Welcome to the world of deaf education. This can be a complex, confusing, nerve-wracking, confrontational and unpleasant process of evaluations, programming choices, and regular follow-ups as regards to the education of our children who are deaf and hard of hearing.

The focus of this three-part series is to introduce the laws that govern the educational programming for our children, break down the special education process and hopefully provide parents and educators with resources so that they can more confidently advocate for their child’s or student’s best educational experience.

Part I provides a brief overview of educational laws in the United States. The three major educational laws that impact our children and students are: 

NCLB—No Child Left Behind
ADA—Americans with Disabilities Act
IDEA—Individuals with Disabilities Education Act

No Child Left Behind
This act supports ALL children in their ability to access and benefit from their education in the regular education classroom. As stated in the Act, the purpose of NCLB is to…

"...ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments."

Educators are required to use research-based instruction to improve academic achievement of all students. The term Response to Intervention (RTI) encompasses practices that are applied prior to the special education

Over the years, legal battles in the courts have led to mixed outcomes for students who use Cued Speech, exemplified by some of the major lawsuits brought by cueing families against school districts and boards of education.

As discussed in the Cued Speech and Educational Laws: Part I article in this issue, schools are required to provide “free appropriate public education” (FAPE). The question has long been what exactly falls within that category and whether providing Cued Speech services is required. The legal cases highlighted below illustrate that this battle still has a long way to go.

Editor’s note: The term “hearing-impaired” is used throughout this law review. When discussing court cases, we must maintain consistency with the terms used in each case and not change terms to those more widely used in the general population. Also, none of these cases clarified the “hearing-impaired” students as deaf or hard of hearing.

One of the earlier cases, Lachman v. Illinois State Board of Education, demonstrates the struggle in getting Cued Speech recognized as an accommodation. In this 1988 case, the debate between the parents and the school district focused on whether Benjamin, a young child at the time, should receive education via Cued Speech transliteration or Total Communication. In other words, the school district wanted Lachman to learn sign language and have that be a goal of his education. 52 F.2d 290, 297 (C.A.7 Ill.1988).

Lachman’s parents argued that the Individualized Education Program (IEP) proposed by the school district would not provide Benjamin an education in Cued Speech: A Law Review, continued on page 4
Championing effective communication, language acquisition and literacy through the use of Cued Speech

National Cued Speech Association

Presidents’s Message
by Cathy Quenin

Greetings from the Interim President.

Over the past few years, my History with the organization goes back many years. As a graduate student, I served as Secretary, and was President for one term in the late 90’s. Since leaving the Board of Directors, I have continued to be part of the Instructor Certification Committee, and have conducted instructor training workshops all over the country with the ImCert team. I enjoyed being a part of the NCSA in its early years, and look forward to the opportunity to serve again.

The issues raised in this edition of On Cue are dear to my heart. One of the major goals of my career has been to increase the availability of Cued Speech for students who are deaf or hard of hearing. As Aaron notes, we have made some strides in this over the years. Cued language services have achieved recognition at the federal level, and a greater number of pre-professional training programs at least mention cueing in their curricula than in prior years. However, we still have far to go to ensure that all families receive information about this option, and that all students who could benefit from Cued Speech have access to it. And though the right to cueing services is more firmly established than in the past, the increasing numbers of well-trained service providers remains a challenge.

Over the years, I have been constantly impressed with the vision, the energy, and the commitment of so many cueing families and professionals. Through the efforts of these dedicated people who come together as the NCSA, we’ll continue to work together toward our shared goals.

Editor’s Note
by Aaron Rose

In 2004, when the Individuals with Disabilities Education Act (IDEA) was reauthorized, cued language services became officially recognized by the federal government. These services are part of the broad early intervention services available to families of children with hearing loss in Part C and as interpreting services in Part B in public education. This inclusion of cued language services has reinforced Cued Speech as an option for parents in early intervention and education of children with hearing loss.

In this issue of On Cue, you will read about deaf cuers’ experiences in receiving cued language services in the general education classroom and at the postsecondary level. Hillary Franklin discusses issues in transliterating and draws attention to the need for maintaining standards in providing cued language services to children. Zainab Alkebsi, a law student at University of Baltimore, presents a review of cases addressing the legal status of cued language services in school systems. Nicole Dobson presents a broad review of legislation and resources in context of Cued Speech for parents and educators.

Under Part C of IDEA, families can receive cued language services. However, these services may not be available in parts of the country for various reasons. Despite advancements in hearing technology and screenings, normal language development is not guaranteed in the first three years of a deaf or hard-of-hearing child’s life. Recent research has demonstrated that given an appropriate cueing model, children can acquire language through Cued Speech in a similar manner as hearing children and deaf children of deaf parents who sign. The premise that Cued Speech can facilitate natural language development is not new, but now we have research providing support to this statement. Now, more than ever, there is an urgent need for more professionals to be appropriately trained in Cued Speech services within early intervention agencies and programs.

If written into the Individualized Education Plan (IEP), a child can receive cued language services in the general education classroom. Despite federal protections under Part B of IDEA, some schools may not agree that cued language services are appropriate for children whose primary mode of communication at home is through Cued Speech. The responsibility is often placed on the parents to educate professionals and administrators on the differences between cued and signed language accommodations. Within Alkebsi’s law review, the differences in attitudes become apparent in the context of providing education to the overall population of children with hearing loss.

Even though some deaf cuers have found success in obtaining Cued Speech services at the postsecondary level, the balance of justice is typically not in the favor of the educational institutions and the providers. Despite the progress that we have made in regards to Cued Speech, much work remains in educating professionals and educational institutions on the need for accommodating parents and individuals who request cued language services.
Championing effective communication, language acquisition and literacy through the use of Cued Speech.

the least restrictive environment (LRE). Id.

The United States Court of Appeals for the Seventh District ruled that there was nothing in the record to indicate that the school district’s proposed IEP, relying primarily upon sign language as a means of communication, would prevent the student from being educated in the LRE. Thus, the Court held that the IEP provided the student with FAPE, “despite the parents’ preference for cued speech technique.” Id. Consequently, the Court further held that the parents did not have a right under “the Education for All Handicapped Children Act (to compel school district to provide specific program or to employ specific methodology in providing for education of their handicapped child.” Id.

In 1988, while the Lachmans were fighting the school system, Michael moved to Texas. Texas was occurring. Poore v. Arlington Independent School District resulted in a more positive outcome. In this case, the parents sued the school on behalf of their deaf child, who was born according to the parents, “The AISD was not offering to provide Michael with the full benefits of Cued Speech.”

Michael was in elementary school when the family sued the Arlington Independent School District and requested that AISD provide Michael with a CST in a mainstreamed classroom.

“AISD did not want Cued Speech in their schools other than for small use in speech therapy,” says Teri Poore, Michael’s mother. “Our request was denied based on the belief that Cued Speech would benefit just as much by being in a deaf education classroom with other deaf children (different ages and at different levels) whose teacher used sign language.”

The AISD countered that they were not legally required to provide Michael “with the best education possible, but only one which has been reasonably calculated to provide him with educational benefits.” AISD further argued that it was not necessary to provide the students’ “personal opinion” against the “expertise of the school officials responsible for the child’s education.” However, seven witnesses with formidable expertise supported the parents’ position with their respective testimony.

As Teri explains, “Our goal was for them to provide Cued Speech, not just in a speech therapy setting, but in just a classroom by a CST or the teacher. And of course our hope was that it would then be in place and become available for all deaf children.”

The Hearing Officer assigned to this case issued the finding that “An individual education plan designed to meet Michael’s unique needs must include the use of a cued speech interpreter.” From there, he ordered: “A fluent cued speech interpreter to assist Michael full time in his mainstreamed education class.”

“Editor’s note: As this case was decided over by a Hearing Officer it is not a judge, and not appealed to a higher court, citations and other legal documentation were extremely difficult to obtain. Case information was provided by Teri Poore.”

Barnett v. Barnett v. Fairfax County School Board, a 1991 case in Fairfax County, Virginia, is the result of parents of a hearing-impaired student bringing legal action against their local school board. The parents challenged the decision of a state hearing officer who determined that school system was not required to duplicate Cued Speech services to the student’s local high school. (Cued Speech services were already provided at another high school in the county.) 472 F.2d 146, 147-148 (C.A.4 Va. 1973).

The United States Court of Appeals for the Fourth Circuit put forth several findings. First, they held that the school board did not fail to consider the student’s individual needs in placing him at the centralized high school where the Cued Speech: A Law Review, continued on page 5

viewed as a balancing approach when it comes to this type of legal action. Goodall v. Stafford County School Board, a Virginia case that went through the court system in 1996, also illustrates the difficulties that Cued Speech parents faced. The child’s parents filed a lawsuit against the county school board to compel the county to provide the student with a Cued Speech transliterator in the student’s private sectarian school, alleging that the failure to provide said transliterator violated both the First Amendment and the Religious Freedom Restoration Act (RFRA). 60 F.3d 168, 170 (4th Cir. 1995). The United States Courts of Appeals for the Fourth District presented two main findings. First, the Court held that the “economic burden borne by parents, in providing the hearing-impaired child with required cued speech services, due to the fact that the parents sent the child to a private sectarian school and thus did not receive such services funded by the county, did not substantially impinge on their free exercise rights.” Id. at 171-172.

Second, the Court ruled that the “county did not need to show a compelling interest in not providing Cued Speech services to the hearing-impaired child enrolled in a private sectarian school, despite the parents’ claim that provision of such services was an ‘important benefit’ for which the county should pay, pursuant to the RFRA, absent evidence that the parents were compelled to engage in conduct proscribed by the ADA or were forced to abstain from any action which their religion mandated that they take.” Id.

The decision of proof was on the plaintiffs to demonstrate that their exercise of religion was substantially burdened by the county’s policy; otherwise, the Court did not have to show proof of any interest. Id.

According to the Court, the Goodalls did not meet the burden of proof. Goodall v. Stafford County School Board, 461 F.3d 269, 272 (4th Cir. 2006). The Louisiana case of White v ex rel. White v. Ascension Parish School Board in 2003 was similarly frustrating. The parents of a hearing-impaired student filed a lawsuit against the school board, asserting violations of the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), the Rehabilitation Act, and various state laws. Essentially, the parents wanted the child and his Cued Speech transliterator to be transferred to their nearby neighborhood school, as the school district made the decision to keep the child and the Cued Speech transliterator at the centralized location. 343 F.3d 373, 376 (C.A.5 La. 2003).

The school district’s decision was upheld by the courts. The United States Courts of Appeals for the Fifth Circuit held that the school district had met IDEA procedural requirements for parental input; the district did not otherwise violate IDEA in assigning student to a centralized school, notwithstanding the parents’ transfer request. The feasibility of moving the student’s Cued Speech transliterator to be transferred to the neighborhood school, as the student had the opportunity to the neighborhood school; and that the school district made the decision to keep the child and the Cued Speech transliterator at the centralized location. Id. at 380. The Court listed many sound reasons that the school board had presented for its centralization policy. Id. at 382. In other words, according to the White, the school board, rather than the parents, makes the ultimate decision where to provide the Cued Speech transliterator; thus, the students get the last say.

The 2002 case of Board of Education of Paxton-Buckley-Loda Unit School District No. 10 v. Jeff expounds the procedure in this case. In this IDEA lawsuit, the parents alleged that the California school had unilaterally changed the student’s mode of communication from Cued Speech: A Law Review, continued on page 4
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Cued Speech and Educational Laws: Part 1, continued from page 1

identifiction process. Three levels of support are provided to all students: Tier 1 – Core Intervention, Tier 2 – Targeted Group Intervention, and Tier 3 – Intensive, Individual Intervention. This tiered process is designed to ensure that the level of support required for students to make progress in the regular education classroom is achieved. Then, continued documentation of student achievement deficits may be better assessed as a learning disability rather than as a result of a lack of appropriate instruction. The inclusion of the terms fair, equal, significant opportunity, and high-quality education in the definition of NCLB is significant when considering our children’s educational needs. Cued Speech fits perfectly within this framework. Given that the language of the regular classroom is English, a cued language transliterator (CLT) provides equal access for the child with hearing loss via cued English without the need for interpretation between two different languages. Furthermore, reading skills that are taught by addressing the “sounds” in words are accessible for all students, including those with hearing loss. It is also important to remember that academic achievement standards and state academic assessments in the elementary years include phonemic skills, which are the basis for developing strong reading skills. State assessments include presenting items that require students to break words into sounds or combine sounds to create words. With cued English, these auditory-based items can be presented visually to students, thus providing for a multi-modal strategy for learning these phonemic skills. Using Cued Speech, children who are hearing and those with hearing loss alike would have a multi-modal strategy for learning these phonemic skills. A “significant opportunity to obtain a high-quality education” for all students in the regular classroom can be met with the use of Cued Speech.

ADA and SECTION 504

The Americans with Disabilities Act is designed to protect people with disabilities from discrimination and gives them an equal opportunity to participate in all aspects of community life, including their education. Section 504 of the Rehabilitation Act of 1973 falls under the ADA. Section 504 specifically protects the rights of individuals with disabilities who participate in programs and activities that receive federal funds (programs include public school systems). Under Section 504, illegal discrimination of individuals with disabilities in schools includes exclusion from school activities, the unnecessary provision of unequal or separate services, and disability-related harassment. This law also protects parents and school employees who advocate for children with disabilities from retaliation by others. Section 504 also requires school districts to provide “free appropriate public education” (FAPE) for all students. The provision of a free education means providing education and related services without cost to the student with a disability or his/her parents or guardians. This excludes auxiliary fees that children and families are required to pay (e.g., fees for participating on a school sports team or field trip).

Under Section 504, children with disabilities will be provided with access to an education. Modifying classroom policies and practices may be necessary to provide a free and appropriate education. Schools must give primary consideration to the preferred mode of communication unless it can be demonstrated that another equally effective means of communication exists. Cued Speech services that provide access to a child’s education are included under Section 504. These services include cued language transliteration services provided by a qualified CLT. Related services are also required (e.g., speech-language, occupational and physical therapies, counseling and social work services, and working with a teacher of the deaf). School districts must also provide students with equal opportunity and access to non-academic and extracurricular activities. Section 504 services must be provided unless doing so would result in a fundamental alteration of the program, or would result in undue financial or administrative burdens. The Department of Education (www.ed.gov) has never accepted an argument for undue financial burden under as a reason for not complying with Section 504.

IDEA

The Individuals with Disabilities Act (IDEA) has several purposes, which include:

- ensuring that all children with disabilities receive a free and appropriate public education (FAPE) through special education and related services that are designed to meet the students’ unique needs and prepare them for further education, employment and independent living;
- ensuring that the rights of children with disabilities and their parents’ rights are protected;
- assisting states, local educational agencies and federal agencies to provide for the education of all children with disabilities;
- assisting states in implementing an interagency system of statewide, comprehensive, coordinated, multidisciplinary early intervention services for infants and toddlers with disabilities and their families;
- ensuring that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; technology development and media services; and • assessing and ensuring the effectiveness of the efforts to educate all children with disabilities.

In addition, Title I of IDEA 2004 designates cued language services as part of early intervention services provided for at-risk children. Furthermore, Part 300 of IDEA regulations include “cued language transliteration” in the area of interpreting services. So what does this all mean? It means that any child with a documented disability who is eligible for special education services will have a qualified team, including the parents/guardians, develop an Individualized Education Program (IEP) to serve his or her specific educational needs. These children and their parents and guardians have rights protected by IDEA. Early intervention services are required and this law describes how they are carried out. Compliance with IDEA also ensures the effectiveness of each child’s program, and that support is provided to both the educators and parents or guardians in order to best serve these children.

I hope that the information presented here helps to clarify the requirements in the major national education laws as they pertain to students who are deaf and hard of hearing.

The next part of this series will outline the requirements of eligibility for services under these laws, and the differences between Section 504 and IDEA.

If you have questions or comments about this article, please feel free to contact Nicole Dobson at NNCuesSsS@gmail.com. You can also visit Cued Speech Support Services for more information and resources at www.CuesSsS.com.
Deaf Cuer Profiles: Cued Speech Services

by Sarah Segal

Ben Lachman:
Ben’s parents, Mary Ann and Ron Lachman, filed suit against East Maine Illinois School District No. 63 in 1984 after school administrators refused to provide Ben with a CST for his education. After they lost and the case was rendered moot, the Lachmans, teachers and other parents gathered together to found Alexander Graham Bell Montessori School in Wheeling, Illinois.

Michael Poore:
In 1985, Michael’s mother filed suit against the Arlington Independent School District in Texas for not providing him with a transliterator. The case later became Poore v. State of Texas public schools and resulted not only providing Cued Speech services for Poore’s education, but also set a precedent for providing Cued Speech services for deaf children in public schools in Texas.

OC: Have you ever had to forgo using Cued Speech services? If so, what services did you have in place of Cued Speech and what was it like?

BL: The only time I did not have a CST was at the outset of my college career. I had to alternate between temporary Cued Speech Translitterators and CART. I used CART for maybe 10 days in my entire college career. It was used in an emergency situation, not as my CST was ill. I only had one CST through my entire college career and she powered through many situations that would have been deemed unacceptable by many of the current standards put in place for CST’s. Example: 6-8 hour days. I have so much respect and gratitude for her. CART was mildly acceptable, to put it nicely. The benefits were the ability to print entire lectures and re-read them at a later date but the drawback was the exhaustion factor of reading a word document one word at a time as well as the inaccuracies that would sometimes arise from real-time captioning.

ND: Don’t give up or take the alternative way out (aka the “easy way out”). If you feel something is unjust, put up a fight because it’s likely that no one else is willing enough. However, choose your path wisely. I took the long hard way and it came at a great cost. It took me three years for RIT to resolve the issue other deaf cuers: one manager passed away and my case was transferred to another city. It took a toll on me and I ended up changing majors twice and didn’t walk with my peers until 2008, seven years after I first came to RIT.

BL: Always stand up for yourself. Become an expert in self-advocacy. Do not let anybody tell you what the situation should be. The decision is yours. You may have to go to extra lengths to assist the school in finding a CST but as long as there is a spirit of cooperation, it will get done. If the school stubbornly refuses to allow CST’s based on “everyone else uses so and so,” they are in clear violation of your rights as a human being to access the world around you.

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OC: What do you think should be done to resolve the issue other deaf cuers face?

ND: This is a hard question because there isn’t one clear-cut answer for this. It all depends on where you are, what kind of resources there are, and most importantly...the availability and quality of CSTs. Rochester is one of the few cities that screams “Cued Speech!” with a mix of all kinds of cuers whether they’re parents, deaf ASL native, deaf parent, or teacher. So when a university in Rochester tells you, “Oh, we can’t find anyone to cue for you,” it’s bull. Each situation is unique and I would look everywhere for support and additional resources because it’ll help you a great deal in the long run.

BL: There needs to be a shift from allowing schools to dictate methodology to having the families themselves be responsible for the type and method of education that their child receives. It is basically unethical for schools to dictate life-affecting decisions onto children and their families. Educational institutions often fall into a mindset of, “we’ve seen this 100 times more than you have so we’re the experts.” So there needs to be a fundamental shift in responsibility from schools to families. Educational institutions are a service provider and students are their customers.

ND: I can’t say I don’t give up because Cued Speech is worth it and without Cued Speech I would not be where I am today.

O: How much respect and gratitude for her.

ND: I had heard about prior attempts to get CST services at RIT but all had failed pretty much because they knew sign language well enough to receive ASL interpreting in the classroom. That tidbit alone deterred me from becoming fluent in ASL for two years so that I could have a real chance of winning my case and opening up more doors for others like me.

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Four bills of special interest to the deaf and hard-of-hearing populations and their families are currently in House and Senate review committees. These include: H.R. 3101, the Twenty-First Century Communications and Video Accessibility Act of 2009, which aims to update and reinforce the communications and video programming accessibility gains from the Telecommunications Act of 1996 for our Internet era. H.R. 1646 and S. 1019, the Hearing Aid Assistance Tax Credit Act, are meant to amend the Internal Revenue Code of 1986 to allow credit against income tax for hearing aids. H.R. 3024, the Medicare Hearing Health Care Enhancement Act of 2009, is intended to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with more choice in accessing hearing health services and benefits.

Supporting Accessible Communication and Video Technology: H.R. 3101

The National Cued Speech Association, along with over 230 other national, state, and local organizations, is a member of the Coalition of Organizations for Accessible Technology (COAT). COAT affiliates have pledged their support for accessible technology. This year, there is major legislation in the House being put through, guaranteeing a widely accessible Internet. COAT, and therefore the NCSD, is a major supporter of House Resolution 3101.

The increasing use of computer technology, especially the Internet, has been a wonderful thing for Americans who deaf and hard-of-hearing. However, accessibility to online media is still a problem, as captions can only be found on a small percentage of online videos, podcasts, and other visual media. Unfortunately, there are no ‘caption converter boxes’ for the Internet, and the Telecommunications Act of 1996 does not cover online broadcast communications. The technology to offer online media accessibility exists, but it is still rarely used. Few media providers offer online captions, even if the shows are captioned on broadcast television. Even large Internet media companies such as iTunes and Netflix have yet to offer widespread online video and media content that are accessible to the millions of Americans who are deaf, hard-of-hearing, or visually impaired. As a result, legislation has been building for legislation to bring the gains of the Telecommunications Act of 1996 online and into the 21st century. The Twenty-First Century Communications and Video Accessibility Act of 2009, also known as H.R. 3101, was introduced by Massachusetts congressman Ed Markey in June 2009.

If enacted, H.R. 3101 would amend national Communications Acts so that new online television and telephone products are accessible and usable by people with disabilities, as well as close gaps in existing telecommunication laws. Major provisions include requiring:

- caption display capability on all video programming devices including PDAs, computers, iPods, cell phones, DVD and TiVo devices and battery-operated TVs.
- captioning and video description obligations for the blind on broadcast video programming distributed over the Internet, including new material, emergency broadcasts, and material previously distributed with captions on TVs (not including user-generated material, such as YouTube videos.)
- accessibility to, and compatibility with, hearing aids, for phone-type equipment and services on the Internet.
- the FCC to develop real-time text digital standards to replace TTY/TDD communication.

H.R. 3101 is currently in the House Committee on Energy and Commerce, where it will be discussed and revised before general House debate. However, it needs to be moved out of committee in order to get onto the House floor. The majority of House bills never make it out of committee onto the floor, so support and persistence is crucial.

This bill currently has 41 cosponsors. The more cosponsors that sign on, the greater the pressure will be to move it to the floor for a vote. Support from Republicans is especially needed, as all so far are Democrats. There are not less than 300 days before the end of the current session of Congress, so it is time to MAKE NOISE, as Marlee Matlin would say.

If your Congressional representative(s) or Senators have not yet signed on as bill cosponsors, get in touch via e-mail, phone, letter, or in person to inform them about the importance of online telecommunications accessibility, and ask them to support H.R. 3101.

A (good bet is to contact those cosponsoring H.R. 1646 and/or H.R. 3024 and who are not yet declaring support for H.R. 3101).

For more information, including lists of the current bill cosponsors:

- http://www.coataccess.org/
- http://captionaction2.blogspot.com/

Hearing Aid Credit: H.R. 1646 and S. 1019

The Hearing Aid Assistance Tax Credit Act would amend the Internal Revenue Code to give tax credits for the purchase of hearing aids for taxpayers who are over 55 years of age or their dependent(s), excluding taxpayers whose gross adjusted income exceed $200,000. The maximum tax credit allowed per qualified hearing aid would be $500 (up to $1,000 for two). Hearing aid income tax credit would be claimable once every five years.

This bill was introduced to the House Committee on Ways and Means by Representative Carolyn McCarthy (D) of New York in March 2009, and currently has 114 cosponsors.

The Senate bill of the same title, S. 1019, is very similar to H.R. 1646. It offers the same tax credit, but differs in allowing the credit for all taxpayers, regardless of age or income. It was introduced to the Senate Committee on Finance by Senator Thomas Harkin (D-IA) in May 2009 and currently has seven cosponsors.

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What Makes a Transliterator Qualified?

by Hilary Franklin

When the Individuals with Disabilities Education Act (IDEA) was reauthorized in 2004, it provided a step forward for the cueing community. Language was added to the law that specifically requires school districts and systems to provide qualified cued language transliterators—provided the request is put in writing on the student’s IEP. But what is a qualified transliterator, and how do you know if a person is qualified to work in your child or student’s classroom? In order to answer this question, we need to look at some evaluation tools and common sense.

First, a bit of history. Cued language transliterating, as a profession, did not really begin until the late 1970s, when many school districts, public schools and using and sharing CLT services with other schools. Many transliterators were parents or siblings of the first cueers—or their classmates’ parents. They considered transliterating a great part-time “job” and one that worked with their own children’s schedules.

Over the last 25 years, national and state certifications and evaluations for cued language transliterators have been developed. The first national certification exam was provided in the late 1980s by the Training, Evaluation, and Certification Unit (TECUnit). The TECUnit has also developed state-level certifications for those states that require it. In 1989, Boystown National Research Hospital began developing an assessment Diagnostic Center and began providing the EIPA screening to states and local educational agencies that wanted independent evaluations of their interpreters.

The Educational Interpreter Performance Assessment (EIPA) is not a certification; rather, it is a screening to determine the current skill level of the interpreter. To date, K-12 educational individuals in more than half the states are required by law to take the EIPA and achieve at least a specified rating.

In 2005, Dr. Jean Krause at the University of South Florida received a federal grant to develop a pilot version of the EIPA for cued language transliterators. A team of professionals and consumers worked together to develop an appropriate assessment for CLTs to be not only comparable to the original EIPA, but also one that measures skills specific to Cued Speech. Boystown is planning to release the EIPA-Cued Speech to the public sometime this year.

So, what makes a CLT qualified to work in your child’s or student’s school? The answer is unfortunately not as simple as “passing” a certification exam or scoring high enough on an evaluation. The following list provides some guidelines.

- **Production of mechanics and linguistic information**—The transliterator should use cues accurately (correct handshapes and placements), and use facial expression to indicate pragmatic and other extralinguistic information, such questions or tone.
- **Understanding of role boundaries**—The CLT is essentially an “information relay” between the deaf and hearing individuals in the classroom; therefore, she should not act as a teacher’s aide or help the deaf student(s) with class work. CLTs should also never discipline students (deaf or hearing).
- **Ability to work with the deaf student(s)**—The transliterator should understand that deaf consumers do not always want to look at the CT; some students may prefer to watch the teacher and use the CT as backup. Younger students may not fully understand that CLTs are there to “provide” the same information that the teacher is saying. CLTs should not force students to pay attention or stop cueing when the student requests it.
- **CLTs can communicate with one another as well as with classroom teachers to determine what “tips and tricks” work best for keeping certain students’ attention. It can be something as simple as moving closer to the teacher or cueing upside-down for a minute (the latter works great with young children!).**
- **Overall**—No gossipping or discussing any information about any students and teachers in the classroom. General interpreting ethics clarify this more; in a nutshell, if deaf students are not in the classroom, the transliterator would not be there and therefore not privy to what occurs in the classroom/school.

**Communication**—Some of the best CLTs will communicate with the deaf consumer’s parents and IEP team if the student has a habit of not watching the CLT consistently or attempting to use the transliterator inappropriately (e.g., asking for help with class work or homework). Deaf students do need to learn the role of the transliterator, and the CLT can be part of that process.

**Professional development/evaluations**—Those transliterators who truly see themselves as professionals will strive to better improve themselves, both ethically and skill-wise, regardless of job requirements. It is important to recognize that regular feedback can help prevent transliterators from continuing with bad habits or with correcting inaccuracies they may not realize exist (e.g., using the wrong vowel placement).
ARLINGTON, VA, April 1, 2010—

Dylan Estrada, 16, has flourished academically despite being deaf. Because of his achievements, he will receive a 2010 Yes I Can! Award from the Council for Exceptional Children (CEC) in April.

Each year, CEC honors 27 students with disabilities who have excelled. Awards are given in nine categories: academics, arts, athletics, community service, employment, extracurricular activities, independent living skills, self-advocacy, and technology. CEC is proud to honor Dylan with this award in the academics category.

“The Yes I Can! Awards were developed to honor students with disabilities who have achieved remarkable things,” says CEC President Jacqueline L. Mault. “Dylan exemplifies the spirit of these awards with his hard work and achievement.”

When he was a toddler, Dylan’s parents became concerned he wasn’t uttering sounds such as “mama” or “dada.” He began seeing a speech therapist and at age two-and-a-half, it became clear he had profound bilateral sensorineural hearing loss.

Despite this late start, Dylan was clearly intelligent. For example, by age five, he understood computers and was able to construct his own independently. His parents home-schooled him for a short time due to a lack of available services. The family then relocated to Ascension Parish, where Dylan joined the hearing impaired program using Cued Speech with specialized instruction, speech therapy, and transliterating services. At nine years old Dylan entered Gonzales Primary School, where a transliterator stayed with him through the day. The program proved difficult for him and he had difficulty socializing. However over time his work ethic remained strong and his receptive and expressive language abilities began to improve.

By the sixth grade Dylan had earned a 4.0 GPA. He was even able to skip the seventh grade and won academic awards in most subject areas in eighth grade at Gonzales Middle School. Now a ninth grader at East Ascension High School, Dylan is enrolled in general education classes and meets with a certified educator for people with hearing impairments for a couple hours a week. His classmates, teachers, and family continue to support him in his academic endeavors.

“Dylan never shies away from a challenge. His name is synonymous with excellence and advocacy.”

Yes I Can! Awards were established from page 5

combination of Cued Speech and oralism to American Sign Language. 611 F.Supp.2d 1097, 1097 (E.D.Cal.2009).

However, the Court pointed out that it was an occasional use of sign language and also that the mother had previously agreed to try sign language because she was willing to try anything that might work, as she acknowledged in court. Id. at 1107. Consequently, the Court ultimately held that the student did not have a FAPE. Id.

This case also repeated the idea that “while a student’s individualized education plan (IEP) under IDEA may not very encouraging; however, that is simply due to the relatively nascent position of Cued Speech as a widely used accommodation. The law has yet to catch up to the times. With more courtroom battles, the law can and will evolve further to more accurately reflect the variety of accommodations available to hearing-impaired students. Editor’s note: With the reauthorization of the Individuals with Disabilities Education Act in 2004, which includes cued language transliteration as a used accommodation. The law has yet to catch up to the times. With more courtroom battles, the law can and will evolve further to more accurately reflect the variety of accommodations available to hearing-impaired students. Editor’s note: With the reauthorization of the Individuals with Disabilities Education Act in 2004, which includes cued language transliteration as a

In Memory of

Carolyn Ostrander
John Mordeson
Alice Holmes
Penny Hakim
Laura Hatch
Alice Holmes
Deanna Jordan
Robert & Amy Landis
Howard Lieb
Anne Lowther
Lance Lundberg
Charles and Adrienne Lyons
Susanna McKendree
Susan Mochinski
John Mordeson
Catherine Morgan
Carolyn Ostrander

In Honor of

Colbie Johnson
Darren & Lindsey Johnson

In Honor of

Dustin Britt
Barbara Lee

In Honor of

Maria Höddy - Miriam bat Ahuva
Aime Höddy

Yes I Can!

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Exhibit Volunteers and Representing the NCSA
by Esther Rimer

The NCSA has exhibits and poster sessions/presentations at conferences, sessions, and conventions all over the country throughout the year. We rely almost entirely on local volunteers to help represent us and advocate for Cued Speech. Your help is crucial! If you would like to be placed on a list of people we can contact to volunteer when we are seeking advocates to help with our exhibits, please contact me. You may e-mail me at outreach@cuedspeech.org.

Likewise, if you know of a conference or convention in your region where you think the NCSA ought to consider having a booth, please inform me! These can be events that are sponsored by regional/local organizations such as Hands and Voices or national organizations like the American Speech-Language-Hearing Association or the National Center for Family Literacy.

We cannot make it to all conferences, but it is good to know where demand for awareness exists. We also greatly appreciate our volunteers and financial donors who make it possible for us to bring Cued Speech to all corners of the United States.

Currently we are scheduled for and/or looking for volunteers to help with booths and represent us at the following events:


On Cue

On Cue, the newsletter of the National Cued Speech Association, is published three times a year; e-mail updates to members are more frequent. Letters to the Editor must include contact information of the author. The Editor reserves the right to select those letters to be published and to edit for length and language. News, calendar items, letters, classified ads, and photos are needed! Electronic transmission of all materials is preferred. Electronic photos must be high-resolution at 300 dpi.

Send to Aaron Rose, Editor, at oncue@cuedspeech.org or mail hard copy to:

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