

Testimony: Senate Education and Cultural Resources Committee
Regarding: HB 20 Revise eligibility criteria for admittance to school for deaf and blind,
20-8-104, MCA
Steve Gettel, Superintendent
Wednesday, March 2, 2005

SENATE EDUCATION

EXHIBIT NO. 3

DATE 3-2-05

Background information about the school

Bill No. [REDACTED] HB-20

The Montana School for the Deaf and Blind is state supported special purpose school, a part of the Montana public education system, providing a residential and day school for 72 children who are deaf or blind or whose hearing or sight is so defective that they cannot be successfully taught and are unable to receive a sufficient or proper education in their home school districts. MSDB is the only education agency mandated to serve children ages 0 to 21. For these students, centralized educational services at the MSDB in Great Falls are critical to their successful education and transition into postsecondary education or work.

In accordance with its statutory mandates the Montana School for the Deaf and Blind serves two primary functions. First, by the use of specialized instruction and training, MSDB provides an education for deaf and blind children that is commensurate with the education provided to non-disabled children in the local school districts. This education enables children being served by MSDB to become independent and self-sustaining citizens.

Second, in compliance with its statutory objects and purposes MSDB serves as a consultative resource for parents of deaf and blind children not yet enrolled in an educational program and for school districts where deaf and blind children are receiving educational services. Upon request MSDB outreach staff provide consultation and technical assistance to the families, teachers and administrators of 18 infants, toddlers and 283 school age students in 87 school districts and 44 counties across the state.

Background for the requested change

The current statute 20-8-104, MCA, is not a clear statement of the eligibility criteria for students who may be considered for admission to the Montana School for the Deaf and the Blind. The current statute goes well beyond identifying eligibility criteria to reference admissions criteria which is determined by the Board of Public Education and addressed in the Administrative Rule of Montana. This statute has been revised 5 times as the governance for the school and federal legislation pertaining to special education has changed over time. The statute should provide a framework, more permanent in nature, which cites the "eligibility criteria" for admission to the MSDB, i.e., "the child has a qualifying disability under IDEA and the child meets the age requirements consistent with other sections of the Montana Code.

The purpose

As stated in 20-8-103, MCA, "the board of public education shall adopt and prescribe rules as the board considers necessary and proper for ...the admission of children in conformity with the provisions of this chapter." Revision of 20-8-104, MCA will bring the statute into compliance with anticipated rule changes resulting from the recent reauthorized IDEA. It is anticipated that this revision will also meet the School's need for simplifying the statute to clearly identify the eligibility criteria and to have a statute that serves as a framework for administrative rules which can be modified to reflect future changes in federal rules, without having to go back and again change this statute.