

California Department of Education
<http://www.cde.ca.gov/sp/ss/dh/ab1836.asp>

The Deaf Children's Bill of Rights.

A Historic Change

In September of 1994, Assembly Bill 1836, "The Deaf Children's Bill of Rights" was signed into law by then-Governor Pete Wilson. The bill was authored by Assemblywoman Delaine Eastin, who later served as the State Superintendent of Public Instruction (1995-2003). This historic legislation acknowledges the essential need for children who are deaf and hard of hearing to be educated in an environment that respects and uses their preferred mode of communication. AB 1836 was encoded as *Education Code 56000.5*.

Key to the development and ultimate passage of AB 1836 was the Deaf Education Coalition (DEC). Six years of arduous work preceded the passage of this historic legislation. Approximately 25 organizations coalesced to become the DEC. Their common goal was to significantly change the way education and related services were delivered to deaf and hard of hearing children.

What issues does AB 1836 address?

AB 1836 addresses some fundamental human issues -- the ability to communicate with others and the ability to have friends who can talk to you and listen to you. It addresses the need for deaf and hard of hearing children to have teachers, psychologists, assessment staff, and other professionals who are fluent in the language being used by the student. It is also important that deaf and hard of hearing students are educated with a sufficient number of other deaf and hard of hearing classmates to allow free, open, and spontaneous communication.

AB 1836 does not promote one form of communication over another. There is a clear understanding that whatever the mode of communication being used by a deaf or hard of hearing child, it must be respected.

This historic legislation acknowledges the importance of deaf and hard of hearing children being able to associate with others who are also deaf or hard of hearing and who are proficient in the language utilized by the student. That communication includes regular contact with other children, as well as with professionals, including teachers and other school personnel.

The bill also emphasizes the need for deaf and hard of hearing students to be able to participate in all parts of a school program, including after-school social and athletic functions, lunch and recess. It is especially important that there is unfettered access to vocational programs, to allow the deaf or hard of hearing student equal opportunity to prepare for life beyond the school experience.

AB 1836 plays a key role when an Individualized Education Program (IEP) team convenes to consider the needs of deaf and hard of hearing children. This bill stipulates that when the IEP

team is developing goals and objectives for a deaf or hard of hearing child, it must consider several important issues. For example,

Does the student have sufficient numbers of schoolmates who are similar in age, language and learning ability?

Are the teachers and other professionals who work with the child skilled in the child's language and way of communicating?

Are the critical elements of the educational program (i.e., academic instruction, school services, and extracurricular activities) available in the child's language and way of communicating?

AB 1836 is one of several critical steps in the state's effort to provide deaf and hard of hearing children with a quality education system.