petition requested that their children be placed in a regular public elementary school for maximum social and cultural interaction. When handed the petition to the Institutional Council, Dr. John Galli, Ogden resident told them that “We're not talking mainstreaming; we're talking integration” (Deseret News, June 15, 1989, p. A19).

Upon parents’ requested, students would continue to have teachers and administrators from USD, but their classrooms would be housed on a regular campus so that they could be integrated for lunch, recesses and those classes they would be able to join. Superintendent Bannister stated the parents might feel more comfortable having their children in public schools, rather than at the school for the deaf" or "institution," phrases which, to them, may carry a negative connotation (Deseret News, June 15, 1989, p. A19).

Because of parents’ desire for integration, USD administrators had talked with representatives from school districts about placing extension classes in their schools to accommodate the current USD students. However, critics from the Deaf community said the students would feel alienated an isolated clique. Additionally, critics stated that they attended public schools themselves as children and felt isolated and ostracized. Apparently, the Deaf community’s concerns were ignored and USD parents’ wishes were granted by enrolling students in school districts. The article stated that this may be the last year deaf students will attend USD site (Deseret News, June 15, 1989, p. A19; UAD Bulletin, 1988, p.4).

**Commission on Education of the Deaf**

Legislators and educators were aware of low academic achievement levels of deaf and hard of hearing children and Congress passed the Education of the Deaf Act in 1986, which establishing the Commission on Education of the Deaf (COED) to study the status of deaf education in the United States and to recommend creative solutions (NASDSE Educational Services Guidelines, 2006). COED was established after the Babbidge
Committee formed by the U.S. Department of Health, Education and Welfare in 1965. The Baddidge Committee concluded that the educational system had limited success in preparing deaf children for full participation in society (Siegel, 2000).

Legislators and educators were aware of low academic achievement levels of deaf and hard of hearing children and Congress passed the Education of the Deaf Act in 1986, establishing the Commission on Education of the Deaf (COED) to study the status of deaf education in the United States and to recommend creative solutions (NASDSE Educational Services Guidelines, 2006).

In 1988, after two years of study, COED expressed dissatisfaction with the status of deaf education. Their report, Toward Equality: Education of the Deaf ruled that LRE needed to be clarified by the federal government, particularly the U.S. Department of Education (Baldwin, 1990; NASDSE Educational Services Guidelines, 2006).

The COED’s 144-page report stated the U.S. Department of Education has pushed too hard to “mainstream” deaf children into regular public school classes instead of special schools or centers devoted to the deaf. COED said schools should “pay attention to educational content rather than mere placement to what is taught rather than where it is taught.” Additionally, COED emphasized more attention must be paid to deaf students who are not college bound (Deseret News, March 21, 1988, p. A2).

Per a request by Dave Mortensen, UAD President, the USD Institutional Council appointed sixteen members to serve on the Utah COED committee. Because the report applied to Utah, five deaf people, Dave Mortensen, Lloyd Perkins, Ron Nelson, and Dennis Platt from UAD joined the committee and, using Toward Equality,” the group
came up with recommendations on how the educational system for the deaf could be improved (UAD Bulletin, 1988, p.4; Mortensen, 2007, personal communication).

On September 7, 1989, the Institutional Council accepted the recommendations and passed them unanimously. After recommendations were presented to the Utah State Board of Education in October 1989; however, no progress was made (UAD Bulletin, 1988, p.4; Mortensen, 2007, personal communication).

Utah COED Committee

Lloyd Perkins  Ron Nelson  Dennis Platt

*Attached is Dave Mortensen’s letter sent to the USDB Institutional Council on October 3, 1988.*
Institutional Council
Schools for the Deaf and the Blind

Ladies and Gentlemen:

Thank you for the time you have allocated me to express a viewpoint on behalf of the deaf community.

One short statement taken from the Commission on Education of the Deaf (COED), found in their report that I feel it worthwhile to mention again is, "None so deaf as those that will not hear," by Matthew Henry should set a helpful theme to the Institutional Council and all others present at this meeting.

Some of my talk is quoted almost in its entirety from the COED report because they wrote it as it should be.

The present status of education for persons who are deaf in the United States, is unsatisfactory. That includes the state of Utah. Unacceptably so.

The COED carried out intensive and extensive investigations. With the report completed, and the primary findings firmly enunciated, the question arises: Does the report have at hand the knowledge it would take to improve the situation significantly, even dramatically?

The answer is an astounding yes.

Can we afford to do what's necessary? Indeed, we can't afford not to.

The report goes on to say that if more emphasis were placed on action and prevention rather than on reaction and remediation, the overall result would be incomparably more people contributing to the economy, people granted the capacity that is their birthright to make the contributions that could enhance the well-being not only of themselves and their families, but of us all.
There are deficiencies in the successful implementation of publicly stated and legislated policy, and they lie largely in the failure to:

-- pay attention to educational content rather than mere placement—to what is taught rather than where it is taught;

-- engage the active participation of parents and persons who are deaf—in the decision making process;

-- encourage diverse, innovative, and high quality research;

-- put anything near enough emphasis on the training of adequate personnel for the specific and demanding tasks of participating in the education of the deaf at various levels; and

-- use, and encourage the use of, the diverse tools being provided by advancing technology, including computers and electronic equipment and support for TV closed captioning.

The Utah Association is making a proposal to the Institutional Council that they select a committee of individuals: parents, teachers, and deaf persons and go over the COMED report and its contents and then report back to the Institutional Council with a draft of recommendations for action and eventual presentation to the State Board of Education to be made part of the law governing education for the deaf in Utah.

Sincerely,

Dave Mortensen, President
A New Facility

Because a residential school in Ogden was getting old, a new facility was needed. In addition, it was found that the deaf campus belonged to Ogden City. Thus, it was given to the city to decide what to do with it (Kinner, 2006, personal communication).

Since 1988, a variety of boards and state agencies wrestled with the question of whether to consolidate the two Ogden campuses for the Utah Schools for the Deaf and Blind (USDB), how to do it, and even whether to close both schools and move to Salt Lake City (Leer, November 1, 1988, p. B1).

Due to a lack of firm details, including potential cost, the Institutional Council rejected moving to Salt Lake City and approved a merger of the deaf and blind schools on the campus in Ogden (Leer, November 1, 1988, p. B1; Deseret News, November 4, 1988, p. A10). The Institutional Council decided to build a new facility in that area instead of Salt Lake City despite the majority of the deaf students lived in the Salt Lake area (Leer, November 1, 1988, p. B1).

In 1990, the Institutional Council gave a fact sheet about the USDB budget-minded legislators and hoped to convince them the facilities were not small schools that just serve Ogden. However, Rep. Haze Hunter, the chair of the appropriations subcommittee on capital facilities and general government, didn’t feel the cost of $8.1 million for the consolidation was justified. He questioned, “Do we really want to spend $8.1 million on 35 people?”(UAD Bulletin, 1990).

After a petition signed by 25 parents of USD in 1989 and their children being placed in a mainstreamed setting, only about 35 students lived on the USD campus in Ogden while the school districts served 916 students statewide (UAD Bulletin, 1990). As a result, all classes in Utah along with Nevada and Vermont were full inclusion classes (Siegel, 2000).
American Sign Language

While mainstreaming continued to grow rapidly, ASL had been shown and proven to be the language of the American Deaf community in 1960s and 1970s (Lucas & Valli, 1995; Stokoe, 1960, among many others). Linguistic research had shown ASL to be a true language (Klima, & Bellugi, 1979; Wilcox, S. & Peyton, 1999, to name a few sources). It has its own phonology, morphology, semantics, syntax, and pragmatics. Dr. William C. Stokoe, a hearing linguistic researcher, proclaimed that ASL was, indeed, a true language on a par with any spoken language (Stokoe, 1960).

With the support of this research, Utah joined numerous other states when its senate passed Utah Senate Bill 42 (53A-13-101.5), which recognizes ASL as a fully developed, autonomous, natural language with distinct grammar, syntax and art forms, and provides that American Sign Language shall be accorded equal status with other linguistic systems in the state's public and higher education systems in 1994 (Utah State Legislature, 1994).

In the public educational system, the majority of sign language interpreters who learned ASL as a second language did not have fluent ASL skills to be able to effectively interpret on an academic level. Thus, deaf students placed in mainstream classrooms quickly fell behind and failed to receive an education equal to their hearing peers (Pollock, 2006, personal communication).
Deaf Child’s Bill of Rights

In 1992, the Council of Organizational Representatives (COR) provided a Deaf Child’s Bill of Rights in its testimony to Congress and requested that this Bill of Rights be incorporated in the Education of the Deaf Act (EDA). This Bill of Rights was not incorporated in the EDA, but was copied in State legislation (A Synopsis of the Bill of Rights for Deaf and Hard of Hearing Children, 1997). Due to the lack of full communication/language accessibility and the deficiency of a full range of educational options system, Kristi Mortensen, Chair of UAD Education Committee worked with a committee to develop a Utah Deaf Child’s Bill of Rights that would mandate by law to:

1. Provide full, equal communication and language access,
2. Provide a full range of educational alternative placement options,
3. Administer appropriate assessment of deaf and hard of hearing children,
4. Provide an education with a sufficient number of same language mode peers who are of the same age and ability level,
5. Provide opportunities to interact with deaf and hard of hearing adult role models,
6. Provide equal benefit from all services and programs at their schools,
7. Provide availability of qualified and certified personnel who can communicate directly with deaf and hard of hearing children, and
8. Proclaims the child’s right to equal access to an appropriate education (Mortensen, 2007, personal communication).

After hard work developing the Deaf Child’s Bill of Rights, Utah became one of the few states that proposed the bill during the legislative session in 1996 (Mortensen, 2005 & 2007, personal communication). However, both USD and Public Education were largely opposed to the Deaf Child’s Bill of Rights because of the funding reasons and the
influence of strong oral tradition. In addition, they felt this bill was not needed because of IDEA being enacted. However, the IDEA, at this time, had no language or communication considerations emphasized. They also felt that the bill was not needed because in their view, they had already provided an appropriate education for deaf and hard of hearing children. Thus, the opposition of this bill persuaded legislators to take no action so the bill was “killed.” Mortensen "carried the torch" for some time in spite of her frustration with the establishment (Mortensen, 2005 & 2007, personal interview; Sanderson, 2007, personal communication). After the legislative incident, Superintendent Lee Robinson (1994-2005) immediately created a Deaf Children’s Bill of Rights document with a list of educational services that deaf children have the right to access, when in fact, almost none of them were provided (Mortensen, 2007, personal communication).

**Jean Massieu School**

The 1990’s ushered in a wind of change when the “bilingual-bicultural” movement started at The Learning Center for the Deaf Children. The Indiana School for the Deaf and other schools serving Deaf and hard-of-hearing students began to follow this trend.

At Utah, however, USD offered two programs that didn’t include bilingualism: Oral and Total Communication. Parents had to choose one of these two options, but the two options didn’t satisfy some parents (Butters, 1995. p. A1). In 1992 and 1995, the O’Hara family was not satisfied with the two options available at USD. As part of the Support Group for Deaf Education, the hearing mother, Bronwyn O’Hara asked the school to implement a bilingual program and sent literature on the importance of ASL to USD administrators and teachers who may not have access to such information, but she received little response (Butters, July, 17, 1995, p. A1; O’Hara, 2007, personal communication).
According to Steven Noyce, the Deaf Program Administrator at that time, and a former student of Bitter’s teacher preparation program, the goal was to teach [deaf students] English, not ASL,” “Schools need to teach English because that is what is going to determine if a deaf person is successful” (Noyce, 1971; Butters, July 17, 1995, p. A1). O'Hara expressed her disappointment with USD by saying “I am unhappy with the school system and have tried to figure out the right framework to solve this problem.” In her view, “the administration has a personal bias against the idea of a visual language. The school is definitely not a “barrier-free environment” (Romboy, April 13, 1995, Deseret News, p. A1). USD Superintendent David West was also not ready for the bilingual program and said while the new approach would fill a void in the school's program, he's not ready to implement it (Butters, July 17, 1995, p. A1). At this time, few teachers knew ASL. Teachers and administrators weren’t trained to educate deaf children using the bilingual, bicultural method (Butters, July 17, 1995, p. A1). Minnie-Mae Wilding-Diaz shared her perspective that deaf children who learn ASL have enhanced language skills and learn English better. She stated, “A deaf child does need exposure to English early in life, but his visual needs overwhelm what English can offer (Butters, July 17, 1995, p. A1).

While the O’Hara family was battling with USD, throughout the country a handful of schools for the deaf was starting to use the ASL/English bilingual education approach (Romboy, April 13, 1992, p. B1). Like what a lot of families had done in the past, the O’Hara family moved out of state to find a school that espoused the bilingual-bicultural approach.

For more information about Bronwyn O’Hara’s battle with the Deaf Educational System in Utah, refer to her attached summary below.
It was 1987 when the O’Hara family moved from Idaho to Utah. They had one deaf pre-teen daughter, one hard-of-hearing son, two hearing children, and a deaf toddler. The educational access to American Sign Language for the two deaf children was not available through the public school or the school for the deaf in Utah at the time. The family went in search of the local deaf community. They became well acquainted with many of the active deaf leaders in both Provo and Salt Lake City. Thus began 8 years of tutoring and mentoring in deaf culture and language by the deaf community.

As Bronwyn interfaced with the Utah Schools for the Deaf and Blind, she shared the educational articles and studies that she received. She thought the school would welcome this information so as to improve their school and increase the options they offered to parents. She attended innumerable USDB Institutional Council meetings, copied and mailed on-going information to her program coordinator, and used her children’s IEP meetings as a forum to educate the educators and ask for services. For a brief period she convinced the Total Communication classroom in Orem to allow an ASL storytime once a week. However, it was discontinued after a few months. The school didn’t want to pay the storyteller as an educational specialist. The school did not offer to write a grant so it could continue. After 5 years of all this activity and nothing really changing, Bronwyn decided it was time to network with other parents. One person could easily be ignored but not a whole group of parents asking for the same educational change.

She created the Support Group for Deaf Education with the intent to help other parents become as informed about the educational needs of their deaf child(ren). For the first year and a half there were parent meetings, guest speakers, and a monthly newsletter. After that there was just the monthly newsletter. She also wrote an article for publication in the Utah Parent Center newsletter explaining her group’s purpose, seeking to reach more parents of deaf children. The Utah Association of the Deaf validated her work by sending her to an educational conference in Nebraska. During the educational overhaul Utah went through in the late 1980’s she was one who approached the Utah COED committee during their public forums. She brought information about a deaf
child’s need for language, deaf peers, deaf adult role-models, and direct access to teachers without the use of interpreters.

Superintendent West was sympathetic to her requests. However, he was unable to make changes and didn’t stay long. As the years went by, all of these ideas and persuasions seemed to fall on ‘deaf’ hearing ears, creating a feeling of urgency for the O’Hara’s. Their older daughter had opted to get her GED rather than go through the high school system at USDB or mainstream into the public school system. The younger one was now approaching middle school. It was a time of decision for the family. Bronwyn, convinced that her deaf child had a right to language, consulted the Legal Center for the Handicapped in Salt Lake City. She thought they could help her pull together a lawsuit to force USDB to provide her child a language that was compatible with her deafness. The reasoning being that hearing peers have access to their language in the classroom. Why can’t her child? Her deaf child’s language was American Sign Language, which was not being supplied by the school. It would be through American Sign Language that she would be able to receive a free and appropriate education. The lawyer was sympathetic but he explained they did not or could not get involved with a language issue. Their work was focused on workplace discrimination not with educational discrimination.

It was at this juncture that the O’Hara’s decided to look for a school that had a Bilingual-Bicultural philosophy already in place. The one that seemed to meet their needs was the Indiana School for the Deaf in Indianapolis, Indiana. They moved in 1995, to the dismay of many in the deaf community. They wanted their youngest daughter to receive the education and peer interaction she deserved.

Bronwyn O’Hara
December 1, 2007
As an example from O’Hara’s summary, the pedagogical approaches of inclusion, mainstreaming and communication methods, and the lack of language fluency with the majority of ASL interpreters, contributed to the dismal achievement of many deaf students in Utah. The continued failure and limited achievement of deaf students at USD and school districts led the UAD to host a two-day regional bilingual/bicultural conference in Ogden, Utah for parents of deaf children, deaf adults, teachers and administrators (Wilding-Diaz, 2006, personal communication; Pollock, 2006, personal communication).

In July 1997, at their biennial conference, UAD established a committee, known as the Bilingual/Bicultural Committee to explore the educational issues at USD and discuss alternative options for educating deaf students. At this time and throughout its campaign, UAD used the term “Bi-Bi” as well as during the actual planning for the school to emphasize not only the dual languages required for the ultimate education for deaf children, but also the need for incorporating the culture of deaf people in their education (Wilding-Diaz, 2006, personal communication; Pollock, 2006, personal communication).

The UAD members present at the conference elected Minnie Mae Wilding-Diaz, a deaf parent and UAD member to be chair of the Bi-Bi Committee. Jeff Allen, a hearing parent with a deaf daughter worked alongside her. The Bi-Bi Committee’s first step was to talk with Dr. Lee Robinson, USD Superintendent and Joseph DiLorenzo, Assistant Superintendent to see if USD could add a Bi-Bi education option. They were basically told, "No thanks and good luck."
Despite the Bilingual Education Act of 1988 including deaf students and Utah law recognizing ASL as a language, the administrators were not interested in accepting a Bi-Bi education and staff members were not ready to implement and incorporate ASL as the language of communication and instruction in the USD system (Zapien, 1988; Wilding-Diaz, 2006, personal communication).

The Bi-Bi committee then focused their energies on The Utah Charter Schools Act, supporting legislation that would allow charter schools to be formed. The Act was passed at the end of the 1998 Legislation session. The timing of this action could not have been more propitious and Bi-Bi committee immediately proceeded to develop a proposal for the Utah State Board of Education (USBE). Jean Massieu School (JMS) was immediately accepted and became one of eight charter schools approved by the USBE that first year. [JMS was named in honor of Jean Massieu, a French Deaf teacher who was the first Deaf teacher ever (Laurent Clerc was Jean Massieu’s former student) (Stimpson, 2005; Wilding-Diaz, 2006, personal communication; Pollock, 2006, personal communication)].

One of the requirements was that they had to be a non-for-profit organization, so the committee evolved to become a non-profit organization known as the Utah Deaf Education and Literacy, Inc. (UDEAL) in 1998. The main goal of UDEAL was to establish, operate, and govern a new school with the main thrust of its mission statement being “an educational entity that incorporates ASL as the language of communication and instruction” (Wilding-Diaz, 2006, personal communication; Pollock, 2006, personal communication).

JMS doors were opened to 21 students from preschool through the third grade on August 29, 1999. Expanding a grade each year, JMS has continued and will grow to encompass
grades from Pre-K through 12th grade. It provides full language and communication access in ASL and English on campus. The approach at JMS brought to a full circle the bilingual approach that was used at schools for deaf children in the 19th century.

The Bi-Bi Committee and UAD worked closely with each other until UDEAL was formed, after which UDEAL had to strike out on their own because UAD and UDEAL were two separate non-profit organizations. UDEAL representatives continued to come to UAD meetings to keep UAD informed about JMS. That way, the Deaf community was kept connected (Wilding-Diaz, 2006, personal communication). UAD eventually awarded Wilding-Diaz and Allen with its prestigious Golden Hand award.

JMS operated independently as a charter school that provided an ASL/English bilingual educational experience for deaf students for six years. However, primarily due to a lack of fiscal resources and because of USD continued unwillingness to work with parents who wanted the ASL/English Bilingual approach for their children, Joe Zeidner, a lawyer and hearing parent lobbied legislature to push USD to incorporate the JMS program into USDB to give parents a third option to choose from.

During the 2004 legislative session, the Utah State Legislature approved intent language that the Utah State Board of Education considers the possibility of merging JMS with USDB (Harrington, 2005). After approximately one year of continuing negotiations, a Steering Committee developed Letter of Intent and Terms of Agreement documents that will govern the merger of the two organizations (Harrington, 2005). The Terms of Agreement document outlines the guiding principles and commitments that will ensure the successful merger. The agreement addresses issues related to philosophy and instruction, program, assets and finances, the JMS Advisory Council, policies and procedures, human resources, transportation, facility, and organizational structure (Harrington, 2005).
For complete details of the Agreement, see General Exhibit No. 9634:

*Heading 04/05/2004*

*It is the intent of the Legislature that substantial effort be made by the State Superintendent and the State School Board combine the services of USDB and the Jean Massieu Charter School for the deaf. This shall include instruction in American Sign Language as well as bi-lingual and bi-cultural education which will receive administrative support. Representatives from Jean Massieu shall be integrated in a meaningful way into the USDB Institutional Council. The State Superintendent shall report to the Education Interim Committee in September 2004 regarding the progress of this intent. If necessary the Education Interim Committee may make recommendations regarding continued funding of Jean Massieu until integration is complete.*

Prior to the merge, the Letter of Intent and Terms of Agreements were reviewed and approved by the Institutional Council, Utah Deaf Education and Literacy, and the State Board of Education. Upon approval by the Utah State Board of Education presented by Dr. Patti Harrington, State Superintendent of Public Instruction, the documents were signed by Kim Burningham, Utah State Board of Education Chair, Linda Rutledge, USD Superintendent (2004-2007), and Craig Radford, UDEAL Chair at JMS on June 3, 2005, (Stimpson, 2005).
The merge provides an option for parents who wish to choose the ASL/English Bilingual Education approach for their deaf and hard of hearing children, and became the third option available at USDB, in addition to their Oral and Total Communication programs. It was hoped the merge would enable parents to have more choices. However, it has not always happened.

For example, before Melissa Jensen, a hearing mother of a deaf daughter, met with staff members from USDB in 2006 to discuss educational placement options for her three-year-old daughter, she had heard about JMS. However, at the meeting, she was presented with two options: Oral and Total Communication. No information about USDB’s third program: JMS and its ASL/English bilingual program were shared. Moreover, when Melissa asked about JMS, she was actually told, "No, you don't want her [her daughter] to go there! Don't you want her sent to TC? It has everything you could want." Moreover, she was erroneously told that it was against JMS policy and philosophy to provide speech services, and that children with cochlear implants were not allowed at JMS. Melissa was told that her daughter could succeed in an oral classroom and that if she didn't then they could consider moving her to a signing class. Melissa asked if the teacher would understand the signs her daughter already had and was told that everybody at USD could understand a little but they would never sign back and that within a short time, the daughter would stop signing. Melissa was also told that if her daughter didn't learn to talk by the time she was 3 or 4 she would never be able to learn (Jensen, 2007, personal communication, name used with permission). This story, which happened in 2006, is reflective of the history of bias that USD has, and of the continued bias currently still at USD as a result of the history.
It is apparent that many parents are still not being given the complete picture of the educational methodologies available to their children. Apparently some key personnel at USD are still proponents of oralism and mainstreaming over the linguistically rich environment available at JMS. Could this have been alleviated had USOE/USD followed through with Campbell’s recommendation of developing Parent Orientation and Student Placement Procedure and providing pamphlets explaining the two programs and their different communication methodologies? One can wonder.

After three decades of research and documentation, the pendulum is slowly starting to swing back towards using ASL in the classroom for deaf children. With the support of research, more and more schools for the deaf across the country and world are utilizing or adopting the ASL/English Bilingual Educational approach. Today, the state of Utah is providing an option that is provided in more than 30 schools in America serving deaf and hard-of-hearing children: the ASL/English Bilingual Education. These numbers are still growing.

Attached are the Letter of Intent and Terms of Agreement below.
Letter of Intent between

Utah Schools for the Deaf and the Blind
and
Jean Massieu School of the Deaf

The Utah Schools for the Deaf (USDB) and the Blind and the Jean Massieu School (JMS) of the Deaf agree to implement the Terms of Agreement as approved by the USDB Institutional Council, the UDEAL Board, and the Utah State Board of Education.

The following intent items will assist in facilitating the merge as outlined in the Terms of Agreement.

1. It is the intent of USDB and JMS that the effective date of the terms of agreement will be July 1, 2005.
2. JMS employees employed after May 1, 2005 will be assigned according to the USDB salary schedules. JMS employees employed prior to May 1, 2005 will be assigned to the USDB salary schedules as defined in the Terms of Agreement.
3. It is the intent of USDB to involve leadership from JMS in the budget planning process for the 2005-2006 school year.
4. It is the intent of USDB to fund the Extended School Year services of JMS students as defined in their IEPs starting July 1, 2005.
5. It is the intent of USDB and JMS to involve representatives on the merger transition team.
6. It is the intent of USDB and JMS to monitor and evaluate the merger process. A formal meeting will be scheduled for October 2005 that will include reports from the transition team.
7. JMS is financially responsible for all teacher contracts through the end of the current contract year.

Kim Burningham, Chair
Utah State Board of Education

Linda Rutledge, Superintendent
Utah Schools for the Deaf and the Blind

Craig Radford, Chair of UDEAL Board
Jean Massieu School of the Deaf

6/3/05

6/3/05

6/3/05
JEAN MASSIEU (JMS) AND
UTAH SCHOOLS FOR THE DEAF AND THE BLIND (USDB)
TERMS OF AGREEMENT

This Agreement is entered into this first day of July, 2005 between the Utah Schools for the Deaf and the Blind (USDB), as approved by the Utah State Board of Education (Board) and the Jean Massieu School of the Deaf (JMS).

Definitions

2. “Jean Massieu School of the Deaf (JMS)” means the charter school chartered by the Utah State Board of Education in 1999 and converted to a State Charter School Board Charter in 2004 under the Utah State Board of Education’s authority to charter schools prior to the authorization of the State Charter School Board.
3. “Utah Deaf Education and Literacy (UDEAL)” means the non-profit organization/foundation that developed and received the original charter school approval from the Utah State Board of Education, for what has become the Jean Massieu School.
4. “Bilingual/Bicultural (Bi-Bi) curriculum or program” means a teaching philosophy, described by the JMS Bi-Bi philosophy document (Addendum D).
5. “Advisory Council to the JMS,” for purposes of this Agreement, means UDEAL members selected by the process set by JMS to serve in an advisory capacity. The Advisory Council will make recommendations to the program administrator on such matters as personnel decisions, curriculum, school policies and school programs. The Advisory Council serves only in an advisory capacity.
6. “The Utah State Board of Education” hereafter referred to as Board. By law, the Board has ultimate responsibility and authority for the administration of USDB.
7. “Acquired assets,” for purposes of this Agreement, shall include but are not limited to JMS’ teaching equipment and supplies, JMS’ teaching programs using the Bi-Bi philosophy and environment.
8. “Program Administrator” means a person appointed by USDB, in consultation with the Advisory Council, to oversee the JMS program, including its budget. The Program Administrator will be a member of USDB’s administrative staff and reports directly to the USDB Superintendency.
9. “Curriculum” means subjects and courses taught in the JMS program. The curriculum must include the state core curriculum and may include additional curriculum that is specific to the JMS program.

Recitals; Both Parties Agree:

1. Statutory Authority

The USDB operates, under U.C. 53A-25-103 and 201, to provide a practical education for the deaf / visually impaired who are able to profit from instruction so that they may become self-supporting and involved citizens.

2. Philosophy and Instructional Model
a. The USDB and JMS have agreed to merger for the purpose of most effectively, in both cost and program, serving deaf students. It is the intent of this merger to continue the JMS philosophical approach and maintain the integrity of the Jean Massieu Bi-Bi Program.

b. The JMS Program shall be identified as one of the USDB options for serving students who are deaf/hard of hearing.

The philosophy and overview of teacher/student expectations will be developed by JMS in accordance to laws and regulations governing USDB.

3. Program

a. The JMS program shall be identified by USDB as the Jean Massieu School of the Deaf.

b. At the time of execution of this Agreement, deaf students who are currently enrolled in JMS will be enrolled in USDB. Appropriate paperwork must be completed and the deaf students must be eligible for special education services at USDB. USDB will notify those students’ home school districts of this merger.

c. In cooperation with the JMS program, USDB will annually evaluate the success of the Jean Massieu School of the Deaf, including student enrollment, to determine how JMS will add new grade levels per year as needed. This decision will be consistent with the processes presently established for expansion of services (consistent with state and federal laws as well as student Individualized Education Programs (IEP’s)).

4. Assets/Financial Issues

a. JMS will transfer all of its physical assets, with the exception of the JMS school buses, as identified on Addendum A, attached hereto and incorporated by reference.

b. JMS will transfer all program funds in any JMS accounts, with the exception of funds in UDEAL accounts and funds that reside with JMS Parent/Teacher Association.

c. JMS will transfer all of its documents, supplies, tools, equipment, copyrighted curriculum or materials, if applicable, and other materials associated with its Bi-Bi program to USDB by July 1, 2005 for use by the JMS program.

d. Following the transfer of all funds, JMS will represent and warrant that the charter school as originally chartered is debt free and unencumbered.

e. JMS will document that all appropriate and promised funds have been transferred by providing documentation that JMS’ annual expenses since inception have been greater than the revenue it has received from state and federal sources. Such documentation as shown in its annual tax filings shall be considered sufficient representation and documentation of such income from state and federal sources and corresponding expenses. If the Board determines that audit reports and tax filings are insufficient to illustrate necessary transfer of funds, an independent audit may be directed by the Board.

f. USDB Programs will be funded equitably. The JMS program will be funded on a proportionate basis consistent with other USDB programs and services. Any changes in funding will occur through currently existing financial processes at USDB.

g. Upon execution of the merger, USDB assumes full financial responsibility for the programs and services provided by JMS.
5. **JMS Advisory Council**
a. JMS will maintain an Advisory Council to assist USDB’s implementation, development and maintenance of the JMS Program.
b. The Advisory Council may advise the JMS Program Administrator on issues related to personnel, curriculum, student services, instruction, and other issues. The relationship of the JMS Program Administrator and Advisory Council are outlined in the organizational chart in Addendum B.
c. A JMS appeals process for parent/staff/student complaints is attached as Addendum C.
d. In accordance with Utah Legislative intent language, a representative from the JMS Advisory Council will be a non-voting member of the Institutional Council.

6. **Policies and Procedures**
a. USDB and JMS will participate in required processes under the Individuals with Disabilities Education Act and follow the state Special Education Rules, Program Coordination for Students with Hearing and Visual Impairments.
b. JMS agrees to have parents complete necessary paperwork for student enrollment in USDB.
c. Approved USDB policies and procedures will be effective for all JMS employees.
d. Any additional policies, guidelines, and procedures unique to JMS and consistent with state law, will be reviewed by USDB. USDB may adopt JMS policies in accordance with USDB’s process for adopting new policies, procedures, and guidelines.

7. **Human Resources (HR)**
a. Upon the execution of the merger agreement, USDB will employ JMS staff as USDB staff based on program needs as mutually determined by both parties.
b. The number of staff positions assigned to the USDB/JMS program will be determined based on student enrollment and needs consistent with USDB staffing procedures.
c. The JMS Program Administrator may reassign JMS staff members within the JMS Program, based on program needs and/or funding.
d. Consistent with USDB HR policies, procedures, and practices JMS staff shall satisfy, within ~18-months from the date of merger, state law and USDB licensing or professional requirements (any exceptions require pre-approval).
e. USDB policies and procedures, including salary and benefit schedules, shall apply to JMS staff.
f. Consistent with USDB and Department of Human Resource Management (DHRM) policies, the JMS Advisory Council may assist the USDB Superintendent and/or the JMS Program Administrator by making recommendations concerning personnel matters (including the hiring and termination process of USDB/JMS employees). See Addendum E.
g. JMS staff salaries will be aligned with the USDB salaries.
   1. If USDB’s salary is higher than the current JMS staff with comparable training and experience, the JMS staff will receive a salary increase to match the USDB salary.
2. If a JMS employee currently receives a salary higher than USDB's staff with comparable training and experience, the JMS staff will continue to receive their current salary. These employees will remain at the same salary level until the amount is equal to USDB salary schedule.
3. JMS employees will participate in the Utah State Retirement system that provides benefits according to DHRM rules. Utah State Retirement participation for USDB/JMS employees shall be mandatory beginning with FY 2006.

**Transportation**

USDB will assume responsibility for the transportation of JMS students, consistent with USDB policies.

**Facilities**

USDB will work with the UDEAL Board and DFCM to locate a facility appropriate for the needs for the USDB/JMS program. Upon completion of the merger, USDB will assume responsibility for the lease contract or location of the facility.

**Addenda:**

*Addenda D and E are still being developed and/or revised to ensure that all State and Federal requirements are met prior to implementation. The content of the addenda provides further clarification to the Terms of Agreement.*

A. JMS Assets/Inventory
B. Organizational Chart
C. Appeals Process
D. JMS Philosophy
E. Hiring Practices
JEAN MASSIEU (JMS) AND
UTAH SCHOOLS FOR THE DEAF AND THE BLIND (USDB)
TERMS OF AGREEMENT

The Terms of Agreement between Jean Massieu School (JMS) and Utah Schools for the Deaf and the Blind (USDB) are hereby accepted in governing the merger between JMS and USDB.

The representatives identified below are authorized to represent each agency/organization.

Kim Burningham, Chair
Utah State Board of Education

Linda Rutledge, Superintendent
Utah Schools for the Deaf and the Blind

Craig Radford, Chair of UDEAL Board
Jean Massieu School of the Deaf
ADDENDA A – E

Addenda A is an inventory of JMS’ assets such as computers, desks, chairs, and etc. JMS Assets/Inventory document is not included.

Addenda B is an Organizational Chart. See the attached Organization Chart below.

Addenda C: is an Appeals Process. See attached Appeals Process document below as well.

Addenda D: JMS Philosophy is a “fleshing out” of the basic philosophy and beliefs that were included in the original charter that was written by the founders of JMS and proposed/accepted by USOE in June 1998. The document clarifies the original principles that have guided the school throughout its existence, and was developed by Minnie-Mae Wilding-Diaz, JMS co-founder, Dr. Cynthia Plue, a Deaf individual, and Jodi Becker Kinner to document and strengthen the ASL/English bilingual philosophy and beliefs. In addition to that, the intention of the JMS philosophy document is to preserve and maintain the history and original purposes of JMS. It is JMS’ aim to remain true to the basic ASL and English Bilingual Education philosophy and tenets that were formed when the school was established.

Addenda E: Hiring Practices was developed by Minnie-Mae Wilding-Diaz and Jodi Becker Kinner for the USDB/JMS merge. The purpose of the hiring guidelines is to enable JMS to continue to hire high quality teachers who are fluent in American Sign Language as well as in English, have expressive and receptive communication skills in ASL, and have expertise in the ASL-English Bilingual Approach to Deaf Education. However, USDB adapted our hiring procedures into their hiring guidelines, and to be fair, USDB included other educational programs in guidelines.
ADDENDUM C

ADVISORY COUNCIL APPEALS PROCESS

STRUCTURE:

The Program Administrator for the JMS program will be considered a member of the administrative staff. The Program Administrator will oversee the USDB/JMS program and will report directly to the Superintendent. Most of the decisions pertaining to USDB/JMS Program will be decided by the Program Administrator under the direction of the Superintendent.

The JMS Advisory Council may work directly with the Superintendent in making decisions pertaining to the USDB/JMS Program. The JMS Advisory Council will work alongside the Program Administrator and provide the necessary guidance and advice.

APPEALING TO SUPERINTENDENT:

If any suggestions or advice is rejected by the Program Administrator, the JMS Advisory Council will be able to appeal directly to the Superintendent of USDB for further discussion.

APPEALING TO INSTITUTIONAL COUNCIL:

If the Superintendent of USDB/JMS disagrees with any of the suggestions or advice from the Advisory Council, it can be brought to the Institutional Council for further discussion.

APPEALING TO UTAH STATE OFFICE OF EDUCATION:

If the majority of the Institutional Council disagrees with the suggestions or advice from the Advisory Council the JMS Advisory Board may appeal to the Utah State Office of Education.

APPEALING TO UTAH STATE BOARD OF EDUCATION

If the State Office of Education disagrees with the suggestions or advice from the Advisory Council the JMS Advisory Board may appeal to the Utah State Board of Education.

This process will be followed if any disagreements arise. It will allow the JMS Advisory Council an appeals process.
The principles of the JMS program are:

- Respect for the language of the child
- Incorporating heritage information in teaching
- Using the language of the child to increase understanding of content information
- Increasing the complexity and meta-linguistic knowledge of the language of the child
- Developing transfer strategies from one language to another to gain information, and
- Developing a strong meta-linguistic awareness of English and how it is used in different settings and situations, such as the ways in which conversational
- English is different from textbooks English, for example, and how creatively written stories are a combination of both registers.

Further information needed in this area.
Biased Toward Placement & Alternative Placement

However, the USDB/JMS merger was feared by the JMS teachers, staff, and the Deaf community. They worried that USDB would eliminate the ASL/English bilingual approach to teaching. They also feared that JMS may be “swallowed” by USDB and its ASL/English bilingual program would be lost. Additionally, similar to the total communication program, it was feared that JMS would be treated as a last resort. USDB’s former Superintendent Linda Rutledge, who made the merge go into effect, clarified her view that JMS’ ASL/English bilingual education is a valuable component of the overall program that USD offers (Pollock, 2006, personal communication).

Prior the USDB/JMS merger, parents were still not being given the complete picture of the educational methodologies available to children. Ron Nelson, UAD President (2001-05) along with UAD members, Dr. Robert Sanderson, Dennis Platt and Kristi Mortensen met with Superintendent Lee Robinson to discuss concerns the bias issues that had occurred at USD. Robinson expressed his desire for the oral and total communication programs to be balanced (Mortensen, 2002). Moreover, he stated that Parent Advisors of the Parent Infant Program should be sharing different educational options without any bias or leaving information out (Mortensen, 2002). Apparently, no progress had been made. Today parents are frustrated with the bias and inappropriate placement happening as a result of their child’s IEP meetings. Sometimes prior placements were made by USDB without consulting the parents (Hands & Voices parents, 2007, personal communication). It seems like, for some USD personnel, the culture of preconceived bias and desire to place all deaf and hard of hearing children in mainstreamed settings has taken root.

Two years after the USDB/JMS merge in 2005, introduced by Melissa Jensen as illustrated by the anecdote at the top of this document, USDB’s PIP has finally added ASL/English bilingual program as an option for parents to learn more about its program (Jensen, 2007, personal communication). In addition, two years after JMS merged with USDB in 2005, a Tri-Fold Pamphlet was finally developed to give parents the complete
picture of the educational methodologies available to children in 2007. *Campbell had recommended his “pamphlet” idea to parents in 1977 and nothing had happened because of Bitter’s opposed until exactly 30 years later.*

**Utah Code 53A-25-104: The Culprit?**

Utah Code 53A-25-104, part of the Legislative code establishing and defining USD, states in part that “hearing impaired” children need to be found eligible for special education before an IEP (Individual Education Plan) can be written [Code 53A-25-104(2)(a) and (b)]. This implies that not all deaf and hard of hearing children are considered eligible for special education and that ineligible deaf and hard of hearing children will not have IEPs. In other words, if a deaf child is deemed ineligible, he or she can’t be placed at USD. It also means that each child has to have a hearing loss AND an academic delay of some sort to be eligible for USD.

This code directly impacts USD’s ability to provide services as they have lost many academically advanced students to mainstreaming. This is in direct contradiction to reauthorized IDEA of 2004 that considers deaf and hard of hearing students a disability and qualified for services, particularly consideration of language and communication needs.

Teachers trained in special education view their students as disabled and delayed in some way and thus, design their courses to meet the needs of special/delayed students. Even though students are encouraged to do their best, it is often expected that they will not go beyond a certain level. Then the teachers are not prepared to deal with students who are “just” deaf and are not delayed. Teachers who are trained in deaf education view their deaf and hard-of-hearing students as normal students who happen to be deaf and may have delays because of lack of communication at home, for example. Their courses are designed to encourage students to strive for academic excellence.

Because USD views its deaf and hard of hearing students as being “Special Education” children, when IEP goals can’t be developed, for example, math goals cannot be
developed unless the student is below level in math, the student is “kicked out” and transferred to mainstreaming programs. He/she is no longer considered eligible for special education. Teachers at USD who are trained and certified in the field of Deaf education are not able to maximize their potential because they lose academically advanced students to school districts and have to deal with Special Education students for which they are not trained. Education is then sub-par.

Unfortunately, students who are “on par” academically and transfer to a mainstreaming program, still receive sub-par education. The quality of education is compromised because there is a great lack of qualified educational interpreters, thus the deaf students’ ability to access their education suffers. Additionally, signing students are usually mainstreamed into inadequate classroom settings, with no access to a visual language or visual teaching methods. Furthermore, these students are often placed in their local school districts, near where they live, sometimes with other deaf students in self-contained classrooms, but more often, with no other deaf peers in their school. Sometimes sign language interpreters are not even provided (Pollock, 2006, personal communication). Students in self-contained classrooms frequently experience isolation through inappropriate grouping of students with vastly different language abilities, academic skills, and ages (Siegel, 2000).

However, if they wish to transfer back to a USD classroom or program, they will not find themselves among students who are their academic peers because these academic peers have been transferred out. The cycle goes on and on - a “Catch-22” situation.

With its emphasis on special education, Code 53A-25-104 actually adds a barrier to promoting quality education at, making USD a placement-focused process and making it difficult for USD to develop effective communication and language-driven educational goals. The National Agenda for Achieving Educational Equality for Deaf and Hard of Hearing Students states that the nation-wide system in general does not understand the central role that language and communication play for [deaf] students. Without direct
focus on language/communication, it is extremely difficult to develop a high-quality, student-centered program (Siegel, 2007). Let’s not have USD be one part of this problem.

The code impacts all three programs at USD: oral, total communication, and ASL/English Bilingual Education (JMS). Many oral students are not able to receive a full, language-rich environment they need for maximum potential, either because their academically on-par students are moved out, or because parents have decided to have their oral children attend the local school without going through USD. Even for oral students, the placement needs to be communication-driven. The website of Central Institute for the Deaf, an oral deaf school, says, “we foster literacy for every child. It begins with our dynamic, uncompromising New Auditory-Oral Preschool program that incorporates mainstream educational methods designed to help deaf children develop emerging literacy and pre-academic skills in a print-and language-rich environment" (http://cid.edu/images/deafeducation/Literacy.htm). Oral students should be allowed to remain with other deaf students even if they are at grade level, if they want to remain.

USD’s total communication program is affected as well, not just by impacting the overall achievement goals (like stated above, most children with additional disabilities are encouraged to enroll in total communication programs). The other impact is on the ability of the program to ensure critical mass. Siegel (2000) states, “without factoring in different language and cognitive qualities within each age group, the need for 10 to 15 classes and an equal number of teachers is apparent. The alternative is to mix children with different ages, languages, and cognitive skills into fewer classes happens, which impacts a communication-driven system” (p.17).

As for JMS, its ASL/English bilingual program is designed for deaf and hard of hearing students with normal to high cognitive and academic abilities. Most of the teachers who teach at JMS have degrees in Deaf education, but even though JMS aims to provide a high quality of education with direct communication/instruction and total immersion in language and communication, it is not allowed to serve students who don’t qualify for special education. JMS is slowly losing students and its academic expectations are starting to deteriorate. The cycle that has occurred in the USDB system for years is now
repeating itself at JMS. A few families have transferred their children to local school districts and others have transferred them out of state where they may receive a better education among more than just a few peers.

Thus, Code 53A-25-104 needs to be amended to fit current trends in Deaf Education and to lift restrictions to a full continuum of alternative educational placement options, including a special school to meet parents/students’ preferences. An amended Code 53A-25-104 would also promote more effective communication and language-driven educational options as required by IDEA. Moreover, this code needs to incorporate the new concept of LRE so to ensure academic equity and excellence for students who are deaf and hard of hearing.

IDEA AND LRE

Apparently, USDB interprets IDEA as mainstreaming being required. It is a common misconception that IDEA requires mainstreaming. In fact, IDEA does not use the terms “mainstreaming” or “full inclusion” (NASDSE Educational Services Guidelines, 2006). What IDEA does require is that every educational state agency and school district provide for a “continuum of educational placement options” from a regular classroom to a special day class to a special school to institutional and hospital placements (34 C.F.R. 300.551;20 U.S.C. 1412 (a) (5)).

The following are example of placement options that have come up as interpretations to IDEA: State Residential Schools for the Deaf, Day Schools for the Deaf, Mainstream Classrooms including Self-Contained Classrooms, Resource Rooms, Inclusion Models, Itinerant Teacher Services, and Charter Schools (MENUS, 2002; NASDSE Educational Services Guidelines, 2006).

The February 2007 Position Paper of the Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD) emphasizes the importance of providing a full continuum of alternative educational placements as required by IDEA, including
special schools (known as deaf schools) for deaf and hard of hearing students. CEASD finds that recent trend in our nation to remove special schools from the continuum to be unacceptable and potentially harmful to the child’s human development and clearly counter to the spirit of IDEA. Siegel (2000) notes that a truly effective and communication-based system recognizes that communication varies significantly among deaf and hard of hearing children, and thus the need for a variety of very different placement options and communication environment is fundamental to success (p.38). In other words, to truly succeed as a statewide school, USD needs to provide a larger array of choices for deaf and hard of hearing students in Utah including a residential school. However, going against Campbell’s and Sanderson’s recommendations, USD largely removed its residential school from classroom use on April 4, 2002. Thus, the full continuum is now not available to our students and some of them run the danger of being placed in programs that are not LRE from the student’s point of view.

Often when people hear of the term “LRE,” they misinterpret it to mean an environment in which the deaf and hard of hearing student’s needs are met on an equivalent level with the needs of students with non-disabilities (MENUS, 2002). However, the 2004 Reauthorization of IDEA states LRE could mean “Language Rich Environment (Hands & Voices, 2007). The February 2007 Position Paper of CEASD accepts this definition. It works for all communication methodologies: oral, total communication or ASL/English bilingual. To have the least restrictive environment (and optimum language acquisition), students need an environment in which they are surrounded by their chosen communication method.

CEASD and several other projects and organizations recognize that access to communication should drive educational decision making, including placement decisions, throughout the IEP process for deaf and hard of hearing students. CEASD further states that because schools for the deaf are specifically designed for children with hearing loss, for many students, including those who are on grade level, they are the appropriate placement, and in fact, are the least restrictive environment in which they can achieve successful educational outcomes.
When Dr. Robert Sanderson was on the Institutional Council, the IC went on record “that students need to be mainstreamed to the maximum when possible.” He wrote an article in which he stated that mainstreaming is not the answer for all deaf children. CEASD says the same thing when it mentions that a “least restrictive environment” is not a generic concept or a “one-size fits all,” but a concept that could be used depending on each child’s individual communication, language and educational needs, not the other way around.

Siegel (2000) supports CEASD’s comment by stating, “Historically, any institutional effort to provide only “one way” to educate or place these children has not worked, and to think that an effective system will require and provide for only one kind of communication or one kind of placement is foolish at best. The issue before the American educational system is the need for a communication-rich environment for all its students, not the more narrowly drawn and confining notion of generic placement. The issue is not what communication mode is best, but that all communication needs must be addressed” (p. 4).

Another important factor when considering educational/communication driven placement is critical mass that means there are at least eight to fifteen students in the same age group at similar cognitive/academic abilities. Siegel (2000) states that “because a critical mass of age, cognitive and language peers is fundamental to an effective educational system, the number of deaf and hard of hearing students and their geographic and age distraction have a fundamental impact on program quality and availability” (p. 15). Siegel also says, “critical mass can and must mean different things for different students. For a child who is “oral,” his or her neighborhood school with other children who use spoken language provides that child with necessary critical mass. For a deaf child who uses sign language, an area-wide program or school for the deaf will provide the necessary critical mass” (p. 6.).
There are flaws in the law. The updated IDEA supersedes Code 53A–25–104 and yet, USD and Utah school districts are still complying with the older code. There is not adequate consideration of language and communication needs/modes nor adequate critical mass at most of USD’s programs and classrooms; USD does not provide a full continuum of options; most of USD’s students continue to be mainstreamed; and LRE is not viewed as Language Rich Environment. With these results, it may be argued that the traditional “LRE” for a deaf and hard of hearing student may be the most restrictive environment (Hands & Voices, 2007). All this hurts USD’s ability to provide quality education, full language and communication accessibility and critical mass. In other words, the current system is not effectively addressing these needs.

**Should USDB be an Agency or a School?**

Traditional residential schools tend to be centers of education for a majority of its deaf students and may have a few students going to a public school near the residential school. Students who are mainstreamed in other school districts tend to beon taken care of by the respective school districts. USDB, on the other hand, is quite different and is the reverse of the norm (Sanderson, 2001). For example, most of USD’s students are mainstreamed, often in self-contained classrooms managed by USD. These students are counted separately from the mainstreamed students who choose to be placed under the school districts rather than under USD. Only a handful of students attend the residential campus on 742 Harrison Blvd in Ogden, despite a beautiful building full of classrooms and cottages full of bedrooms.

Because 90% of deaf and hard of hearing students registered with USD are scattered throughout the state of Utah in various school districts, and because USD provides educational services and consulting to non-USD students who are deaf and hard of hearing as well as to their families and service providers in school district, the state of Utah determined that USDB would serve as a State Institutional Resource, commonly known as an agency, to the educational programs for deaf and hard of hearing children (Sanderson, 2001; McAllister, 2002). Because of this, USDB is no longer a school.
There are some possible pitfalls with having the statewide “authority” on deaf education considered an agency instead of a school. A few will be discussed here; first is financial. Unlike local school districts, USDB is listed as a state agency that doesn't have a local tax base. USDB no longer has to compete with school districts for money. Legislatively, finances can be cut from an agency’s budget due to state restrictions on finances, USD could then have inadequate funding and run the risk of being in violation of federal law and state special education rules (Toomer-Cook, 2001). However, school budgets are rarely, if ever, reduced, especially in the state of Utah. Second, having USD fulfill its duties as an agency means that there is one fewer option in the continuum of educational services that has been mandated is offered to deaf and hard of hearing students. A final downside to be discussed here is USD’s apparent reduced accountability for the results of the education it provides. When JMS was first founded as a charter school, the testing director contacted USD to ask for aggregated statewide test results, knowing them to be of public record. After a few attempts and a few conversations with then superintendent Lee Robinson, she understood that test scores of deaf and hard of hearing students in self-contained classrooms were combined with the scores of other students with disabilities of the public school that housed the self-contained classroom (instead of being amassed by USD). USD, at that time, had no way to extract the scores of their students from the scores of other students with disabilities (Wilding-Diaz, 2007, personal communication).

One way to correct the potential drawbacks of USD’s being an agency is to revisit the concept and view USD as a statewide school. Siegel (2000) points out that the role of special schools is important and emphasizes that an equal placement option should be designated by the state educational agency as a state “treasure resource” and be provided funds to ensure that each school district has direct access to them. Additionally, special schools would be available to provide expertise regarding communication/language development, the importance of communication-proficient staff and critical mass, as well as serve as a model for a comprehensive and rich communication environment (Siegel, 2000).
In Utah, when IEP teams discuss alternative educational placement options, regular classrooms are automatically viewed as LRE. Siegel (2000) also states that an educational system can and must become communication-driven for deaf and hard of hearing children and the IEP process communication-driven as well. This is fundamentally an issue of human rights. Additionally, Siegel states that deaf and hard of hearing children have one thing in common: their universal need for communication, from which all programmatic, fiscal, and educational determinations should flow.

Since IDEA mandates a continuum of equal and appropriate education placement options, Utah needs a statewide residential school where students are treated equally, as in public schools. Like other school districts, USD can also receive educational guarantees under IDEA with annual secured adequate. In fact, Siegel (2000) states that there should be no legal or fiscal disincentives for placing children in special schools.

**Final Thoughts**

In this section, ideas and information are included from various sources that I feel are important for people involved in Deaf education to know.

**Overview**

In the 19th and 20th centuries, deaf and hard of hearing children were caught in series of debate that involved 1. Methods of teaching deaf and hard of hearing children, 2. What one communication mode could be used for all deaf and hard of hearing children, and 3. (Under IDEA) where the program (i.e. mainstream program) was located rather than what communication opportunities were available (Siegel, 2000). Today, it is no longer practical to debate whether it is better for a deaf or hard of hearing child to use spoken or signed language because discussions on communication options and methods will always happen. However, Siegel (2000) points out that “arguments supporting one or another should not be used as rationales for a one-dimensional institutional approach to educating deaf and hard of hearing children” (p.3).
Mainstreaming

Due to the “mechanics” of mainstreaming, school districts often find themselves unequipped for the special needs of the deaf population. Deafness is a low incidence occurrence in the American population, and there isn't always a critical mass of students to justify the existence of a program and staff with expertise in deafness or hearing loss in each school district (Seaver, 2006). Hence, there was “not widespread understanding” of the educational implications of deafness. Consequently, in 1992, the U.S. Department of Education’s Office of Special Education Programs published the Deaf Students Education Services Policy Guidance in response to a 1988 report by the Commission on Education of the Deaf (COED) to clarify how IDEA should be applied in order to ensure an appropriate education for deaf and hard of hearing children. This guidance also clarifies what LRE and Free and Appropriate Public Education (FAPE) mean (A Synopsis of the Bill of Rights for Deaf and Hard of Hearing Children, 1997). Although the COED did its work more than 20 years ago, its conclusions remain valid (NASDSE Educational Services Guidelines, 2006).

According to Zapien (1998), IDEA and supporting Public Laws require that students with disabilities be placed in the LRE that is as close to their home as possible. The Deaf Education Services Policy Guidance for Deaf Children (1992) also reported the U.S. Department of Education believes that for all students with disabilities, including students who are deaf or hard of hearing, placement in a regular classroom is appropriate for a child if the individual child’s IEP can be implemented satisfactory in the regular classroom, with the use of appropriate supplementary aides and services (p. 49274). The position expressed above does not adopt the view that regular class placement is required for all children with disabilities, regardless of individual abilities and needs, but rather reinforces the importance of making individual determinations regarding the appropriate setting in which required services can be provided (NASDSE Educational Service Guidelines, 2006.)
In Stephen Baldwin’s article back in 1975, he questioned himself, “Is mainstreaming the hearing impaired really justified?” He had his reasons for doubting the justifications of mainstreaming deaf students; he wondered if a deaf student would be thoroughly happy in a demanding environment like a public school when his/her educational, social, mental and emotional needs are not met. When a criterion in meeting the student’s needs is not fully fulfilled, the school fails (Baldwin, 1975).

**Unique Language and Communication Needs**

According to the *Deaf Students Education Services Policy Guidance Policy Guidance*, the unique communication and related needs of a student who is deaf is a fundamental part of providing FAPE to the child. Any educational setting, including regular classrooms, that prevents a child who is deaf from receiving an appropriate education that meets his or her needs, including communication needs, is not the LRE for the individual child (Zapien, 1998). Additionally, the U.S. Department of Education recognizes that the regular classroom is an appropriate placement for *some* deaf children, but *not for others*.

Due to the communication issues inherent in deafness, the LRE clause in IDEA required more careful definition by the Government. In 1997, IDEA added new language which says that the IEP team must consider “the child’s language and communication needs, opportunities for direct communications with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode…” [20 U.S.C 1414 (d) (3) (B) (iv)]. However, according to Siegel (2000), this change has not yet resolved the fundamental of IDEA for deaf and hard of hearing children, or relieve stress created as their communication needs push against the superior “mainstreaming” or “inclusive” force of the law (p. 29).

*Siegel (2002) states, “Failed communication leads to failed education, then failed education leads to a failed adulthood. Failed communication affects all aspect of life”*
a result, deaf and hard of hearing adults have a higher rate of mental illness and have more concurrent health difficulties than their hearing counterparts (p. 10).

Historically, the continuum has been viewed a regular classroom as “least restrictive” and a special school as “most restrictive” (Siegel, 2000). Because IDEA enlarges on its mandates, it delivers the LRE/FAPE dilemma into deeper water (Siegel, 2000). The Policy Guidance points out that the major barriers to learning associated with deafness relate to language and communication, which, in turn, profoundly affect most aspects of the educational process. [The] communication nature of the disability is inherently isolating, with considerable effect on the interaction with peers and teachers that make up the educational process. This interaction, for the purpose of transmitting knowledge and developing the child’s self-esteem and identity, is dependent upon direct communication. Yet, communication is the area most hampered between a deaf child and his or her hearing peers and teachers. Further, in accordance with the Policy Guidance, “the Secretary is concerned that the LRE provisions of the IDEA and Section 504 are being interpreted, incorrectly, to require the placement of some children who are deaf in programs that may not meet the individual student’s educational needs. Meeting the unique communication and related needs of a student who is deaf is a fundamental part of providing a FAPE to the child. Any setting, including a regular classroom, that prevents a child who is deaf from receiving an appropriate education that meets his or her needs, including communication needs, is not the LRE for the individual child. Placement decisions must be based on the child’s IEP. The decision as to what placement will provide FAPE for an individual deaf child—which includes a determination as to the LRE in which includes a determination as to the LRE in which appropriate services can be made available to the child—must be made only after a full and complete IEP has been developed that addresses the full range of the child’s needs.”

In 2004, IDEA, particularly Sec. 614 (3) (B) was updated to specifically recognize the unique communication needs of deaf and hard of hearing students. Because deaf and hard of hearing students often do not receive equal language and communication in the public school system, IDEA has added language and communication provisions, which require
that all IEP teams consider 1. Language and communication needs, opportunities for direct communication with peers and professionals in the child’s language, and communication modes and academic levels, 2. Full range of needs including direct instruction in the child’s language and communication mode, and lastly, 3. Whether the child requires assistive communication devices and services (Hands & Voices, 2007).

According to Siegel (2005), although the IDEA contains many provisions intended to ensure that children with disabilities receive the best possible educational experience, the law overlooks or obscures key aspects of deaf children’s communication and language needs. Additionally, in Siegel’s view (2005), IDEA is primarily a placement-driven policy in which "least restrictive environment" is more often interpreted to mean close to home or mainstreamed rather than truly accommodating. When discussing a deaf student’s appropriate placement in the IEP meeting, there is no established legal requirement that this student be assessed for communication and language proficiency or provided services needed to ensure access to instruction (Siegel, 2005, p.7).

For years, deaf and hard of hearing students have repeatedly been denied access to the programs and communication available to all other children. Moreover, they deal with failure to provide a qualified interpreter or access to a state school for the deaf. Most importantly, deaf children are denied to what all other children take for granted: access to the academic, social and linguistic components of an education (Siegel, 2005). Evidently, deaf and hard of hearing children need their bill of rights and educational choices protection in order to have access to their language and communication needs; whether it is a public school or a deaf school. The IEP team along with parents are encouraged to describe in detail how a Deaf and hard of hearing child would have what all other American children take for granted—easy, ongoing, and rich language.

**Resources**

In 1994 (updated in 2006), the Deaf Students Education Services Policy Guidance of 1992 evolved from the Deaf Education Initiative Project to *Meeting the Needs for*
Students who are Deaf or Hard of Hearing Educational Service Guidelines. The main purposes of these guidelines are to:

1. Educate school systems about the unique educational needs of deaf and hard of hearing students,
2. Strengthen considerations of meeting their language and communication needs,
3. Educate the U.S. Department of Education’s Policy Guidance on deaf students’ education services,
4. Implicit interpreting services,
5. Educate school systems about specific special educational needs of students with hearing loss and many more. Additionally, the guidelines established requirements for the proficiency of staff delivering any IEP services in a school system.

In 1998, Lawrence M. Siegel, a Special Education Attorney, founded the National Deaf Education Project (NDEP) to reform the current educational delivery system for deaf and hard of hearing children. This organization focuses on two basic goals:

1. Creating an educational paradigm that is fundamentally communication-driven and
2. Assisting professional, consumers and parent organizations to address local, regional, and State issues affecting deaf and hard of hearing children (Siegel, 2000).

Several states, including New Mexico and Colorado, passed the Deaf Child’s Bill of Rights, which led directly to the
requirement that every IEP for a Deaf child’s language and communication needs. Under the FAPE, the child is receiving the reasonable benefit of his/her educational program, and that the IEP should “reasonably calculate” to produce progress to achieve FAPE (Hands & Voices, 2007).

Florida enacted a law called “Student and Parental Rights and Educational Choices.” This law allows families to seek whatever educational choice options, including alternative and special schools that are applicable to their students. Furthermore, this law opens the doors for deaf and hard of hearing students to have unimpeded access to school for the deaf, effectively equating the public schools with LRE in the FAPE based on parental choice. Families in Utah encounter many roadblocks when trying to have their child enrolled in a special school because most districts have policies or practices that inhibit such placements, using IDEA as justification. In the case of a deaf and hard of hearing child such a practice is potentially harmful because of their unique language and communication needs.

*Family Rights and Responsibilities*

Each family has the right and responsibility to choose what they feel would be the most successful communication mode or philosophy for their children. If each family is able to choose for themselves what they believe is best, they are more likely to put forth the necessary effort, time, commitment and love to carry out that decision. The combination of personalized choices and family support will lead to success for our children. Families need unbiased and respectful rights to choose; this will happen if school personnel remember LRE as “Language Rich Environment.”

Parents should be given an unbiased, complete picture of the communication and educational methodologies available to their children. All programs should be *equally* available with fair information to parents as recommended back in 1970s and as emphasized by Siegel in 2000. Parents of deaf children have the right to decide on a program for them, based on fair information as long as they have access to literacy. Providing improper biased, one-sided information should no longer happen. When each
family decides on a program, their right and responsibility to make their decision on the most successful communication mode or philosophy for their children should be affirmed, especially if good information was provided.

Recommendations

For the sake of taxpayer dollars, it is recommended that the variety of professional personnel working with USD: administrative staff, teaching personnel, Institutional Council members, parents and other interested stakeholders work with one accord and have one common goal: that Deaf and hard of hearing children become productive and literate citizens of society at large. They are encouraged to work together to make recommendations to modify or change the system as it exists, to make a difference in the lives of deaf and hard of hearing students for years to come.

Following is a list of recommendations for all interested in promoting change and revitalization for deaf education in the state of Utah.

1. Research and utilize concepts advised by the following groups, and participate in conferences or training when available.

   a. National Association of State Directors of Special Education (NASDSE). NASDSE is highly committed to each state having and implementing a comprehensive statewide plan that clearly delineates and addresses the educational needs and issues of students who are deaf and hard of hearing. A training component is provided to local and state education administrators with the most current information on federal statutes, policy guidance, promising practices and resources for improving educational services. NASDSE has revived its United States Department of Education’s policy guidance and updated the NASDSE Meeting the Needs of Students who are Deaf or Hearing of Hearing: Educational Services Guidelines book -- http://www.nasdse.org/ and http://www.ed.gov/about/offices/list/ocr/docs/hq9806.html

   b. National Agenda for Moving Forward on Achieving Educational Equality for Deaf and Hard of Hearing Students. The National Agenda established goals and a plan designed to improve educational services, programs, and outcomes for deaf and hard of hearing students. They have an “agenda” formed to close the achievement gap that exists for our students. http://www.tsd.state.tx.us/outreach/national_agenda.html
c. **National Deaf Education Project (NDEP).** NDEP is an initiative to reform state policies and practices in the education of deaf and hard of hearing students. [http://www.ndepnow.org/](http://www.ndepnow.org/)

d. **State Leaders Summit on Deaf Education.** State Leadership Summit calls for stakeholder commitment to systemic improvement in deaf education and develop a national “model” Deaf Child’s Bill of Rights. [http://www.rrfcnetwork.org/content/view/246/349/](http://www.rrfcnetwork.org/content/view/246/349/)

e. **The Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD).** CEASD provides an opportunity for professional educators to work together for the improvement of schools and educational programs for individuals who are deaf or hard of hearing. The organization brings together a rich composite of resources and reaches out to both enhance educational programs and influence educational policy makers. [http://www.ceasd.org/](http://www.ceasd.org/)


3. **Utah Code 53A-25-104.** Amend the code to lift restrictions to Utah’s ability to provide a full continuum of alternative educational placements as required by IDEA, including special schools (deaf schools) for deaf and hard of hearing students and developing effective communication and language-driven educational options in the delivery system for every deaf and hard of hearing child.

4. **Deaf Child’s Bill of Rights.** Assist in enacting this bill to ensure that full communication/language accessibility is considered and that a full range of educational alternative placement options is provided equally.

5. **State Advisory Board.** Establish a State Advisory Board to meet on a regular basis to monitor and assess educational programs for deaf and hard of hearing students and to advise the state department regarding the system (Siegel, 2000).

6. **USDB Orientation.** Provide an unbiased orientation for parents to have full information about hearing loss and oral and visual communication options, including educational philosophies and their respective communication methodologies. With the increased use of cochlear implants, sharing this information is absolutely necessary (Campbell, 1977 & Siegel, 2000). It would help parents make their own decisions regarding placement.

7. **USDB Status.** As required by IDEA, change USDB from an “agency” to a “special school” to give the families an option where deaf and hard of hearing
students can be appropriately served with direct communication and instruction.

8. **Utah State of Education’s Guidelines for Deaf and Hard of Hearing Students.** USOE should develop guidelines similar to California Department of Education’s Guidelines to appropriately serve students who are deaf and hard of hearing in the educational system here in Utah by including the U.S. Department of Education’s

2. *Deaf Students Education Services; Policy Guidance* (1992) and
4. *Utah’s Deaf Child’s Bill of Rights* as guidance to improve the educational service needs and support/provide the unique language and communication access in the K-12 setting. [http://www.cde.ca.gov/sp/ss/dh/](http://www.cde.ca.gov/sp/ss/dh/)

9. **USDB Admission/Eligibility Policy.** Develop an admission/eligibility policy to provide intensive, specialized services to students with or without additional disabilities whose primary education needs are due to their deafness and place them in appropriate division of learning classroom settings.

10. **Critical Mass.** Establish goals to increase critical mass in each classroom that USD oversees, and work towards achieving the goals.

11. **Hands & Voices.** USDB to work closely with the local chapter of Hands & Voices, an unbiased organization focused towards communication modes and methods. Hands & Voices slogan is, “What works for your child is what makes the choice right.”

12. **Student and Parental Rights and Educational Choices.** Pass a law similar to the Student and Parental Rights and Educational Choices law in Florida to allow families to seek whatever educational choice options, including alternative and special schools that are applicable to their children.

13. **Staff/Faculty Education.** Develop and implement an annual in-service for all faculty and staff members at USD, to educate and/or discuss the current perspectives on LRE.

14. **Deaf Community:** Involve the Deaf community is vital. It provides for opportunities for deaf children to interact with adult Deaf role models. In addition, parents and teachers will gain an awareness of how the Deaf community perceives the world to understand their children better. Deaf President Now at Gallaudet University in 1988, Reverend Jesse Jackson said, “The problem is not that the students do not hear. The problem is that the hearing world does not listen.” Thus, it’s important to do a better job of listening to the Deaf community.
History Track Records

The Deaf Education History in Utah does not just end in this document. In order to preserve history, more news will be added to this document for public awareness.

- USU Sounds Beginning – A preschool programs concentrates on developing speaking skills rather than sign language
- USDB Facility – SLC
- Utah’s Local Chapter, Hands & Voices
- Utah Codes – USDB
- Deaf Child’s Bill of Rights
References


_Alexander Graham Bell Association for the Deaf._ (Online) Available HTTP:


*First Reunion of the Utah School for the Deaf Alumni.* (1976, June 24, 25, & 26).


Harrington, P. (2005). *Proposed merger of Utah Schools for the Deaf and the Blind (USDB) and Jean Massieu School (JMS).* (Online) Available HTTP:

http://www.usoe.k12.ut.us/board/60305tab5b.htm


Intent of the Legislature. (April 5, 2007). General Exhibit No. 9634. (Online) Available HTTP:

http://www.livepublish.le.state.ut.us/lpBin22/lpext.dll?f=templates&fn=main-j.htm&2.0


http://blog.deafread.com/dsammy/2007/05/21/utah-utah-code-53a-25-104-directly-impacts-us dbs-ability/


McAllister, J.S. (2002). *Utah Schools for the Deaf and the Blind: Whether USDB is an LEA or State institutional resource.* Utah State Office of Education.


*Meeting the Needs for Students who are Deaf or Hard of Hearing Educational Service Guidelines.* (2006). National Association of State Directors of Special Education, Inc. Alexandra, VA.


Nellie Sausedo. Personal communication. 2007.


Sanderson, R.G (?). *Mainstreaming was not the answer for ALL deaf children.*

Sanderson, R.G. (2001). *The Institutional Council of the Utah Schools for the Deaf and the Blind.* (Online) Available HTTP:


Seaver, L. (2006). *Deaf is different: Educational impacts and cultural perspectives.* (Online). Available HTTP:

http://www.handsandvoices.org/articles/education/law/different.html


Siegel, L.M. (2007). The National Deaf Education Project. (Online) Available HTTP:
http://www.ndepnow.org/


The Silent Worker vol. 10 no. 1 p.7. (Online). Available HTTP:


The Silent Worker, vol. 12 no. 7 p.101. (Online). Available HTTP:


The Silent Worker vol. 32 no. 6 p.149. (March, 1920). (Online). Available HTTP:


The University of Utah. (November 28, 1977). Graduate School of Education.


Gallaudet Today, v.6, 2 p.

Utah Association for the Deaf Letter. (1977). 10-point list of concerns regarding the University of Utah’s Teacher Training Program.


UAD Bulletin (1988). *Fate of USDB Campus Still Undecided.* CORRECTION NEEDED


Utah Eagle. (1967, October).


Utah School for the Deaf, Ogden, ??

*Utah’s Hearing Impaired Children...At High Risk.* (1986, October 22). Grant B. Bitter Papers, Accn #1072. Manuscripts Division, J. Willard Marriott Library, University of Utah, Salt Lake City, Utah.


(Online). Available HTTP:

http://www.le.state.ut.us/~code/TITLE53A/htm/53A0E007.htm


Williams, S. (1990, October 22). *Deaf people must be accepted to succeed in society, speaker says.* The Daily Utah Chronicle.