

HOUSE FINANCE COMMITTEE  
April 16, 2024  
10:06 a.m.

10:06:56 AM

CALL TO ORDER

Co-Chair Foster called the House Finance Committee meeting to order at 10:06 a.m.

MEMBERS PRESENT

Representative Bryce Edgmon, Co-Chair  
Representative Neal Foster, Co-Chair  
Representative DeLena Johnson, Co-Chair  
Representative Julie Coulombe  
Representative Mike Cronk  
Representative Alyse Galvin  
Representative Sara Hannan  
Representative Andy Josephson  
Representative Dan Ortiz  
Representative Will Stapp  
Representative Frank Tomaszewski

MEMBERS ABSENT

None

ALSO PRESENT

Representative Jamie Allard, Sponsor; Laurel Shoop, Legislative Liaison, Department of Education and Early Development; Deb Riddle, Division Operations Manager, Division of Innovation and Education Excellence, Department of Education and Early Development.

PRESENT VIA TELECONFERENCE

Richard Saville, Program Coordinator 2, Governor's Council on Disabilities and Special Education; Clara Baldwin, Director, Alaska State School for the Deaf and Hard of Hearing; Jamie Kokoszka, Program Coordinator 2, Governor's Council on Disabilities and Special Education; Amy Bobich, Self, Anchorage.

SUMMARY

HB 111 EDUCATION FOR DEAF & HEARING IMPAIRED

HB 111 was HEARD and HELD in committee for further consideration.

Co-Chair Foster reviewed the meeting agenda. He thanked the interpreter for providing services during the meeting. He provided instructions regarding speaking during the meeting.

#hb111

HOUSE BILL NO. 111

"An Act relating to public school students who are deaf or have a hearing impairment."

[10:08:51 AM](#)

Co-Chair Foster invited the bill sponsor to the table.

REPRESENTATIVE JAMIE ALLARD, SPONSOR, thanked the committee for hearing the legislation. She shared that she is hard of hearing, and she clarified that "hearing impaired" was not the correct terminology. She reviewed the sponsor statement (copy on file):

House Bill 111 is a deaf and hard of hearing children's bill of rights that establishes consistency in the information provided to parents by the school district, allows parents to choose the best method of communication for their child and requires the school district to provide services using the parent's chosen method of communication.

Deaf children are born with the same ability to acquire language as others. They have the right and capacity to be educated, graduate from high school, obtain further education, and pursue a career. They have the right to have their ability to communicate and acquire language to be treated as a priority.

Lack of access in the classroom leads to students missing essential information in lectures and classroom discussions and can lead to low academic achievement and lower language acquisition. Children

who are deaf or hard of hearing have the right to accommodations and access to academic instruction, school services, and extracurricular activities in their primary language. Access in their primary languages gives them the opportunity to benefit from all services and programs at their school and to fully access education and society.

Given the unique nature of rural Alaska, some children who are deaf or hard of hearing may require residential services as part of their educational program. HB 111 declares all deaf children have the right to an individualized education program and that their parent will be able to choose the method of communication that will be the most appropriate for their child.

House Bill 111 establishes that children who are deaf or hard of hearing have the right to an individualized education program that identifies their primary language, considers their prognosis for hearing loss, provides instruction in their primary language, provides assistive devices and services, and provides appropriate and timely assessments in their primary language.

Seventeen states have passed a Deaf and Hard of Hearing Children's Bill of Rights.

[10:11:42 AM](#)

Representative Allard reviewed the sectional analysis (copy on file):

Section 1: amends AS 14.30.272 by adding new subsections:

1. School district must provide parent with comprehensive information regarding,
  - a. Hearing technology
  - b. Different methods of communication
  - c. Services and programs designed to help children who are deaf and hard of hearing
  - d. Information on support and advocacy services offered by public and private agencies.
2. Parent chooses the method of communication that will be the most appropriate for their child.

3. Services are delivered to child through professionals with training, experience and a background in the chosen method of communication.

d. School District must inform parent of school districts duties and the parents rights under section c.

e. In this section,

1. Definition of "bilingual approach"
2. Definition of "cued speech"
3. Definition of "deaf"
4. Definition of "hard of hearing"
5. Definition of "Listening and spoken language"
6. Definition of "total communication"

Section 2: amends AS 14.30.276 by adding a new subsection that requires the department to establish and operate a centralized program for students whose primary language is American Sign Language, provide residential services as part of the program, establishes that a school district may operate the program under specific requirements, and provide funding for the students who attend the program operated by a school districted under this subsection to that school district.

[10:13:14 AM](#)

Representative Ortiz thanked the sponsor for bringing the bill to the committee. He thought there were many good aspects to the bill. He asked how things may look different in a rural school district, for example, if the bill passed.

Representative Allard replied that currently children in rural communities who are deaf or hard of hearing did not necessarily have access to a signer. She explained that a family member could be used as a signer in school. She relayed that it was not currently mandated to have access to an interpreter via [Microsoft] Teams.

Representative Ortiz asked for verification that the bill would establish the mandate [for an interpreter to be provided to students].

Representative Allard replied that it was not currently mandatory. The bill would put the requirement in state

statute. She believed more parents would be able to have their children in the school districts and classrooms with the same benefits as their peers.

Representative Ortiz asked if the legislation would result in any added financial burden to school districts.

Representative Allard replied that school districts already received a 1.25 modifier in the formula. She stated that the issue should not have any fiscal consideration because it was helping children who were deaf and hard of hearing. She noted the children had the same capabilities as their hearing peers. She added that the 1.25 modifier was a financial incentive for school districts.

[10:15:50 AM](#)

Representative Galvin thanked the sponsor for bringing the bill forward. She understood there were federal guidelines and rules the state was required to follow. She asked whether "this" is already embedded federally. She asked if 1.25 in the formula was enough to ensure compliance with current Americans with Disabilities (ADA) laws.

Representative Allard replied that the state was following federal guidelines. She noted an individual online who could speak to the topic. She stated that the Senate had coordinated with her on a CS [committee substitute] to implement the federal guidelines to ensure the state was covering all its bases. She believed the 1.25 was enough. She stated intensified funding was not necessary for deaf and hard of hearing individuals. She explained that the 1.25 would alleviate the cost for an interpreter to be present or any other needs (e.g., computers or Teams) that children who were deaf or hard of hearing could access.

Representative Galvin asked about federal guidelines. She wondered if there were federal dollars that were already directed at making sure the state was accommodating appropriately.

Representative Allard deferred the question to invited testimony.

[10:18:18 AM](#)

Representative Hannan stated it was the committee's job to talk about the fiscal aspects. She referenced Section 2 of the sectional analysis that specified the department would establish a centralized program and provide residential services as part of a program. She did not see any fiscal associated fiscal notes. She remarked that the costs did not appear to be borne by a district through a Base Student Allocation (BSA). She asked where those items were and whether the state currently operated a residential program for hard of hearing children.

Representative Allard answered there was a deaf and hard of hearing school in Anchorage [Alaska State School for the Deaf and Hard of Hearing]. She elaborated that many of the students were sometimes put with other families who sponsored them. The students could attend the school during the day and go home to the sponsor family in the evening. For example, a student could come from Dillingham to attend the school and live with a sponsor family. She believed it was on a volunteer basis unless there was some federal assistance. She added that the deaf and hard of hearing school in Anchorage was the only one in the state.

Representative Hannan referenced a presentation provided by the sponsor in members' committee packets (copy on file). She noted the presentation specified there were 149 deaf or hard of hearing children in Alaska. She thought Representative Allard had said that many of the children may be attending school in Anchorage. She asked how many of the 149 children were currently attending the deaf and hard of hearing school in Anchorage.

Representative Allard clarified that she had stated that some, not many, of the 149 children were attending the school in Anchorage. She believed the deaf and hard of hearing school in Anchorage accommodated approximately 75 children. She could double check that number. In terms of the fiscal aspect, she agreed that fiscal notes mattered, but the fiscal note for the bill was \$6,000 to change language. She highlighted that the school district received fiscal accommodation for children who were deaf and hard of hearing.

[10:20:47 AM](#)

Representative Hannan clarified it was the committee members' job to make sure they understood [the fiscal

implications]. She stressed that she was not objecting. As a career educator had definite support and wanted to ensure the state was accommodating and providing for the education of all its students. She remarked that it was the committee's job to know where the monies were. She thought that \$6,000 in regulation did not seem to add better services for the deaf students in her school district. She wanted to ensure the legislation would improve service.

Representative Allard replied that the bill helped students because there would be a statutory requirement for students to be accommodated with an interpreter and other means of their preference. She requested to hear from her invited testifier.

RICHARD SAVILLE, PROGRAM COORDINATOR, GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION (via teleconference), introduced himself and asked for a restatement of the question.

Representative Allard noted that Clara Baldwin the director of the Alaska State School for the Deaf and Hard of Hearing was also available and could answer Representative Hannan's questions about the number of children who attend the school. She noted another testifier available online as well.

Representative Hannan restated her questions. She referenced Section 2 of the sectional analysis that specified the department would establish a centralized program and provide residential services as part of a program. She asked for details on existing programs and what the bill would direct the department to offer. She did not believe the costs were borne by the school districts through the BSA because the section referenced the department.

Representative Allard directed the question to Ms. Baldwin.

CLARA BALDWIN, DIRECTOR, ALASKA STATE SCHOOL FOR THE DEAF AND HARD OF HEARING (via teleconference), shared that she oversaw the Alaska School for the Deaf and Hard of Hearing (AKSDHH). She detailed that she is deaf, uses American sign language, and had a voice interpreter with her presently. The school served a full spectrum of children with hearing loss. There were some students who required a self-contained direct instruction classroom. She explained that

the students used American sign language (ASL) receptively and expressively and were considered full-time students for AKSDHH. The school also served hard of hearing children who were independently mainstreamed in a general education classroom with additional hearing supports through devices (e.g., FM system, hearing aids, cochlear implants). She stated there were many different ways students could access the classrooms.

Ms. Baldwin elaborated that the school partnered with Hope Community Resources, which had a program called Rural Deaf Student Supports (RDSS). She detailed that RDSS was a grant program that was separate from AKSDHH. The RDSS grant used licensed sponsor families referred to as host families. She explained that a child from a rural community was not required to attend the school in Anchorage - she noted there was a history of colonization and forced education in a way that did not make sense for them - and the school stood ready to provide service in person if desired. The school also had online outreach and partnered with several rural school districts to provide additional supports for instruction. The school consulted with teachers and provided language and other assessments. Additionally, students could meet AKSDHH students via video if parental permission was given in order to meet other students who use sign language. The cost for the residential program through Hope Community Resources and the AKSDHH program were separate. She believed the grant cycle had been renewed through 2027 to provide rural services for deaf and hard of hearing children.

[10:26:35 AM](#)

Representative Hannan asked if AKSDHH was governed by the State Board of Education or the Anchorage School District.

Ms. Baldwin replied that AKSDHH was funded by the State of Alaska through a long standing agreement. The school was housed in the Anchorage School District (ASD) and received some additional funding from ASD. The school worked directly for and through Don Enoch [DEED special education administrator]. She thanked Mr. Enoch for supporting the school for many years.

Co-Chair Foster moved to invited testimony.

JAMIE KOKOSZKA, PROGRAM COORDINATOR 2, GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION (via teleconference), provided prepared remarks:

The deaf and hard of hearing community approached the council for support and the council fully supports this bill. It so happens that I have some significant congenital hearing impairment in both ears, and I use hearing aids. I'm using my own experience as a child growing up hard of hearing in the state of Alaska as an example from the council, but it's not my personal testimony. The information that you've heard today is true and it happened to me and it's still happening to children in Alaska schools today.

American sign language was not presented to me and my family and we were not aware of this option. I'm now 47 years old and my brain is past its prime for language learning. I was put into the regular classroom where spoken English was the only mode of communication. I was forced to wear hearing aids that were painful that did not fit correctly and had poor quality sound. My teachers did not know what to do with me. I spent a lot of time looking at the back of the teacher's head because they were writing on the chalkboard, I couldn't see their facial expressions and I couldn't see their mouths talking and their voices went into the wall. After that I was undiagnosed with ADHD at the time, and I had congenital cataracts in both eyes.

In the second grade I asked my mom if I could go to speech class like the kid next to me because people were always correcting my speech. I was told that I did not qualify. At age 14 I got help with speech through theater class. In the 7<sup>th</sup> grade I asked for an IEP because I knew I needed help.

My education challenges were described in detail throughout my school records that clearly showed that I needed help, yet they still checked the box "does not meet criteria for an IEP." I felt behind in my education and I barely graduated high school. I learned about vocational rehabilitation through a fellow student, not my educators. Not much has changed since the 1980s and 90s. The council urges you to support HB 111, to help families with children who are

deaf and hard of hearing. Thank you for your consideration of this bill.

[10:29:51 AM](#)

Representative Galvin thanked Ms. Kokoszka for sharing her personal story and expertise. She was particularly interested in early diagnoses. She knew there was some thought about whether the state was fully supporting the infant learning program and identifying the children when they were young and properly setting them on the right path. She wanted to ensure the \$6,000 would get what was needed in regard to early diagnoses.

Ms. Kokoszka asked Representative Galvin to rephrase the question.

Representative Galvin asked if the bill ensured the state would be addressing early diagnoses.

Ms. Kokoszka responded affirmatively. She relayed that she was not a numbers expert and could not speak to the \$6,000. She shared that if she had received reasonable accommodations at a young age (rather than making her wear hearing aids and thinking it solved the problem) someone would likely have discovered her ADHD early on. She had not received the diagnosis until she received good hearing aids through vocational rehabilitation. She believed it would have been discovered many years earlier if she had received early intervention. She added that after she received the vocational rehabilitation services she had gone from barely passing in high school to the dean's list in college.

[10:33:05 AM](#)

Representative Allard requested to hear from Mr. Saville.

Mr. Saville stated that Ms. Kokoszka was testifying on behalf of the council. He could not address what the \$6,000 would do. He relayed that the bill applied to school districts, which began with children at the ages of three to four when they graduate from infant learning programs. He advised that if there was a need to address early intervention prior to school districts being involved, it should be addressed with the Infant Learning Program. He shared that he is staff for the council working with the interagency coordinating council for infants and toddlers

with disabilities, which was required of all states by Part C of IDEA [Individuals with Disabilities Education Act]. He thought the bill helped school districts identify and get resources to parents once school districts were involved. He did not believe the bill specifically addressed children prior to age 3.

[10:34:52 AM](#)

Co-Chair Foster OPENED public testimony. He relayed the email address for submitting testimony.

AMY BOBICH, SELF, ANCHORAGE (via teleconference), introduced herself and gave her name in sign language. She shared that she was present to testify about HB 111 based on two experiences: her own experience as a deaf person and as a preschool teacher and educator in the State of Alaska at the State School for the Deaf and Hard of Hearing. She relayed that she was born deaf, and her parents did not know until she was two years old because there had been no early hearing screenings available at the time; therefore, she had a late start to her education. She became bilingual, but she struggled in school, and it took substantial work to catch up to her hearing peers.

Ms. Bobich shared that as a preschool teacher, she currently worked with children in the three to five age group. She had 12 years of experience as an educator, working with families and their children from birth to five years of age. She started her teaching career in Alaska and later taught in Colorado followed by California at a school for the deaf. She had seen the impact of how a good early intervention program could support deaf and hard of hearing children. She had seen many families, especially in Alaska, that did not know about American sign language. She encouraged service providers to let people know about the full range of services. She stated that when a child was diagnosed there was typically a doctor and audiologist involved. The forgotten piece of the puzzle was American sign language, which was a fully accessible and visual language.

Ms. Bobich provided an example of a hearing baby born to a hearing family. From birth the baby was exposed to language and by the time they were three years of age they could speak complete, complex sentences when entering preschool. Additionally, the child may have abstract thought and was

developing critical thinking skills. She compared the experience to that of a deaf or hard of hearing child. She detailed that for a deaf or hard of hearing child from the age of birth to three sometimes had access to services and sometimes they did not. She relayed that American sign language was often not included in the range of services provided. The bill would add ASL and would hold people accountable to ensure parents were offered the choice. She stated that it would not force people to sign with their children, but it would inform parents and families to know about the option.

Ms. Bobich shared that she had a student in her classroom with no language development services, which caused the child to be much further behind. She explained that students who came to the school with no early language development came in with one word. The children should be producing full sentences, but without an accessible language from birth, they were years behind. She stressed it was a huge gap to fill. She detailed that the children were not ready for academic learning or ready to read, write, or do math because there was no foundational language present to make those connections. She believed the bill would help ensure the fullest range of services possible would be available to start as early as possible [in a child's life]. The goal was to ensure parents were given the range of services from the moment a child was born in order for them to fully develop and have the same possibilities and potential of their hearing peers.

[10:40:10 AM](#)

Representative Galvin appreciated Ms. Bobich's vast experience in early education in various states. She asked if there were many children showing up in her class at the age of three to five who would have benefitted from an early diagnosis and services, particularly in Alaska versus other states. She was trying to assess how Alaska was doing with early detection and support.

Ms. Bobich responded that when she worked in Colorado and California both states provided a class for infants and toddlers. She stressed that to develop language it was necessary to be around other people; therefore, the classes provided for families, infants, and toddlers were instrumental in language development for the children. Colorado provided a toddler class once a week with social

time, a language instructor, and another teacher to support the families with resources outside of class time. There were professionals in the room who knew sign language and could support the parents. California provided an infant class where parents were taught how to use sign language, how to establish eye contact, and get attention from their deaf baby. The class included teaching and coaching for parents. She underscored that students who had already been through those classes were much more prepared and on grade level. They were ready for learning and preschool construction. She relayed that students who had not received the services were much more behind. She explained that Alaska did not have those same opportunities for parents so when children came to the AKSDHH at the age of three, they were playing catch up. She would love to establish a program or classes earlier or make them aware of sign language. She would love to see Alaska on par with other states and enrichment of Alaska's birth to three resources and programs and to ensure parents were aware of resources that exist. She would love to see classes added. She noted there were people who could teach sign language all over the state.

[10:44:34 AM](#)

Representative Galvin understood that the bill was asking school districts to pay attention and to ensure the state was following ADA laws. She asked what was being done for younger children. She considered whether there would be an opportunity for amendments and stated there was some work to do. She appreciated hearing from Ms. Bobich to understand that Alaska had infant learning programs providing early diagnoses, but it did not have opportunities for taking what had been learned and moving it into a classroom setting or a setting where parents and infants were getting similar opportunities that were available for others. For example, there were preschool programs for special needs children in Juneau and Anchorage. She did not believe there were programs for deaf and hard of hearing children early on in life. She thought it may be an area for the committee to explore if it was going to truly hold up the vision of the legislation as children's bill of rights.

[10:46:22 AM](#)

Co-Chair Foster noted he would set an amendment deadline.

Ms. Baldwin provided public testimony representing AKSDHH. She appreciated the question by Representative Galvin related to programs for infants and toddlers. She emphasized that the bill was a steppingstone. The goal was to ensure the all-communications option was available to everyone. She emphasized that parents did not have to pick one communication option. She explained that it was not possible to sign and talk at the same time, but English and sign language could coexist perfectly together with other aids. She relayed that the school had a deaf education board. She detailed that if the bill passed, there were other plans to ensure there was a birth to three resource ready (working in collaboration with the legislature).

Ms. Baldwin stated that there was no right or wrong way to be deaf or hard of hearing. She believed the important thing was to be consistent in what families were being offered in the state. She thought the legislature was the best place to start. She stated that the passage of the bill would mean deaf and hard of hearing children could get a foundational language. She underscored that a child could not thrive if they did not have language accessible to them. She asked committee members to imagine a child struggling through life, getting to school, and the teacher being faced with holding curriculum back because the child had to be instructed in language. She stated it was a struggle for teachers to be able to focus on children who were ready to learn and children who needed to be taught foundational language. She stressed it was a huge gap. She relayed that it could impact a child at any age, but it was particularly impactful at a very young age.

Ms. Baldwin explained that students were experiencing language deprivation at home. Sometimes parents were overwhelmed and did not know sign language and were unable to effectively serve their children due to a lack of resources. She elaborated that if children were learning sign language at school and their parents did not know sign language, it was a language desert at home. She explained that it was not the parents' fault, it was due to a lack of support and not knowing about all of the options. Additionally, there were no parent sign language classes. She believed it was very important to establish a state standard to make parents aware of all of the available resources. She stated that all deaf and hard of hearing children could thrive if they were given the opportunity

and language. She underscored that all deaf people could do exactly what hearing people do. She believed the bill would make certain of the possibility for school age children. She thanked the committee for listening.

10:50:09 AM

Co-Chair Edgmon asked if it was accurate to say that the definitions such as hard of hearing, deaf, listening and spoken language, cued speech, and bilingual approach were going into state statute for the first time.

Representative Allard responded that the language would be in state statute and was already mentioned. She did not know whether cued speech was in current statute, it was not practiced in Alaska to her knowledge. The bill tightened up pieces, but the items in the bill were already in regulation.

Co-Chair Edgmon stated the deaf and hard of hearing community included children, adults, and senior citizens and it was an important part of the community. He stated that everyone around the table knew someone such as a close family member or other. He remarked that the topic of school districts pertained to a subset of students, and he thought the bill was directed towards public schools including charter schools. He asked if the bill would address correspondence schools.

Representative Allard responded that correspondence school children learned at home. She thought that the parents would take their child in if needed. However, if a student was a part-time correspondence student who was also part of a charter school or neighborhood school, the supports would be available for them.

Co-Chair Edgmon stated that a couple of years ago he had sponsored a broadband bill that was a brand new section in law. He had learned much more about broadband than he ever thought he would. He saw some similarities in the current bill in terms of entering a different phase that had not really been talked much about and putting it in state statute. He was a strong supporter of the bill and the deaf and hard of hearing community and a strong advocate of making something like the bill happen. He compared it to the Alaska Reads Act passed in 2022 that was well intentioned but not properly resourced. He explained there

were many school districts that were struggling to carry forth the mandates that were all well intentioned and laudable. He wanted to ensure that when the legislation passed that it was properly resourced. He highlighted there were 54 school districts throughout the state. He referenced putting together individualized education plans and ensuring the Department of Education and Early Development (DEED) had the means to do what was needed. Additionally, he wanted to look more closely at Section 2 of the bill that included words like "shall, must, and may." He suggested perhaps the committee could have the discussion more online.

[10:54:53 AM](#)

Representative Allard appreciated the comments. She noted she had supported the broadband bill. She highlighted the importance of deaf and hard of hearing children. She remarked that even though there were only 149 deaf and hard of hearing children at AKSDHH, one of the reasons she brought the bill forward was due to one school district that had taken the interpreter away from a child and the child had no longer had the means to receive an education through their known language of ASL. She stated it had impacted the child and was unfair. She underscored that all deaf and hard of hearing children should be treated just like their hearing peers.

Representative Allard shared her personal story. When she was about two years old, she had hearing tubes put in. She shared that the tubes fell out and by the time she was in third grade (in the 1970s) she had been sitting in the front of the classroom with scotch tape over her mouth because her teacher thought she talked too much and interrupted people when they spoke. She had been unable to hear her teacher and her teacher had been very frustrated with her. She noted that her teacher, parents, and school nurse had been unaware of what she was experiencing. She had eventually been moved to the back of the classroom and she had a very difficult time. She shared that as a result her speech started slipping. She had eventually received a speech therapist, which had improved her life.

Representative Allard shared that she had joined the military. She detailed that during her service she had received extensive damage to her eardrums as a result of an incident where she had been standing close to a tank. The

combination of the noise and heat from the tank ruptured her eardrums. She received health insurance through the Veterans Administration and had hearing aids that cost about \$9,000. She stated that the ability for children to have access that she did not have at a young age was vital.

Co-Chair Foster CLOSED public testimony.

[10:58:24 AM](#)

Representative Stapp remarked that typically a correspondence child would have an individualized learning program with the school district they were a part of. He imagined they would use their allotment in the event they needed individualized ASL learning from a tutor. He remarked that it was all currently up in the air. He thought it was likely unnecessary to include language pertaining to correspondence in the bill because all correspondence programs were within public school districts. He believed using the words "school district" was likely sufficient.

Representative Josephson requested to ask questions of the department. He remarked that the bill contained a lot of duties associated with DEED, yet he did not see any associated costs. He asked if the bill was designed to be a template that would be filled in with proper funding at a later date. He asked for the department's viewpoint.

LAUREL SHOOP, LEGISLATIVE LIAISON, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, deferred the question to a colleague.

DEB RIDDLE, DIVISION OPERATIONS MANAGER, DIVISION OF INNOVATION AND EDUCATION EXCELLENCE, DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT, many of the things in the bill were already done by the district and DEED's special education team was working with the district to help do the work. She referenced language in the bill that referred to getting a school for the deaf and hard of hearing. The work was currently taking place through AKSDHH and there was funding in place. The bill would put the language in statute, which would enable DEED to build some regulations to provide guidance to the districts as to what needed to be done to help students who were deaf and hard of hearing.

Representative Josephson asked what the bill asked of the state's 54 superintendents. He asked if the bill would result in a waiting pattern where districts would be waiting for DEED to provide funding or if it was a mandate requiring districts to step up their game. He noted it could be interpreted in both ways.

Ms. Riddle responded that as students were identified through their IEP and services were decided, the district would need to figure out how to go forward. She explained that DEED helped districts with the decisions and options. She elaborated that individual education plans were created to help meet the needs of each student and it was up to the district to determine how to meet the needs. The department could help determine the best route in terms of using the school or available services. The department did not want to leave the districts with no guidance.

[11:03:39 AM](#)

Representative Josephson stated that the bill called for funding, and he did not see the funding.

Ms. Kokoszka had a comment about ADA and accommodations. She asked if it was not mandatory to provide accommodations for the students.

Representative Allard reiterated her earlier statement that the formula multiplier of 1.25 percent. Once the school districts identified a child's needs, they received additional funds to provide for those needs.

Representative Coulombe had a question for Ms. Baldwin.

Ms. Bobich noted Ms. Baldwin was no longer present. She was personally available for questions.

Representative Coulombe looked at Section 2 of the bill pertaining to a centralized program. She asked if the bill changed anything about the Anchorage State School for the Deaf and Hard of Hearing.

Ms. Bobich answered that she did not believe so. She explained that the bill would change the information that parents received. The idea was for parents to get the information in a neutral unbiased way, so that they were aware of their choices. Some providers, depending on

whether they had a medical background or not, told parents what they should or should not do. She believed parents deserved more than one option and to know about AKSDHH. She explained that parents who had a deaf or hard of hearing child would get all of the options from their local district including available devices and how to develop language in their child. The centralized program would not change. The bill was about getting neutral or unbiased information about all of the available resources existing in the state.

[11:07:00 AM](#)

Representative Coulombe looked at Section 2 of the bill specifying that AKSDHH was required to submit a plan of operations and to provide residential services. Additionally, the language required DEED to provide funding for students to attend the program. She wondered if the language in Section 2 was already taking place or if the requirements were new.

Mr. Saville replied that Section 2 did not change how AKSDHH was operating or add anything new for the school. Currently, regulation specified that DEED may provide the school, whereas the bill specified put the language in statute and specified that DEED shall provide the school. He clarified that the bill codified the requirement in statute as a protection.

Representative Allard stated that according to Section 4 AAC 52.700(c)(2) [the district] was to help cover the cost of interpreters and intensive funding. She explained that deaf and hard of hearing students already received intensive funding at 13 times the BSA if requested by a district.

[11:08:43 AM](#)

Representative Hannan asked what DEED currently did when it heard from a school district that could not find an ASL interpreter. She knew there was a limited pool in her community and serving the kids and the community stressed the resource. She remarked that Juneau was a regional hub and larger community. She asked about a situation where a rural school district did not have the staff. She asked if the rural district contacted DEED and how the department ensured the services were provided.

Ms. Riddle responded that the department did its best to connect, problem solve, and determine the best way and it understood it was difficult to find interpreters in some places. She relayed that sometimes the department paid for interpreters to go to meetings to help or to help locate interpreters. The department had lists of people who were available to interpret that it provided to districts. The department also frequently connected with the Governor's Council on Students with Disabilities to locate interpreters.

11:10:25 AM

Representative Tomaszewski asked for a brief synopsis of the different methods of communication listed in the bill. Some of the terms were new to him.

Representative Allard asked for a repeat of the question.

Representative Tomaszewski restated his question. He highlighted the terms cued speech and total communication as examples.

Representative Allard deferred the question.

Ms. Bobich responded that the different methods of communication in the bill were referred to as modalities. She explained that communication modalities were separate from language. She elaborated that bilingual education focused on American sign language and English. The English learning could be spoken, written, or read and ASL is a visual language. The other methods of communication listed were not languages. She described total communication as "everything smashed into one," which included talking and signing at the same time. She explained the method was not 100 percent effective in all cases because it was not possible to have two languages going at the same time. For example, it was not possible to speak English and French at the same time. She relayed that using English and ASL at the same time impacted the grammatical structure of both languages; however, it was useful in some settings where information needed to be provided at the same time in short bursts. Total communication was also referred to as sim-com (simultaneous communication).

Ms. Bobich continued to explain the different communication modalities. She shared that she was not a professional in cued speech and did not know of anyone using it in Alaska. She relayed that there were communities in the Lower 48 that used the method. She explained that it was more of an emphasis on the phonics people used; it was a way for someone to lip read and visually see what was going on in the mouth. She reiterated it was a method to emphasize English and was not a language. She asked Representative Tomaszewski if there were other words in the legislation he wanted explained.

11:14:12 AM

Representative Tomaszewski asked about the bilingual approach.

Ms. Bobich stated that the bilingual approach used English and ASL as two separate full languages. The two languages were used at different times as opposed to simultaneous communication, which impacted the grammar of both languages and lost much of the important language development. Bilingual approach involved switching back and forth [between English and ASL]. For example, there were certain times a speaker may switch back and forth if a child has residual hearing. The communication method could involve writing things on the board, using captions, etcetera. The English language portion could then be followed by using ASL to sign a book to reinforce English that was just learned. She noted that ASL could be used before or after an English language lesson. She relayed that people often said that ASL was like the grammatical structure of Spanish where a sentence was constructed with a subject, object, verb versus object, verb, subject. She explained that it was possible to switch back and forth between English and Spanish. She emphasized that a child could successfully learn a signed language and a spoken language, just not at the same time.

Co-Chair Foster recognized interpreter Brenna Povelite for the record.

Co-Chair Johnson looked at the first page of a presentation in members' packets ["HB 111 - Deaf and Hard of Hearing: Children's Bill of Rights"] (copy on file) that showed 149 deaf or hard of hearing children in Alaska schools. She thought the number seemed low. She highlighted that the

list included large school districts and a few small ones, but she observed that a large portion of Alaska was not represented. She had a hard time believing there were no deaf or hard of hearing children in unorganized areas. She asked if the 149 was with current screenings. She wondered if the bill would increase awareness. She asked if she was off base.

Representative Allard answered that she was not off base. She explained that because there was nothing in statute and the word was not getting out, parents were not bringing their children forward and may not recognize their child was hard of hearing or deaf. She stated it had happened to her and Ms. Kokoszka had testified that it had happened to her as a child. She believed there were more children out there and the hope was the bill would get more individuals together. She wanted to run a campaign to ensure parents were not reluctant to bring their child forward. She read language on page 2, lines 7 through 9:

(3) deliver services to a child who is deaf or hard of hearing, or who the school district suspects may be deaf or hard of hearing, through professionals with training, experience, and a background in the chosen method of communication.

Representative Allard highlighted that the language allowed a parent or friend to translate for their child in school. She noted it did not necessarily have to be ASL language, it could be signing. She explained that the bill did not require an interpreter if one was not available. The bill gave the parent and the child the right to choose.

Co-Chair Johnson knew one family in Palmer where the child's mom became their advocate and ASL interpreter because of limited resources. She stated it was a good example she had seen of what could work.

[11:19:50 AM](#)

Co-Chair Foster asked for a review of the fiscal note.

Ms. Riddle reviewed the fiscal note from the Department of Education and Early Development, OMB component number 2796. The fiscal note had a total cost of \$6,000 to create regulations that were outside the normal work of the department.

Representative Hannan stated that the committee had heard from a couple of the invited testifiers that the bill would lay the groundwork and there was a plan for more. She noted that a \$6,000 regulation update did not change any program delivery. She asked what plan DEED would see to fully implement and meet the needs of the hearing impaired children throughout Alaska. She wondered if the plan would involve additional services for the 54 school districts, an expanded residential school, or an ASL training academy for parents. She understood it was speculative, but she wondered how the state would improve service delivery to families in need.

Ms. Riddle answered that it was speculative, and the department would work with the Governor's Council on Disabilities and AKSDHH to determine what would be the best. However, the intensive funding was built into the BSA, meaning that the school district would receive the funding if a student identified as deaf or hard of hearing. She stated it was difficult to see what things would actually look like with the passage of the legislation, but DEED would work hard to collaborate with the sponsors of the bill as well as the community of the deaf and hard of hearing to create something that worked best for everyone.

[11:22:17 AM](#)

Representative Hannan remarked that the BSA went to the school districts. She highlighted that Section 2 of the bill and the fiscal note directed DEED to establish a centralized program. She wondered if the department viewed the direction in the legislation as nothing new and as something DEED was already doing. Alternatively, she asked if the department would need to do something different besides the regulations to meet the directive that in the end would be a service delivery at the school district. She stated that the language in the bill seemed to direct the department to do something and she could not wrap her head around what that was.

Ms. Riddle replied that the bill talked about going through a school district, which was currently the Anchorage School District. The plan was to continue going through the Anchorage School District because it was more centrally located and a bigger hub. She elaborated that the

department would need to determine how to work on the implementation to reach out to the schools.

Representative Hannan asked if Ms. Riddle was saying that expanding and further supporting AKSDHH that was currently operating in the Anchorage School District would be how DEED would see meeting the mandates of the bill.

Ms. Riddle replied, "That's speculative." She stated that the department would need to do research to determine the best way to meet all of the needs. The department had been talking about what would take place as a result of the legislation, but a plan had not been formulated and it would require significant stakeholder support in terms of the best way to support some of the smaller districts that may not have access to the Anchorage School District. The department was looking at what it was currently doing and once the bill passed, DEED would look at stakeholder input and talk with its partner organizations to determine the best way to move forward.

[11:24:35 AM](#)

Representative Coulombe remarked that it had been said a couple of times that the directive under the bill was already in regulation and the bill would put it in statute. She asked why the department needed the \$6,000.

Ms. Riddle answered that based on the language of the bill, there were some changes that would be in regulation, which would need to be updated. She explained that the cost would be incurred with the Department of Law (DOL). She relayed that the cost was not covered under DEED's existing budget.

Representative Allard relayed that had asked the Office of Management and Budget (OMB) why there was a \$6,000 fiscal note if items under the bill were already managed and implemented. She had been told that it came with DEED and that because it was a different type of department, there was a cost of \$6,000. She had been unable to get the answer she wanted. She thought the department was implementing a couple of new sentences; however, it was already a program being managed through DEED. She was also confused about the reason. She offered to try to get an answer in writing.

Representative Coulombe thought it sounded like DEED had a reimbursable services agreement (RSA) with DOL. She thought it sounded like a standard regulation charge.

Ms. Riddle agreed.

[11:26:29 AM](#)

Representative Ortiz asked if the additional funding for hard of hearing or deaf students was not currently received.

Ms. Riddle replied that a school district had to go through a process requesting the funds. She explained that if approved, the district would receive the funding.

Representative Ortiz asked for verification that it was the process in place.

Ms. Riddle agreed.

Representative Ortiz asked if the only added resources that would go towards serving the need better would be identifying more students.

Ms. Riddle answered that implementing the bill would take more research than that simple phrase and it would require stakeholder input to determine what the department would need to do to help support.

Representative Allard added that the bill would direct school districts in statute to follow the preferred needs and preferred method of learning of a hard of hearing or deaf student. She stated it would be enforced to ensure school districts abided by the requirement.

[11:28:12 AM](#)

Representative Galvin stated her understanding that ADA and regulations were in place. She believed the bill was trying to elevate public, parent, and educator awareness about numerous options for language access. Additionally, she stated her understanding that the goal was to ensure the most language access possible so that a child had access to whatever method worked best for them. She asked if her understanding was accurate.

Ms. Riddle responded affirmatively.

Representative Galvin had heard that 1.25 was likely sufficient funding. She remarked that maybe there was some question about whether or not dollars were being used as intended. She thought it seemed the standard had expanded to reflect a better understanding of options that would be best for a child. She asked about what the state would do to have oversight in the process to ensure the best options were taking place for the children. She assumed there would be more need for oversight under the bill because [the requirement] was very defined. She asked if it would add any extra work for DEED.

Ms. Riddle answered that the special education team had extensive monitoring in place and requirements under the bill would be added to the monitoring done with districts across the state.

Co-Chair Foster asked for any closing comments from the sponsor.

Representative Allard thanked the committee for hearing the bill. She wanted to ensure deaf and hard of hearing children were no longer discriminated against and that they were treated equally with their hearing peers.

Co-Chair Foster set an amendment deadline for Friday, April 19 at 5:00 p.m.

HB 111 was HEARD and HELD in committee for further consideration.

Co-Chair Foster reviewed the schedule for the following meeting.

#  
ADJOURNMENT

[11:31:16 AM](#)

The meeting was adjourned at 11:31 a.m.