

Deaf Child's Bill of Rights

2010 Georgia Code

TITLE 20 - EDUCATION

CHAPTER 2 - ELEMENTARY AND SECONDARY EDUCATION

ARTICLE 6 - QUALITY BASIC EDUCATION

PART 3 - EDUCATIONAL PROGRAMS

§ 20-2-152.1 - Deaf Child's Bill of Rights; definition of "communication mode or language"; school systems to take into account specific communication needs of deaf students; explanation of educational options to parents; instruction in particular communication mode or language

O.C.G.A. 20-2-152.1 (2010)

20-2-152.1. Deaf Child's Bill of Rights; definition of "communication mode or language"; school systems to take into account specific communication needs of deaf students; explanation of educational options to parents; instruction in particular communication mode or language

(a) As used in this Code section, the term "communication mode or language" means one or more of the following systems or methods of communication applicable to deaf and hard-of-hearing children:

- (1) American Sign Language;
- (2) English-based manual or sign systems; or
- (3) Oral, aural, or speech-based training.

(b) In developing an individualized education program (IEP) pursuant to Code Section 20-2-152 for a child who is deaf or hard of hearing, in addition to any other requirements established by the state board, the local school system shall consider the related services and program options that provide the child with an appropriate and equal opportunity for communication access. The school system shall consider the child's specific communication needs and, to the extent possible under subsection (g) of this Code section, address those needs as appropriate in the child's individualized education program. In considering the child's needs, the school system shall expressly consider the following:

- (1) The child's individual communication mode or language;
- (2) The availability to the child of a sufficient number of age, cognitive, and language peers of similar abilities;
- (3) The availability to the child of deaf or hard-of-hearing adult models of the child's communication mode or language;
- (4) The provision of appropriate, direct, and ongoing language access to teachers of the deaf and hard of hearing and interpreters and other specialists who are proficient in the child's primary

communication mode or language; and

(5) The provision of communication-accessible academic instruction, school services, and extracurricular activities.

(c) To enable a parent or guardian to make informed decisions concerning which educational options are best suited to the parent's or guardian's child, all of the educational options provided by the school system and available to the child at the time the child's individualized education program is prepared shall be explained to the parent or guardian.

(d) No deaf or hard-of-hearing child shall be denied the opportunity for instruction in a particular communication mode or language solely because:

(1) The child has some remaining hearing;

(2) The child's parent or guardian is not fluent in the communication mode or language being taught; or

(3) The child has previous experience with some other communication mode or language.

(e) Nothing in this Code section shall preclude instruction in more than one communication mode or language for any particular child. Any child for whom instruction in a particular communication mode or language is determined to be beneficial shall receive such instruction as part of the child's individualized education program.

(f) Notwithstanding the provisions of paragraph (2) of subsection (b) of this Code section, nothing in this Code section shall be construed to require that a specific number of peers be provided for a child who is deaf or hard of hearing.

(g) Nothing in this Code section shall require a school system to expend additional resources or hire additional personnel to implement the provisions of this Code section.