



Senate Bill 354: LEGISLATION FOR CHILDREN WHO ARE DEAF OR HARD-OF-HEARING

The Texas Speech-Language-Hearing Association (TSHA) has a membership of more than 5,500 speech-language pathologists and audiologists statewide and is the recognized authority on the delivery of life-changing therapies to consumers throughout Texas. TSHA supports legislation that protects consumers who have communication disorders.

Regarding legislation that relates to language acquisition for children less than eight years of age who are deaf or hard-of-hearing

- As proposed in Senate Bill 354, the definition of deaf or hard-of-hearing is highly restrictive. SB 354 changes the Texas Administrative Code's definition of deafness from 30dB to 20dB, classifying a far greater number of children as disabled.
- **SB 354 undermines parent choice.** The bill mandates quarterly testing for children birth to 8 years. Testing must be performed in both American Sign Language (ASL) and English. Alarmingly, the bill's language is ambiguous concerning who will serve as assessors, and those assessors have an overreaching power and duty to "establish and modify educational plans."
- The identification, assessment, and assistance of children who are not making progress is already addressed under IDEA regulations. IDEA defines hearing loss as "a hearing impairment that is so severe that a child is impaired in processing linguistic information through hearing, with or without amplification." Using hearing aids, children with mild or moderate loss can excel alongside their hearing peers.
- SB 354 creates a super committee of mostly deaf adults, all of whom must be fluent in American Sign Language, who will be responsible for the broad duties outlined in the bill. The super committee does not include fair and equitable representation of highly qualified, normal-hearing professionals. A requirement for fluency in ASL skews and biases the committee.
- SB 354 places a singular focus on the English language (spoken English and American Sign Language). Texas is far more diverse in population and language than the bill's scope. There is no support or protection for families who speak Spanish, Vietnamese or any other language besides English (orally or through different forms of sign language). Families who do not use any form of English in their home will be forced to learn two forms of the English language (spoken and ASL), putting an excessive and unnecessary burden on the parents and increasing the risk of poor outcomes for the DHH child.

Requested Action: TSHA respectfully requests that members of the Texas Legislature **OPPOSE** Senate Bill 354.

Contact Information: We look forward to working collaboratively this legislative session. For questions about information contained in this briefing, please contact Larry Higdon, Director of Governmental Relations (lwhtsha@gmail.com), Mark Hanna, Legislative & Legal Counsel (mhanna@markjhanna.com), or Shannon Butkus, Vice President for Social & Governmental Policy (government@txsha.org).