

A Report

to the

62nd Legislature

# FACILITIES FOR THE DEAF—1970

A Review of Legislation Since 1966



Report No. 61-3

January, 1971

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**DEAF FACILITIES IN TEXAS—1970**  
**A REVIEW OF LEGISLATION SINCE 1966**

**A Report to the 62nd Legislature**

**Texas Legislative Council**

**Report No. 61-3**

**Austin, Texas—January, 1971**

**7416400**





BEN BARNES  
LIEUTENANT GOVERNOR

The State of Texas  
Office of the Lieutenant Governor  
Austin

January 4, 1971

TO THE MEMBERS OF THE 62nd LEGISLATURE:

This study, entitled *Deaf Facilities in Texas—1970: A Review of Legislation Since 1966*, was made under the direction of the Texas Legislative Council's study committee on this subject. Membership of the committee included Senator Jack Hightower, chairman; Senator Barbara Jordan; and Representative Raul Longoria.

On January 4, 1971, the full Council adopted findings and recommendations of this committee, which are transmitted with the research report.

Yours very truly,

A handwritten signature in cursive script that reads "Ben Barnes".

Ben Barnes  
Chairman







## TEXAS LEGISLATIVE COUNCIL

P.O. Box 12128, Capitol Station

Austin, Texas 78711

Telephone: 512/475-2736

January 4, 1971

ROBERT E. JOHNSON

Executive Director

Lieutenant Governor Ben Barnes, Chairman  
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Members, Texas Legislative Council of the 62nd Legislature

*Deaf Facilities in Texas—1970: A Review of Legislation since 1966* is one of nine major studies undertaken by the Council during the 1969-1970 interim following adjournment of the Regular Session of the 61st Legislature. The study was adopted by the Council, acting on a request contained in Senate Resolution No. 1043, 61st Legislature, Regular Session.

Principal staff work on the report was by Mrs. Bess Dunlavey, Research Associate, under the direction of the Council's study committee on this subject.

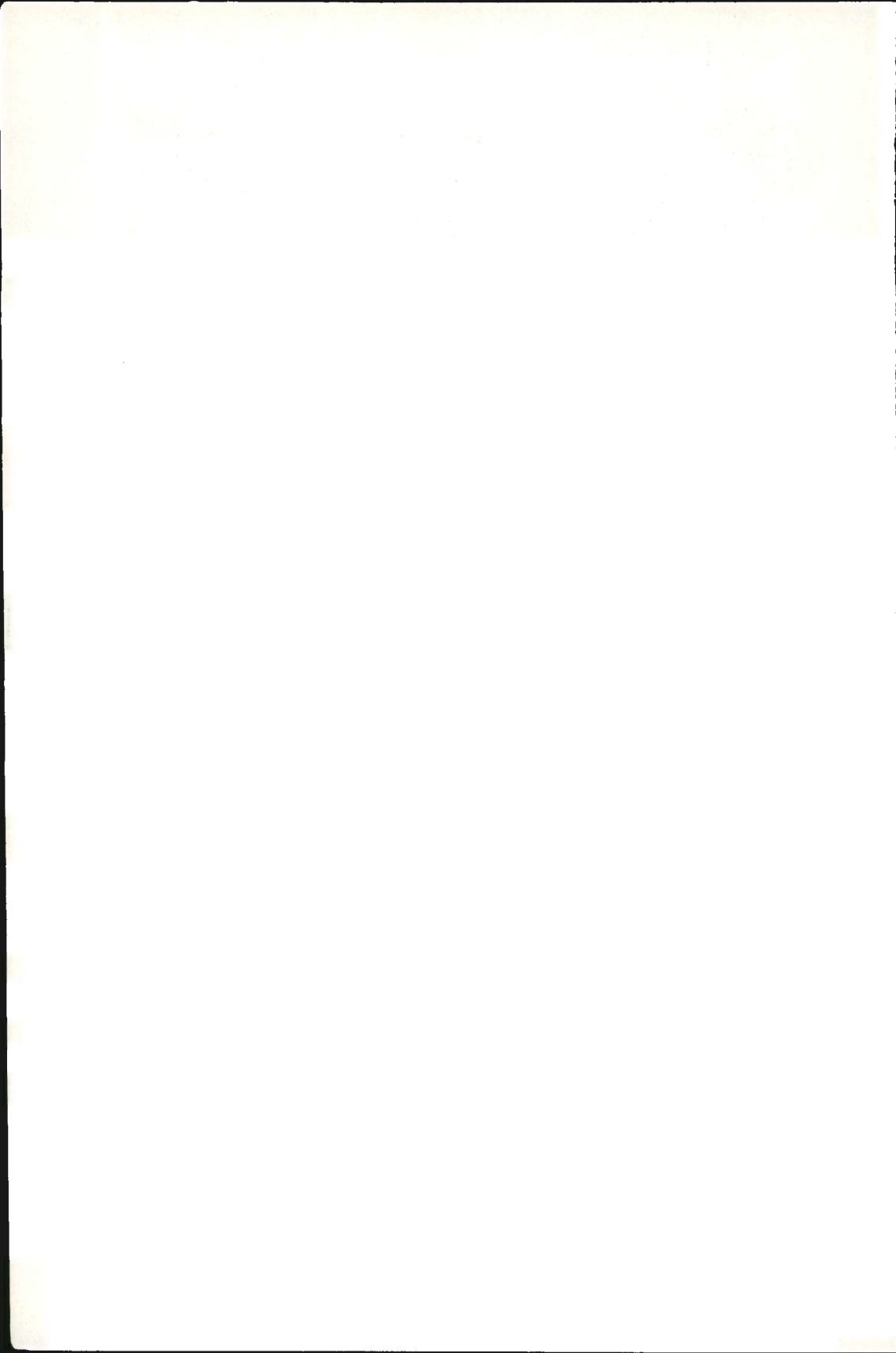
We hope that this report on *Deaf Facilities in Texas—1970: A Review of Legislation Since 1966* will be of use to members of the 62nd Legislature and to all who have an interest in this subject.

Yours very truly,

A handwritten signature in cursive script that reads "Robert E. Johnson".

ROBERT E. JOHNSON

Executive Director





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January 4, 1971

ROBERT E. JOHNSON

Executive Director

Lieutenant Governor Ben Barnes, Chairman  
Speaker Gus F. Mutscher, Vice Chairman  
Members of the Texas Legislative Council

We, the undersigned, your Study Committee on Deaf Facilities, in response to Senate Resolution No. 1043 by Senator Watson, 61st Legislature, Regular Session, 1969, have met and reviewed the recommendations and proposed legislation contained in the Texas Legislative Council's 1966 Study on Facilities and Services for the Deaf in Texas.

On the basis of the information developed, your study committee submits to you the following findings and recommendations, which are supported by proposed legislation, and made a part of the final report:

1. There is not a central person, agency, commission, or body to represent and handle the problems of the deaf in Texas. The handicap of deafness requires special attention by people who are especially interested in their problems. A large percentage of deaf people do not qualify for post-secondary education and are in need of counseling services.

Inasmuch as there is not a state commission for the handicapped in Texas, the study committee endorses the creation of a separate agency for the deaf.

The commission should work in all phases of the deaf problems with the exception of education and welfare.

2. Like residential schools, day schools generally are large enough to justify specialized equipment helpful in the education of the deaf, as well as the employment of trained teachers of the deaf with adequate subject matter specialities.

The study committee recommends continuing support and retention of the countywide and bi-countywide day school for the deaf program as the best possible method of offering specialized education for

deaf children without removing them from their families; this is generally regarded as a socially desirable arrangement. It is further recommended that any child 3 years of age on his last birthday or older and who has a hearing loss sufficiently severe to prevent adequate speech development shall be eligible for such a program. Any child between 18 months and 3 years of age and who has a hearing loss sufficiently severe to prevent adequate speech development shall be eligible for such a program, if accompanied by a parent who, while in attendance at the school, receives instructions in dealing with deaf children.

Your study committee recommends that all deaf children between the scholastic ages of 3 and 21 years, inclusive, residing in a county providing a day school program shall be eligible to attend a school designated by the operating district. All deaf children between the scholastic ages of 18 months and 3 years, residing in a county providing a day school program shall be eligible to attend a school designated by the operating district, if accompanied by a parent who, while in attendance at the school, receives instructions in dealing with deaf children.

It is recommended that deaf children between the scholastic ages of 6 and 13, inclusive, in such counties shall also be eligible for admission to the Texas School for the Deaf.

It is recommended that one teacher unit be allocated for every six eligible deaf pupils or major fraction of six; schools with 15 or more teacher units shall be allocated a full-time principal unit except that a bi-county day school, which has participating school districts, shall be allocated a full-time principal unit.

3. It is a decided handicap for some students to travel back and forth to the State School for the Deaf, and because of lack of funds some children are deprived of the schooling which they need.

The study committee recommends that travel expenses to and from school of economically deprived children attending the Texas School for the Deaf shall be paid by the state out of funds appropriated by the legislature. The superintendent of the school, subject to certain rules, should determine in his sole discretion which children are entitled to have their travel expenses paid. He should plan the travel of students so as to achieve maximum economy and efficiency.

4. There is difficulty in finding qualified teachers for special education classes for the deaf and hard-of-hearing, and the same is true for all types of handicapped children.

The study committee recommends that classroom special education teachers for the handicapped actively teaching in a classroom situation be paid over and above the Minimum Foundation Fund salary a supplement subject to the decision of the legislature.

5. There is a scarcity of trained teachers of the deaf in Texas, and maximum effort should be made to recruit and retain college students majoring in this field. In some colleges and universities if a predetermined number of students required before the course is offered is not reached, the course is cancelled and the students' education in this specific area is lost temporarily.

The study committee recommends that state colleges and universities offering classes in special education be forbidden to place a minimum number of persons required to offer special education courses.

6. As the state increases in population, so does the need for better facilities for the handicapped. Both the State School for the Deaf and the Texas Blind and Deaf School operate at a capacity. The residential school offers the most satisfactory solution to the geographical problem by offering an educational program to deaf children whose homes are in areas too small to support a specialized program.

The study committee recommends that regional day-residential schools be established for approximately 300 children, with appropriate staffing for schools of their size, in the North Central Texas area and the Southeast Texas area. Children should be eligible to attend the schools if they are over 3 and under 21 years of age. The schools should be operated only on a residential basis, Monday through Friday of each week.

7. The study committee believes that there is a need for handicapped children to be able to attend school 12 months of the year; therefore, it is recommended that the operation of the Texas School for the Deaf should be on a 12-months basis.

8. It is believed that a system of testing a child's hearing shortly after birth would require more reliable instruments and more professional attention than currently available. It is recommended that licensed physicians be required to list and make a report to the State Department of Health of all babies suspected of having a hearing defect.

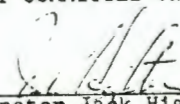
9. There is a small percentage of the deaf who engage in the selling of alphabet cards, trinkets, and the like to the public. It is the opinion of persons interested in helping the deaf that these persons would develop skills useful in some type of work. It would be useful if laws were passed to strengthen existing laws.

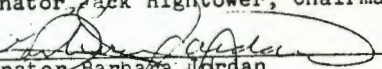
The study committee recommends that legislation be passed increasing the penalty for persons unlawfully peddling finger alphabet cards or other printed matter stating in effect that the person is deaf and/or mute.

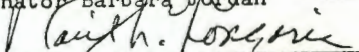
Respectfully submitted,

STUDY COMMITTEE ON DEAF FACILITIES

By

  
\_\_\_\_\_  
Senator Jack Hightower, Chairman

  
\_\_\_\_\_  
Senator Barbara Jordan

  
\_\_\_\_\_  
Representative Raul Longoria

BD:mb

By: Watson

SENATE RESOLUTION NO. 1043

WHEREAS, At the request of the 59th Legislature, the Texas Legislative Council conducted a comprehensive study of Facilities and Services for the Deaf in Texas; and

WHEREAS, A number of the recommendations made by the Council were implemented by legislation enacted during the Regular Session of the 60th Legislature, but there is still much to be accomplished at the state level to educate, assist, and provide services for the deaf in Texas; now, therefore, be it

RESOLVED, That the Senate of the 61st Legislature hereby request the Texas Legislative Council to review the study on Facilities and Services for the Deaf in Texas, which was made at the request of the 59th Legislature, and to bring information contained in the study up-to-date, looking toward the implementation of programs recommended in the original study and possible recommendations of new or improved programs for the deaf; and, be it further

RESOLVED, That the Council report its findings and recommendations, including drafts of any legislation deemed necessary to the 62nd Legislature, when it convenes in January, 1971.

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Lieutenant Governor

I hereby certify that the above Resolution was adopted by the Senate on June 2, 1969.

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Secretary of the Senate





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## BACKGROUND

In 1965 the Texas Legislative Council's study committee on Facilities and Services for the Deaf made a thorough and complete investigation of the problems of the deaf in Texas. After extensive research and innumerable public hearings throughout the state, the committee made its recommendations to the 60th Legislature.

Senate Resolution No. 1043 by Senator Murray Watson, Jr., enacted by the 61st Legislature, Regular Session, requested the Texas Legislative Council to review the 1965 study with a view of implementing programs recommended by the original study committee which have not been put into effect.

The 1965 study included recommendations relating to establishing a commission for the deaf, public school education, residential schools for the deaf, case finding and diagnosis for deafness, the mentally ill deaf in Texas state hospitals, hearing aids and hearing-aid dealers, deaf peddlers, interpreters for the deaf in legal situations, adult education for the deaf, and private and volunteer agencies serving the deaf.

In this report, each of these topics is discussed in detail as to (1) recommendations of the original study committee based on their findings; (2) recommendations implemented through action of the 60th and 61st Legislatures; (3) further action recommended by the study committee and the Texas Legislative Council of the 61st Legislature to the 62nd Legislature convening in regular session in January 1971.

## COMMISSION FOR THE DEAF

### *Findings and Recommendations of*

#### *1965 Council Study Committee*

The handicap of deafness requires special attention by those who are especially interested in deaf people because the deaf are few in number in comparison with other disabled persons. Training programs are not enough for the deaf. The committee found that 80 percent of deaf people do not qualify for post-secondary education and are in need of counseling service. The creation of a State Commission for the Deaf in Texas was strongly urged inasmuch as there was not a division for the handicapped in this state.

### *Action by the 60th and 61st*

#### *Legislatures*

House Bill No. 25 was enacted by the 60th Legislature in 1967 to create a Texas Commission for the Deaf. However, the bill was vetoed by the Governor because provisions for the agency were not included in the general appropriation bill. No action was taken by the 61st Legislature.

### *Legislation Recommended to*

#### *the 62nd Legislature*

The creation of the Texas Commission for the Deaf, as initially recommended by the Texas Legislative Council's study committee in 1965, is being recommended to the 62nd Legislature. Legislation proposed provides that the commission be composed of six members to be appointed by the governor, with the advice and consent of the Senate. It requires that two members shall be deaf and all members must be outstanding citizens of the State of Texas. Two of the first six members to be appointed shall serve until 1973, two until 1975, and two until 1977. Thereafter, all terms are for six years, or until a member's successor is appointed or is qualified. The commission shall be appointed immediately after the effective date of the Act. (Draft of a proposed measure creating the Texas Commission for the Deaf is included in this report as Appendix A.)

## PUBLIC SCHOOL EDUCATION

*Findings and Recommendations of  
the 1965 Council Study Committee*

There are four types of organized public education programs for the deaf in Texas: residential schools, day schools, day classes, and classes for hearing children into which deaf children are integrated. The 1965 committee concluded that there is a place for each program in the education of the deaf; therefore, it was recommended that the Texas Education Agency remain the central agency responsible for the education of the deaf in Texas, and that it be given administrative responsibility of the county and bi-countywide day school programs to insure the standardization of excellence needed in this phase of deaf education. It was also recommended that the preschool deaf program be brought under the aegis of the countywide and bi-countywide day school programs for the deaf when both such programs are within respective districts. This would insure a closer supervision of curriculum and administration.

The age of 3 was urged for mandatory admission to a countywide or bi-countywide day school program, and the committee recommended further that deaf children 18 months old be admitted to the program if accompanied by a parent or guardian who would receive education in training the deaf at the same time.

It was urged that two more bi-countywide day schools for the deaf be established, one in the Rio Grande Valley and one in the West Texas area. Trips and inspections they made proved to the committee that there was an alarming need for specialized facilities for the deaf in these areas.

The recommendation was made that the operational expense allotment paid by the state be increased from \$500 to \$1,000 for each eligible deaf pupil enrolled in the program each school year, this amount to include transportation costs.

It was thought desirable that the teacher unit requirement be changed to read that one teacher unit may be created for every six eligible deaf pupils, or major fraction thereof, instead of the presently required number of eight. This recommendation was based on the theory that smaller classes are essential to obtain the best possible educational results for the deaf child.

Further, the committee felt that children 6 to 14, inclusive, living in a countywide or bi-countywide area should be permitted to attend the Texas School for the Deaf in Austin, thus permitting a choice as to the facility used to acquire an education.

The committee agreed that the \$2,000 initial allotment paid by the state to the operating district for the building and renovating of classrooms should be increased to \$20,000.

Three public institutions of higher learning are fully certified to graduate teachers for the deaf: the University of Houston, The University of Texas at Austin, and Texas Woman's University. Recent federal legislation designed to provide scholarships and training grants to institutions of higher education should be an aid to increasing the number of teachers of the deaf. It was urged that special education teachers for the handicapped actively teaching in a classroom be paid, over and above the Minimum Foundation Fund salary, a supplement of not less than \$3,000.

More effective utilization of the federally-supported programs under Public Law 88-164 was seen as a means of insuring the development of supervising teachers of the deaf and preschool teachers especially equipped to serve as home teachers and parent counselors.

The committee recommended that educators of the deaf continue to emphasize oral instruction, especially in the preschool and elementary levels, but also work toward determining when to end oral instruction and when to begin with another period of communication. Further, the committee recommended that, in all state schools having certified programs for teachers of the deaf, there be taught a three-hour elective course called dactylogy (fingerspelling and language of signs). This would insure that new teachers be trained in all methods of deaf communication.

Because of the scarcity of trained teachers for the deaf in Texas it was urged that maximum effort be made to recruit and retain college students majoring in this field. In some colleges and universities, if a predetermined number of students seeking the course is not reached before it is offered, the course is cancelled and the students' education in that specific area is temporarily lost. Therefore, it was agreed that state colleges and universities offering classes in special education should be instructed to refrain from putting a minimum on the number of persons required before special education courses may be offered.

It was further recommended by the study committee that the Texas Education Agency determine the feasibility of beginning special classes for deaf children that would include increased participation with classes of normal hearing children.

To ease the shortage in specially trained teachers of the deaf, legislation was introduced in the 60th Legislature which would have exempted out-of-state teachers of the deaf and severely hard of hearing from the requirement of having secured credit in a course or courses emphasizing the Texas Constitution in order to receive a temporary or permanent Texas Teacher's Certificate.

*Action by the 60th and 61st*

The 60th Legislature enacted House Bill 30 (Vernon's Texas Civil Statutes, Article 2647C-1), requiring state colleges and

*Legislatures*

universities offering a fully accredited program for teachers of the deaf to include a three-hour course in dactylogy.

House Bill 283 was passed by the 60th Legislature (Vernon's Texas Civil Statutes, Article 2911b) authorizing teachers to use the oral, manual, Rochester (combination method), and the language of signs method in teaching deaf and deaf-mute students in any school of this state.

The 61st Legislature enacted Senate Bill 208 (Vernon's Texas Civil Statutes, Article 2893) exempting certain children from compulsory attendance in public schools. The measure provides in part:

. . . a child who is blind or deaf and who does not have adequate or appropriate educational facilities available in the area in which he resides shall be referred by the superintendent of the school district in which he resides to the Texas School for the Blind or the Texas School for the Deaf for admission as appropriate to the child's disability . . . The Act became effective in September 1970.

House Bill 434, as passed by the 61st Legislature, amends Article 3222b-1, Vernon's Texas Civil Statutes, to provide additional support for operation of countywide and bi-countywide day schools for the deaf; changes the annual allotment of operating funds from \$500 to \$700 for each eligible deaf pupil; changes the allotment of operating funds from one initial allotment of \$2,000 to \$2,000 for each teacher unit approved for the first year of operation only; makes an allocation of a \$1,000 operating fund for each continuing teacher unit activated for the 1969-70 school year; and makes provision for one visiting teacher for each countywide or bi-countywide day school for the deaf presently in operation. The Act became effective beginning with the school year, 1969-1970.

With the passage of House Bill 1183 by the 60th Legislature (Vernon's Texas Civil Statutes, Article 2654f-2) which went into effect on June 16, 1967,

procedures were provided to be used by blind and deaf or blind individuals to obtain exemptions from the payment of tuition at state-supported institutions of collegiate rank. These included (1) certification by the appropriate state vocational rehabilitation agency that the student is deaf or blind and is a client of the agency; (2) presentation of a high school diploma or its equivalent; (3) proof of good moral character as evidenced by a letter of recommendation from the principal of the high school attended by the deaf or blind student; (4) proof that he meets all other entrance requirements to fit the circumstances of deaf and blind persons.

Article 3222b of Vernon's Texas Civil Statutes, was amended by the 61st Legislature, (House Bill 705) to provide for the establishment of special day schools for deaf scholastics in certain counties and for such a school to be operated by contiguous counties. The Act lowered the required cumulative population for eligibility to establish a school in any two contiguous counties from 300,000 to 250,000.

Another measure, Senate Bill 851 of the 61st Legislature (Vernon's Texas Civil Statutes, Article 3222b), provided for the establishment of special day schools for deaf scholastics between the scholastic ages of 6 and 21 years, inclusive, in any two contiguous counties whose cumulative population exceeds 240,000, but does not exceed 335,000.

*Legislation Recommended to  
the 62nd Legislature*

Four recommendations for legislation regarding education for the deaf were made by the study committee of the Texas Legislative

Council of the 61st Legislature, as follows:

(1) A measure providing that children with a hearing loss who are between the ages of 18 months and 3 years shall be eligible for countywide and bi-county day schools for the deaf, provided that their parents also receive instruction in dealing with deaf children, and that children between the ages of 6 and 13 residing in counties providing day schools shall also be eligible for admission to the Texas School for the Deaf; changing the basis for allocating teacher units so that one teacher unit would be allocated for every six eligible deaf pupils, instead of every eight, as presently provided; increasing the operation expense allotment from \$700 to \$1,000 per child per school year, and increasing the initial allotment for first-year operations from \$3,000 to \$20,000 per teacher unit, with the \$20,000 per teacher unit, with the \$20,000 to be used to purchase classroom equipment and aids and vehicles



for transportation. (Draft of the proposed measure is included in this report as Appendix B.)

(2) A bill providing a salary supplement of \$300 per month for teachers of exceptional children who are actively engaged in a classroom situation. (Draft of proposed legislation is included in this report as Appendix C.)

(3) A bill prohibiting state colleges and universities from placing minimum limitations on the size of special education classes. (Draft of proposed legislation is included in this report as Appendix D.)

(4) A measure providing that the Texas School for the Deaf will remain open 12 months of the year. (Draft of proposed legislation is included in this report as Appendix E.)

## RESIDENTIAL SCHOOLS FOR THE DEAF

*Findings and Recommendations of  
the 1965 Council Study Committee*

The 1965 study committee recommended that regional day-residential schools be established for approximately 100 children, with appropriate staffing for schools of their size, in the North Central Texas area and the Southeast Texas area. Most of those enrolled in such schools would attend as day pupils, while the remainder of the enrollment would be composed of residential pupils who would return to their homes for the weekend. This proposal was deemed advisable because of the predicted increase in the number of deaf minors to be enrolled if a standard program for the deaf by 1970-1971 should indicate that regional centers conducted on a day-residential basis would be required.

It was recommended, also, that the two proposed regional day schools be located near a major medical complex and near a college or university offering an accredited deaf educational program. The college could use the day residential school as a training center for students training to teach deaf children, and research, medical, audiological, and mental health facilities could be provided to complement the educational aspect provided for by the college or university.

The proposal of the Texas Education Agency, which was included in its long-range Plan for Special Schools, to construct a center for the multiply handicapped deaf child on the campus of the Texas Blind and Deaf School (east campus) for the biennium of 1968-69 was endorsed. It was decided that this plan should have high priority because of the large percentage of deaf children at the state's residential school who have a second handicap.

At the time the TEA plan was proposed, vocational training at the State School for the Deaf centered around auto mechanics, printing, baking, drafting, graphic arts, cleaning and pressing, and traditional homemaking skills. Therefore, the 1965 committee recommended that the vocational training program at the State School for the Deaf be updated and upgraded in line with modern job opportunities, and that close liaison be established between the school and the Texas Employment Commission; that closer liaison between the State School for the Deaf and vocational Rehabilitation counselors be accomplished, especially between those working with the deaf throughout the state. The committee endorsed the Long Range Plan for Special Schools in the proposal to build an additional vocational shop at the State School for the Deaf, thereby alleviating overcrowded classes and adding greater diversity of training in such fields as metal work and key punch work.

It was thought advisable that houseparents in charge of the units of residential students be paid on a 12-months plan, instead of the present 9-months basis; the committee heartily endorsed the programs carried on at the State School for the Deaf to educate houseparents and part-time university students working with the residents.

*Action by the 60th and 61st*

House Bill 959, enacted by the 60th Legislature, Regular Session (Vernon's Texas Civil Statutes, Article 3221c), which became

*Legislatures*

effective in September 1967, provided that the Texas Blind and Deaf School (formerly known as Texas Blind, Deaf and Orphan School) be designated and known as Texas School for the Deaf, and that it be combined and constituted, territorially and for all purposes, a part of the campus of the so-enlarged Texas School for the Deaf and of the Texas School for the Deaf Independent School District. The State Board of Education was given exclusive jurisdiction over and control of the enlarged school.

The Central Education Agency was authorized to contract with private schools for the deaf to provide for education and training for deaf children who are eligible. The measure, House Bill 897, became effective on June 21, 1969. (Vernon's Texas Civil Statutes, Article 2654-1f).

*Legislation Recommended to*

The Council's 1969 study committee recommended the enactment of two measures relating to residential schools for the deaf:

*the 62nd Legislature*

(1) a bill to provide for the creation of the North Central Texas School for the Deaf and the Southeast Texas School for the Deaf. Under this proposal each new school would accommodate 300 children between the ages of 3 and 21, and would be operated on a residential basis Monday through Friday. The State Board of Education would be given exclusive jurisdiction and control over the schools. The superintendents for the schools would be appointed by the commissioner of education, subject to the approval of the State Board of Education. Qualifications of the superintendents, as set forth in the proposed bill, include two years of experience gained in some supervisory capacity in training the deaf, and special training in the education of the deaf in a duly certified school offering this special training. Qualifications for the teachers in these two schools would be the same as provided by law for teachers in the Texas School for the

Deaf. (Draft of this legislation is included in this report as Appendix F.)

(2) Other recommended legislation would provide benefits for economically deprived children attending the Texas School for the Deaf, these to include travel expense from home to school and return, and clothing when needed. The superintendent of the school would have the authority to determine which children would qualify for the benefits. (A draft of this legislation is included in the report as Appendix G.)

## CASE FINDING AND DIAGNOSIS

### *Findings and Recommendations*

#### *of the 1965 Council Study Committee*

The 1965 committee urged that licensed physicians be required to register with the State Department of Health all babies suspected of having a hearing loss, the physician to assume no liability in filling out the form provided by the State Department of Health, and that the state contract with private physicians to administer audiological and psychological tests to the deaf and hard-of-hearing in areas where there are no such facilities or personnel available.

The 1965 committee urged that licensed physicians be required to register with the State Department of Health all babies suspected of

The committee strongly endorsed the efforts of the private speech and hearing centers and the State Department of Health to compile a High Risk Registry of mothers suspected of having certain illnesses during pregnancy that cause loss of hearing. The committee felt that should this undertaking prove successful, physicians in the future could be required to report such illnesses of the mother.

#### *Action by the 60th and 61st*

#### *Legislatures*

extend the restoration service to children with ear bone defects.

House Bill 29 of the 60th Legislature (Vernon's Texas Civil Statutes, Article 4419c) further defined "Crippled Child" so as to

Legislation (House Bill 478) in the 60th Legislature directed the State Department of Health to develop and carry out a program to provide psychological and audiological tests to deaf or hard-of-hearing persons in certain areas of the state (Vernon's Texas Civil Statutes, Article 4447g). No action was taken by the 61st Legislature.

#### *Legislation Recommended*

#### *to the 62nd Legislature*

required to test newborn babies for hearing defects, and make a full report to the State Department of Health. (Draft of proposed legislation is attached to the report as Appendix H.)

The Council's study committee of the 61st Legislature recommended that legislation be enacted providing that physicians be

## PARENTAL COUNSELING AND EDUCATION

*Findings and Recommendations  
of the 1965 Council Study Committee*

The committee observed that when parents first learn they have a deaf or severely hard-of-hearing baby they generally experience a certain amount of panic and helplessness. In Texas there is no central organization or organized program designed to provide counseling and guidance to the parent.

The concept of the John Tracy Clinic, 806 West Adams Boulevard, Los Angeles, California, which offers correspondence courses designed to orient parents on early language-learning and other programs of the deaf child, was endorsed, and parents of deaf children were urged to make use of materials offered.

The Texas School for the Deaf's Summer School for Parents of Deaf Children held at the end of each school year was heartily endorsed. This program gives parents the opportunity not only of learning about the residential school's operation, but also of gaining knowledge about what should reasonably be expected of a deaf child socially, educationally, and in the vocational field.

*Action by the 60th and the 61st  
Legislatures*

There was no action by the 60th or the 61st Legislatures.

*Legislation Recommended to  
the 62nd Legislature*

The 1969 Study Committee did not recommend any legislation to the 62nd Legislature.

## MENTALLY ILL DEAF IN TEXAS

*Findings and Recommendations  
of the 1965 Council Study*

*Committee*

mentally ill deaf in Texas state hospitals for the mentally ill be concentrated in the Austin State Hospital and the State Hospital in Terrell, Texas.

*Action taken by the 60th  
and the 61st Legislatures*

The 1965 committee felt that there was a great need to insure supervision by persons accomplished in deaf rehabilitation programs specifically developed for the deaf. It was recommended that

No action was taken by the 60th or 61st Legislatures.

*Legislation Recommended to  
the 62nd Legislature*

The 1969 study committee of the Texas Legislative Council did not make recommendations to the 62nd Legislature.

## VOCATIONAL REHABILITATION

*Findings and Recommendations  
of the 1965 Council Study  
Committee*

Vocational rehabilitation for the deaf in Texas is accomplished under the Texas Education Agency, Division of Vocational Rehabilitation. The purpose of counselor work is to provide training, counseling, and adjustment services needed by the client. Three vocational rehabilitation counselors specifically assigned to work with the deaf were operating in the Texas cities of Houston, Austin, and Fort Worth at that time. The committee endorsed recommendations made by the Division of Vocational Rehabilitation to expand their services through more complete evaluations, such as medical, audiological, psychological, social adjustment, and vocational; cooperation with community agencies in expanding employment opportunities and training facilities for the deaf; pre-employment and post-employment counseling, and additional counseling in the area of personal adjustments.

The State Board of Education's request, included in the agency's 1967-1968 budget, for six additional counselors to work exclusively with the deaf was strongly endorsed. It was believed that these new counselors should be able to communicate with deaf clients by the language of signs or fingerspelling.

*Action taken by the 60th and  
61st Legislatures*

No action was taken by either the 60th or the 61st Legislatures.

*Legislation recommended  
to the 62nd Legislature*

No recommendations were made to the 62nd Legislature by the Texas Legislative Council's study committee.



## HEARING AIDS

*Findings and Recommendations  
of the 1965 Council Study  
Committee*

62nd Legislature, meeting in 1971, make a study of hearing aid dealers and their products to determine if state licensing is needed.

The hearing aid industry was commended for recognizing the many problems it faces and the diligent work being done to live up to its responsibilities. The committee recommended that the

The Texas Department of Health, under the provisions of the Crippled Children's Act, can finance children's middle-ear operations involving the bones of the ear if financial and medical requirements are met. The Texas Department of Health was urged to use every effort to make this opportunity known to appropriate agencies and the general public.

The committee also recommended that the State Department of Health determine the feasibility of instituting a mobile hearing testing program in Texas similar to that established in the State of Michigan in 1952.

*Action taken by the 60th  
and 61st Legislatures*

No action was taken by the 60th Legislature.

Senate Bill 287 (Vernon's Texas Civil Statutes, Article 4566-1.01) was enacted by the 61st Legislature and created the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids. The Act became effective January 1, 1970.

*Legislation Recommended  
to the 62nd Legislature*

No further recommendations were made to the 62nd Legislature by the Council study committee of the 61st Legislature.

## DEAF PEDDLERS

### *Findings and Recommendations*

#### *of the 1965 Council Study*

#### *Committee*

causes. The recommendation was made that the existing peddling law be strengthened to provide for a \$50 fine when a deaf person is caught peddling finger alphabet cards or other printed matter.

The study committee concluded that since the only defense in Texas for a deaf peddler caught peddling is the possession of a city license, then city licenses should be issued only for solicitation in charitable

#### *Action taken by the 60th*

#### *and 61st Legislatures*

No action was taken by the 60th or the 61st Legislatures.

### *Legislation Recommended to*

#### *the 62nd Legislature*

peddling finger alphabet cards or other matter stating that the person is deaf in a manner calculated to play on the sympathy of another in the solicitation of a contribution. The penalty would be increased from a fine between \$10 and \$50 to a fine between \$50 and \$100. (Draft of legislation is included in this report as Appendix I.)

Legislation is being recommended by the Council's present study committee that the 62nd Legislature raise the penalty for

## INTERPRETERS IN TEXAS

### *Findings and Recommendations*

#### *of the 1965 Council Study*

#### *Committee*

Inasmuch as interpreters are needed by deaf people in legal situations to assist in courtroom procedures, general legal transactions, medical and health problems, and general counseling services, the committee recommended that interpreters be furnished when requested for deaf or hard-of-hearing persons during civil cases and that the interpreter's fee, not to exceed \$50 per day, be included as cost of court. The Texas Code of Criminal Procedure provides that interpreters be furnished in criminal cases. It was further recommended that interpreters be furnished and paid by the state when requested by deaf or hard-of-hearing persons while taking state examinations, the standard fee to be \$15 for the first hour and \$10 per hour thereafter; on this schedule \$30 would be paid for four hours interpreting and \$50 for a full day's work (eight hours).

#### *Action taken by the 60th*

#### *and 61st Legislatures*

House Bill 36 was enacted by the 60th Legislature (Vernon's Texas Civil Statutes, Article 3712a) providing for interpreters for the deaf or deaf-mute persons in civil and criminal proceedings. The Act became effective in September, 1967.

The 60th Legislature also enacted House Bill 37 (Vernon's Texas Civil Statutes, Article 6252-18) providing for interpreters for the deaf and severely hard-of-hearing persons taking state examinations. The Act became effective in September, 1967.

#### *Legislation Recommended*

#### *to the 62nd Legislature*

No recommendations were made to the 62nd Legislature.

## ADULT EDUCATION

### *Findings and Recommendations*

#### *of the 1965 Council Study*

#### *Committee*

The adult has need for learning long after leaving formal classes of instruction. Education facilities are available to the normal adult who wishes to continue his education, but because of the communication barrier the deaf adult cannot avail himself of these opportunities. Based on local need and working through local school districts and the Texas Education Agency, the study committee recommended that the state pay expenses of conducting adult deaf education courses if a minimum of 10 adult deaf register to attend.

#### *Action taken by the 60th*

#### *and 61st Legislatures*

Both the 60th and 61st Legislatures failed to take action on this problem.

### *Legislation recommended*

#### *to the 62nd Legislature*

It has been recommended that the 62nd Legislature adopt legislation directing the Central Education Agency to establish an educational program at primary and secondary levels for deaf adults. The agency would also be directed to establish criteria for determining the eligibility of participants and standards for curriculum, staff, and facilities. Under the proposal, any school district, which has at least 10 deaf adults and which meets the standards set by the agency, may initiate a program and would be entitled to \$250 per year for each student enrolled. (Draft of proposed legislation is included in this report as Appendix J.)

## PRIVATE AND VOLUNTEER AGENCIES SERVING THE DEAF

### *Findings and Recommendations*

#### *of the 1965 Council Study*

#### *Committee*

between local and volunteer organizations and facilities to the end that these programs may complement and supplement one another.

#### *Action taken by the 60th*

#### *and 61st Legislatures*

Better communication and coordination among all groups and agencies serving the deaf were suggested to eliminate duplication of effort and services. It was also urged that there be better liaison

No action was taken by the 60th and 61st Legislatures.

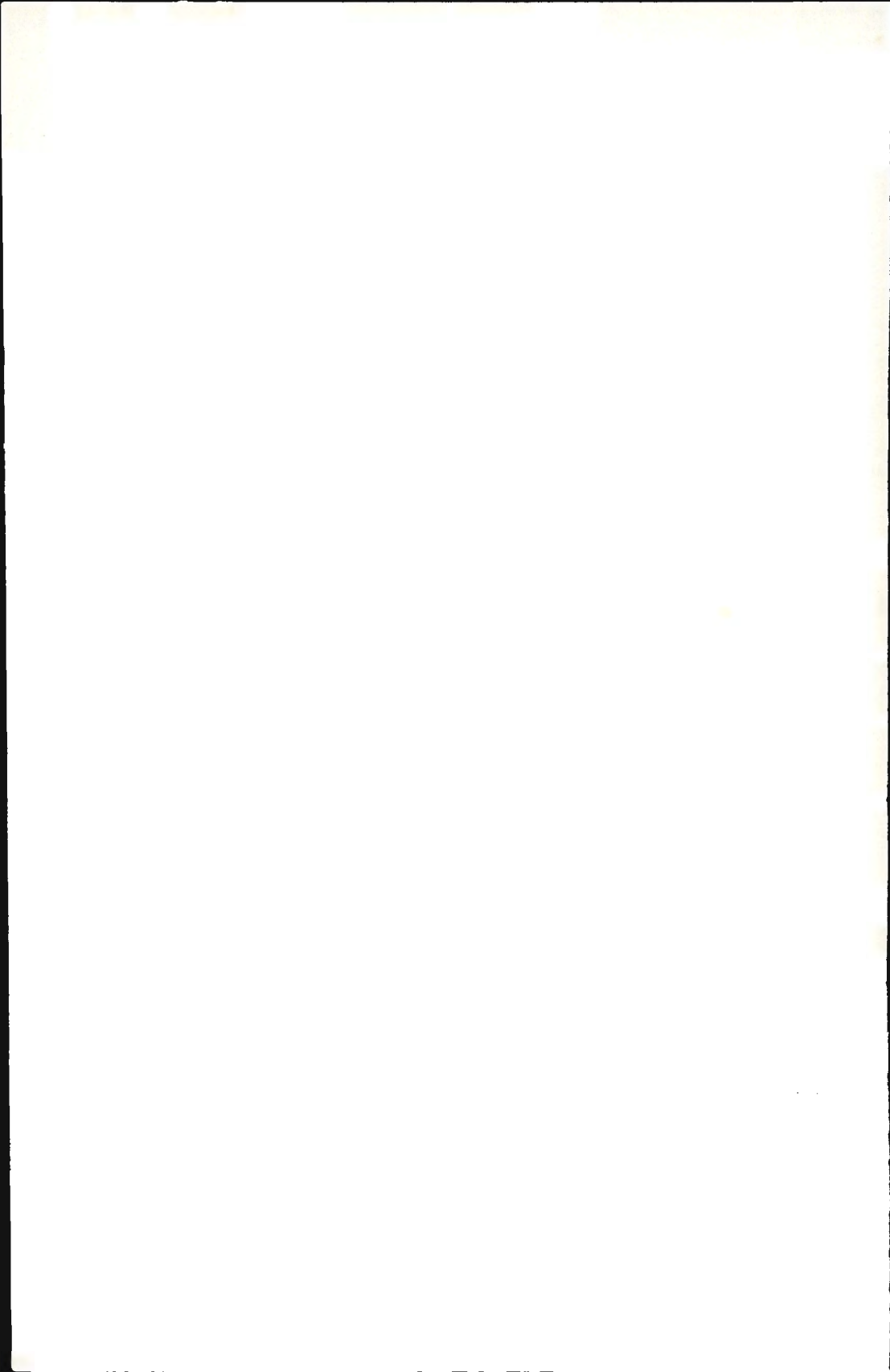
#### *Legislation recommended*

#### *to the 62nd Legislature*

No recommendations were made by the present study committee of the Texas Legislative Council.



APPENDICES





APPENDIX A

By \_\_\_\_\_

\_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

creating a State Commission for the Deaf and prescribing its powers and duties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In this Act "commission" means the State Commission for the Deaf.

Sec. 2. (a) The State Commission for the Deaf is created, consisting of six members to be appointed by the governor with the advice and consent of the Senate.

(b) Two members must be deaf and all members must be outstanding citizens of the State of Texas.

Sec. 3. (a) Each member holds office for a term of six years and until his successor is appointed and qualified.

(b) Two of the first six members appointed shall serve terms expiring January 31, 1973; two shall serve terms expiring January 31, 1975; and two shall serve terms expiring January 31, 1977.

(c) The governor shall appoint members to the commission immediately after this Act becomes effective.

(d) The governor shall fill vacancies occurring on the commission for the unexpired term.

Sec. 4. The commission shall elect a chairman from among its members who shall serve for a period of one year, or until his successor is elected.

Sec. 5. (a) The commission shall hold at least six meetings a year and shall make rules providing for the holding of special meetings.

(b) Four members of the commission constitute a quorum for the transaction of business.

(c) Members of the commission are entitled to receive reimbursement for their actual expenses in attending meetings of the commission and in carrying out their official duties.

Sec. 6. (a) The commission shall appoint a qualified person to serve as executive director.

(b) To be qualified to serve in the position of executive director, a person must be a deaf or hard-of-hearing person.

Sec. 7. The commission may employ a secretary and other employees it considers necessary to carry out the purposes of this Act.

Sec. 8. (a) The commission is the state agency responsible for rendering all services to the deaf except those services which are by law the responsibility of the welfare, educational, or other agencies of the state.

(b) The commission shall conduct a census of deaf persons in Texas and compile a current registry.

(c) The commission shall serve as an agency for the collection of information concerning the deaf and related matters and the dispensing of this information to interested persons.

(d) The commission may accept gifts, grants, and donations of money, personal property and real property for use in expanding and improving services to deaf persons of this state.

Sec. 9. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX B

By \_\_\_\_\_

\_\_\_ B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to countywide and two-county special day schools for the deaf and to the preschool program for children with hearing loss; amending Subsection (c), Section 11.09, and Subsections (d), (e), and (i), Section 11.10, Texas Education Code; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (c), Section 11.09, Texas Education Code, is amended to read as follows:

“(c) Any child 3 years of age on his last birthday or older and who has a hearing loss sufficiently severe to prevent adequate speech development shall be eligible for such a program. Any child between 18 months and 3 years of age and who has a hearing loss sufficiently severe to prevent adequate speech development shall be eligible for such a program, if accompanied by a parent who, while in attendance at the school, receives instructions in dealing with deaf children.”

Sec. 2. Subsections (d) and (e), Section 11.10, Texas Education Code, are amended to read as follows:

“(d) All deaf children between the scholastic ages of 3 and 21 years, inclusive, residing in a county providing a day school program shall be eligible to attend a school designated by the operating district. All deaf children between the scholastic ages of 18 months and 3 years, residing in a county providing a day school program shall be eligible to attend a school designated by the operating district, if accompanied by a parent who, while in attendance at the school, receives instructions in dealing with deaf children.

“(e) Deaf children between the scholastic ages of 6 and 13, inclusive, in such counties shall also be eligible for admission to the Texas School for the Deaf.”

Sec. 3. Subsection (i), Section 11.10, Texas Education Code, as amended by Section 1, Chapter 613, Acts of the 61st Legislature, Regular Session, 1969, is amended to read as follows:

“(i) Operating costs for the program in each county shall be determined and paid on the basis of the following factors:

“(1) one teacher unit shall be allocated for every six eligible deaf pupils or major fraction of six;

“(2) schools with 15 or more teacher units shall be allocated a full-time principal unit except that a bi-county day school, authorized by Subsection (b), which has participating school districts, as authorized by Subsection (c), shall be allocated a full-time principal unit;

“(3) one supervisor shall be allocated for every 10 teacher units but not to exceed three supervisors; provided, however, that each approved school shall have at least one supervisor;

“(4) one visiting teacher unit shall be allocated for each countywide or bi-county day school for the deaf;

“(5) salary of the teacher, supervisor, principal, and visiting teacher shall be determined respectively in accordance with the official salary schedule of the district where the day school is established;

“(6) an operation expense allotment including transportation of \$1,000 per each eligible deaf pupil enrolled in the program each current school year;

“(7) one initial allotment in the amount of \$20,000 per each teacher unit approved for the first year of operation only shall be allowed for the acquisition of transportation vehicles, auditory and other classroom equipment, and other aids and adjustments needed for training such deaf pupils in this program.”

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX C

By \_\_\_\_\_

\_\_\_\_\_ B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to supplements to the salaries of certain teachers of exceptional children; amending Subchapter D, Chapter 16, Texas Education Code, by adding Section 16.351; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subchapter D, Chapter 16, Texas Education Code, is amended by adding Section 16.351 which shall read as follows:

“Section 16.351. SALARY SUPPLEMENTS FOR CERTAIN TEACHERS OF EXCEPTIONAL CHILDREN

“If a teacher of exceptional children is actively engaged in teaching in a classroom situation, he is entitled to the salary prescribed by this subchapter, plus a supplement of \$300 per month.”

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX D

By \_\_\_\_\_

\_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

prohibiting state colleges and universities from placing limitations on the size of special education classes; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In this Act, "special education" means the provision of services additional to or different from those provided in the regular school program by a systematic modification and adaptation of equipment, teaching materials, and methods to meet the needs of exceptional children.

Sec. 2. No state college or university offering fully accredited programs for special education, including deaf education, may place a minimum limitation on the size of special education classes, including classes for teachers of the deaf.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX E

By \_\_\_\_\_

B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

requiring the Texas School for the Deaf to remain open and hold classes for 12 months of the year; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Texas School for the Deaf shall remain open and hold classes for 12 months of the year.

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX F

By \_\_\_\_\_

B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

creating the North Central Texas School for the Deaf and the Southeast Texas School for the Deaf and providing for their administration and control by the State Board of Education; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. (a) The North Central Texas School for the Deaf and the Southeast Texas School for the Deaf are created.

(b) The schools shall be operated only on a residential basis, Monday through Friday of each week, and shall each have a maximum capacity of 300 children. Children are eligible to attend the schools if they are over three and under 21 years old.

Sec. 2. The State Board of Education has exclusive jurisdiction and control over the North Central Texas School for the Deaf and the Southeast Texas School for the Deaf. The jurisdiction extends to the physical assets of the schools. Appropriations made for the benefit of the schools shall be administered and expended by the State Board of Education.

Sec. 3. The commissioner of education shall appoint a superintendent for the schools subject to approval of the State Board of Education. The superintendents must be graduates of an accredited university or college, have a minimum of one school year of full-time classroom teaching, have at least a total of five years' experience in the education of the deaf, with at least two years of such experience gained in some supervisory capacity in training the deaf, and have special training in the education of the deaf in a duly certified school granting such special training.

Sec. 4. The qualifications of teachers in the North Central Texas School for the Deaf and the Southeast Texas School for the Deaf shall be the same as provided by law for teachers in the Texas School for the Deaf.

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.



APPENDIX G

By \_\_\_\_\_

\_\_\_B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to the travel and clothing expenses of economically deprived children attending the Texas School for the Deaf; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In this Act, "economically deprived children" means children having parents or guardians whose financial condition is such that it would work a hardship upon them to pay the travel or clothing expenses of their children.

Sec. 2. The travel expenses of economically deprived children attending the Texas School for the Deaf shall be paid by the state out of funds appropriated by the legislature. The superintendent of the school shall, subject to the requirements of Section 3, make the determination in his sole discretion of which children are entitled to have their travel expenses paid.

Sec. 3. No money appropriated for travel expenses may be expended except in compliance with the following rules:

(1) The travel expenses shall be paid only when it is necessary for the student to travel to his home, and only for trips to and returning from his home.

(2) The superintendent of the school shall plan the travel of students so as to achieve maximum economy and efficiency.

(3) A student traveling by rented or public conveyance is entitled to a travel allowance equal to the actual cost of necessary transportation, meals, and lodging.

Sec. 4. The expenses of purchasing clothes for economically deprived children attending the Texas School for the Deaf shall be paid out of funds appropriated by the legislature. The superintendent of the school shall make the determination in his sole discretion of which children are entitled to have clothes purchased for them.

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX H

By \_\_\_\_\_

B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

requiring a physician to test a newborn baby for hearing defects and to make a full report to the State Department of Health; exempting a physician from civil and criminal liability for reporting a hearing defect when none existed; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. A physician shall test a newborn baby for hearing defects. If he detects a hearing defect, he shall make a full report to the State Department of Health on a form prescribed and furnished by the department.

Sec. 2. A physician is immune from civil and criminal liability for reporting to the State Department of Health a hearing defect when none in fact existed.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

APPENDIX I

By \_\_\_\_\_

B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for peddling certain cards or other printed matter by deaf or mute persons; amending Section 1, Chapter 487, Acts of the 56th Legislature, Regular Session, 1959 (Article 1137n, Vernon's Texas Penal Code); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 1, Chapter 487, Acts of the 56th Legislature, Regular Session, 1959 (Article 1137n, Vernon's Texas Penal Code), is amended to read as follows:

"Section 1. It shall be unlawful for any person to peddle or use a finger alphabet card or other printed matter stating in effect that the person is deaf and/or mute, in a manner calculated to play upon the sympathy of another in the solicitation of a contribution or donation. Any person violating any provision hereof shall be deemed guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than sixty (60) days or by a fine of not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100), or by both imprisonment and fine."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

## APPENDIX J

By \_\_\_\_\_

\_\_\_\_\_ B. No. \_\_\_\_\_

### A BILL TO BE ENTITLED

### AN ACT

relating to a program for the education of deaf adults; amending Subchapter A, Chapter 11, Texas Education Code by adding a Section 11.16; and declaring an emergency.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subchapter A, Chapter 11, Texas Education Code, is amended by adding a Section 11.16 to read as follows:

##### “Section 11.16. EDUCATIONAL PROGRAM FOR DEAF ADULTS.

(a) The Central Education Agency shall establish and develop a state program for the education of deaf adults. The purpose of the program is to provide primary and secondary educational opportunities to adults whose hearing loss is severe enough to prevent use of the spoken method of communication and whose handicap has interfered with the attainment of a level of educational advancement otherwise potentially achievable.

“(b) In the program the agency shall include:

“(1) criteria and standards consistent with the purposes of this Act for determining the degree of hearing loss which makes a person eligible for education under this Act;

“(2) criteria and standards for determining teachers' qualifications, curriculum, equipment, and classroom facilities which must be provided by a school district to qualify it for state assistance under this Act.

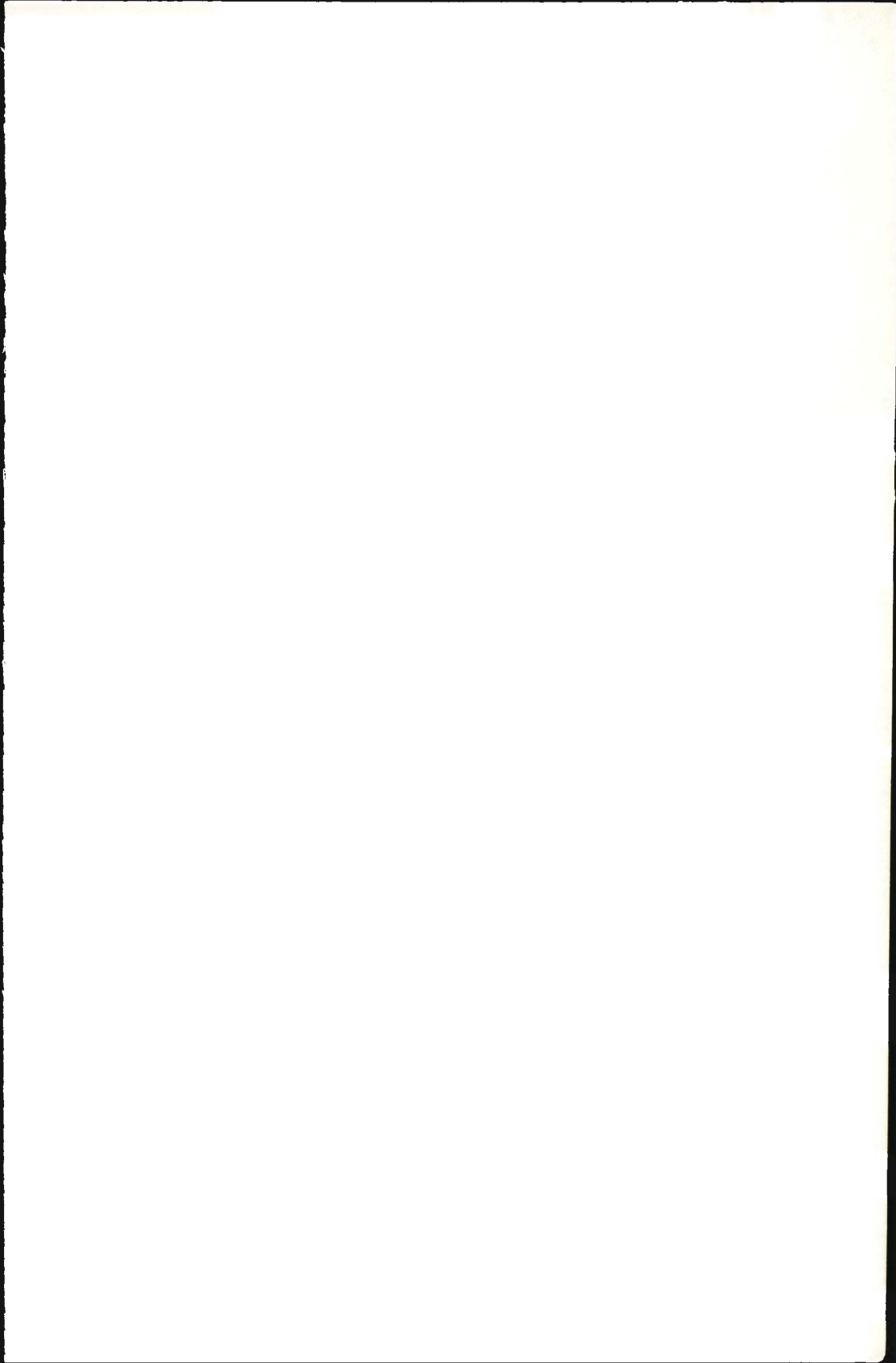
“(c) The agency shall make, publish, and distribute rules under which school districts may apply for, qualify for, and receive state assistance for the administration of educational programs for deaf adults.

“(d) Any school district may establish an educational program for deaf adults. To qualify for state assistance, a district must comply with the rules and standards of the Central Education Agency and must have at least 10 eligible deaf adult enrollees.

“(e) Subject to legislative appropriation of money from the general revenue fund, the available school fund, the minimum foundation program fund, or any other available fund, the Central Education Agency shall allocate to each qualifying school district the sum of \$250 per year for each student enrolled in the district's educational program for deaf adults.”

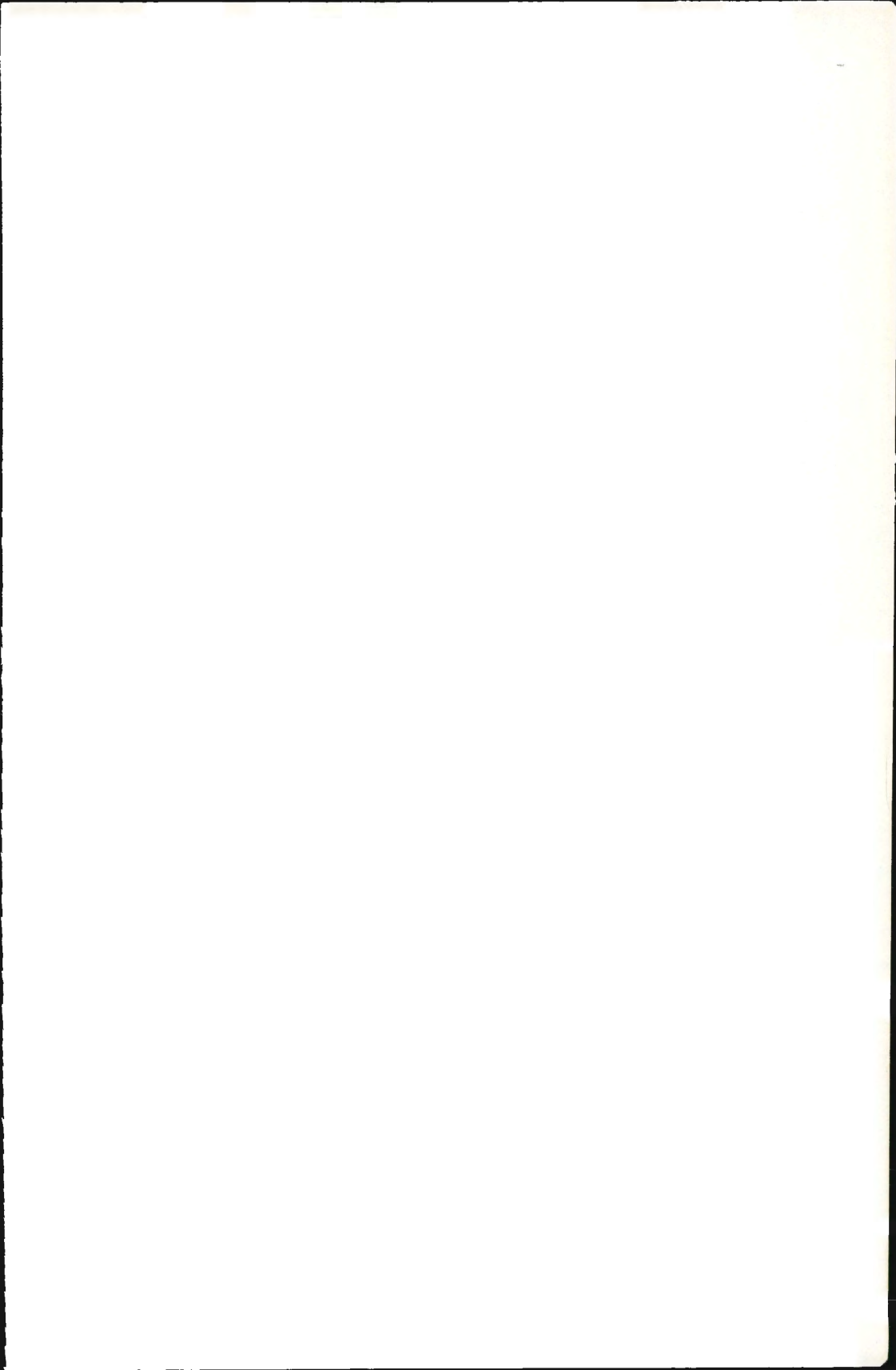
Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

















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