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**Testimony of
Marc Anthony Gallucci, Esq.**

**HB 5357 – Deaf Student Bill Of Rights
Education Committee – March 5, 2012**

Members of the Education Committee:

I am testifying in support of 5357. I especially support the sections pertaining to access to services and extra-curricula activities.

I am profoundly hearing impaired and consider myself Deaf. I also am the Executive Director of the Center for Disability Rights – one of Connecticut's five Centers for Independent Living. I offer my testimony both from personal experience as well as professional experience as an advocate for students with disabilities.

My Personal Experience:

I lost my hearing when I was not yet three years old. I grew up in Fairfield, and I was mainstreamed in the Fairfield Public Schools.

My situation in school was quite different from that of just about all the Deaf and Hard of Hearing students going to public school today. Back when I was in school in the 1960's and 1970's, there were three separate rubella epidemics that resulted in approximately 10% of the students in my elementary school being Deaf or Hard of Hearing. Even in my high school, which had over 2500 students, there were 40 of us who were Deaf or Hard of Hearing. There was no such thing as IDEA or special education in those days; but the Town made sure they did everything they could for us. In fact, parents with children who were Deaf or H of H often moved to Fairfield to take advantage of its reputation in those days for educating students with special communication needs.

I had a personal hearing aid, but this was not sufficient by itself. My teachers were sure to make everything as accessible as possible for me, and the others too. So, we were seated in the front of the class, and given written instructions to back up what was said in class. We also had speech and hearing therapy three times per week for 45 minutes – once a week we had group therapy. In addition, the Town provided a summer school program just for us, and we went 9 AM – 12 Noon every day during summer school for help with speech reading, enunciation, sound therapy, and speech discrimination. And of course, my Mother reinforced what I had learned on a daily basis. She spent countless hours working with my speech and language. Both my parents were also tireless advocates for me.

By the time I got to junior high school, I was at an average or above average level as a student. Nevertheless, the junior high school was far less supportive, and tried to put me in the less advanced classes. They also prevented me from continuing instruction in Spanish because they held the false view that Deaf kids can't learn foreign languages. In this environment, where I was not accommodated, and the teachers had low expectations of me; I did not do well. Neither did any of the other students with hearing loss.

By the time I was through my first year of high school, I had basically surpassed most of my fellow students, and I was regular on the Headmaster's List or Dean's list and received many honors. I even took Spanish with a vengeance and became the top student in my school. I also, tutored students in Spanish and actually organized and scheduled all the honors students who were volunteering to tutor students who needed help.

I started college while still in High School, and I attended a special program for HS students at Yale. At UCONN I was a Scholar, and I regularly took honors classes and carried more than the maximum credit load each semester.

Then I got to UCONN Law School, and what a let down that was. I was in very large classrooms that were in gothic buildings with the most horrible acoustics. There were absolutely no accommodations available to me, and most instructors were not very helpful. Nevertheless, since law school is mostly a self-taught experience anyway, and eventually I did have several smaller and more intimate classes, I was able to graduate with good marks.

Most of today's students do not have the same opportunities that I had. They are often the only student in their school with hearing loss; and their teachers are completely at loss as to what to do to educate them. Schools have extremely low expectations for these students, and they regularly fail to accommodate their needs for communication access.



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This Bill will go a long way to correcting this situation and making it clear that we expect our Deaf and Hard of Hearing students to have the same education as their non-disabled peers. This bill will make it clear that the American's with Disabilities Act does apply here, and schools need to adhere to it.

My Professional Experience:

As the Executive Director and Chief Advocate of a Center for Independent Living that provides Youth Transition and other advocacy services to students with disabilities in our public schools and local colleges, I can tell you that this Bill is needed. Time and time again when I review the IEP of a student-consumer of ours, I see very little attention being paid to the communication needs of Deaf and H of H students.

In fact, just recently, a 14 year old boy and his Mom came to see me. The boy is so hearing impaired that even with a hearing aid, he can hardly hear what his Mother was saying even though she was sitting not even two feet away. And his speech was so under-developed as to be almost unintelligible. Yet, when I looked through out his IEP, the only thing written there was "he will continue to wear the hearing aid provided by his parents". Period - nothing else. Nothing about assistive technology, nothing about written communications, nothing about speech therapy, nothing about CART or sign language, nothing about anything. This kid is failing.

Unfortunately, his story is all too true for most of the students with hearing loss in our public schools today. I think it is more likely than not, that if I were going to our public schools today, I would be failing just like this young man is and so many others like him. Why is this the case?

In my professional opinion, based upon my 25 years experience advocating for students with hearing loss, I think our students are being cheated for the following three reasons:

- 1) Hearing loss today (unlike back in my days as a student) is a very low incidence disability, and most teachers and professional just do not have the familiarity and experience to work with such students;
- 2) Deaf and Hard of Hearing students face the same “soft” discrimination of low expectations that most students with disabilities experience. They are not expected to do well or be capable; and so, little is expected of them. They are simply and routinely excluded from even ordinary school opportunities and experiences; and,
- 3) We cannot dismiss the possibility that cost is causing schools to fail to provide equal access and opportunities to students who are Deaf or Hard of Hearing. I think some schools know they do not have the resources or knowledge or experience to educate Deaf or Hard of Hearing students; therefore, they deliberately exclude any special services, approaches, or accommodations from the IEP lest they be forced to pay for the student to go out of district.

This Bill is a start to providing equal access and accommodations to students so that they can receive the education they deserve and reach their true potential as citizens of our State. But it is only a start. There needs also to be a mechanism for enforcement. Who will see to it that the schools adhere to the mandates of this bill? We already have IDEA and the ADA, but they are having a limited impact because it is up to the students and parents to “enforce” the laws. Please strengthen this bill by providing for oversight, and an enforcement mechanism.

I thank you for your attention.

Marc Anthony Gallucci, Esq.
Executive Director
Center for Disability Rights.