



May 9, 2022

Sent via email

Los Angeles Unified Board of Education
333 South Beaudry Avenue
Los Angeles, California 90017
boardmembers@lausd.net

Re: Letter of Support for LAUSD Resolution 029-21/22

Dear Members of the LAUSD Board of Education:

The ACLU of Southern California, ACLU Disability Rights Program, and Disability Rights Education & Defense Fund support LAUSD Resolution 029-21/22. We urge you to pass this critical resolution to stop what amounts to system-wide and institutional neglect of deaf¹ children. Deaf children's civil rights hinge on their ability to access language and their education; the current system leaves those children with an insurmountable pathway to become active members of our communities and our democracy.

"The single greatest risk faced by deaf people is inadequate exposure to a usable first language."² Because 96% of deaf children are born into hearing families,³ those families are all too often not readily equipped with needed language resources because they typically have never met a deaf child before.⁴ As a consequence, far too many deaf children miss the critical window in the years before kindergarten to fully acquire language – whether a spoken language, a signed language, or both. Without the resources and opportunities to access language, deaf children develop language deprivation syndrome – a neurodevelopmental disorder with detrimental, and long-lasting effects on the child's cognitive and emotional development.⁵

Despite early intervention approaches and advances in hearing technology, deaf children continue to experience language deprivation and fail to meet age-based language milestones.⁶

¹ We use the term "deaf" inclusively to describe people identifying as deaf, hard of hearing, deafblind, deafdisabled, and late-deafened.

² Gulati, S. (Apr. 2, 2014). Language Deprivation Syndrome. https://www.youtube.com/watch?v=8yy_K6VtHJw.

³ Mitchell, R. E. (2005). How Many Deaf People Are There in the United States? Estimates from the Survey of Income and Program Participation. *J. Deaf Studies & Deaf Ed.*, 11(1), 112–19.

⁴ Humphries, T., et al. (2012). Language Acquisition for Deaf Children: Reducing the Harms of Zero Tolerance to the Use of Alternative Approaches. *Harm Reduction J.*, 9, 16.

⁵ See, e.g., Glickman, N. S., & Hall, W. C. (Eds.). (2018). *Language deprivation and deaf mental health*. New York, NY: Routledge; Hall, W. C., Levin, L. L., & Anderson, M. L. (2017). Language deprivation syndrome: A possible neurodevelopmental disorder with sociocultural origins. *Social Psychiatry and Psychiatric Epidemiology*, 52(6), 761–776.

⁶ See Caselli, N., Pyers, J., & Lieberman, A.H., (2021). Deaf Children of Hearing Parents Have Age-Level Vocabulary Growth When Exposed to American Sign Language by 6 Months of Age. *J. Pediatrics*, 232, 229–236, nn. 11-20 (collecting studies).

The state of California has recognized that most of its deaf students experience language delays inhibiting future educational attainment – especially those children who are born into hearing families.⁷ Deaf students in California graduate from high school and college at lower rates⁸ and are among the many youth with disabilities who are disproportionately funneled into the criminal legal system.⁹

LAUSD Resolution 029-21/22 (the “Resolution”) aims to remedy LAUSD’s ongoing failure to educate deaf children. The Resolution seeks to ensure that education is fully accessible in both spoken English and American Sign Language for deaf children. It provides parents of deaf children with resources to support the development of their child and ensures that they are able to make fully-informed decisions about how to provide their child with language. Families will be able to subsequently tap into the necessary support structures to provide their deaf children with language-rich, linguistically accessible home environments. The Resolution would also bring LAUSD in line with its legal obligations under state law to make education accessible for deaf and hard of hearing children.¹⁰

Critically, the resolution does not dictate what language a deaf child will learn – spoken English or American Sign Language (ASL). But it ensures that American Sign Language is an option that parents can choose to incorporate. American Sign Language has historically been discouraged in early educational programming,¹¹ despite numerous studies showing that access to ASL does not inhibit—but actually supports—English acquisition.¹² Nineteen states have already recognized this imbalance in access to language resources for deaf children, passed bills ensuring that families have equal access to resources, and are better engaging parents and their deaf children in the key goal of language acquisition.

The Greater Los Angeles area and surrounding communities are home to over 800,000 deaf and hard of hearing people. Despite robust resources available to deaf adults, deaf Californians continue to be underemployed compared to their peers who can hear: only 48.7% of deaf adults are employed—compared to 72.6% of hearing adults.¹³ This ongoing disparity emphasizes the grave importance of providing language and education to all deaf children.

The undersigned organizations strongly support the Resolution. In our representation of many deaf adults who have been drawn into the criminal legal system across the country, we have seen the detrimental effects of our clients’ childhood language deprivation. Without full access to language and education, these children will grow to be deaf adults unable to exercise the full array of civil rights they are entitled to under state and federal laws. We view the Resolution as a fundamental step forward to preventing additional harms to this marginalized community, and

⁷ Legislative Analyst’s Office. (2016). Improving Education for Deaf and Hard of Hearing Students in California.

⁸ Garberoglio, C.L., et al. (2018). State Rankings of Postsecondary Achievement for Deaf People: 2012-2016.

Washington, D.C.: U.S. Dep’t of Ed., Office of Special Ed. Programs, Nat’l Deaf Center on Postsecondary Outcomes.

⁹ U.S. Dep’t of Ed., Office for Civ. Rts. (2021). Civil Rights Data Collection: 2017-18 State and National Estimations.

¹⁰ California Education Code Section 56000.5.

¹¹ Clark, M.D. et al. (2020). Early Intervention Protocols: Proposing a Default Bimodal Bilingual Approach for Deaf Children. *Maternal and Child Health Journal*, 24, 1339–1344, 1340.

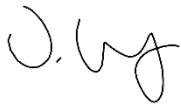
¹² *Id.* at 1343 (collecting studies); Hoffmeister, R. et al. (2022). Deaf Children’s ASL Vocabulary and ASL Syntax Knowledge Supports English Knowledge, *J. Deaf Studies and Deaf Ed.*, 27(1), 37–47.

¹³ *Supra* note 8.

to enable current and future generations of deaf children to become participating members of our democracy with full access to education, homes, healthcare, jobs, voting, and civic life.

Accordingly, we urge the Board of Education to support the Resolution. For questions or further discussion please feel free to reach out at our contact information below.

Sincerely,



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