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February 10, 2021

The Honorable Antonio Maestas  
The Honorable Rebecca Dow  
Honorable Members of the New Mexico House of Representatives Health and Human Services Committee  
The Honorable Brian Egolf, Speaker of the New Mexico House of Representatives  
By email

Dear Representative Maestas, Representative Dow, Members of the New Mexico House of Representatives Health and Human Services Committee, and Speaker Egolf:

The Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD) writes in opposition to HB 237, An Act Relating to Deaf Education.

CEASD is the association of deaf schools and programs in the United States. Our member organizations vary in many ways: type of educational program (e.g. birth-21, day, residential, public, private, university); size of enrollment; manner of governance; types of outreach, elements of admissions policies, and more. Thus we are well-versed in the key components of successful and comprehensive education for deaf and hard of hearing students.

We oppose this bill because we believe it will negatively impact the New Mexico School for the Deaf while failing to improve education for deaf students who are not enrolled at the school. For example:

- HB 237 would mandate that a position, Deaf Services Coordinator, be created. However, the duties of this Coordinator replicate those already performed by the school. New Mexico School for the Deaf has a Statewide Deaf Mentor and Parent Infant Program as well as a Statewide Center for Educational Consultation and Training. It provides preschools in four locations in the state. It has collaborations with professionals and families throughout the state. Establishing this position would duplicate the existing service delivery model built on strong partnerships and relationships.
- HB 237 would mandate modifications to funding<sup>1</sup>, without determining the impact these changes would have on existing services. It appears to have as its goal the “equalization” of public funding. However, the Individuals with Disabilities Education Act (IDEA), the federal law that governs special education, requires public agencies to

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<sup>1</sup> E.g., Section 2. A., B., F., G.

***Deaf children will thrive!***

provide a Free Appropriate Public Education in the Least Restrictive Environment.<sup>2</sup> Funding mechanisms must be designed to support these provisions.<sup>3</sup> Any funding changes that divert funding from the New Mexico School for the Deaf – and therefore interfere with students’ access to a Free Appropriate Public Education in the Least Restrictive Environment – risk violating federal law.

- HB 237 would mandate “an equal education is provided for all deaf and hard-of-hearing students regardless of the school they attend.”<sup>4</sup> Again, this proposal appears to conflict with federal law. IDEA requires education to be individualized, based on a child’s evaluation, identification of academic and functional needs, identification of academic and functional goals, services to be provided to support the child in meeting those goals, and appropriate placement.<sup>5</sup> For a deaf or hard of hearing child, language and communication needs are paramount. Deaf and hard of hearing students are diverse in hearing levels, the ways in which they communicate, the level of language support they need, and many other factors. A “one size fits all” approach is not effective.

Finally, it is our understanding that this bill was developed without input from the New Mexico School for the Deaf. The New Mexico School for the Deaf was founded in 1887 – the first public school in the state - therefore has 134 years of experience serving deaf and hard of hearing children and their families. CEASD encourages you to work *with* the school to enhance resources and provide for the education needs of deaf and hard of hearing children in New Mexico. We recognize that issues of equity and quality are very complex in the field of deaf education. We offer CEASD as a resource in this endeavor.

Thank you for your consideration.

Respectfully,



Barbara Raimondo

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<sup>2</sup> 20 U.S.C. §1401 *et seq.*

<sup>3</sup> 20 U.S.C. §1412(a)(5)(B).

<sup>4</sup> Section 4. A. (3).

<sup>5</sup> 20 U.S.C. §1414.