

Safety First, Socialization Second in NJ Case

Stories about networks and advocacy support for parents of students with profound hearing impairments are legion. It's therefore a good idea for all transporters who work with special needs students to be aware of issues raised in *Southern Regional Board of Education* (NJ State Educational Agency, 38 IDELR 110, December 16, 2002).

The stay put issue

The parents of S.M., a 13-year old boy, were generally satisfied with the educational program and related services provided by their new school district.

The Administrative Law Judge (ALJ) characterized S.M. as a "terrific kid who happens to be profoundly deaf. In plain language, S.M. never had the opportunity, as best we can tell, to hear at any time during his life and is dependent almost entirely on using American Sign Language (ASL) or other generally accepted form of sign. Essentially S.M. is unable to speak intelligibly except for basic communicative skills that he is able to use with respect to his parents only."

S.M. had had an "interpreter" on a regular education bus during the previous three years in the Stafford Township School District from which he had moved. His parents sought to apply the "stay put" provisions of federal and state law while their due process request on the subject was pending. The parents alleged that the aide was necessary for socialization and safety purposes.

Southern Regional School District had proposed placing an aide only on a bus dedicated to transporting special needs students, and specified only that "the person accompanying him [would have] 'a working knowledge of sign language.'" The ALJ ordered that stay put applied.

Transportation services in S.M.'s former district

In the course of the due process hearing that followed the preliminary motion by the parents for stay put, S.M.'s parents acknowledged that the aide provided by Stratham, the previous district, "was neither certified, nor particularly versed in ASL."

The ALJ concluded: "...the parents were not satisfied with this arrangement either but they lived with it, and my other assumption is that notwithstanding the lack of a highly qualified ASL signer or other signer on the bus, S.M. was able to rudimentarily communicate with the attendant and possibly with other students as

Visual Factors Top List when Training Drivers of Deaf and Non-verbal Students

Consider special training for drivers of students who are deaf, hearing impaired or non-verbal. To resolve an Office for Civil Rights complaint, one school district agreed to train drivers as to the following:

- "How the deaf student's ability to understand the bus driver is dependent on eye contact and clearly seeing the driver's facial expression. Therefore, communication is affected by the bus driver's wearing apparel (e.g., hat brims), facial hair, and head position.
- The importance of seating arrangements, which maximize the driver's ability to establish eye contact with each deaf student both directly and via the overhead rear view mirror.
- Appropriate methods for the bus driver to gain deaf students' attention and to communicate instructions.
- At least minimum information regarding basic hand signs/gestures routinely helpful to bus drivers transporting deaf students.
- A method for ensuring that drivers are familiar with any particular instructions in a deaf student's IEP relevant to the student's transportation.
- The impact of seating arrangements and rules of conduct on the ability of deaf students to communicate with each other in situations where hearing students would not be expected to sit silently incommunicado for a half hour or more.
- A procedure for identifying deaf students and their addresses for drop off.
- Strategies for ensuring the safety of deaf students in emergencies." *San Diego (CA) City Unified Sch. Dist.*, 32 IDELR 264 (October 12, 1999).

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