

Appendix A of the letter from UAD & BCGUAA

1346 East Hana Court
Draper UT 84020

August 11, 2009

Dear Members of the Utah State Board of Education:

Debra Roberts, Chair; Shelly Locke; Greg Haws; David Thomas; Kim
Burningham; Michael Jensen; Leslie Castle; Janet Cannon; Denis Morrill;
Laurel Brown; David Crandall; Carol Murphy; C. Mark Openshaw; and
Dixie Allen

Deputy Superintendent of Public Education Dr. Martell Menlove, and
Superintendent Steven W. Noyce,

First, we want to acknowledge the State Board of Education's choice of Mr. Steven W. Noyce as the Superintendent of the Utah Schools for the Deaf and Blind (USDB). We trust that his administration will be as supportive to Deaf education (specifically the ASL/English philosophy of Deaf education as espoused by the Jean Massieu School of the Deaf - JMS), as has been since the merger with USDB (more fully described below).

The Utah Association of the Deaf (UAD) has taken very seriously the education of deaf children in Utah and has supported JMS from its humble beginnings, through the merger with USDB and in its current status as a school within USDB. We are writing because we are concerned about the future direction of the USD ASL/English philosophy and programs under the new Superintendent due to his ample background in Oralism. We request that there are safeguards in place to counterbalance a strong career in Oralism with a strong and understanding associate superintendent who can adequately represent the use of the native language of the deaf – ASL, and the ASL/English philosophy within the administration at USDB.

Indeed, due to the Terms of Agreement (attached) which are binding on the Utah State Board of Education (USBOE), USDB, and JMS – we feel strongly the associate superintendent should have certain skills.

The legislature noted in 2005:

"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." emphasis added

Furthermore, the terms of Agreement that was signed by USDB, USBOE, and JMS state:

"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." emphasis added

Finally, the specific language of the legislative session ending this spring stated that the associate superintendent to administer the Utah School for the Deaf based on:

"(a) demonstrated competency as an expert educator of deaf person; and (b) knowledge of school management and the instruction of deaf persons." emphasis added

Based on these historical facts, we believe strong consideration should be given to our request to select an individual who possesses native ASL communications skills, who has the proven ability to manage Deaf education, and who has hands on experience with JMS' ASL/English philosophy. Otherwise we fear the progress that has been made within the founding of JMS and the work with the USBOE, USOE and with the legislature and the state will go backwards instead of forwards.

Finally, we wish to understand specifically the methodology that will be used to select the associate superintendent, the process which candidates and applicants will go through, and the timeline under which the decision will be made. We kindly request that you respond to our organization and all copied on this letter prior to making an appointment so that we can all understand and, if prudent, have input into the decision.

We look forward to hearing from you soon.

Sincerely,

The UAD Board

(Ron Nelson, President; Lorin Melander, Vice-President; Jen Byrnes, Secretary; Val Kinney, Treasurer; and Board Members Donna Melander, Abel Martinez, Stephen Ehrlich, Mistie Owens and Rob Kerr)



Signed by: Lorin Melander, Vice President, UAD; President, BCGUAA



Signed by: Rob Kerr, Board Member, UAD

Also endorsed by the Beehive Chapter of the Gallaudet University Alumni Association:
(Lorin Melander, President; Minnie Mae Wilding-Diaz, Vice-President; Bart Kern, Secretary; and Christopher Palaia, Treasurer)



Signed by: Minnie Mae Wilding-Diaz, Vice-President, BCGUAA

Signed by Christopher Palaia, Treasurer, BCGUAA



Cc: Representatives Kenneth Sumsion, Carl Wimmer, Jennifer Seelig, Gregory Hughes, and Merlynn Newbold

Senators Curtis Bramble and Howard Stephenson

Professor Dr. J. Freeman King, Utah State University

**Appendix B of Scoggins's letter to the 21st International Congress on the
Education of the Deaf**

June 30, 2010

Ms. Claire Anderson, Chair
21st International Congress on Education of the Deaf
Suite 101 – 1444 Alberni Street
Vancouver, British Columbia V6G 2Z7
(Transmitted electronically)

Dear Ms. Anderson,

On behalf of the Board of Directors of the National Association of the Deaf (NAD), I wish to convey our respectful request that the 21st International Congress on Education of the Deaf (21st Congress) grant official recognition of and declare the acquisition and use of sign language as a civil, human and linguistic right, particularly in educational settings. Specifically, we request that the 21st Congress formally reject resolutions passed at the 2nd International Congress on Education of the Deaf (2nd Congress) in Milan, Italy. These resolutions discouraged the use of sign language in educational programs worldwide that served deaf infants, children and young adults, which also led to the decline of deaf educators, administrators and related professionals within these programs.

We also respectfully request that the 21st Congress issue a declaration calling upon all world nations to endorse and adhere to the principles of the United Nations Convention on the Rights of Persons with Disabilities (CPRD), and related resolutions adopted by the World Federation of the Deaf (WFD) at its 2007 World Congress in Madrid. These resolutions recognize the acquisition and use of sign language as a human right within the global deaf community.

Established in 1880, the mission of the NAD is to preserve, protect and promote the civil, human and linguistic rights of deaf or hard of hearing people in the United States of America. The vision of NAD is that every deaf or hard of hearing individual can and will participate fully in all aspects of society and life, without barriers.

The NAD recognizes that those in attendance at this year's 21st Congress were not involved in the resolutions passed at the 2nd Congress. Still, these resolutions sent a horrific message to educators of the deaf worldwide and caused irreparable damage to the education, advancement and full participation of deaf people in all aspects of what is now a globally interconnected society. We believe that the International Congress on Education of the Deaf as a historical entity bears responsibility for its earlier resolutions, hence our request that the 21st Congress set a new reference point for the future.

In the spirit of reconciliation and collaborative efforts, we ask the 21st Congress to do the right thing by creating a new mark on the world stage calling for the recognition of sign language as a fundamental human and linguistic right. The global deaf community deserves no less. By implementing this action on the world stage the 21st Congress will join individual nations worldwide that have taken a bold and positive step forward to ensure the rights of the global deaf community – in line with the CPRD – and demonstrating that the International Congress on Education of the Deaf places value on the acquisition and use of sign language in all settings, including education.

Respectfully,



Dr. Bobbie Beth Scoggins
President

cc: Dr. Markku Jokinen, President of the World Federation of the Deaf

**Appendix C of USDB and Sound Beginnings: Facts vs. Fiction and
USDB Superintendent Coleman's letter to the Utah State Board of Education**

USDB and Sound Beginnings

FACT vs. FICTION

Unfortunately, what should have been a simple contract revision necessary to remedy some problematic items in the Memorandum of Understanding (MOU) between USDB and Sound Beginnings, has escalated into an emotional and confusing situation for the parents of the USDB preschool children who might have attended that location during the 2015-2016 school year. This table is intended to help separate facts from fiction and to help alleviate confusion in the matter.

FACT	FICTION
<p>The first choice for USDB was to continue the partnership with Sound Beginnings with some reasonable adjustments to the MOU to provide funding equity for all children. After the initial proposal was rejected, USDB made several subsequent offers with varying amounts of increased funding, ranging from \$110k to over \$180k. USDB met with Sound Beginnings three times in good faith to try and make something work, including 9 hours with a professional mediator. According to the specific wording in the MOU, if mediation fails, "all parties agree to dissolve the relationship," so that is what happened. This was certainly not a unilateral decision by USDB to end the agreement.</p> <p>USDB is still willing to partner with Sound Beginnings, as it does with other divisions at USU and with other universities. During negotiations USDB was fully engaged and prepared to continue to fund the classroom instruction of current and future Sound Beginnings preschool students. Ultimately, however, it was the insistence of Sound Beginnings on complete control of Early Intervention services and unsustainable funding levels that led to the USU "all-or-nothing" decision not to continue the partnership for preschool classroom instruction.</p>	<p>USDB unilaterally refused to fund Sound Beginnings and completely pulled its support for the program</p>
<p>The total cost of reimbursement to USU was the first fundamental concern raised by legislative fiscal analysts and addressed by USDB when it was time to review the MOU. Last year USDB payed \$540,000 to USU and Sound Beginnings submitted a budget request of \$480,000 for the 2015-2016 school year.</p> <p>The bottom line for USDB in making this financial decision is to compare the cost of services from Sound Beginnings to what it would cost to provide the services directly without Sound Beginnings. The USDB estimated cost was less than \$110,000. USDB is required to serve all students in the state equitably, so outsourcing its fundamental education</p>	<p>Sound Beginnings provides services cheaper than USDB, and USDB has exaggerated and misrepresented the funding expectations of Sound Beginnings</p>

<p>mission to Sound Beginnings at more than four times the cost was unsustainable and could not be justified.</p> <p>Sound Beginnings used a flawed calculation to claim they provide education services for less than USDB, based on an illogical application of average cost per student figures for the entire agency from the USDB annual report. USDB explained several times to Sound Beginnings how that calculation does not reflect the actual funding outlay for specific students. USDB calculates real costs based on student need and are IEP driven, not based on an average cost per student applied to different programs.</p>	
<p>With USDB directly providing the education, parents can choose an LSL (Listening and Spoken Language) or an ASL (American Sign Language/English) approach for their children. The Sound Beginnings program is an LSL-only program, effectively eliminating a vital option for parents in Cache Valley. Therefore, USDB services will be more conducive to parental choice without concerns of a potential conflict of interest.</p>	<p>Parents will lose a valuable option for their children</p>
<p>Ironically, the Deaf community occasionally accuses USDB of the opposite bias, because a significant majority of our deaf students are in our LSL classes across the state while less than one third are in ASL/English programs. USDB has no preference to either approach. Parents guide the education of their children at USDB. The fundamental approach of USDB across the state is based on equal access and equitable funding for students, regardless of program choice.</p>	<p>USDB has a bias toward ASL/English education for deaf children</p>
<p>USDB proceeded with proposals and negotiations in accordance with the "before June 30" standard and all other requirements in the MOU. USDB had concerns about the funding and the structure of the MOU for nearly two years and worked with Sound Beginnings to better identify itemized costs during that time. As early as last November, USDB discussed the need for changes.</p>	<p>USDB did not provide adequate time to change the MOU</p>
<p>The position of USDB is that parents should have been insulated from any disputes regarding the agreement between USDB and USU, to avoid inflicting unnecessary stress, emotion, confusion, and manipulation. Despite their differences, both parties should have diplomatically reassured parents they will continue to receive top notch educational services for their children, regardless of the provider. Instead, Sound Beginnings invited and even advocated for parental entanglement in an adversarial contract dispute.</p>	<p>Parents were not included in the discussion</p>
<p>USDB intended to let students continue at the USU location, so there was no need to contact parents earlier. Even with the location change, which became necessary when Sound Beginnings refused to enter a</p>	<p>Parents were not contacted or notified soon</p>

reasonable contract, the placement for the children will continue with USDB. After obtaining the student records on Friday, July 31, USDB immediately reviewed the records and started contacting parents via email, phone calls, and personal delivery of enrollment forms to each family. One parent reported she was instructed by Sound Beginnings not to speak to USDB.	enough
USDB is the authority for deaf education in Utah, and no program has better outcomes for LSL students than USDB. USDB has the most highly qualified deaf and blind educators in the state. In fact, LSL education is one of the strongest programs at USDB and parents can be confident their preschool LSL children in Cache Valley will receive all the educational services they are entitled to under IDEA. In fact, USDB has 5 LSL/AVT certified teachers that are employed in our programs.	The quality or quantity of services will suffer with USDB
This is a common technical misunderstanding. Within the context of IDEA (Individuals with Disabilities Education Act), there is a difference between the terms "placement" and "location." Students formerly served at Sound Beginnings were already in a USDB "placement" as part of their individual program, and that will not change. Only the "location" will change. A change in "placement" can only occur after an IEP (Individual Education Plan) team has developed a plan for a child. USDB will continue to serve each student according to his or her current plan, including placement, and IEPs will be reviewed and updated by IEP teams at least annually, consistent with the law.	Moving to a new location violates IDEA by changing student placement without parental involvement or notification
This concern probably stems from what was reported inaccurately to some parents following the negotiation meetings between USDB and Sound Beginnings. General trends for audiology service minutes were discussed because Sound Beginnings significantly exceeds the average throughout the state and nation, but the leap from that discussion to an assumption of predetermination by USDB has no merit.	USDB violates IDEA by predetermining student services.

July 23, 2015

Dear Board Members,

Due to the recent expiration of the MOU between USDB and the Sound Beginnings program at Utah State University (USU), and due to the inability of both parties to agree to a new contract last week, I anticipate you may be contacted by parents or others with questions or complaints. This brief is intended to help you understand the situation so you can provide an informed response.

History

The Sound Beginnings program is part of the Communicative Disorders and Deaf Education department located on campus at USU. The program started in 2007 to provide listening and spoken language (LSL) education services to children with hearing loss. USDB first partnered with Sound Beginnings in 2011 under an MOU between the two parties. Essentially, the arrangement authorized Sound Beginnings to become a third party education provider for USDB's deaf LSL preschool students in the Cache Valley area.

Concerns

Early in my tenure at USDB I had concerns about several terms in the MOU with USU and the practices that had developed over the years as a result of that MOU. Accordingly, I instructed Trena Roueche (associate superintendent for the Deaf school) and Scott Jones (director of finance) to pursue some appropriate revisions. USDB also received feedback and significant concerns from our legislative fiscal analyst (LFA), from audit findings, from insightful USOE personnel, and from members of the Deaf community consistent with our concerns. All of this happened before the end of 2013.

Subsequently, when Michelle Tanner replaced Trena last year, one of her specific assignments was to follow through with Sound Beginnings and have the MOU revised so USDB could be more comfortable with the arrangement. USDB has not accused Sound Beginnings of any wrongdoing in the past; the services they provided for children were satisfactory and the relationship was generally consistent with the MOU. Our position has simply been that the MOU must be revised to make our arrangement significantly better.

Specifically, the following items were problematic for USDB going forward:

- There were no specific financial amounts in the annual MOU. Consequently, USDB was billed for \$500,000 or more per year without meaningful control of its financial obligation or an accounting of the specific expenditures funded by USDB.
- Although the MOU assigned the associate superintendent for the Deaf to approve staffing levels and service amounts, that provision was effectively neutralized by Sound Beginnings acting as the LEA representative in IEP meetings, effectively committing USDB resources, which USDB was then obligated to honor.

- USDB was paying for redundant administrative and related server positions at Sound Beginnings when USDB also had its own staff that could cover much of that workload in Northern Utah. Although Sound Beginnings insisted those positions were necessary, the staffing array created tremendous inequity and was inconsistent with service patterns for similar students throughout the state.
- In real terms, USDB was paying much more to USU than it would cost to provide those educational services to our students internally.

In addition to these financial issues, USDB was compelled to address other significant problems in the MOU revision process as well:

- USDB generally did not have appropriate control of its own program in the Cache Valley area, yet USDB was still accountable for those services and any related liabilities as well. This risk was a source of great concern.
- Sound Beginnings strongly resisted USDB's possession of the permanent student files, in violation of board rule and clear instructions from USDB to surrender the files.
- USDB received repeated complaints from school district personnel in the Cache Valley area about working with Sound Beginnings.
- Conflicts of interest and a fundamental conflict with USDB's approach to early intervention services with families.
- Licensed educators missing out on professional benefits due to employment with a third party instead of an LEA

Again, there has been no accusation by USDB that Sound Beginnings has been a bad actor. Although it would have been irresponsible to renew the former MOU in its previous form, our position was that an improved contractual agreement with more specificity and adjusted terms could have resolved these concerns and would have allowed a modified but mutually beneficial relationship. At least that was our anticipation as we entered the MOU review this year.

Resolution

Beginning last November Scott and Michelle indicated to USU there would have to be changes when the MOU expired. USDB then proceeded according to the timelines outlined in the MOU, requested budgetary information from USU and responded by proposing new, more appropriate terms for the contract. Most recently, our team met twice in good faith with their team before requesting a mediator in an effort to create an arrangement that would benefit both parties and alleviate our concerns. Ultimately, we ended at an impasse after nine hours of effort last Thursday.

The Way Ahead

To support the USU graduate training program, USDB is still willing to create a Sound Beginnings MOU similar to those we have with other divisions at USU and other colleges around the state. In these arrangements we do not exchange funds or outsource our core mission to them. Their graduate students work directly with our teachers and we maintain healthy boundaries as we support each other.

Finally, in our view at USDB the most important factor to consider in any decision or situation is the effect it will have on the children and the families we serve. This has been the lens through which USDB has approached this dispute from the first indication of conflict, and it has guided our decisions and our responses every step of the way. We have already made arrangements for a new classroom in Cache Valley and we have adjusted our educator assignments accordingly so the students transitioning to USDB from Sound Beginnings will continue to receive the excellent education services they deserve. Fortunately, our LSL education program is very strong throughout the state, and as board members you can be confident the Cache Valley program will be consistent with that high standard from day one as we resume our duties there. You can also be assured USDB will make every effort to insure our disagreements with Sound Beginnings will have no effect on the quality of their education. Michelle Tanner has a comprehensive transition plan and as soon as USDB obtains access to the student files we will immediately make contact with each parent so they will have clarity and confidence as we implement the plan.

I hope this brief explanation of a complex situation has been helpful to you as board members. Please contact me via telephone (801-634-6251) at your convenience if you desire more details or have additional questions. I always look forward to talking with each of you, and my staff and I express our sincere gratitude for your consistent support of our efforts in providing the finest education possible for the children we serve.

Respectfully Yours,

Superintendent Coleman

**Appendix D of the Utah Deaf Education Core Group's letter to the Utah State
Board of Education and USDB Advisory Council**

January 19, 2011

Dear Members of the USDB Advisory Council and the Utah State Board of Education,
We wish to bring an urgent matter to your attention.

As you may or may not be aware, there are people who are very concerned about the job performance of USDB Superintendent Steven W. Noyce. We will not go into details, as that's not the purpose of this letter. Let it suffice now for us to inform you that there is a group of USDB employees and parents concerned enough that they are working with USOE to develop a survey for USDB staff to ascertain the reason behind the very low morale currently circulating at USDB. Furthermore, numerous letters have been written to State Superintendent Shumway and Deputy Superintendent Menlove expressing concern over certain facets of Mr. Noyce's work performance in the Deaf/Hard-of-Hearing division, especially his propensity towards the Listening and Spoken Language approach, when, as Superintendent of a state-wide agency/school, he should be championing BOTH of the two programs he has under his jurisdiction. As a final point of concern, let us report that FOUR administrators have resigned since Mr. Noyce took over as Superintendent, largely because of concerns over working with him: Kim Morrison - PIP Director, Liz Parker - Director of USD's Central Division, Leah Voorhees - Director of Related Services, and now Jennifer Howell - Associate Superintendent.

(Another thing to notify you: there are people working towards requesting that Mr. Noyce's contract be terminated. You will be hearing from them soon.)

The urgent matter that we wish to discuss here has to do with the very recent resignation of Associate Superintendent Jennifer Howell, who administered the Deaf/Hard-of-Hearing department of USDB. Within a few days of her resignation, an announcement went out advertising the position, "open until filled."

Our concerns are as follows. First of all, there are at least two groups of people who are troubled about Mr. Noyce's work performance. Secondly, on at least one occasion, Mr. Noyce has chosen an applicant that wasn't recommended by the committee who interviewed that applicant, apparently choosing that applicant because she adhered more closely to Mr. Noyce's personal philosophy for Deaf education than did the other applicant. These lead to our third concern, that regarding the "open until filled" status of the job announcement. This means qualified people will be interviewed when they express interest. Will there be an interview committee? Will Mr. Noyce heed their

recommendations? Will the new person be able to work with both of the two programs offered in the Deaf/Hard-of-Hearing division, or will the person be an adherent of the Listening and Spoken Language approach like Mr. Noyce and the abovementioned applicant are?

Time is of essence. We urge you as a member of a body that has some authority over the USDB Superintendent, to immediately freeze any and all administrative hiring at USDB until the concerns regarding Mr. Noyce are resolved. If he is allowed to place more devotees to the Listening and Spoken Language approach in administrative positions, as he has hitherto done, without also including believers in the ASL/English approach, we fear for the future of Deaf education in Utah.

Thank you for listening.

Sincerely,

Utah Deaf Education Core Group

utahdeafeducation@gmail.com

c.c. State Superintendent, Larry Shumway

Deputy Superintendent, Martell Menlove

**Appendix E for more information about the February 2007 Position Paper of
the Conference of Educational Administrators of Schools
and Programs for the Deaf**

CONFERENCE OF EDUCATIONAL ADMINISTRATORS OF SCHOOLS AND PROGRAMS FOR THE DEAF (CEASD)

A Position Paper On

The Full Continuum of Educational Placements for All Students who are Deaf or Hard of Hearing

The Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD) believes that students who are deaf and hard of hearing should have access to schools and classrooms in which both equity and excellence are persistent and shared goals for each learner. Equity refers to the opportunity of every learner to have access to an inclusive high quality education. Excellence refers to the need of every learner for quality education programs, high expectations and the highly qualified teachers and support staff necessary to maximize his or her potential while achieving positive educational outcomes.

The Individuals with Disabilities Education Act (IDEA) requires that children with disabilities be provided with a free and appropriate public education in the least restrictive environment (LRE). The latter has often been interpreted as the environment where their typically developing peers are educated or the school closest to their home – the emphasis being on place. With the goal that children with disabilities should not be isolated, a goal which CEASD supports and shares, mainstreaming, integration and inclusion in their various forms have been the conceptual basis of the special educational system. While these approaches have served many children with disabilities very well, this has not always been the case for children who are deaf or hard of hearing. All too often, mainstreaming, integration and inclusion are confusing and do not equate to a true inclusive educational placement.

Children who are deaf and hard of hearing have unique communication needs that directly affect their academic, social, personal and cultural development. At the national level, the importance of communication as a starting point for identifying appropriate services was first acknowledged the U.S. Department of Education in its "Deaf Students Education Services: Policy Guidance" 57 Fed. Reg. 49274(1992) and reaffirmed by many national deafness-related organizations in the National Agenda for Achieving Educational Equality for Deaf and Hard of Hearing Students (2005) and by the National Association of State Directors of Special Education (NASDSE) in its Educational Services Guidelines for Meeting the Needs of Students Who Are Deaf or Hard of Hearing, (2006). While CEASD believes that communication access is indispensable to achieve a truly inclusive placement for children who are deaf and hard of hearing, access alone is not sufficient. In order to experience membership and sense of belonging both in the classroom and beyond the school day, deaf and hard of hearing students must be accepted and valued by others in their learning community.

Each of these entities affirms that the deaf child's communication needs, linguistic needs, and social, personal and cultural needs must be the primary factors in considering the provision of appropriate educational services in least restrictive environment. They further affirm that in order to provide this LRE, deaf and hard of hearing students must have access and inclusion in all placements including neighborhood schools, center-based programs, special day classes, state supported or operated special schools, regional programs, etc.; in other words, the full continuum of alternative placements required by IDEA.

IDEA also specifically recognizes the unique communication needs of deaf and hard of hearing students. Section 300.324(a) (2) (iv) states that the IEP team *"must consider the communication needs of the child and in the case of a child who is deaf or hard of hearing consider the child's language and communication needs, opportunities for direct communication 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."* Of special interest here is the notion of direct communication with peers and staff. Among the features and benefits of special schools for deaf and hard of hearing children is that direct communication with peers and staff is present in all aspects of the child's educational program, both during the school day and in a residential setting. This language rich environment is truly the least restrictive and most enabling for many deaf and hard of hearing students.

CEASD finds the recent trend in our nation to remove special schools from the continuum to be unacceptable, potentially harmful to the child's human development and clearly counter to the spirit of IDEA. This includes recommendations to combine historically separate schools for the deaf and blind based solely on demographic variables, economic factors or ideological factors without consideration of the unique needs of these sensory impaired but very different learners. When and if consolidation of services to deaf and blind students is considered for reasons of efficiency based on demographics, a comprehensive plan including broad stakeholder representation from both communities must be developed with consideration of the "special factors" identified in IDEA 34 CFR 300.324). Deaf children, like all children with disabilities, are entitled to a free and appropriate educational experience. In order to realize this goal for students who are deaf and hard of hearing, all LEAs and SEAs must provide the full continuum of alternative educational placements, including special schools for children who are deaf. They must be further committed to ensuring that the deaf and hard of hearing student receives a quality, inclusive education in a placement in which he or she experiences a sense of belonging and is an authentic participating member.

[Founded in 1868, CEASD is committed to the promotion of excellence within a continuum of equitable educational opportunities for all children and adults who are deaf or hard of hearing. CEASD advocates on behalf of individuals who are deaf or hard of hearing and supports the efficient and effective management of schools, programs, program service centers, and governmental units offering educational and related programs and services. CEASD's membership consists of over 100 member schools and programs serving over 12,000 deaf and hard of hearing children and their families.]

A CALL TO ACTION

The CEASD urges state governmental leaders, state departments of education, administrators, teachers, support personnel, parents and students to unite for the purpose of preserving the continuum of educational placements and ensuring equity and excellence for students who are deaf and hard of hearing.

State and Local Education Agency Personnel Should:

1. Publicly affirm your support for a full continuum of alternative placements for deaf and hard of hearing students.
2. Provide leadership and develop collaborations to ensure that the full continuum of educational placements is available and that choice of program is guided by the student's unique language, learning, communication, classroom/school community membership needs and parent/family preference.

3. Encourage consistent collaboration among educational programs for students who are deaf and hard of hearing to ensure that the full continuum is maintained.
4. Develop a state wide written plan with wide stakeholder input to guide the education of deaf students in your state which relies on the use of the National Agenda and the NASDSE Deaf Education Guidelines.

Educational Administrators, Teachers, and Education Support Personnel Should:

1. Advocate strongly for communication and language driven educational options for deaf and hard of hearing students.
2. Embrace the notion that a truly "least restrictive environment" is not a generic concept or a "one-size fits all", but rather a concept where the child's individual communication, language and educational needs determine LRE, not the other way around.
3. Understand that the full continuum of alternative placements is fundamental to the provision of a free and appropriate education in the LRE.
4. Act upon the notion that LRE for deaf children means a Language Rich Environment.
5. Actively participate in and provide leadership in encouraging your state to develop a statewide plan for the education of deaf students based on The National Agenda and NASDSE Guidelines.

Parents, Deaf Community Members and Advocacy Groups Should:

1. Be knowledgeable and in touch with the role of the special school in your state.
2. Understand and contribute to the state's understanding of the importance of the continuum of educational placements for deaf and hard of hearing students.
3. Be advocates to ensure that their unique language, communication, and classroom/school community membership needs are addressed.
4. Actively participate in and provide leadership in encouraging your state to develop a statewide plan for the education of deaf students based on The National Agenda and NASDSE Guidelines.

**Appendix F of the “Seeing USDB’s Budget in a New Light”
email written by Diaz, Mathis, and Kinner**

February 7, 2011

Dear Members of the Joint Public Education Appropriations Subcommittee,

We are writing to discuss an issue that's dear to our hearts: Utah Schools for the Deaf and the Blind (USDB), particularly the Deaf school (USD). As parents of Deaf children, we have worked hard to ensure that they and the other deaf and hard-of-hearing children in the state of Utah get the best education possible. We want the best for all the deaf and hard-of-hearing children in the state of Utah, and we know you want the same. Now that funding for USDB could be in jeopardy, we want to present our thoughts. We feel that USD is in a very good position to capitalize on certain resources in order to make better funding decisions; we will try to be as concise as possible in our attempt to explain.

Seeing USDB's Budget in a New Light

As you are probably aware, nearly all fifty states have at least one state school serving deaf students. While a few of the schools include day schools that stand alone, the state schools themselves are, as a rule, residential. All of the schools have outreach services to assist school districts in their service to deaf and hard-of-hearing students. Most, however, don't lease classrooms. (Traditional outreach activities are often described as consultation, workshops, summer programs and camps, retreats and the like.)

USD has buildings on a campus in Ogden that could be used as a residential school; however, very few students attend school there. In fact, instead of retaining as many students at the school to study under the teachers that already work there, USD pays teachers and interpreters to serve USD students in leased classrooms at least two schools in the same town (Ogden). This leaves the classes at the Ogden campus so small that grades have to be combined, forcing the teachers to deal with a wider range of educational abilities than they would if they had more students to teach within one grade. Education is thus compromised, greatly. Why isn't this beautiful campus with its beautiful classrooms being used to its utmost?

We suggest that too much of the USD budget is being spent on teachers and interpreters and consultants who work at leased classrooms (the leases are paid with USD funds) in public schools. These public schools are operated by school districts that already have their own programs and services for mainstreamed deaf and hard-of-hearing students. Often the USD programs at public schools and

the services offered by the school district overlap. It seems to be a waste of funds, this duplication.

Another example of apparent duplication of services is close Mill Creek Elementary School, where USD has one of its programs is to where Jean Massieu School (JMS) is located. JMS already has its own permanent building and campus. It seems to make sense, to us, to educate as many students at this central location as possible. Why not combine the two programs, so that their resources are combined?

The USDB Annual Report to the Education Interim Committee of the Utah State Legislature in November 2010 documents that 85 percent of the students who use Listening and Spoken Language (79% of the total student population at USDB) are receiving their services from USD at their neighborhood schools. That means USD is using up a large portion of their budget on leasing classrooms, paying teachers who teach only a few students, hiring interpreters and providing transportation for support staff between the different locations, all for not just a few students, but for the bulk of USD students. It seems to us that the school districts should be responsible for those students.

We believe that education and services at USD would improve if there were fewer large programs/schools, rather many scattered small programs at public schools. We understand the importance of parents having the right to have options. We maintain, however, that if USD does not need to provide the public school experience. If USD focused on two main campuses (the residential school in Ogden and the day school at JMS), parents would still have the choice of sending their deaf/hard-of-hearing children to local public schools. The services and education would just be managed by school districts instead of by USD. USD would still provide support to these programs through Outreach.

With focus on fewer locations, there would be a higher critical mass of students per classroom; teachers would work at the same location with more support and better direction towards common goals; there would be a larger pool of expertise to draw from while planning and developing curriculum and electives; and services would be more accessible. Focus could be on education instead of on issues like transportation and interpreters. Etc.

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. The position paper, "The Full Continuum of Educational Placements for All Students who are Deaf or Hard of Hearing" is at <http://www.ceasd.org/acrobat/continuum.pdf>

Thank you for listening.

Julio Diaz, Jr.
Jodi B. Kinner
Stephanie Mathis

(Parents and Concerned Citizens)

c.c. Advisory Council to USDB

**Appendix G to read the letters written by parents
who had direct experience with Noyce and/or USDH/PIP**

To Whom This Interests,

I wrote this letter in September 2009, when I learned that Steve Noyce had been hired as Superintendent of USDB, and I would like to share it with you now. Even though my three deaf children are now grown up and married (to deaf spouses), and even though the letter explains the experience we had with Mr. Noyce between approximately 1975-1985, the underlying beliefs and actions that Mr Noyce exhibits seem to remain the same.

We were some of the parents who had trouble with Steve and all the rest of the whole "oral tradition" in Utah. Now, it feels like we are no farther ahead than we were 30 years ago especially if Steve is going to be the superintendent. He gave us verbal "support" in a sense so that we wouldn't cause him any trouble but I never felt that we had honest support from him. He never moved to change anything unless he was literally forced into it. He has always, as far as I can tell, fully supported oral education only, while giving lip service to ASL or "total" communication or whatever other program there was. When I decided to teach sign language to Jason, I got every argument in the book supporting oral communication and rejecting sign language. They (USDB and the PIP program) then agreed to teach me SEE Sign. Their "conventional wisdom" was absolute in its certainty that acquisition of the English language progresses faster for deaf kids if sign language was structured like English. Well, you and I know that is not true. I still remember the day Jason came home from his English as a Second Language class for the deaf at UVSC (taught by a Deaf teacher). He was totally elated because he finally understood how English and ASL worked together. He should have learned that long before college because his English suddenly took a quantum leap. I had to push to have Jason receive sign language instruction of any kind through the PIP program and then they just sent out videos of word signs for me to learn at home. The PIP advisor and I learned sign language by this method together. That was the sum total of the help with signing that we received from USDB.

Later on, when USDB made arrangements for working in conjunction with Alpine School District, we were absolutely the last consideration on their list. I think Steve was a big part of this because we were a thorn in his side so to speak. For a long time we didn't even have books or adequate supplies for the children to be taught. Our first teacher was a diabetic newlywed, married to a man with 3 children and pregnant, and she could not even pull it together enough to be in the classroom a majority of the time. Steve always stood behind those choices as being the best thing for our children. He fully supported that teacher. How can a very ill teacher with basically almost no supervision and no books or materials be the best choice for our kids? He also said that you didn't need books for children who didn't have language to begin with because they couldn't read anyway. The fact that our children didn't have language was partly his fault and responsibility.

We got a new teacher, Kim Romano, who was very good for the kids but she still had to literally fight like crazy to get materials. She did know sign language but it was like Steve and USDB wanted to hide our program away while they concentrated on the outreach programs in SLC. Truthfully, we got considerably more support from the district than we did from Steve or USDB. I don't know if you are aware but we made a lot of trouble for USDB down here in Utah County. We were in the newspaper, on T.V. and before the legislature and we got the then-current

program audited and the superintendent fired. USDB had never been audited before and there were serious improprieties discovered. Another reason Steve didn't much like us was because we received Scholarships from A.G. Bell for Heather and Jason and they gave their acceptance speeches in sign language. You can just imagine how that went over and Steve was quite embarrassed. As you can see, we are probably not the best loved parents in USDB history. We were called "intense parents" because we wanted to know that our children were getting the appropriate education where they lived so that we could keep them home where they belonged. Steve didn't like that.

I guess he is a nice enough person but I know that in his heart he is oral and always has been and will not support ASL or any other sign language communication as ardently as he will support oral education. As far as I can tell from our experiences with him, he will say what you want to hear and then do whatever is on his personal agenda and to my knowledge that agenda always has been and always will be oral. I am a strong advocate of total communication, and I know deep in my heart that all three of our kids made mighty jumps forward in their education when they received training in sign language. Even Heather, who has some hearing, prefers to use sign as her primary language though her spoken English is very good. What really counts for me is results and I will put my kids up against any of his oral kids given the same hearing losses and an equal field to make comparisons.

Vea Lynn Jarvis

One Family's Story

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. Educational access to American Sign Language for the two deaf children was not available through the public school. Turning to the school for the deaf as the logical place to get appropriate services, it was quite a shock to find inadequate services. Bronwyn requested a signing Parent-Infant Program (PIP) advisor and was told there were none. Skip Reese, the PIP director at the time, told Bronwyn that the program was a lot better than 20 years prior. Bronwyn even called Thomas Clark, founder of the SKI-HI program that PIP used. He counseled her to watch the movie *Persuasion* and apply the principles therein to her situation. Both of these 'answers' added to the O'Hara's frustration of securing adequate services for their children. What difference did it make that the current program, bad as it was, was better than the supposedly horrible program of twenty years ago? Their deaf children needed these better services now. The children couldn't stop growing up and wait for educational improvements.

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. The most influential person that the family met was Minnie Mae Wilding-Diaz. The second was Julie Eldredge. Without them, the family would never have understood their deaf children's needs or how language is acquired.

As Bronwyn interfaced with the Utah Schools for the Deaf and Blind (USDB), she shared the educational articles and studies that she received from these deaf leaders. 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, Steve Noyce, 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. She wrote for and received a grant from an Art organization to pay the storytellers, Nannette Hix and Julie Eldredge. However, it was discontinued after the grant monies were used. The school didn't want to step in and pay the storytellers as educational specialists nor did the school want to apply for the grant so it could continue. After 5 years of all this activity and with 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) as she was. 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 wrote an article for publication in the Utah Parent Center newsletter explaining her group's purpose, in the hopes of reaching more parents of deaf children. The Utah Association of the Deaf (UAD) 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 in Utah. 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 was high school age and the younger one was beginning early elementary 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 of instruction that was compatible with her deafness. She reasoned that if hearing peers have access to their language of English in the classroom, why couldn't her child have access to her language? Her deaf child's language was American Sign Language, which was not being supplied by the school. The school was supplying a non-language signing modality for instruction. This modality could not provide educational access and should be deemed as inappropriate. It would be through American Sign Language that her child would be able to receive a free and appropriate education. The lawyer at the Center was sympathetic but he explained they did not and could not get involved with a language issue. Their work was focused on workplace discrimination not with educational discrimination in the school setting. To Bronwyn's knowledge, there was no other legal resource that would take the school to court over this issue of educational language needs of deaf children.

Bronwyn was feeling desperate with the years of her children's education slipping away. She found that the educational principle of USDB under the State Special Education Department that governed meeting deaf children's classroom needs was 1) the child had to fail before something was mandated by law to change and 2) the course material offered at USDB was remedial-based only. With two very bright deaf children to educate, it was not a question of failing. With nothing else that would force USDB to shift their educational accountability, Bronwyn decided the girls had to attend a school out of Utah. The California School for the Deaf at Fremont, California had the highest academic rating among the deaf community and was suggested to the O'Hara's for their daughters. This was arranged.

Molly was back in a month. Not wanting to have frustrating dealings with USDB again, the family approached the Special Education director in their local Nebo school district. The public school district refused to provide a sign language interpreter for Molly. When Bronwyn said she would send Molly to school without her hearing aid, thereby creating a need for an interpreter, the Special Ed director said he could take the family to court for withholding from Molly what she needed for academic success. Bronwyn was threatening to do something to get a service from the district. He didn't want to provide an interpreter so he was threatening her back so she would not feel so sure of her legal footing towards her threat. He implied that he could charge the family of willfully withholding something for Molly's educational needs that they could provide or had already been providing for her.

Finding that the local community college, Utah Valley Community College in Orem, provided interpreters without a fuss, the family decided Molly should take the GED on her 17th birthday, the soonest allowed by law, and moved on into the college realm of education.

Ellen remained at the California School for the Deaf for her 2nd and 3rd grade years. Looking back, Ellen says that this was a time when her 'eyes were opened' to realizing that she was smart

and there was knowledge for her to gain. This was a turning point for her in her view of herself and education. But two years was all the family could manage and Ellen was brought back to USDB for 4th grade. One and a half frustrating years later, it was at this juncture that the O'Hara family decided to move to a deaf school that had a Bilingual-Bicultural philosophy already in place. This philosophy combined the educational instruction in ASL with the learning of written English, as well as options for spoken English. The school that seemed to meet their daughter's needs was the Indiana School for the Deaf in Indianapolis, Indiana. They moved in early 1995 while Ellen was in 5th grade. They wanted their youngest daughter to receive the education, language models, and peer interactions she deserved.

Though there was no support from the USDB school administration for the language of sign to be used as the instructional medium, Bronwyn did get USDB to put in a toll-free phone number so parents could call school personnel free-of-charge and saw USDB send administrators to tour the Indiana School for the Deaf's Bi-Bi program. Over the intervening years, 1995-2009, there have been other improvements made. These include the PIP Deaf Mentor program, the merger of the Jean Massieu School with USDB, the Utah Interpreter Certification requirements, and the Utah Legislative House Bill 296, to name four.

Bronwyn O'Hara

Dear Parents,

With all of the recent developments at USDB, I want to take the opportunity to write a letter and tell you about my personal experiences with Deaf Education in Utah. Placement in the appropriate program tends to be an issue for many families, and I'd like to share my experience, in hope of making this complicated process more manageable for families of deaf children.

I am the proud mother of 7-year-old triplets; two of whom are deaf. Both of my deaf children attend Utah Schools for the Deaf and Blind, at JMS. I am hearing and everyone in my family is hearing, both immediate and extended. Finding out my children were deaf was heartbreaking for me, and I truly went through a grieving process. It was completely unexpected, and the thought of all the changes I would have to make were overwhelming. Gratefully, I was blessed with a fabulous PIP Advisor who helped me along the way.

My concern right now is that everyone may not have such an advisor. If not for the information I gleaned from my PIP advisor, and on my own, I would be in the company of many other parents who know nothing about the education of their deaf children. I threw myself into this new world with both feet, wanting the best for my family, individually and as a whole.

Before my first IFSP meeting, I visited all of the programs available for my boys starting pre-school. Keep in mind, I knew that I had options, not from USDB, but from information I had found on my own. When I asked for the other programs to be invited to the meeting, it was met with disapproval and outright contempt. There were no options given to me as a parent. As a matter of fact, my children were assigned to the oral program long before they had been assessed or observed by anyone!

When I expressed my opinion in that meeting, the response from the USDB Pre-School representative was that I was a horrible mother for allowing my children access to sign language. If I wanted them to be "normal", I would "force them to speak". When I went against her counsel, she forced me to sign a paper stating that I was acting on my own, and against the counsel of USDB. You need to be aware that my boys are both very oral. They sign at school and with their deaf friends and they have requested that we speak at home. ASL and English are equally important to me as a mother, and as an advocate for the Deaf. I am giving my children every opportunity I can. I want them to have all the information to make educated choices for themselves when they are old enough to do so. I feel it is important for every parent to give their deaf children the same opportunity; every parent has the right to know the importance of both languages in the lives of their deaf child.

I understand that JMS is not the best option for every deaf child, and conversely, the oral program is not the right placement for every deaf child. USDB has the opportunity to encourage what is best for each child based on individual needs. Personal opinions and philosophies should not taint the decisions of others. Every parent needs to know their options, and not feel pressured or coerced by others' ideas. Please consider this while setting the precedent for placement of deaf children.

Thank you for your time in this matter, and your dedication to our children,

Amy English

Concerned Mother of two deaf children
Advocate for the Deaf

To Whom It May Concern:

May 23, 2011

We are writing this letter to express our displeasure with the educational system serving the Deaf students in Utah. Our thoughts on this issue are based on personal experience and on what we have seen in the past few years. These thoughts and experiences have compelled me to write a letter bringing these concerns to your attention.

Steve Noyce, or anyone like him should never be placed in a leadership position at USDB or a program serving the Deaf. Anyone with a Deaf/hard of hearing child should be concerned about who is placed in this position of trust. We need someone who truly understands the Deaf's needs and cares about our Deaf/hard of hearing children.

Please hear our concerns. There are some common experiences among parents with Deaf children. When we seek help or guidance with our choices we are referred to Steve Noyce. His first piece of advice to us was to place our child in a foster home in order to get the quality education our child needed. He stated that they would also provide the services of a psychologist who would help move the child in the direction of living in a foster home. This was a very emotional and traumatic experience, the separation of our child from us. We were extremely uncomfortable and saddened by this experience. We felt conflicted and hopeless as we went through this process. It got so bad that our child attempted suicide due to the stress and trauma of this experience.

Later we learned about a program called Especially For Youth, a youth program sponsored by Brigham Young University, from a good and close friend, Jack Rose. He suggested we send our child to this program. Our child returned to us with a happy countenance. She was a totally different person from the day she left for the program. She was exposed to sign language and through this language she was able to explore the world around her. She was able to both share and receive information. This was something she had never been able to do before. From the time she had this experience with signing and being with others who also sign her success with learning and her social development has increased to levels she had never had in her life up to this point. This is what our child had needed all this time, yet Steve Noyce was against this form of education. Steve did not support our desire to place our child in a signing environment. To our utter disappointment and disdain our child's scores in her Oral class were lowered anytime she used sign language. Our child also felt that the curriculum used in the classroom was not challenging enough for her. These are two examples of how Steve Noyce's preferred methods or ideas have been detrimental to our child's education. Is this providing our child with the ability to choose her future? No, Steve Noyce chose her educational path for us, controlling her education, and keeping our child in the Oral program regardless of what we thought or felt.

We were angered by the choices Steve Noyce made and the system's failure to recognize that it was not the appropriate placement for our child or any Deaf/hard of hearing child. We then got in touch with Orrin Hatch and explained our experience and our feelings about what was appropriate for our child and us as parents. He looked into what had happened and things were different for a while. Despite this brief respite from his ways, Steve Noyce returned to his old

ways and continued doing the same things perpetuating the struggles Utah's Deaf children face in education. This is just dragging them down more and more.

We have encountered many people, teachers of the Deaf, parents of Deaf children, Deaf adults, and they all have shared what they want from Deaf education for their Deaf children and community. These people know what is needed and what works for the Deaf children. Right now with Steve Noyce at the helm it feels similar to the welfare entitlement business where those in positions of power would keep those on welfare in the dark, uneducated, and dependent on the system so that those in power could continue to benefit financially from the situation.

We have been sorely disappointed with our child's education. It was a joke, and yet Steve Noyce is still the head of the program, still receiving pay for his ideas and methods, and the receiving the many accolades from those who agree with his methods. As a parent I regret putting my trust in Steve Noyce and letting him choose what was best for our child.

Our plea is for you to heed the people who have truly experienced life as a Deaf person. They will tell you the good and the bad of our education system. Please don't just listen to a hearing person because he or she has a degree from a university. This in no way qualifies him or her to decide or say what is best for a Deaf child.

In conclusion, I would like to say that in the years of dealing with USDB, absolutely nothing was solved, advanced, or found to be educationally profitable in behalf of our child. Our negative experience with the administrators, counselors, psychologists and non ASL program left us with nothing but contempt for the whole system. The deaf community is truly at a disadvantage and because of that they are taken advantage of. It is because of the UDSB Administration such as Steve Noyce they are left with very few that will champion their cause.

Sincerely,

Bill Barber

Concerned parent of a Deaf child (Heather Barber-Cummins)

Wednesday, February 16, 2011
Letter to Parents of USDB Kids

Dear Parents,

I am writing this letter and posting it on my blog to explain why it would be in the best interest of every parent and every student of USDB to have a new superintendent at the Utah Schools for the Deaf and the Blind. I hope, as you read this, you will do so objectively. I will try to keep my biases out of it, and will attempt to give objective reasons why I am concerned about the current superintendent.

Recently, the Utah State Board of Education voted on possibly cutting the USDB budget and closing down the schools, if \$20 million dollars needed to be cut. This vote happened on February 4, 2011. On Monday, February 7, 2011, the Advisory Council for USDB held an emergency meeting to discuss the vote by USBE. At this meeting, it was reported by numerous sources that part of what caused the vote by USBE was all the infighting going on within USD. It appears this was only a small part of why the USBE voted the way they did.

According to other sources who are close to USBE, the main reason that the School Board voted the way they did was because they were trying to send a message to the state legislature and governor's office: there is nothing left to cut! Education is down to its bare bones already, and if you want more cuts, then fine, let's cut the one thing that will get the most attention: Schools for deaf and blind kids. Unfortunately, this backfired, and the USBE ended up looking like the bad guys.

There was another reason why USBE was willing to cut the funding to USDB. This reason was alluded to by the Superintendent himself. He mentioned in the meeting with the advisory council that in the few times he had appeared in front of the State Board of Education, he did a poor job educating them on what services USDB provides. This same issue became apparent in the PubEd Appropriations Sub-committee meeting that happened on February 8, 2011. In this meeting, Dr. Schumway, State Superintendent of Schools, deferred to a finance expert from USBE when asked about the possible cuts. This expert said that the reason why USBE saw this cut as a possibility was that most of the services provided by USDB were in fact provided by the school districts anyway, so there was no real need for a separate entity. Mr. Noyce informed the sub-committee that this was not true, that most of the services were provided by USDB through the school districts, but not by the school districts. Sources close to the USBE confirmed that what was shared by Steve Noyce in the sub-committee meeting was news to the Board of Education. They had no idea how USDB operated or what services they provided. By Steve Noyce's own admission, he has done a poor job informing them of this.

This is my first reason for having little to no confidence in Steve Noyce's ability to do the job. He does not know how to work with the State Board of Education. In the 18 months or so that he has been in his position, the communication between the State Board of Education and The Utah Schools for the Deaf and the Blind has broken down so much, that the State Board has no idea what is happening at USDB. This concerns me as a parent. How can our school get the funding and support they need, if the State Board does not know what they need it for? Steve Noyce

should be our voice with the State Board, and he has obviously failed us there. Our superintendent should be there at every meeting making sure he is fighting for us all the time. Instead, Mr. Noyce was not at the USBE meeting because USDB was not on the agenda. As a result, a vote was taken where the door was opened for the end of USDB.

The second reason I have no confidence in Mr. Noyce has been his inconsistency. He has said from the beginning that he absolutely supports parent choice. I agree 100 % with this idea. I positively believe that the people best able to choose the communication path for their child are the parents. No one knows their child better than they do. Mr. Noyce would say publicly that he agrees with that. He has told me that privately. Normally, I would take him at his word. However, his actions speak louder. He believes in parent choice, as long as they choose one of two paths he has set up. He believes in a "one size fits all" kind of philosophy. Every deaf or hard of hearing child fits completely in one of two categories: LSL (Listening/ Spoken Language) or ASL. That's it. There is no in between. Despite what has been said concerning it being the "ASL/English" path, there is no true bilingual option within USDB right now. This is an option that many parents want, but cannot have. My wife spoke with a mother who was frustrated because she chose the ASL path for her child, which has caused problems because she also wants a cochlear implant for her child. She was wanting him to learn both ASL and spoken English. This is not an option within USDB. In fact, Steve Noyce has worked very hard to ensure that the LSL kids are completely separate from the ASL kids. If Mr. Noyce truly believed in Parent Choice, there would be a bilingual option. To make this clear, bilingual is different from TC or SimComm. Bilingual would mean the child would become fluent in two different languages, in this case ASL and spoken English. We need a superintendent who truly believes that each child is different and the services each child receives from USDB should be catered to that individual child's needs, instead of forcing each child down one of two paths. Mr. Noyce does not believe in parent choice, but he says he does. What else has he said, that is not true?

One of the comments made in the advisory council concerning the ASL/Deaf Community was that they needed to know the proper channels to file complaints. They needed to know that a complaint should be filed with the teacher, then the principal, then the superintendent, then the advisory council, before anything should be sent to the school board. This is my third issue with Mr. Noyce. I have voiced my concerns to him in emails. I never received a response. I asked him about an email I sent to him one time, and his response made me believe that he rarely checks his emails. In any case, I never received a response. It was at that point that I sent an email to a member of the schools board. People know the proper channels to go through, but Mr. Noyce chooses to ignore that part of the population which does not 100% agree with him. Then when they complain higher, he gets upset and defensive. He calls them nasty, mean emails, and he calls the people who wrote them fanatics. He is not looking to work with people he disagrees with, instead he goes to work slandering them and tries to drag their names through the mud. In my opinion, we need a superintendent who is willing to work with every part of the diverse population USDB serves. We need someone who is willing to see both sides of an issue instead of blindly calling the other side bad and nasty. We need someone who is more moderate. Steve Noyce has never made an effort to reach out to the Deaf community. He has ignored them from the beginning, and as they voice their concerns, he ignores them.

These are my main concerns with Steve Noyce. These are the reasons I would like to see a change at USDB. He does not represent our kids well at the State level, according to his own admission. He says one thing, but then does another, eliminating my right as a parent to choose what is best for my kids. He makes no effort to reach out and work with the Deaf community, the adults who have been through the education system and only want to make it better for every deaf or hard of hearing child. These three things are unbecoming of any person who would hold the title Superintendent, and we as parents should not stand for it. Whether your child is LSL or ASL, he does not have the children's interests at heart, but rather, as it seems, his own agenda.

I am not a "fanatic". I am a hearing individual. My first contact with the Deaf Community happened about two years ago after we found out our son is deaf. My wife is also hearing. We are hearing parents of two deaf children. We only want the best for them. We feel that anyone who steps in as superintendent and goes to work eliminating options and choices for any parents is in the wrong. Our son, Johnny, uses ASL as his primary form of communication. He also has a cochlear implant. Fortunately for us, he has access to both ASL and spoken English at JMS, but the access to spoken English for him at this point is limited. He is luckier than our daughter. She wears hearing aids and has shown great interest in both signing and vocalizing. She was excelling at both through USDB services until last summer when we were forced to choose one or the other. We chose ASL. Immediately, any oral or auditory services we were receiving ceased. We fought this, all the way up to Martell Menlove, but nothing changed. We were fortunate to find some form speech therapy outside of USDB through DDI Advantage. However, her speech therapist does not specialize in working with kids who have hearing loss, like a USDB therapist would be. She will have access to these therapists at JMS, when she turns three. That would have meant a year without any kind of therapy for her. These are the "choices" Steve Noyce believes in. That is why I do not believe in him.

Sincerely,

Jake Dietz

Dear Parents,

I am the mom of a deaf son, and just wanted to share our experience. We lived in Idaho when we found out he was deaf, so our experience has been a little bit different than some of the other parents who have written letters. We were involved the PIP in Idaho and our home visitor was wonderful in teaching all of us sign language and helping us cope with the situation of learning that my 9 month old baby couldn't hear me, or anything else for that matter. I was devastated. With the services in Idaho being far away from our home, we decided to move to Utah when our son was 3. And by that time, Bryce not longer qualified for the PIP because he was 3.

I had called down to USDB from Idaho and made arrangements for Bryce to start preschool in August of 1999. So we had our first meeting with Kim Saul in August just days before school was to start and she explained our options: the oral program or the total communication program. We had begun to learn sign language in Idaho and our son was able to communicate and it was wonderful! So we wanted him to continue to have that exposure to sign language and of the 2 options we were given, the TC, we thought was the best choice. Bryce seemed to love an environment of everybody signing and we knew that the move to Utah had been the right one.

So things were going well for our son at school, but at the end of the school year, spring, 2000, Bryce's teacher and myself sat down for a meeting to discuss his progress that year and all of his test results. As far as his communication and behavior and language, he was doing great! Then the teacher explained how he had scored very low on many of the tests that had been administered. When I questioned why, the teacher explained that it was because the tests had been given in Signed Exact English. And Bryce just didn't seem to understand. He has always been very ASL, so the SEE didn't make sense to him and therefore, he scored in the lowest percentile. I was very frustrated because at home, he was signing like crazy and just eating it up, but then on paper, he wasn't doing well at all.

During the course of that first year, we had heard a little bit about another option for Bryce's education, and that was JMS. So after being so disappointed in Bryce's test scores, we decided that we would give it a try. And the school was actually just around the corner from our house so it worked out great.

Yes, it was only a small building with curtains separating the rooms, but Bryce THRIVED there and exceeded our expectations! Everything was in ASL and English was being taught as a second language! What a concept!

Bryce will be 15 next week and is a freshman at JMS. He has served as student body president and vice president and has excelled academically and socially. My son has an amazing sense of confidence and is a happy teenager that loves school and the environment there. The bi-bi philosophy that JMS has provided him, has made all the difference in the world! He's currently getting straight A's and I couldn't be more proud.

Bryce is profoundly deaf and does not benefit from hearing aids. He does not speak, but with the speech therapy provided at JMS, he has learned some lip reading skills and is able to produce some recognizable sounds. So I realize that every child is different and has different needs, but for my son, JMS has been the best thing that has ever happened to him and to our family.

Sincerely,

Jennifer Jackson

Dear Parents,

My daughter was diagnosed with a progressive hearing loss when she was 18 months old. We received PIP services from USD starting almost immediately. We had a PIP advisor who was very skilled in ASL as well as spoken language. We told her that we wanted our daughter to be bilingual. She was very supportive and helped us write appropriate IFSP goals, both for ASL and for spoken language. In spite of a moderate hearing loss and hearing aids, our daughter did not reach any of her spoken language goals. When she was in PIP she was served by a speech therapist, but the therapist had absolutely no experience with deaf children. We learned more sign and so did our daughter. ASL became her primary language.

As our daughter aged, unfortunately, we changed PIP advisors. The second advisor was not unbiased. She herself had a Deaf child, and she had no experience with spoken language and deaf children. We were lucky that we were using ASL, because I do not believe that the PIP advisor would have been able to serve a family using spoken language effectively. We also had a series of Deaf mentors. They ranged from great to very poor. Some were still learning ASL and Deaf culture themselves. We only had one who grew up using ASL. He was amazing. Unfortunately, there was constant turnover, and by the time by daughter turned 3, we has had 4 different mentors but a total of about 10 visits. Our entire experience with the Deaf mentor program was a massive disappointment.

When it was time for my daughter to transition to preschool we had a big decision to make. We visited the three USD preschools as well as our "local" preschool option. We had been told that since our daughter was signing and we wanted her to talk, we would want her in the TC class. I wanted to be open minded, so we scheduled a visit in each classroom.

First we visited the oral preschool. It was large, covering three rooms with toys stacked to the ceiling. We observed the kids and asked the teachers some questions. We asked about signing (since that was our daughter's primary mode of communication) and they said that they would simply ignore her signs, and wait for her to respond orally, and that, eventually, she would stop signing. We were very uncomfortable with that response, and that class in general.

Next we visited the TC classroom. We had been told that since we were hearing, and we wanted our child to develop spoken language in addition to ASL, TC would be the right placement for her. We sat in the class....and were very disappointed. The teachers didn't sign everything they said. The clearly emphasized (and preferred) spoken language to the detriment of the ASL. In truth, it felt like a remedial oral class. They simply grouped the kids who were not ready for the oral class, or who had failed, in this class and worked to get them caught up and transferred back. The kids in this class were severely behind. They were 3 and 4 years old and working on simple nouns like "shoe"...we were very concerned. Our daughter wasn't behind like this, she had hundreds of signs, she knew some letters and numbers and her colors....where was she going to go??

The last classroom we visited was at JMS. As I said, our second PIP advisor had a Deaf child herself, who attended JMS. The other professionals at USD had never mentioned JMS to us, and when we brought it up ourselves, we were told that our daughter was not "deaf enough" to attend JMS (as she had "only" a moderate loss at the time). that she would not be allowed to wear her

hearing aids (as well as that cochlear implants were forbidden) and that JMS did not have and would not allow speech therapy. All of this was, of course, false.

We determined that JMS was the best placement for our daughter in preschool. ASL was her mode of communication, she was unable to access spoken language with her hearing aids, any other placement would have been very restrictive. When we had her placement meeting, we again encountered the same USD professionals who had spread the untruths about JMS. They had accepted that she was going to attend JMS until they saw her audiogram. She said "She can HEAR! She can be SUCCESSFUL!!" When I asked her what she meant, she replied that my daughter had a lot of residual hearing and that she believed she could be successfully placed in the oral program. We disagreed, and she was placed at JMS.

(Just as a side note, this professional also took the time to change all the paperwork that we had filled out in preparation for the IEP meeting from "Deaf" to "hard of hearing" because she didn't like that we had chosen that terminology to describe our child's hearing status, in spite of the fact we had chosen to affiliate her and ourselves with the Deaf community. I found that to be disrespectful of our choices and clearly biased...as well as petty.)

For the next three years our daughter attended JMS. She had annual IEPs with goals in several areas of development, including both ASL and spoken language. She continued to acquire language through ASL and develop her academic skills at the typical rate.

Our daughter however did not gain any spoken language. She failed to meet a single spoken language goal. JMS provided one, twenty minute speech therapy session a week, with what I consider a highly UNqualified speech therapist. While I understand that many people choose not to emphasize spoken language, we, as a family, did want this. We wanted our daughter to be bilingual in ASL and both written and spoken English. Our daughter was failing to reach her very modest spoken language goals in her IEP, but no change was ever made to her services.

In the beginning of her Kindergarten year, our daughter received her cochlear implant. Her spoken language suddenly exploded. She finally had access to English through audition and she was beginning to pick it up. We asked for JMS to provide services for this new language. We had always been told that JMS was a bilingual school that supported both ASL and all forms of English. This was not our experience.

We requested that in our daughter's one on one pull out speech therapy time, the therapist utilize spoken language alone. We asked that she be allowed to work on spoken language, including speech discrimination, without SIM COM. We were flatly denied. We were told by the administration of JMS that it was "cruel" and that she would "allow it in (her) school". We asked if there was a way to incorporate spoken language into her day, perhaps through a spoken language interpreter, or particular times of the day where spoken language could be encouraged for the kids who have access and desire to use listen and speak English. Again, we were told that this was unacceptable, and that if we wanted her to use spoken language we needed to change programs.

When our daughter received her implant, we never wanted her to leave JMS. We fully believed that JMS would be capable and willing to support her spoken language growth. Sadly, we were wrong.

We wanted our daughter to develop her second language. She had spent 6 years developing her first language, ASL, and now we wanted to add the second language, English. We had hoped that we could transition and build English through her first language, ASL. But, again, USD does not allow for that to happen. It was an OR situation. We could choose ASL OR spoken English.

We finally decided to move to the spoken language program when my daughter started first grade. I fought USD and she was able to have a ASL specialist come to the oral program and do pull-outs and pre-teaching. We were also lucky that we had an open-minded teacher who knew some sign and was more than willing to use it with our daughter when it was needed. Our daughter's spoken language continued to increase at an amazing rate.

USD has continually denied my daughter extended school year services, even when she changed programs and was carrying a 5 year language delay. They denied her this service because we as parents chose to not allow her to fall behind on school breaks. We worked with her over vacations, including traveling to other schools during the summer, to ensure that she would not regress. Unfortunately, that means that because she doesn't fail, USD refuses to provide those services (even though the LAW specifically says that you may not base the denial of extended school year solely on lack of regression...but who are we kidding, we are talking about USD here...) So, over the summers we traveled to other states for summer school programs, and that was our introduction to what I would call "real oral deaf education".

When I returned to USD after these experiences, with more information about what we believed our daughter needed and HOW she would learn to develop spoken language, we were again rebuffed. We were simply parents, and we should just fall into line. Why were we asking about these things that even the administrators didn't know anything about, and "how exactly is auditory skills different from receptive language"? I would ask questions about appropriate goals and "raising expectations" and actually expecting my daughter to develop language and academics equivalent to hearing children and the professionals at USD would simply shrug and say that "these (goals) are the next step and if she meets these (very low goals) we can always aim higher later". I found that to be very typical of USD, low goals, low expectations...and finally I was sick of it.

I gave up the fight. We moved. We are now attending a private oral deaf school and could not be happier. My daughter has made tremendous progress in the four weeks we have been here. The school is going back and filling the holes that USD left in her education. They have high expectations. They know that my daughter is brilliant, and they expect her to catch up to hearing kids, and then surpass them, because she is smarter than the average one! They have expressive language, receptive language, speech, auditory, math, reading, writing, social studies, pragmatics, social skills, phonemic awareness, and phonics goals. And they were ALL one year goals, aimed high, because they actually believe that deaf kids can succeed....it was a pleasant change!

So, that's our story. I hope it helps and can help facilitate change in the education system for deaf children in Utah. Good luck.

-Melissa Jensen

Mom to Miss Kat- 7, bilateral progressive loss severe-profound (bilaterally implanted with AB, right 11-21-08, left 8-25-10)

<http://misskatsmom.blogspot.com/>

Dear Parents,

My name is Melissa Miller, but more importantly, I am a mommy of a 5 years old little boy named Cache. Cache has severe to profound bilateral hearing loss, and currently uses hearing aids. His hearing loss is due to a rare heart condition called Jervell and Lange-Nielsen syndrome, a form of Long QT syndrome. He is our only deaf child of four, and the only deaf person in our family. As you may be aware, there are many options when choosing an education for your deaf child. I would like to share our story with you and how our, once, very unsure future has turned into such a wonderful experience for us.

When Cache was first born we were told he may be deaf; as he never passed his new born hearing screen. At the time, this seemed circumstantial compared to what we were going through with his heart problems. As time went on, many heart surgeries later, and many miss-diagnoses, Cache finally had an official hearing loss diagnosis. Cache was placed with hearing aids at the age of 2.5. After the long journey we had just been through, we thought this would be easy part.

When Cache turned 3 years old, it was time to choose which language direction he was going head in. Cache, coming from an all hearing family, it was a pretty simple choice for us. He was to be in the Total Communication (TC) class. We figured this would be the best placement because we had already started to sign with him, but we were told that eventually he would form speech. As time would have it, speech never came to Cache as easy as we would have liked. We had spent many hours and lots of money on speech therapy, and it seemed as though, language was not simple for him. His American Sign Language (ASL) was even behind. We eventually dreaded going to his Individual Education Plan's (IEP) because we knew that we were not going to hear what we wanted to hear. There were many things concerning us, but most importantly, why he was not speaking when it was clear he could hear fine with his hearing aids. Many teachers believed Cache had a processing disorder and that was the reason he was not learning language in any form. By the end of his last year in pre-school, age 4, he was communicating as a 2 years old in both in ASL and speech.

When Cache was ready to enter Kindergarten we had to choose which language path we would take again, as there was no longer a TC program offered. I have to admit, we were a little somber by the choice we knew we had to make. There was no way he could attend an all hearing school. Jean Massieu School of the Deaf (JMS) seemed to be the only choice we had. It was if we were picking the lesser of two evils. We were scared to death for him. We were so unsure of the future and what life would be like for Cache. We wondered how he would ever understand anyone in the school, since he was so dependent on both ASL and speech clues. This door we had to open for him seemed so dark and scary, and yet here we were pushing him through it.

We came to find very quickly that the dark and scary door we pushed him through, was truly only dark and scary for us. What we did find was a bright, happy, little boy who was with people just like him. People he could connect with and be himself with. As of today, Cache's ASL is far surpassing ours and his vocabulary has grown tremendously. His speech, as well, has become clearer and is growing. He is soaring through school and is further along than his older brothers were at his age. He has learned more in the short 5+ months he has attended JMS than he did the first few years of his education. I can tell you Cache is the happiest little boy and loves going to

school every day. He is surrounded by wonderful teachers and amazing kids. He is accepted and loved for just what he is, deaf. He has peers that he can communicate with, which when communicating with hearing kids is sometimes the hardest thing for him. JMS is by far, one of the greatest schools we have ever encountered. I wish sometimes, I knew then what I know now. I wish someone would have told me that my deaf son belongs in a deaf school, with deaf children. That this school would be the best placement and education for him.

I would like to wish anyone luck who is on their path to find the best placement for their deaf child. As I know, it is not always one shoe fits all and a personal choice, but I know my son and our lives have benefited greatly from JMS, as I hope yours will too.

Thank you,

Melissa Miller

Dear Parents,

I am eager to share with you my concern for hearing parents of deaf children. As you probably know, the parents are given options as to what communication method they might choose and the education their children may receive with regards to their chosen communication method. These options are given usually by their Parent Infant Program Advisors. My concern is that the Oral method of communication and education is being more fully represented than that of the ASL method. Please consider my personal experience.

Seven years ago, when I found that Kaityln (my first child) was deaf I was immediately referred to an audiologist for hearing aids. I was not given any information about the deaf community but rather about her future in trying to be hearing (or at least as much as possible). This was even before I met with a parent Infant Program Advisor. I did finally meet with a PIP advisor and was given communication options but had already been made to understand that my goal was to get Kaityln to hear and speak as well as possible. She did do well with her aids and was recommended to start speech therapy, which she did for several years.

Four years ago, at our Transition Meeting I was very strongly pushed into the Oral Program. Kim Saul was present at the meeting and insisted that Kaitlyn would excel in the Oral Program and that because Kaitlyn was making sounds with her mouth she obviously wanted to be Oral and would clearly be a success. Feeling that Saul was a professional that had more experience in the needs of deaf children I decided that the Oral program would be the route we would take.

In Preschool, however, Kaitlyn's teacher continuously told me that she was not improving and would do much better if she was implanted. Outside of Preschool all my family and relatives commented on how much improvement they could see in Kaitlyn's communication. Still, I finally had her tested for candidacy of a Cochlear Implant and found that she was not even a candidate. Her Preschool teacher then urged that I try to push the Implant committee to implant her, though she was not a candidate. I finally refused. Personally, I did not want to implant her because I could see that she was getting adequate gain from her hearing aids.

At that time I began to see the necessity of using ASL because, though Kaitlyn did speak and listen well, I still couldn't read her a book at night and have her grasp all the words and concepts using the Oral Program. Also, in the bath tub, swimming pool or middle of the night there was still a necessity to communicate with my daughter when hearing aids were not handy.

I began seeking out deaf adults to find out what their experience was as a deaf child and what their preferred method of communication was. What I found is that most deaf adults were raised oral just like today. So why didn't they stay oral? Normally the response was that their parents preferred the oral approach but as they grew older the deaf individual learned sign language on their own and joined the deaf community finding it much more fulfilling to have a language they could use efficiently and completely. Most of them also never really use oral again unless it was necessary and/or if they went home to visit their parents.

What an eye opener for me. I wondered why I wasn't made aware of this fact and why the oral

approach is still pushed all the way through the system. I now see the necessity to make the deaf community more accessible to parents of deaf children upon learning that they are deaf. It would be of great value for a parent to have an opportunity to meet deaf adults and perhaps hear a panel of deaf individuals to see what their communication method of choice is and why.

The deaf world is so new to a hearing parent and very hard to judge. I feel I was given all the options but directed to choose certain ones according to other professional's agendas. Rather than leading a parent to speak to a councilor who is deaf, I was lead straight to an audiologist to receive hearing aids and then to speech therapy. It was as if my choice was made for me before I knew I had choices to make.

I now have a three year old deaf daughter named Shannon and, like before, we still get pushed to do speech therapy and hearing aids. Last year, at the Transition Meeting, the district attendant told me that her placement in a program was not my decision but the decision of the placement group. That alone made me very upset. I wondered how often that is told to a parent of a deaf child. A parent is one of the main voices at a transition meeting because they know more about the child than the group; it is their privilege to choose their child's communication method. Placement in a program is supposed to be discussed, then the parents agree upon a program that suites their communication choices.

With Kaitlyn, as a first time mother of a deaf child, I believed that I was bound to whatever the placement group suggested would be best. With Shannon, I knew my rights and I didn't allow another individual to push me into a program that did not suite our goals. I did, however, have to stand up for myself and for our choice to put her into JMS. Today, I watch other hearing mothers of deaf children struggle with their options and be lead in the same direction. I can see that after a few years have passed no progress has been made. My cousin recently gave birth to a deaf son and was encouraged to implant him, which she did. After implanting, however, she has mentioned that it has still been difficult because there are times that he can't have his implant and she needs to be able to communicate with him.

I know from personal experience that hearing parents are trying to make good choices based on the information they are given. Many of the parents want to hear that their children can speak and hear if they are trained in the oral approach because it means that they can have a normal life. What they are not told is that their children have a great ability to succeed, be normal and happy as a deaf adult using ASL and that their children are likely to choose ASL later in life.

I have been frustrated with the way my options were laid out before me and the lack of participation given to the deaf community with these hearing parents of deaf children. I have seen that, often, the information given by PIP Advisors is usually given with a bias. The deaf community needs to be given more contact to these new parents. Parents need to be able to speak to deaf adults in a setting where they can gain information about the possibilities and benefits of using ASL. I urge you to consider a new method or plan to allow parents to make informed choices.

Suzanne Morrison

To Whom It May Concern:

We are writing this letter to express our displeasure with the educational system serving the Deaf students in Utah. Our thoughts on this issue are based on personal experience and on what I have seen in the past few years. These thoughts and experiences have compelled me to write a letter bringing these concerns to your attention.

Steve Noyce, or anyone like him should never be placed in a leadership position at USDB or a program serving the Deaf. Anyone with a Deaf/hard of hearing child should be concerned about who is placed in this position of trust. We need someone who truly understands the Deaf's needs and cares about our Deaf/hard of hearing children.

Please hear our concerns. There are some common experiences among parents with Deaf children. When we seek help or guidance with our choices we are referred to Steve Noyce. His first piece of advice to us was to place our child in a foster home in order to get the quality education our child needed. He stated that they would also provide the services of a psychologist who would help move the child in the direction of living in a foster home. This was a very emotional and traumatic experience, the separation of our child from us. We were extremely uncomfortable and saddened by this experience. We felt conflicted and hopeless as we went through this process. It got so bad that our child attempted suicide due to the stress and trauma of this experience.

Later we learned about a program called Especially For Youth, a youth program sponsored by Brigham Young University, from a good and close friend, Jack Rose. He suggested we send our child to this program. Our child returned to us with a happy countenance. She was a totally different person from the day she left for the program. She was exposed to sign language and through this language she was able to explore the world around her. She was able to both share information and receive information. This was something she had never been able to do before. Since her experience with signing and being with others who also sign her success with learning and her social development has increased to levels she never had in her life up to this point. This is what our child had needed all this time, yet Steve Noyce was against this form of education. Steve did not support our desire to place our child in a signing environment. To our utter disappointment and disdain our child's scores in her Oral class were lowered anytime she used sign language. Our child also felt that the curriculum used in the classroom was not challenging enough for her. These are two examples of how Steve Noyce's preferred methods or ideas have been detrimental to our child's education. Is this providing our child with the ability to choose her future? No, Steve Noyce chose her educational path for us, controlling her education, and keeping our child in the Oral program regardless of what we thought or felt.

We were angered by the choices Steve Noyce has made and the system's failure to recognize that it was not the appropriate placement for our child or any Deaf/hard of hearing child. We then got in touch with Orrin Hatch and explained our experience and our feelings about what is appropriate for our child and us as parents. He looked into what had happened and things

were different for a while. Despite this brief respite from his ways, Steve Noyce returned to his old ways and continued doing the same things perpetuating the struggles Utah's Deaf children face in education. This is just pulling them down more and more.

We have encountered many people, teachers of the Deaf, parents of Deaf children, Deaf adults, and they all have shared what they want from Deaf education for their Deaf children and community. These people know what is needed and what works for the Deaf children. Right now with Steve Noyce at the helm it feels like the welfare entitlement business where those in positions of power would keep those on welfare in the dark, uneducated, and dependent on the system so that those in power could continue to benefit financially from the situation.

We have been sorely disappointed with our child's education. It was a joke, and yet Steve Noyce is still the head of the program, still receiving pay for his ideas and methods, and the receiving the many accolades from those who agree with his methods. As a parent I regret putting my trust in Steve Noyce and letting him choose what was best for our child.

Our plea is for you to heed the people who have truly experienced life as a Deaf person. They will tell you the good and the bad of our education system. Please don't just listen to a hearing person because he or she has a degree from a university. This in no way qualifies him or her to decide or say what is best for a Deaf child.

Sincerely,

Concerned parents of a Deaf child

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Sincerely,

Concerned parents of a Deaf child

My name is Shyanne Van Zyverden. I am a student at Utah Valley University majoring in Nursing and Business Management. I was "born and raised" in USDB. I could tell you countless battles I have come across to face when dealing with USDB and my education. I am ashamed to say that I wouldn't have gotten by without USDB and their interpreters but it's true. The interpreters were the foundation of my High School education. They provided excellent service and worked with me very closely to make sure I understood and got all the information I needed. But that doesn't cover all of USDB's flaws. When I was 7, Steve Noyce has convinced my mother that a cochlear implant was the answer to fixing my situation. So I actually got the surgery. USDB pushed me to the point when I threw my cochlear implant away. They forced me to leave classes for speech therapy for 4-5 years. They focused so much on my speech and so much less on my education. I couldn't get a say in any decisions they made for me. All the way through Jr. High, they dictated me and constantly checked my grades and intervened when I was failing a mainstreamed class. They wouldn't let my mainstreamed teachers do their job and help me when they need to. I couldn't be a normal Jr. High kid. Everything I did has to be approved by USDB. I was basically living a lie. USDB always have said that they taught me everything they knew and that's the reason why I have excellent reading and writing skills. My mother and I smiled and nodded. But I knew all the credits went to my mother. She is the one who taught me reading and writing skills. She pushed me and told me that I could do anything I wanted to do when USDB was telling me what I could be and what I couldn't be. For example, when I was ten, I told USDB that I wanted to be a doctor; they laughed at me and said "Honey, that's ridiculous. You're deaf. There is no way you could become a doctor." Ever since they said that, I was determined to be one. When I went to high school as a sophomore, I was automatically put into a USDB English class after all those years of being in mainstreamed English classes. They said it was one of USDB's "laws" and well, I'm not going to lie. My reading and writing level crashed that year. I learned absolutely nothing in USDB English class. I fought so hard and for so long with my USDB home teacher for a mainstreamed English class and college classes. I got denied so many times. They denied an education that suited me the best. It was like they wanted to pull me down, and keep me in their control. They told me that I should go to SLCC when I wanted to go to a university. A normal hearing student doesn't have to fight for an education. It's all just a ride and a learning experience for them while I had to fight battles. I cried, screamed out of frustration and I became angrier with the world than I should be. I have taken on some burdens as the leader and the only voice for my classmates. I have stood in front of authorities, political figures, and fought with them when I could just stay home and do my homework like any normal kid would. USDB needs to change and make it a program where students can be just themselves and let them have the time of their life and where parents can have control of their children's education. I'm sure after reading this, parents out there do not want their deaf children go through similar experiences. I know I wouldn't if I have my own children. It's time for a change. Enough is enough. Our future generations deserve so much more. They are our future leaders. They could become the president of USA, the next Thomas Edison, or a scientist who finds a cure for an incurable disease but the condition USDB is in now and the way Steve Noyce runs the program, they won't become the leaders they are destined to be.

My name is Nina Taggart. I am now a second year student at Utah Valley University majoring in Art Visual Communication with an emphasis in Photography.

Here is my story. I was a student in USDB from 1993 or 1994 to 1999, and returned from 2005 to 2009. At around the time I was in second grade. I was in USDB's program since pre-school. I was mainstreamed with a girl who was my age. I had one interpreter in the class. I vaguely remember asking the teacher a question and I received no answer to my question. I vaguely remember seeing my mom sitting in my classroom, watching the interpreter, my deaf classmate, and me. I remember being pulled out of the class to learn how to speak like a hearing person. I remember being tested with a lot of different things like mimicking the picture to make it 3-D. I remember coming back into classroom after either the speech therapy or one of USDB's useless testing sessions, and feeling lost with what I should know. I remember the teacher would attempt to help me to catch up when I returned.

I also remember staying after school to take one-to-one tutoring sessions while everybody else could go home. I remember standing by the window, watching the kids walking to their bus or homes. I was only student who had stayed behind and was tutored. I remember sitting beside my tutor, trying to read an appropriate grade-level book out loud. I remember I had to go to a specific place somewhere in downtown SLC to continue my tutoring sessions during maybe weekends?

After second grade, I transferred out USDB's program and began attending Jean Massieu School (JMS), which was a charter school at that time. I remember being bullied in third grade- just because I was different than my classmates. I remember being frustrated trying to learn things during that time. A year went by. I remember finally finding my motivation to learn and I've been learning a lot ever since. I couldn't get enough of all of the education I got during my stay in JMS.

I remember the biggest change occurred when I was in eighth grade. I have heard how badly my classmates from USDB did with their education level. Very few stood out. Over a few years, in between my fourth and eighth grade, the numbers of students transferring to JMS from USDB had been steadily growing. During this period, my experiences at JMS were very rich. I was able to 'taste' the world and have hand-on experience with anything I've learned generally. I was able to be myself. Oh boy, I felt so free. The very last day of my eighth grade, JMS signed a contract with USDB. Sure, we (JMS) faced financial struggles all throughout from my 3rd grade to that moment, but we had ALWAYS pulled through and were able to continue next year. Sure, we moved around a lot, but I loved every moment of it. I loved to be able to explore as we moved around.

I remember my feeling vividly when I discovered the news. I was shocked and pissed. I felt as if I've lost my identity as a deaf person. The moment I found out what was happening was right on the spot when the contract was signed. I had no idea this was happening. I had no chance to speak up. From that moment to my graduation, my feeling

of being free to be a normal person was taken away.

Summer came and went. I remember feeling so bummed out as I went into my classroom. Everything had changed. Instead of obtaining the challenges I should have during this time, I was disappointed. The materials I was supposed to learn were "dumbed down." I felt as if my hands were bound with chains and my learning process had been disturbed, like a slamming door stopping me from being able to reach my goal. I remember science was the lousiest subject I've faced. I lost motivation to learn science. I thank JMS for keep challenging us with our English and Math skills during my freshman year. I got involved with Academic Bowl during this year and continued all throughout my high school years.

Just about this time, I wondered why I was pulled out of the USDB program, and placed with JMS. My mom told me that the interpreter USDB hired, who I had during my second grade left out HALF of the information my teacher taught. Seriously! I fell behind and lost a year's worth of information. That also explained the tutoring sessions I had at my second half of 2nd grade. I was barely able to pass ahead to third grade at the end of the year.

Another bit of shocking news came. I was to be a part-time JMS student, and part-time USDB student at Skyline High School. I reluctantly accepted the idea. The only reason I was willing to leave JMS to Skyline was that they were able to provide some learning experiences that JMS could not have done, since JMS was rather poor. Through my sophomore year, I attended JMS one day, Skyline next day, JMS next day, and the days continued. I took the core classes at JMS, using USDB's textbooks. I remember my reaction to my Biology textbook. It was thinner than any science textbooks I had in the past. It was small too. I picked it up from my desk and observed it. I peeked inside and noticed that there is a lot of pictures and simple words. I put it back down on my desk, pretending being not disappointed. I remember picking up my USDB Geometry textbook too. It was exactly same size as my Biology textbook. However, as I read inside, trying to understand how I should get to my solution for the problem mentioned in the textbook, it was not clear. Halfway through the year, I found out that they've messed up. I was supposed to learn Algebra 1, not Geometry. I've wasted half of my year learning wrong thing. Basically, other than my English class, my classes weren't challenging. I was frustrated.

During this time, there was a meeting regarding new building for JMS and general USDB education. I went to that meeting and heard Linda Ruthledge, the superintendent's speech about how many students were living in Utah, all that statistics, and vice versa. When the time came for questioning Ruthledge, I got up and got onto the stage. I asked Ruthledge how she intends to improve our education across the Utah. She replied with JMS being finally to be able to have its OWN gym. (That was something JMS didn't have all way through until the next building JMS moved into.) I didn't want that answer. So I repeated myself, and asked her the same thing. I got the same answer. Feeling deflated and thinking, "This is pointless." I thanked her and was about to get off the stage when a man and a very good friend of mine, Dale Boam, popped out from the audience and

spoke/signed, "ANSWER HER QUESTION!" I was surprised. Linda kept going on and on about the exactly same thing. I gave up and got off the stage. I left the room and took a short walk around. When I was about to return in the room, I saw Dale talking on the phone. He stopped me and said that he wanted to talk with me but after he hangs up his phone. I waited until he hung up and began to talk with me. I remember him telling me that I asked a very good question and Linda was stupid not to answer that question and all of that. That conversation gave me an idea and I mustered the courage to talk with Ruthledge again. We walked in the meeting and I went straight to the line where you wait for your turn to ask question or make a comment.

When my turn came, I got the stage and began with this. I said, "Hey, I don't intend to insult you or anything like that, I just wanted to confess how I feel. Ok?" Ruthledge nodded. I continued, "I feel like you are doing like this." I pulled out my cellphone out of my pocket, held it up, pointed to it, and commented, "Oh, looky! Looky! This is new gym! Look!" I then used my hand that weren't holding the cellphone to 'sweep' away something. I said, "The problems are here, ignore that. (pointing to the cellphone again) Look! Look!" I stopped and looked at Ruthledge. Her face paled. Her body was stiffened up. I smiled and got off. Her reaction was PRICELESS. The audience cheered as I got off the stage. My point of this experience is that USDB's superintendent had NEVER answered the deaf students' and parents' questions we asked for. This was one of many experiences I had regarding arguing and fighting for better education for Utah.

Back to my high school experiences, yet another surprise happened. USDB had decided to pull all of the high school students out of JMS and put them in Skyline for full time, but with a JMS teacher being there, and we could have one JMS class there. I lost it when I was approached with this idea. It took me a while and several arguments to agree to the idea. I was still very heartbroken when I agreed.

My junior year came. I loved my mainstream classes and JMS English class. I didn't particularly like my USDB classes, but as long as the teacher would leave me alone, I was fine. I took my ACT test during this year. That was a very good thing I did because of what would happen around a year later. Anyway, toward to the end of the year, I had to make a schedule of the classes I wanted. I wanted to take Chemistry Honors for my senior year. I talked to my school counselor about it and she said I had to get approval from my English teacher. I'm actually grateful that I took my English class with a JMS teacher. My teacher approved and I'm all good to go. On the last day of this year, USDB took away JMS from Skyline and shut down JMS' high school program. My goal was to graduate from JMS. I was so close. I only had ONE more year left. I have no idea why they did that. JMS was so close to completing K-12 classes. I vaguely remember there were a problem with USOE and JMS thing during that time, but all I remember that USDB did not share the information JMS needed to keep the high school open.

The summer after my junior, I asked my mother about quitting USDB altogether. I did not want to be any part of USDB anymore. I was fed up. My mom made a good point, I needed interpreters. So, I stayed in USDB program.

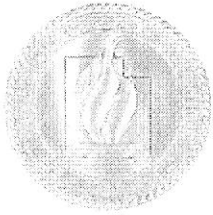
Now, my senior year, and here I was, a full-time USDB student. My English skills went down. Only things I have really learned from my USDB English class were: the word 'abyss', and one technique to use during researching. I did not get to write very much. Instead of actually writing and improving our skills, all we did were play games, study for the vocabulary test like good elementary students, read the books that were lower than our actual reading level, and nod at the teacher's stories that was not related to school at all. Zero challenge here. As for my mainstream classes, I was treated like a normal student. That's much better than USDB classes. I remember my USDB English teacher, Teresa Owino, asking me if she could have my user name and password so she could access my grades for other classes. I told her no. She argued with me, kept pushing for the information she wanted. I stayed firm and she gave up.

During the senior year, I've noticed that the USDB teachers kept encouraging the seniors and juniors to go to community college, not university. Shouldn't they be encouraging us to aim as the high as we could?

Somewhere during my previous three years, between sophomore and senior years, I've been involved with Academic Bowl as I've mentioned before, my team players, coaches, and I worked hard and did fundraisers to earn the money to pay for travelling expenses. We had to use USDB's account for saving up the money we painfully earned ourselves. As the payment deadline approached, we almost always discovered that USDB had used our money to pay for other things, not for the Academic Bowl. We had to fight with them to be able to go to the tournaments which were held annually. The USDB Sports Director actually made our coaches to look bad and tried to steal our trust from the coaches. Thereby, making this activity a mess each year.

Graduation from USDB came. My classmate, the same one who was with me in second grade (she went to the same school, same classes, and vice versa most of the time), and I went up to Ogden to get our high school diploma. The speeches other than the graduating students' were awful. There was this one Miss Teen Utah or Miss Utah or something like that who talked and talked about herself. She treated us like we're mentally retarded. Literally. After sitting for like two hours, we finally got our diploma and once we were back to seats, I told my best friend, "YAY! We are not USDB students anymore!" It felt so wonderful to be out of USDB. I finally felt free again.

Appendix H of USDB Task Force's nine recommendations to the State Board



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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Larry K. Shumway, Ed.D.
Chief Executive Officer

DATE: August 5, 2011

ACTION: Report from USDB Task Force

Background: At the request of Board Leadership, a task force was formed to review the Utah Schools for the Deaf and the Blind. Several meetings, including a meeting for public comment, have been conducted.

Proposal: Staff will report on findings and make recommendations from the USDB Task Force.

Anticipated Action: The State Board of Education will receive the report from the USDB Task Force and consider next steps.

Contact: Martell Menlove, 801-538-7762

**Recommendation to the Utah State Board of Education
From the USDB Task Force
August 2011**

During the 2011 Legislative Session, the Utah State Board of Education was asked to adopt a "zero-based" budget. Recommendations necessary to make severe cuts to the educational budget were discussed by the Board. In so doing, one recommendation considered by the Board was the closure of the Utah Schools for the Deaf and the Blind (USDB). When the Legislature moved away from the "zero-based" budget scenario it became obvious that there would be no need to close the school for budgetary reasons. However, it was also obvious that several State Board members had concerns with USDB that needed to be addressed. Board Leadership asked for volunteers to serve on a task force to review the Utah Schools for the Deaf and the Blind and make a report back to the State Board of Education. (It should also be noted that Deaf and Blind Education was added as item #26 on the 2011 Legislative Interim Study Items.)

The task force consisted of: Deputy Superintendent Martell Menlove, Associate Superintendent Todd Hauber, Representative Steve Handy, Representative Jennifer Seelig, Board Members Leslie Castle, Tami Pyfer, Joel Coleman, and Dixie Allen.

The task force held five meetings with one meeting being a three-hour Public Comment Meeting on May 26, 2011. The following are recommendations from the task force to the Utah State Board of Education for possible changes to the USDB program.

Recommendations:

- 1) The Utah Schools for the Deaf and the Blind (USDB) is a statewide program funded by state dollars and federal funding for Special Education programs. USDB should be viewed as a statewide program providing service, both direct and itinerant, where appropriate and needed to meet the needs of all students with sensory disabilities.
- 2) In order to provide for a quality, integrated statewide program, the Superintendent for USDB should be hired as a Chief Executive Officer with administrative oversight over the total USDB program. The CEO must possess the expertise needed to interact with local education

agencies (LEAs). Administrative expertise may be more critical in this position than specific knowledge of sensory disabilities.

- 3) To provide for understanding and interaction with the total state program, the Superintendent (CEO) for USDB should be housed at the Utah State Office of Education (USOE), report to the State Board through the State Superintendent or the Superintendent's designee, and work hand in hand with the staff of the State Superintendent, USOE special education staff, and district and charter school leadership. This integration with USOE facilitates better understanding and interfaces with the needs of the students with sensory disabilities statewide.
- 4) The Superintendent (CEO) of USDB should report regularly to the State Superintendent and report to the State Board of Education upon request.
- 5) The oversight of USDB, including finance, is the role of the State Board of Education. It is recommended that the Chief Financial Officer of USDB report at least quarterly to the State Board of Education. It is further recommended that the USDB Chief Financial Officer be a member of the USOE Associate Superintendent for Finance's staff assigned to USDB and an advisor to the USDB Superintendent.
- 6) It is recommended that, if necessary, the Utah Code be amended so that USDB Associate Superintendents with expertise in sensory disabilities may also serve directly in leadership positions in USDB schools. Associate Superintendents/School Administrators will be given greater authority to make staffing decisions, oversee student IEPs, and resolve parental complaints.
- 7) The State Board should do everything possible to adhere to and establish rules as specified under Utah Code Title 53A-25b concerning the Advisory Council for the Utah Schools for the Deaf and the Blind. Recommendations include:
 - i) 53A-25b-203 – Appoint Advisory Council members who have expertise to advise and make recommendations to the State Board and USDB leadership. Establish an Advisory Council with greater accountability and greater ability, expertise, and experience to make decisions.

- ii) Make a proposal to the Legislature to give the State Board greater flexibility in appointing Advisory Council members who have expertise or experience in the areas of blind, deaf, or deaf/blind -- instead of only requiring that members be blind, deaf, or deaf/blind, etc. The USDB Advisory Council should be active, engaged, knowledgeable, diverse, accountable, and advisory to USDB administrations and the State Board.
 - iii) Clearly define rules as codified in 53A-25b-203-3: "The board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the operation of the advisory council."
 - iv) Clearly set expectations to review information on the academic achievement of students served by USDB as codified in 53A-25b-304, as well as a review of all U-PASS testing and reporting. By November 3 of each year the Utah Schools for the Deaf and the Blind shall report to the State Board and the Education Interim Committee the following data:
 - a) number of students served;
 - b) services provided;
 - c) percentage of student participation in state assessments;
 - d) academic achievement of students; and
 - e) enrollment data at the Utah Schools for the Deaf and the Blind and probable reason for fluctuations in enrollment.
 - v) Petition the legislature to make changes in 53A-25b-304(2) to extend or eliminate the "sunset" date "through 2011."
- 8) Establish a USDB subcommittee of the State Board of Education that will meet on a regular basis and address issues specific to USDB. The current USBE committee structure will facilitate the entire Board involved in decisions as determined by the USDB Committee.
- 9) Clearly establish in Board Rule the expectations for the relationship between USDB and local LEAs.

In addition to the above recommendations, the task force considered the following:

- 1) Placing the responsibility for educational services for students with sensory impairments totally with districts and charters.

- 2) Creating two separate schools – one for the deaf and one for the blind.
- 3) Providing greater autonomy to the Advisory Council by altering the appointment procedure.

Appendix I that was submitted to those organizations offering Utah Deaf community services through collaboration with the National Association of the Deaf at the national level

EDUCATION ISSUES: A letter from the Utah Association of the Deaf Education Committee to the National Association of the Deaf, etc

February 17, 2012

To National Association of the Deaf, American Society for the Deaf, Deafhood Foundation, and Deaf Bilingual Coalition:

We are writing this letter as members of Utah Association of the Deaf/Education Committee; we wish to share with you information regarding the impact Utah has had on other state schools for the deaf so to warn you about possible future consequences. First, some background:

For years, Utah School for the Deaf (USD) has been proud of its uniqueness because, starting in 1962, this agency, as they call it, has promoted what they now call a "Dual Track" system in which parents choose either Oralism (or LSL as it is called today) or Total Communication (what is now called ASL/English Bilingual Education). As the program stands today, USD personnel are not allowed to teach ASL to parents in Utah who choose to enroll their children in the LSL program; likewise, children who are enrolled in the ASL/English program are not allowed to receive speech services from USD personnel until they enter school at age 3. (If parents wish to learn ASL and or receive speech services, they can do so on their own, often with therapists not specifically trained to work with deaf and hard-of-hearing children.) USD Superintendent, Steven W. Noyce, has repeatedly explained that parents who want their children to both sign and speak should choose the ASL/English option as it includes Oracy, and children in that program do obtain speech services. However, as previously mentioned, the children do not get the Oracy services provided until they enroll at age 3. This is in opposition to the desire of many parents, including those of children with cochlear implants, to have their young children obtain ASL instruction AND intensive speech therapy with therapists who work with deaf and hard-of-hearing children.

For years, administrators at USD have proudly asserted that its system is unique, and, indeed it is, as very few other schools and/or programs throughout the United States have something similar. For many years, this has been an "inside" battle between Utah proponents of the LSL and ASL/English bilingual approaches. For many years, the two camps co-existed in varying degrees of ease/unease. During the past few years, however, especially after Superintendent Noyce took over the reins of the school, former students and other members of the Utah Deaf community have started an intense, albeit silent challenge of his policies. Letters were written, meetings were requested and email sent. Some changes were made, but we are still very fearful of the long-range impact of Noyce's administration. We are also alarmed by the effect that the Utah program is apparently having on other states, in favor of expanding LSL programs and often negatively affecting ASL/English bilingual programs.

As Deaf Utahans who have gone through numerous battles to ensure equal promotion of the two programs and to encourage the ability of parents to choose both learning ASL

and intensive speech therapy (rather than the ONE OR THE OTHER choice that currently exists), we don't wish our history of Deaf education repeated in other states. Now that it is apparent that Utah has had an impact on some states, we wish to present our concerns in hopes that struggles similar to what we have experienced will not happen in other states. Please allow us to give some background information on how this trend is spreading outside of Utah.

On February 21, 2011, the Salt Lake Tribune published an article entitled "Schools for the Deaf Grapple with Balancing Two Tracks" stating that "Superintendent Steven W. Noyce of the Utah Schools for the Deaf and the Blind (USDB) hoped the Dual Track Program will empower parents and become a model nationally for other state schools for the deaf" (Winters, Salt Lake Tribune, February 21, 2011). One of the results of such a program at USD has been that success is measured by how many students are mainstreamed out of the USD system

(www.usdb.org/Shared%20Documents/Interim%20Final%20Report%202011.pdf).

While students in the Utah ASL/English program "often remain at USD until graduation" (implying un-successful-ness), children in the LSL program in Utah are encouraged to be mainstreamed by third grade. Unfortunately, there is no system in place to follow-up on how they do academically or socially beyond third grade; Superintendent Noyce himself admits this:

"USDB has not been to track students' performance once students are no longer eligible for special education. [A] data system for longitudinal tracking [is] being collaboratively developed by USDB and the Utah State Office of Education" (slide 26 of Noyce's speech at a conference in Delaware, discussed further below).

Moreover, another result of the policy of encouraging children to be mainstreamed caused the number of students being educated on the campus in Ogden, Utah to shrink to 35 (UAD Bulletin, February 1990). The campus educate approximately 50 students today, mainly because advocates of the ASL/English program in Salt Lake City – Jean Massieu School (around 100 students) – wanted something similar at Ogden, but the drastic decline in numbers was due to the push to mainstream students out of USD as early as possible.

We saw the same thing happen at South Dakota School for the Deaf (SDSD). We all know what happened there, how the number of students shrunk due to a new policy of segregation between LSL and ASL/English students and the encouraging of mainstreaming among SDSD students. What many people may not know is that, according to Timothy Chevalier, former ASL/English Bilingual Specialist at SDSD, SDSD administrators visited and consulted with USDB administrators in 2005 to study their Dual Track Program (Personal Communication, Timothy Chevalier, June 6, 2011). Soon afterward the USD model was initiated at SDSD

Elsewhere, school administrators at Delaware School for the Deaf (DSD), which is an ASL/English bilingual school, are currently in a struggle with an advocacy group called

“CHOICES Delaware,” established in 2010. While CHOICES Delaware concedes that ASL educational services are fine for deaf and hard of hearing children of deaf parents, they assert that speech and audition therapy services are best for those who have hearing parents. Ursula Schultz, a Deaf employee at DSD shared that CHOICES Delaware wants DSD to adopt the listening and spoken language educational practices following AGBell's principles for LSL in their early childhood classes: “They believe that all children who have a hearing aid or cochlear implants need LSL only. They have been rallying to state officials trying to make change happen” (Ursula Schultz, personal communication, February 12, 2012; <http://choices-delaware.org/position-papers>).

What is Utah's role in this, you may ask? Well, at CHOICES' conference on May 14, 2011: Managing Listening, Language & Educational Outcomes for Today's Children with Hearing Loss, the keynote speaker was none else but USD's Superintendent Steven W. Noyce, a fervid adherent of the LSL program. The title of Noyce's speech was seemingly innocuous: Deaf Education in America: Then and Now;” however, one of the main thrusts of his speech was the promotion of the Dual Track Program, which is being resisted by parents, professionals, and the Deaf community here in Utah (<http://choices-delaware.org/delaware-initiatives/update-2011-managing-listening-language-educational-outcomes-for-todays-children-with-hearing-loss>).

On May 17, 2011, only three days after the CHOICES conference, Indiana Governor Mitch Daniels appointed two new members to the board that oversees the Indiana School for the Deaf (ISD). As you are well aware, the two new board members are not only not-affiliated at all with the bilingual education, but are, in fact, affiliated with the Listening and Spoken Language philosophy

Subsequently, as we are all aware, the Indiana Legislature came up with HB 1367: a bill that would take Outreach & Consultation services out of ISD into a centralized agency. Again, Utah had a role; this bill has the support of Dr. Karl White, Director of the National Center for Hearing Assessment and Management at Utah State University, Another Utah adherent of the LSL program, White spoke to the Indiana Legislature, encouraging them to pass HB 1367. (<http://handeyes.wordpress.com/2012/02/06/karen-mayes-info-connecting-of-some-dots-re-indiana-hb1367/>)

Let us digress here with some information about Dr. White. He is the founding director of the National Center for Health Assessment and Management (NCHAM) at Utah State University. NCHAM promotes programs for early detection and management of hearing loss in children all over the world. He is involved with numerous boards and committees developing policies and procedures for early hearing detection and intervention, not only in the United States, but in Poland, Costa Rica and India as well. He is a member of the AGBell Association, and advocates Listening and Speech Learning as the way to go for deaf and hard-of-hearing children, especially those with cochlear implants. He has been very successful in obtaining numerous grants for his work.

(http://fellowships.aaas.org/09_Testimonials/Experiences/White.shtml & http://psychology.usu.edu/assets/files/Karl_White_vital.pdf)

More recently, at a February 10, 2012 meeting of the National Deaf Agenda Committee sponsored by the Utah State Office of Education, Superintendent Noyce explained that one of the goals of AGBell was to expand new statewide agencies (outreach services) throughout the country. He proudly stated that USD is a model nationally and how he could be of service to other states. He informed the committee that in the atmosphere of protests by the Indiana Deaf Community concerning HB 1367, Indiana Governor Mitch Daniels contacted him for information regarding outreach services at USD. He clarified that the LSL community is not satisfied with the Outreach services provided by ISD and feel they would be better served by a new statewide agency. According to Noyce, several states might soon follow in the same footsteps including New Jersey and Illinois (Noyce has already flown to Illinois for this purpose). He also informed the committee that two private LSL Outreach Services have been established in Washington State and that South Dakota School for the Deaf is now an Outreach Services Agency (as discussed earlier), applauding the idea of statewide agencies.

The Salt Lake Tribune article mentioned earlier included a statement from Noyce in which he states, "I don't have any problem with people being an advocate for American Sign Language. I wish those who advocate for ASL wouldn't have a problem with those who advocate for listening-and-spoken language. My role is to support very strongly both programs equally" (Winters, February 21, 2011, Salt Lake Tribune). An opinion piece written earlier and endorsed by eight deaf education advocates, however, asserts that contrary to what Noyce believes about himself, "[He] doesn't understand the deaf signing segment of the student population well enough to advocate adequately for them" (Opinion Editorial, February 14, 2011 Salt Lake Tribune and Winters, February 21, 2011, Salt Lake Tribune).

Jake Dietz, a hearing father of two deaf children, also had a reaction to the same statement that Mr. Noyce made regarding his supporting "both programs equally." In his February 21, 2011 blog Jake wrote:

"First of all, I think this statement [the same one as above] clearly shows that he considers himself someone who is advocating for the LSL path. The last part is true, that his role is to support both equally, but clearly, since he wishes those who advocate for ASL did not have such a problem with those who advocate LSL (Steve Noyce), he does not strongly support both. This is all I have been asking for from the beginning, is someone who is more moderate [than] our [current] superintendent. He or she should not have strong feelings one-way or the other, but instead should truly support the choices for parents. Steve Noyce also says that he hopes that the two tracks will empower parents, but in reality they take that power away from parents. I can't speak for everyone, but I sure felt empowered as I was told by USDB after we chose ASL that we would no longer receive the auditory and speech therapy Eliza needed. I felt even more empowered as I heard from USDB employees that because we had chosen ASL for our daughter, she would not be considered a candidate for a cochlear implant. You're right, Noyce, this two-track system is very empowering. ... Let's be honest,

if you are choosing LSL, the new two-track system is very empowering, but if you want a bilingual-bicultural approach, the new system is anything but empowering. I support any plan where all parents are truly empowered.”
(<http://moderndayheroes-dietzfam06.blogspot.com/2011/02/interesting-comments-from-steve-noyce.html>)

Later, at a May 26, 2011 meeting of a task force established by the Utah State Board of Education established specifically to look at the role and administrative structure of USDB, seventy-five people attended. About 80 percent of them were LSL advocates, including Superintendent Noyce and Dr. Karl White. Among the comments that were made, many mentioned how USD was a model nationally for Deaf Education. Jeff Pollock (Deaf), a USDB Advisory Council member also spoke and stated that even though USD may be a model for the LSL philosophy, USD was NOT a model nationally for ASL/English Bilingual Education programs. Moreover, there was a lack of support for the ASL/English Bilingual program housed at Jean Massieu School, regardless of what Superintendent Noyce said (Jeff Pollock, personal communication, June 1, 2011).

Again, the Deaf Community in Utah strongly disagrees with the Dual Track system at USD and does not recommend this for other states. After observing the overall issues in other states, we are starting to see a pattern of involvement by USD Superintendent Noyce and Dr. Karl White. We are deeply concerned that what the Utah Deaf community has gone through because of the exertion by people like Noyce and White are now spreading to other states.

Since Noyce and White are offering their services to other states, we, the UAD Education Committee, are offering our services through collaboration with the NAD at the national level if needed. This information might be valuable for the Deaf Studies Today conference at Utah Valley University on April 12th - 14th and NAD conference this coming July. Should you wish to contact us further about this letter please send an email to uad.edc@gmail.com. Before signing off here is a website link of a recent effort by a core group of concerned parents and Deaf community members that switched to the UAD Education Committee: www.utahdeafeducation.com (*note: again, please email at uad.edc@gmail.com, to contact us).

Sincerely,

Philippe Montalette, President, Utah Association of the Deaf

Dan Mathis, Chair of the UAD Education Committee

Jeff Pollock, Member of the USDB Advisory Council and the UAD Education Committee

Jodi Becker Kinner, Deaf Education Advocate and UAD Board member