



# COMMUNICATION CONSIDERATIONS A-Z™

## *The Deaf Child's Bill of Rights*

### **1. What is a Deaf Child's Bill of Rights?**

The Deaf Child's Bill of Rights is specific state law that recognizes the unique communication and language needs of deaf and hard of hearing children. The first state to enact a DCBR was South Dakota, but many more have followed, including Colorado, New Mexico, California, and Georgia. While the DCBR is an important first step in having the state formally acknowledge the unique needs of our children, it does not automatically resolve all problems and immediately change program options. The DCBR does, however, recognize the important needs of our children and should be used in IEPs (Individual Education Programs) and other discussions with school districts. In some cases they have been used successfully in due process hearings.

### **2. What are the issues at the forefront of the Deaf Child's Bill of Rights?**

Recognizing, particularly in light of the requirements under the IDEA (the Individuals with Disabilities Education Act) which are not always deaf-friendly, that the unique language and communication needs of deaf and hard of hearing children must be formal parts of the IEP process, indeed the entire educational system. IEP discussions often begin and conclude without a meaningful discussion of the "special considerations" for a student who is deaf or hard of hearing as mandated by the IDEA. The DCBR is a mechanism to compel that conversation.

### 3. What should every parent and professional know about a Deaf Child's Bill of Rights?

The spirit of the DCBR is validated by the IDEA's "special considerations for students who are deaf or hard of hearing" and other federal laws including the No Child Left Behind Act. This doesn't make it a redundant law, but a way for its conceptual values to be made actionable at the local level. Parents should read the law in detail and know that a DCBR is designed to represent formal recognition in state statute of important needs that will be unique to their child. They should expect to see those needs discussed and accommodations implemented at school to assure the child's right to receive communication and express him/herself in the mode of communication and language s/he uses. Parents should not be naive in thinking that the DCBR can simply be referred to in order to secure everything they want for their children. It can be a powerful tool for advocacy, but it doesn't replace the need for effective advocacy.

### 4. Where can you go to get more info on the Deaf Child's Bill of Rights?

- [www.NDEPNOW.org](http://www.NDEPNOW.org) is a clearinghouse of info on deaf ed reform
- [http://www.handsandvoices.org/articles/education/law/dcbr\\_revisited.html](http://www.handsandvoices.org/articles/education/law/dcbr_revisited.html)
- contact your local education agency or state department of education

## AUTHOR

Lawrence Siegel, JD, received his undergraduate and Masters Degrees from the University of California, Berkeley, and his law degree at the Hastings College of the Law. He is the founder and Director of the National Deaf Education Project (NDEP) and is a national consultant on deaf education reform. Often referred to as the father of the Deaf Child's Bill of Rights, he authored the first DCBR in the nation, and has written extensively on topics related to deaf education and special education law. His "Statement of Principle" and "The Human Right to Language" are groundbreaking in their vision of a Constitutional Right to Communication. Siegel served for eight years as a member of the California Special Education Commission, and as a member of the original group that developed the National Agenda. He articulated a new paradigm for communication and language driven educational systems for children who are deaf or hard of hearing.

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*Communication Considerations A to Z™ is a series from Hands & Voices that's designed to help families and the professionals working with them access information and further resources to assist them in raising and educating children who are deaf or hard of hearing. We've recruited some of the best in the business to share their insights on the many diverse considerations that play into communication modes & methods, and so many other variables that are part of informed decision making. We hope you find the time to read them all!*