

Testimony for Public Hearing
Senate Education & Workforce Development Committee
Education and Workforce Development
House Bill 2757
May 14, 2013

To: Senate Education and Workforce Development Members

From: Eleni Boston, Coordinator: Deaf/Hard of Hearing Services
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RE: HB 2757--(b) Standards established by the State Board of Education must provide that a student whose primary language is American Sign Language is exempt from any requirements related to assessments of content standards if an assessment cannot be administered to the student by using American Sign Language (ASL).

Committee Chair Hass, Committee Vice Chair Knopp, and members of the committee:

My name is Eleni Boston and I coordinate the deaf and hard of hearing services for Willamette Education Service District. We serve children eligible as Hearing Impaired under the Individuals with Disabilities Education Act (IDEA), birth through 21 years of age within three counties. I also serve as a member of the Accommodations Advisory Panel for Statewide Assessments for the Oregon Department of Education. In addition I am deaf having lost most of my hearing at the age of three. Thank you for the opportunity to submit this written testimony on behalf of HB 2757. While there are parts of the bill I support, there is also a part of the bill that I oppose.

As a member on the Accommodations and Modifications Advisory Panel we have been very diligent these past years in working hard to make statewide testing accessible for all students, especially those with disabilities. For students who use American Sign Language, one accommodation that has always been in place has been the allowance of interpreting in American Sign Language (ASL) the directions, and writing prompts for the assessments. In February 2013, the Oregon Department of Education approved the use of the Sign Language Interpretation Accommodation during the OAKS and Extended assessments in all academic areas except Reading. Based on feedback from the field, it was recommended that guidelines be created by ODE in order to support an

interpreter providing the signing accommodation during statewide assessments. ODE has pulled together a workgroup of members from the Oregon Accommodations Panel, interpreter coordinators, teachers of students who are deaf and hard of hearing, and university researchers. The members of the workgroup represent the various regions across the state. The allowance of interpreting in ASL is parallel to the read-aloud accommodation for all assessments except reading. This accommodation is becoming a reality in that interpreter guidelines and other trainings will be developed and in place for implementation for the 2013-2014 testing period. Therefore most of this bill's directives have already been and will be implemented.

The portion of the bill that is most troubling for me is: Section 2, (b) *Standards established by the State Board of Education must provide that a student whose primary language is American Sign Language is exempt from any requirements related to assessments of content standards if an assessment cannot be administered to the student by using American Sign Language.* Interpreting the test questions in ASL, or reading aloud, for the reading/literature assessment has always been a modification. There is no written format of ASL, therefore when a person uses ASL for their communication, they read and write in English. Yes, the development of competent reading skills for a deaf student is difficult, however it is not impossible. It is critical for these students' future, their independence, and their livelihood to be able to be literate. Employers are demanding employees who are competent communicators and have competent reading and writing abilities. We owe it to our deaf and hard of hearing students to develop their skills in all areas, but especially literacy. Yes, their expressive communication is ASL, but their reading and writing skills are in English. If an interpreter were to sign the reading passage and/or questions in ASL, you would be evaluating their ASL comprehension, not their English print comprehension. By exempting them from any requirements related to assessments and yet allowing them to possibly receive a regular diploma only gives students, parents and employers a false interpretation of their literacy skills. Currently if a student is not able to obtain a regular diploma, they are able to receive a modified, extended or alternative diploma. In addition there are other ways to demonstrate proficiency towards competency such as work samples and/or other avenues as developed by the school district.

We need to have high expectations for our deaf students. While the national average for a graduating deaf student's reading skills used to be at the third/fourth grade level, several factors are changing this statistic. Newborn Hearing Screenings, identification and fitting of amplification within 3-6 months of age for infants, early intervention and technological changes in hearing aids and cochlear implants are all factors in raising the competency levels for deaf individuals. The impact of technology in infants allows children to develop listen and spoken language along developmental norms rather than remediation. This allows, with appropriate intervention and amplification, children to have the potential to develop reading and written language skills along developmental

normative pathways.

Limited English Proficient students (students whose *language of origin* is other than English and who have been educated in the U.S. for 3 or fewer consecutive years) have their English skills assessed through the English Language Proficiency Assessment (ELPA). The goal is to have Limited English Proficient students become proficient in English. They are not exempt from demonstrating their proficiency. Deaf adults who are competent communicators using ASL who also have Deaf children, have children who develop their English and literary skills as a second language, much like children communicating in another foreign language. Exempting deaf students from state assessments would be the same as exempting children who learn English as a second language. Again, high expectations and the development of literacy skills is critical.

I have attached an article regarding high stakes testing and deaf students. While the article discusses appropriate accommodations, it does not recommend exclusion of Deaf students from testing if ASL is not allowed to be used in its administration. In the article by John Luckner and Sandy Bowen you will find that Oregon is doing well with their allowable accommodations for deaf students and continuing to progress in this area.

While many students do not have full communication access in ASL within their environment, i.e. home, such as a deaf child with deaf parents, these students may be slower to develop their English and literacy skills. For many students they are not taking the standard statewide assessments but rather the Extended or Scaffold Assessment. Administration of the Extended/Scaffold Assessment does include the use of ASL during its administration.

I thank you for your valuable time and consideration. Please do not allow the passage of this bill as it is currently written. We owe it to our students.

Sincerely,

Eleni Boston