

Washington School for the Deaf – Board of Trustees Summative Response to the IPP Comparative Review

Below is a summation of a more detailed Board of Trustees response to the IPP Comparative Review of Washington State Schools for Students with Sensory Disabilities (attached). The Legislature directed IPP to provide information and recommendations in three broad areas. The Board of Trustees response contains clarifications and recommendations in those areas, along with a response to the policy options included in the IPP report.

Compare governance, financing, and service delivery at WSB and WSD.

1. Increased residential costs at WSD are a result of increased labor costs associated by state regulation to ensure a staff to student ratio of 1:7 anytime outside the regular school day, including during the graveyard shift.
2. Current data indicates that enrollment has stabilized. The enrollment trend over the past several years must be viewed in light of more stringent admissions criteria instituted less than three years ago. In each successive year since 2002, the number of admissions applications has increased, as have the number of denials and withdrawals of applications due to the heightened safety standards. Had admissions practices of years past been employed, the current enrollment at WSD would reflect a significant increase in the enrollment trend line.
3. Data indicates enrollment will stabilize between 100 and 125 students, using current admissions criteria.
4. Expanded Outreach programming has increased the trend line of students served who do not regularly attend WSD, counteracting the enrollment trend line of the last several decades. This service is offered to local districts at little or no cost.

Recommend how WSD could complement and support school district programs.

1. **Board of Trustees Recommendation:** Convene an educational summit that identifies variability in services to Deaf and hard of hearing students across the state, to review a statewide service model that would be most responsive, and the role of WSD in the delivery of services.
2. **Board of Trustees Recommendation:** Identify direct student services that require statewide oversight and delivery. Current data suggests that no matter what service delivery model is ultimately adopted, a state resource such as WSD will be necessary to complement regional and local service delivery. WSD is aggressively pursuing collaborative partnerships with agencies to provide services to students statewide.
3. **Board of Trustees Recommendation:** Structure and prioritize capital projects by their utility in serving Deaf and hard of hearing students in an Outreach capacity. Our current capital request is emblematic of WSD's desire to assist school districts in meeting the pre-vocational and vocational needs of Deaf and hard of hearing students.
4. **Board of Trustees Recommendation:** Endorse the validity and necessity of WSD as a placement option for Deaf and hard of hearing students. Requiring school districts to carry the legal burden of locating and placing students in an out-of-state residential placement is financially speculative, logistically complex, and contrary to national practices.

Examine which state agency should have responsibility for governance and oversight of the schools.

Option 1: Maintain schools' instructional, residential, and outreach programs; consider capital requests and governance changes.

1. **Board of Trustees Recommendation:** Maintain WSD's current governance structure. Recent legislative action creating the current governance structure has resulted in positive change, and no other agency or educational entity is equipped to address the needs of students at WSD.

Option 2: Reconfigure or close one or both schools.

Board of Trustees General Opposition to Option 2: It is premature to consider any option regarding program elimination or closure without thorough examination of quality educational programming statewide for Deaf and hard of hearing students.

2A. Closing the Residential Program: Residential program provides an important mechanism for delivery of federally-mandated related services. Wrap-around services surrounding each residential student include recreational services, academic support and tutoring, enhanced vocational opportunities and school-to-work transitioning, recreational services, and preventative and direct mental health services.

2B. Close schools except for outreach programs: Statewide shortage of highly qualified staff specializing in working with students who are Deaf or hard of hearing result is an overwhelming hardship for school districts to provide sufficient social workers, school psychologists, speech pathologists, and other service providers proficient in sign language, capable of providing daily services.

2C. Close schools and create regional centers: Among other complications, it is likely that regional centers would require significantly greater capital expenditures, given the need to construct educational facilities for each region. Even then, residential placement remains a needed placement option.

2D. Close schools without continuing outreach services or creating regional programs: This option would simply place all administrative weight on local school districts. Moreover, families who have moved to the Vancouver area so their children could attend WSD and live at home would be uprooted once more, in search of a state with a school for the deaf.

2E. Close schools but alter funding formula: A simple financial comparison between school districts and WSD does not capture all the services that other local agencies would have to provide. Altering the funding formula is in conflict with current OSPI WAC 392-172 which does not allow for categorical funding.

Washington School for the Deaf – Board of Trustees Response to the Institute of Public Policy’s Comparative Review of Washington State Schools For Students with Sensory Disabilities

This response is structured in accordance with the legislative direction provided to IPP, and articulated on page 8 of the report, specifically: 1) compare the governance, financing, and service delivery at WSB and WSD; 2) recommend how the schools could configure service delivery to complement and support school district programs; 3) examine which state agency should have responsibility for governance and oversight of the schools. Although it is difficult to gauge where discussion of partial or complete closure of WSD fits within the legislative direction, it will be addressed within the context of the complementary programs for school districts and as a concluding summary.

Overview: The Washington School for the Deaf (WSD) is a complex, comprehensive educational and social service agency designed to meet the educational, social, emotional, and vocational needs of deaf and hard of hearing children in a completely accessible environment. As distinguished from the historical perspective of institutional settings such as those for developmentally disabled children, the two reasons most commonly cited by parents wishing to enroll their Deaf or hard of hearing child at WSD are availability of comprehensive services¹ and a desire to counteract social isolation in their local school or community. At WSD, in addition to academic rigor, students experience easy access to all elements of a well-rounded life that all parents desire for their children.

I. Compare governance, financing, and service delivery at WSB and WSD.

It is difficult to compare and contrast financing and service delivery for two agencies for the most part serve populations with distinctly different needs. The report devotes significant attention to cost comparisons of the two agencies. Nonetheless, there are areas of service delivery and financing needing further clarification.

First, as stated in the IPP report, the increased residential costs at WSD are a result of increased labor costs associated with protecting the health, safety, and welfare of students in the after-school program.² It should be noted that WSD is obligated by state regulation to ensure a staff to student ratio of 1:7 anytime outside the regular school day, including during the graveyard shift. The allegiance to this staffing ratio is the primary reason for disparity in the residential cost per student comparisons.

Second, though the enrollment trend at WSD has declined over the past several years, current data indicates that enrollment has leveled off, consistent with enrollment trends at WSB. As reflected in the IPP report, the enrollment decline over the last three

¹ The lack of a critical mass of deaf students in all but a few school districts throughout the state lead to socio-emotional challenges due to isolation and compromised educational environments due to lack of trained staff.

² Applicable only to WSD, WAC 388-180-0220 requires a staffing ratio of 1:7 while students are in dorms or cottages and when they are participating in elective activities. Effective in March of 2003, this staffing requirement has resulted in a 66% increase in residential costs on a per student basis.

years at WSD is in large measure a result of strict application of new admission procedures designed to safeguard students and staff from aggressive students. A reduction in admissions can be attributed to increased denials and withdrawals of admissions applications, despite increased applications for admission each of the last three years. The applications received in succession over the last three school years were: fourteen (14) for the 2002-03 school year, twenty-nine (29) for the 2003-04 school year, and thirty-five (35) for the 2004-05 school year. A total of twenty-six (26) applications were either withdrawn or denied admission over this time period.³ Had admissions practices of years past been employed, the current enrollment at WSD would reflect a significant increase in the enrollment trend line. Thus, we believe enrollment will stabilize between 100 and 125 students, using current admissions criteria.

Enrollment trends have redoubled our commitment to increase services to non-enrolled students through Outreach programming. Because WSD recognizes that decreased enrollment is consistent with a very conservative admissions process, we believe serving as many students in their home school district without reimbursement is consistent with our mission to reach students statewide. Moreover, it provides school districts with services by highly trained professionals they wouldn't otherwise be able to access. By providing this level of service at a little or no cost to school districts, we spread our operating dollars across a greater number of Deaf and hard of hearing students than our enrollment numbers portray. WSD recognizes that future service delivery to public school districts and expansion of our Outreach program will likely require contracting for a cost-neutral arrangement if staff members are permanently located in regionalized areas. In such a circumstance, WSD will likely incorporate a similar contracting arrangement currently in use at WSB.

A recommendation regarding governance is made under Section III.

II. Recommend how the schools could configure service delivery to complement and support school district programs.

A. Board of Trustees Recommendation: Convene an educational summit that identifies variability in services to deaf and hard of hearing students across the state, to review a statewide service model that would be most responsive, and the role of WSD in the delivery of services.

WSD is committed to structuring its service delivery to complement and support school district programs. However, it is difficult to compare and contrast WSD's service delivery to public schools without analyzing the quality and variability that exists within school districts regarding the breadth of services available to their Deaf and hard of hearing students. Absent from the IPP report is an analysis of quality of program indicators reflecting access to specialized services as part of the cost per student calculations in the public schools. Understandably, the IPP report sheds limited light on

³ Application materials of students who may pose a danger to self or others are typically referred to an outside expert with experience in addressing psychosocial needs of deaf students. If the student is deemed a risk to self or others that cannot be ameliorated through a safety plan, the student is denied enrollment. The lack of comprehensive services for these students buttresses the need for a comprehensive statewide service delivery system.

exactly how WSD might better structure its service delivery to improve educational programming for Deaf and hard of hearing children in the public schools.

Within our state there is great variability how local school districts provide deaf education services. Some have a critical mass to support their own programs. But most school districts either form loose associations (Cooperatives) with tenuous durability or are required to contract with a neighboring school district large enough to support a deaf education program.

Also, the need exists statewide for effective transition services for Deaf and hard of hearing students who have exited the K-12 system but lack the literacy skills to realize positive post-school outcomes. A 5th year or transitional program that provides effective work force training and independent living skills is sorely needed within our state to better prepare students throughout our state for the world of work.

Thus, we propose that an Educational Summit be conducted to reveal not only what level of service is needed in the local public schools, but also delineate if a better structure for statewide delivery of deaf education is needed in our state, and how WSD can structure its services to maximize quality education. As stated in the IPP report, 46 states operate at least one school for the deaf or school for the deaf and blind; but these states differ markedly in how deaf education services are delivered to children locally and how the school for the deaf participates in that service delivery. For example, in Iowa, deaf education for locally-enrolled students is overseen by the Area Education Agency (similar to Educational Service Districts in our state), with the School for the Deaf overseeing the service delivery of the AEA wherein the School for the Deaf is located. Other states oversee deaf education using other service delivery models.

B. Board of Trustees Recommendation: Identify direct student services that require statewide oversight and delivery.

Current data suggests that no matter what service delivery model is ultimately adopted, a state resource such as WSD will be necessary to complement regional and local service delivery. For example, the partnership between WSD and Listen and Talk, Inc is a prime example of a public/private partnership to provide services statewide that would not otherwise be accessible without a state agency providing oversight. Regardless of the interplay between local school districts and regional ESDs in the organization of education for the hearing impaired, the extremely limited number of personnel trained in auditory verbal therapy or auditory oral techniques necessitates a service structure where limited staffing expertise can reach a wide audience for deaf and hearing impaired students using oral communication and enrolled in local schools. Personnel at Listen and Talk have this expertise but student access to their services would be curtailed without financial support from WSD. The advent of new technology and cochlear implants has resulted in a population of students with new diverse and intense oral communication needs. WSD is committed to assisting school districts in meeting this need.

C. Board of Trustees Recommendation: Structure and prioritize capital projects by their utility in serving Deaf and hard of hearing students in an Outreach capacity.

Our current capital request is emblematic of WSD’s pursuit to assist school districts in meeting the important educational needs of Deaf and hard of hearing students. Although we currently offer the services of a Transition Specialist to support local school districts in planning the post-school outcomes for individual Deaf students statewide, a lack of direct vocational opportunities exist throughout the state. The capital project will serve to counteract that trend by serving as an instructional space to deliver short-term vocational placements and vocationally-oriented after school electives for students. The benefits for the various student populations include:

Enrolled WSD Students: Although WSD has maximized its space to provide vocational opportunities to students, the need for vocational facilities designed for instruction is readily apparent. All enrolled WSD students (ranging from 100 to 125, depending on the year) would be provided direct vocational opportunities as part of federally-mandated post-school transition planning. On-site vocational instruction will serve as a precursor for student enrollment in other vocational programs.

Deaf and Hard of Hearing Students in Southwest Washington: Students enrolled in their local public schools can access these vocational electives, along with WSD students, after school hours. Therefore, students within commuting distance to WSD can receive vocational opportunities at WSD without disrupting their academic day in their local school district.

Deaf and Hard of Hearing Students Outside Southwest Washington: Students enrolled in their local public schools outside southwest Washington can participate in vocational training at WSD through the implementation of short-term placements such as intensive summer vocational camps and trainings.

D. Board of Trustees Recommendation: Endorse the validity and necessity of WSD as a placement option for Deaf and hard of hearing students.

At the outset, it is speculative to judge how WSD’s partial or complete closure could in any way improve the lives of Deaf and hard of hearing children enrolled in the public schools. Rather, it is more likely these options will further complicate a complex special education funding structure already the subject of current litigation. Requiring school districts to carry the legal burden of locating and placing students in an out-of-state residential placement is financially speculative, logistically complex, and counter to the national trend.

Simply put, access to a School for the Deaf where Deaf and hard of hearing students have full and direct communication access to school personnel is a legal mandate. The report accurately states that federal law requires school districts to make a spectrum of placement options available to special education students, but fails to capture the unique legal parameters of this requirement for Deaf and hard of hearing students. In the special case of Deaf and hard of hearing children, IEP teams must:

...consider the child’s language and communication needs, *opportunities for direct communications with peers and professional personnel in the child’s language and communication mode*, academic level, and full range of needs, *including opportunities for direct instruction in the child’s language and communication mode (emphasis added)*. P.L. 108-446 §614(d)(3)(B)(iv).

WSD is the only public agency in the state of Washington wherein students relying on sign communication can directly access all general education, special education, related services personnel, and peers.

Moreover, it is impossible to close the WSD without legally violating federal special education law. A state legislature is not empowered to change a special education child's placement. The IEP team is the sole entity sanctioned to change a student's educational placement. True, the current residential students could be served out of state, if the local school district could locate the residential school. However, current day-students whose parents chose to relocate to the Vancouver area for the purpose of having their child reside at home while receiving full communication access during the academic day would not receive a comparable placement in a public agency unless they moved out-of-state.

The presumption that local school districts could easily locate an out-of-state residential school is fraught with unknowns and potential pitfalls. First, different states have varying state regulations enforcing federal special education law; school districts would be required to locate schools for the deaf in states with state regulations consistent with Washington. Secondly, it's likely that local school districts would be required to sign each out-of-state IEP as the district representative, such that if the school for the deaf chose not to continue the contract, the parents' legal due process rights attach only to the local school district. Moreover, there's no guarantee that tuition costs alone would be stable. Out-of-state schools can set whatever tuition structure the local school district is willing to pay, and if airline routes only make one out-of-state school possible, the local school district is left with little choice.

III. Examine which state agency should have responsibility for governance and oversight of the schools.

Option 1: Maintain schools' instructional, residential, and outreach programs; consider capital requests and governance changes

A. Board of Trustees Recommendation: Maintain WSD's current governance structure.

WSD's governing Board of Trustees very closely approximates the governance structure of a local school district. Thus, WSD believes the current governance structure is in the best interests of students.

No other state agency or educational entity is adequately equipped to oversee all aspects of academic and residential operations. WSD is currently monitored by the Department of Social and Health Services' Division of Licensed Resources, specific only to issues of student safety. Although the school and its students have benefited from this oversight, DSHS is not equipped to address substantial linguistic and academic challenges confronting Deaf and hard of hearing students. The Office of Superintendent of Public Instruction does not engage in the operational function of school districts. Likewise, the State Board of Education does not undertake day-to-day operations and direction of schools and school districts. The Vancouver School District has not evidenced a desire to oversee WSD, and it is unclear what true benefits would accrue to

Deaf students desiring to attend WSD by modeling supervision after the Juvenile Rehabilitation Administration, where students aren't enrolled by their choice.

Moreover, the intent and purpose of the state legislature's recent governance change to WSD is being fulfilled. Improvements have been made in student safety, accountability of the WSD administration has increased, and academic program improvements have been made. Changing the governance structure now risks the reversal of these accomplishments.

Board of Trustees Opposition to Option 2: Reconfigure or close one or both schools.

It is premature to consider any option regarding program elimination or closure without thorough examination of quality educational programming statewide for Deaf and hard of hearing students.

2A. Closing the Residential Program: The residential program provides an important conduit for the delivery of federally mandated services. More than simply 'supplemental' or ancillary to the attainment of a 'balanced life', these services are provided to satisfy the legal entitlements that individual students may have under federal and state special education laws and regulations. For example, WAC 392-172-055 sets forth a number of related services to which students with special education needs may be entitled, such as:

...classified staff services, counseling services, ... parent counseling and training, ... recreation, ... school health services, social work services in schools, and transportation.

The list of related services is not exhaustive and may include other developmental, corrective, preventative or supportive services, if they are required to assist a special education student to benefit from special education.

The after-school residential program offers a needed conduit for delivery of these mandated related services. For example, recreational services are not provided simply to "fill out the day" of when students are not otherwise engaged during the academic school day; rather, the residential program is designed around delivery of legally mandated services without disruption to the academic school day and, by extension, our concerted efforts to accomplish the objectives of national and statewide education reform.

In stark contrast to the historical perception of a residential facility warehousing children along the lines of age-old facilities for developmentally disabled, residential programming at WSD embodies a complex, dynamic social service delivery system. The wrap-around services surrounding each residential student include recreational services, academic support and tutoring, enhanced vocational opportunities and school-to-work transitioning, recreational services, and preventative and direct mental health services. Cities and towns throughout our state simply cannot procure the staff required to successfully implement these programming options for individual Deaf and hard of hearing students. A fiscal analysis of passing along these costs to some rural areas is hampered by the inability to locate, recruit, and retain staff to support the needs of Deaf and hard of hearing children in these varied social service areas. For example, the challenge of providing qualified educational interpreters in both rural and populous areas has not receded over time, despite significant attention to the need.

2B. Close schools except for outreach programs: In addition to the reasons for opposition as noted above, closure of the schools rests all burden on the local school districts to make a residential placement option available to Deaf students. Moreover, it appears presumed that the quality of special education and related services to our students would remain the same, despite overwhelming evidence that the majority of our students reside in locales without a critical mass of Deaf students, such that procuring highly qualified staff would be nearly impossible, despite whatever increased Outreach focus ensued. It would be an overwhelming hardship for school districts to provide sufficient social workers, school psychologists, speech pathologists, and other service providers proficient in sign language, capable of providing daily services to Deaf and hard of hearing students. It remains a substantial hardship for WSD to recruit and retain these personnel.

Moreover, Outreach services cannot replicate the depth and level of services available to students at a residential school. It is a dangerous assumption to presume services to students in rural areas of Washington could even remotely approach services they receive at WSD, even with the most aggressive Outreach model, a model that likely would not result in any cost savings whatsoever.

Additionally, the program model significantly undermines the vitality and importance WSD plays in the cultural integrity of the Deaf community. The cultural cornerstone of the Deaf community is anchored at residential schools for the Deaf. By serving isolated students in an Outreach capacity only while “mothballing” the campus, the vitality of Deaf community suffers. It is not possible to “mothball” WSD without, in part, “mothballing” the Deaf community.

2C. Close schools and create regional centers: Regionalization is certainly worth investigating as a model of service delivery within our state, but virtually every other state that has employed a regional service delivery model also operates a School for the Deaf. Of course, a school for the deaf can offer the residential programming that would still remain a viable option for students, while supporting regionalization through Outreach efforts tailored to meet the needs of each region. For example, the student at WSD that benefits from the trained mental health counselor through Columbia River Mental Health would likely not receive these services even if educational services were regionalized. Thus, there is still a necessity of a residential school which provides true, wraparound services for Deaf and hard of hearing students that can't be provided regionally. Nonetheless, it is likely that regional centers would require significantly greater capital expenditures, given the need to construct educational facilities for each region.

2D. Close schools without continuing outreach services or creating regional programs: It is difficult to believe this option would be seriously considered, given the legal mandate for local school districts to provide a spectrum of placement options to Deaf and hard of hearing students. This option would simply place all administrative weight on local school districts. Worse yet, the families who have moved to the Vancouver area so their children could attend a school for the deaf and live at home would be uprooted once more, in search of a state with school for the deaf.

2E. Close schools but alter funding formula: In addition to previous arguments made in relation to closure of the School for the Deaf, the estimated net operating cost savings to the state does not include any quality indicators to ensure services provided to

Deaf and hard of hearing students would actually replicate the service delivery at WSD. Again, access to mental health services is prohibitive regardless of the additional monies allotted for deaf education in the local school districts. Also, as a comprehensive service delivery agency, the additional cost burdens on local parks and recreation departments for providing accessible recreation programs is not considered in the monetary calculus. A simple financial comparison between school districts and WSD does not capture all the services that other local agencies would have to provide.

Finally, the same reasons that parents and students currently seek out WSD would still exist.