

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** HM 21

**52nd Legislature, 2nd Session, 2016**

**Tracking Number:** .202061.2

**Short Title:** Study College at School for the Deaf

**Sponsor(s):** Representative Antonio Maestas

**Analyst:** Heidi L. Macdonald

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**Bill Summary:**

HM 21 is a memorial requesting the Legislative Education Study Committee (LESC) to convene a task force consisting of qualified staff from the Public Education Department (PED), Higher Education Department (HED), and experts in community engagement and educational reform to study the feasibility of establishing a four-year postsecondary educational institution at the New Mexico School for the Deaf (NMSD) as a bilingual institution that embraces American Sign Language (ASL) and English.

**Fiscal Impact:**

Legislative memorials do not contain appropriations. State agencies would be expected to absorb the cost of task force participation within existing resources.

The task force would need to study and make recommendations as to whether the postsecondary portion of NMSD would be funded through the higher education funding formula or some other means.

**Substantive Issues:**

According to NMSD, hearing loss is a low incidence disability with only 1 in 1,000 people having a hearing loss. There are only 552 deaf students, preschool through high school, in New Mexico as reported by PED. Therefore, there are not enough college aged deaf and hard-of-hearing students in our state to generate enrollment or tuition for a four-year college that targets only students who use ASL as their primary mode of instruction. Additionally, there is not adequate space or appropriate facilities to house a four-year college at NMSD.

Deaf and hard-of-hearing students transition to and graduate from New Mexico colleges and universities as well as other programs outside the state. The intensive services provided by NMSD in pre-kindergarten through 12<sup>th</sup> grade gives students the skills and readiness to allow deaf and hard-of-hearing students the ability to determine which postsecondary institution they prefer to attend in New Mexico or out of state. Colleges and universities in New Mexico can serve deaf and hard-of-hearing students support of their accessibility services mandated by the *Americans with Disabilities Act*.

NMSD notes that the school is established by the New Mexico constitution, and any changes to its function and role would require changes to the constitution.

A deaf education task force convened in 2014 and 2015, and its last meeting was held in September 2015. A report is currently being written. The task force consisted of 34 stakeholders who serve deaf and hard-of-hearing individuals and who are deaf or hard-of-hearing themselves from across the state, and the task force discussed goals needed to enhance education services for deaf and hard-of-hearing students. The concept of a four-year postsecondary institution at NMSD was never considered in the final goals and action statements of the task force.

PED notes the students currently served by NMSD, whether through its school population, outreach program, or early intervention program, would be displaced, and this would affect the ability to offer continuum of services of this population. Additionally, PED notes the placement of both Kindergarten through grade 12 students and postsecondary students in the same facility would create safety concerns.

Statute limits LESC study of higher education to the training of certified teaching personnel in postsecondary institutions. It appears the scope of the proposed study exceeds this statutory limitation.

### **Technical Issues:**

The memorial does not include NMSD representatives or LESC members or staff as participants in the proposed task force.

The memorial does not request the task force to report its findings to any committee.

NMSD notes that the memorial incorrectly states: “Whereas the only post-secondary educational institution established to offer an educational program in both ASL and English is Gallaudet University.” Other programs that provide direct instruction through ASL include: San Diego State University; Gallaudet Regional College Ohlone; Austin Community College; National Technical Institute for the Deaf; John’s County Community College in Kansas City; University of Texas; and Southwest Collegiate Institute for the Deaf in Texas.