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To cite this article: Sarah E. Compton (2013): Implementing Language Policy for Deaf Students in a Texas School District, International Multilingual Research Journal, 7:2, 138-154

To link to this article: http://dx.doi.org/10.1080/19313152.2012.665203
Implementing Language Policy for Deaf Students in a Texas School District

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Language policy implementation is a complex, multilayered process. Understanding this process can be achieved by identifying the agents, layers, and processes of language planning and policy activities, analyzing the layers independently, and examining the relations among the layers. Considering these dimensions, this article explicates how U.S. special education policy functions as de facto language policy for deaf students. Turning to implementation in local contexts, data from a larger multi-sited, qualitative case study of a Texas school district is presented to show how individuals act as policy-implementing agents and how their beliefs about language and education policy influences the policy discourses they take up and the degree to which they open up multilingual, multimodal ideological and implementational spaces within deaf education policies.

Keywords: agency, deaf education, implementational space, language ecology, language policy, sign language

It is important to recognize the complex interplay among the federal law, state laws and regulations, and actual practice at the district and school levels. (John Vaughn, National Council on Disability, 2008, p. 1)

Language policy and planning (LPP) is a multilayered, multifaceted process. Researchers within the LPP field are interested in how (a) de jure and de facto language policies are created, interpreted, and implemented within various levels and contexts and (b) how these policies influence the linguistic and cultural development of individuals for whom the policies are (un)intended (Branson & Miller, 2008; Reagan, 1995). Cooper (1989) proffers an overarching question that captures the multiple facets of an LPP lens of inquiry: “What actors attempt to influence what behaviors of which people for what ends under what conditions by what means through what decision-making process with what effect?” (p. 98).

Some scholars suggest that the findings derived from answering this question should be used to change dominant discourses and the sociolinguistic landscape (Scollon & Scollon, 2004; Skutnabb-Kangas, 2000). Others argue that, although it may not be possible to effectuate immediate macrolevel change, individuals can instantiate microlevel change by carving out ideological and implementational spaces that make room for multilingual education (Hornberger, 2005;
Hornberger & Johnson, 2007; Throop, 2007). What is clear, however, is that LPP activities involve multiple individuals (at the national, state, and local levels), several processes (policy creation, policy interpretation, and policy implementation), and underlying goals (multilingualism and monolingualism; Ricento & Hornberger, 1996).

In recent years, the scope of inquiry within the field of applied linguistics and, more specifically, the area of LPP has broadened to include the investigation of multilingualism within multimodal (sign language and spoken language) environments. Teachers of English to Speakers of Other Languages (TESOL, 2009) recently issued a position statement advocating for deaf individuals’ rights to multilingual education:

TESOL advocates that adequate support and resources be allocated for bilingual education programs, including programs for Deaf students that utilize a native signed language. Furthermore, TESOL supports teaching methods and materials that recognize Deaf learners’ right to become proficient in a native signed language and in written or spoken language(s), including English (para. 2).

Scholars have also turned the analytic lens to examine issues related to deafness and sign languages (Reagan, Penn, & Ogilvy, 2006; Supalla & Cripps, 2008; Swanwick, 2010). A recent issue of Current Issues in Language Planning focused on sign languages and multimodal environments (Hogan-Brun, 2009). Feeding into this same vein of research, I respond to calls from Kaplan and Baldauf (1997) and Ricento (2000) to investigate LPP issues within local contexts. The issues I examine surround the types of educational settings within which deaf students are educated and the extent to which they support multilingualism and multimodalism.

The article begins with a discussion of the major provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). Attention is drawn to competing discourses within the federal special education policy and I elucidate the ways in which IDEA functions as de facto language policy for deaf students. Next, employing an ecological, discourse analytic approach to investigating LPP processes, I draw on data from a multimethod, qualitative case study to illuminate how agents’ beliefs about language and education influence their interpretation and implementation IDEA within a school district in Texas. Lastly, I discuss implications for policy and practice.

IDEA: **DE FACTO LANGUAGE POLICY FOR DEAF STUDENTS**

IDEA is the U.S. federal special education legislation that governs deaf education. Its predecessor, the Education of All Handicapped Children Act (EAHCA), was passed in 1975. The face of special education has shifted dramatically as a result of EAHCA, now IDEA. Prior to IDEA, children with disabilities were often denied access to education or were educated in separate facilities (IDEA, 2004, § 601(c)(2)). Now, children with disabilities have the right to a free appropriate education and, to the maximum extent appropriate, to be “included” in general education classrooms alongside peers who are nondisabled (IDEA, 2004, § 601(c)(5)). This move toward integrating students with disabilities (including deaf students) into the general education classroom is known as the inclusion movement (Machado, 1996). Two main provisions of IDEA comprise the special education policy: the least restrictive environment (LRE) and individualized education plans.
The implementation of these two provisions determines, to a large extent, deaf’s children’s access to multilingual, multimodal classrooms.

**LRE Provision**

IDEA requires, to the maximum extent appropriate, that children with disabilities receive instruction in regular education classrooms alongside students who are nondisabled. This provision is known as the LRE:

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (IDEA, 2004, § 612(a)(5)(A))

In addition to the general education classroom, there are several alternative placement options that include separate classes, special schools, home instruction, and other care facilities (Regulations of the Offices of the Department of Education [RODE], 2010, § 300.115). In addition to alternative placements, supplementary aids and services are also provided “to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate” (RODE, 2010, § 300.42). For deaf students, aids and services include such things as amplification devices, interpreting services, and pull-out sessions with itinerant teachers (RODE, 2010, § 300.34).

Considering placement options for deaf children, Cerney (2007) tailored the continuum of alternate placements to deaf education contexts. At one end of the continuum are general education classrooms (inclusion) with schools for the deaf placed at the opposite end. The further one moves to the right along the continuum, the more amount of time a student spends outside of the regular education classroom. Figure 1 offers a visual representation of these educational contexts (adapted from Cerney, 2007, p. xiv).

In an inclusion setting, deaf students are “included” in a regular education classroom with hearing peers 100% of the time. Students in mainstreamed settings are “semiincluded,” in that they spend time in both regular education classes and self-contained classes (Marschark, 2007). Self-contained deaf education classes are taught by certified teachers of the deaf (Lane, Hoffmeister, & Bahan, 1996). Special school programs are formed when a school district (or several districts) clusters deaf education services at a designated campus. With a critical mass of deaf students,

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1I use the term deaf to refer to individuals with hearing loss who use sign language as their primary mode of communication. The medical and legal communities view deafness as a disabling condition (Ramsey, 1994). The deaf community rejects this view and argues, instead, that deaf individuals belong to a linguistic and cultural minority group that uses sign language as its natural mode of communication (Ladd, 2003; Mesthrie, Swann, Deumert, & Leap, 2000; Muhlke, 2000).
these programs are equipped to provide access to the inclusion, mainstream, and self-contained classroom settings. Schools for the deaf are typically state institutions, although some are private schools. They provide students with access to peers and teachers who communicate in the same modality (Lane, 1999). IDEA requires school districts to provide students with access to the full continuum of placement options and services.

Although several placement options exist within IDEA, the general education classroom is the strongly preferred setting (Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities; Final Rule, 2006). The inclusion-model-as-preferred-model provision has strengthened over the years through court rulings and reauthorizations of IDEA (Aldersley, 2002; Huefner, 2000); these decisions have sparked a heated debate (Smelter, Rasch, & Yudewitz, 1994). Proponents of the inclusion movement argue that the regular education classroom is the most appropriate placement for children with disabilities because it provides access to nondisabled peers who serve as language and behavior models (Howard-Robinson, 2005; Manasevit & Maginnis, 2005). Studies have found that interaction with nondisabled students in mainstream settings can in some cases influence students’ social development and academic achievement (Salend & Duhaney, 1999; Weiner & Tardif, 2004). Inclusionists further contend that students gain greater access to the general education curriculum in the regular education classroom; special services and accommodations can be provided within the inclusion setting (Carpenter & Dyal, 2007; Dixon, 2005). Given certain factors, deaf students placed in inclusion settings can in some cases succeed academically and socially (Antia, Jones, Reed, & Kreimeyer, 2009). Some of these factors include family involvement, self-advocacy skills, high expectations, and strong communication skills (Luckner & Muir, 2002).

For those who oppose inclusion for deaf students, the debate centers on access to language and communication (Branson & Miller, 1993; R. E. Johnson, Liddell, & Erting, 1989). Children with an auditory hearing loss are distinctly different from children with other disabilities: they are unable to (fully) access the linguistic code found in the inclusion setting (Winston, 1994). To understand class lectures, side conversations, and interactions with hearing classmates and teachers, deaf students must often rely on an interpreter (see Siegel, 2008, pp. 14-17 for an example of one interpreter’s attempt to keep up with rapid turn-taking during a classroom discussion). As Ramsey (1997, p. 3) argued, “educational placements and learning contexts are not the same phenomena and do not necessarily overlap.” Consequently, mainstream classrooms often restrict deaf students’ access to language, communication, and socialization (Humphries, 1993; Ramsey, 1997; U.S. Department of Education, 1992). Cerney (2007) found that deaf students reported feeling excluded and isolated in inclusion settings. In special schools and schools for the deaf, students have continuous access to peers and teachers who share a similar language, culture, and life experience (Lane, 1999).

IEP Provision

To determine which educational context constitutes the LRE for a child, IDEA requires the development of a yearly IEP for each student. The IEP is a legally binding document that must meet

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2For a list of schools for the deaf, see http://clerccenter.gallaudet.edu/Clerc_Center/Information_and_Resources/Info_to_Go/Resources/Websites_of_Schools_and_Programs_for_Deaf_Students.html
procedural and substantive requirements. Procedural requirements include obtaining parental consent to evaluate a child, notifying parents of upcoming IEP meetings, and providing parents with information regarding their legal rights to participate in the IEP process (RODE, 2010, § 300.500-536). Substantive requirements include the creation of academic and functional goals for each student along with outlining any supplemental services and aids the child will receive (Drasgow, Yell, & Robinson, 2001). For deaf students, language goals are included in the IEP. IDEA does not provide a list of recommended goals for students nor does it prescribe predetermined services based on disability type. Rather, the IEP goals are developed by a team comprised of the child’s parents, a regular education teacher, a special education teacher, a school administrator, and a school professional who is knowledgeable about the language and communication needs of the child (e.g., a speech pathologist or an audiologist).

Considering data from evaluations and information provided by the child’s parents; formal assessments and classroom-based observations; and teacher and related service providers’ observations, the IEP team documents a student’s current performance and sets academic and functional (e.g., language) goals for the following school year (IDEA, 2004, § 614(c)(1)(A)). Based on the IEP goals, the team determines which placement context is the LRE (Huefner, 2000). If the team determines the goals are best met in a setting other than the regular classroom, an explanation must be provided as to why an alternate placement is more appropriate (Fish, 2008).

In the 1997 reauthorization of IDEA, an additional factor was added to the list of considerations in determining the LRE for deaf students. The IEP team “shall” also consider “the child’s language and communication needs,” which include

opportunities for direct communications with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode. (IDEA, 2004, § 614(d)(3)(B)(iv))

When juxtaposed with the LRE provision, this requirement presents an interesting tension. The LRE suggests that the regular education classroom is the most appropriate placement and, yet, IDEA also requires that children’s unique language and communication needs be considered. The regular education classroom provides deaf students with access to the general curriculum and access to hearing peers. However, it often does not provide deaf children with opportunities for direct communication with peers and professional personnel nor direct instruction in their dominant language or communication mode (Ramsey, 1997).

Shift in Placement

Prior to IDEA, nearly one-half (49%) of deaf children attended special schools and programs for the deaf (Karchmer & Mitchell, 2003). At present, 24% of deaf students attend special schools and programs, whereas nearly two-thirds of deaf students are included (fully or partially) in general education classrooms (Gallaudet Research Institute, 2008). This shift in placement is a direct result of the federal special education legislation (Karchmer & Mitchell, 2003; Salem & Fell, 1988). The educational context and services provided to deaf students influence their linguistic and cultural development (Erting, 1978). For example, a deaf student who is placed in a classroom with hearing classmates and provided a sign language interpreter will experience linguistic and cultural development differently from a child who is placed in a deaf education program.
with deaf peers and direct instruction in sign language. As such, IDEA acts as *de facto* language policy. Similarly, IEPs function as individualized *de facto* language policies for deaf students as they outline language goals (e.g., speech articulation, sign language fluency, etc.) that are to be achieved. Given the mandate to create yearly IEPs, parents and educational service providers continue to wrestle with the policy tensions surrounding student placement. It is within this context that I seek to shed light on the policies, individuals, and educational contexts that are involved in implementing language policy for deaf students.

**AN ECOLOGICAL, DISCOURSE ANALYTIC APPROACH TO INVESTIGATING LPP PROCESSES**

To examine the relations among policies, agents’ beliefs about language and policy, and multilingualism in educational contexts, I follow in the tradition that draws on an ecological orientation to LPP (Haugen, 1972; Hornberger, 2002; Hornberger & Hult, 2008; Hult, 2010). Haugen articulated one of the earliest descriptions of an ecological orientation to sociolinguistic research: Language ecology is concerned with examining the interactions of languages, their users, and the language environments in which speakers interact. Like a biological ecosphere, LPP ecological landscapes are made up of several layers (Calvet, 2006; Hornberger & Johnson, 2007; Mühlhäusler, 2000).

Ricento and Hornberger (1996) conceptualized the LPP landscape as an onion. Like an onion, LPP processes made up of layers and a core. The outer layers are comprised of national legislation, judicial decisions, and accompanying guidelines; institutional settings such as schools, businesses, and government offices constitute the inner layers (Ricento & Hornberger, 1996). Located in the center of the metaphorical onion are the individual agents who implement the policies. Because policies pass through several layers (and agents with differing language ideologies, agendas, etc.) before they are (or are not) ultimately implemented, there are many opportunities for policies to be modified, ignored, or left unenforced (Ricento & Hornberger, 1996; Wiley, 1996). Hence, an ecological approach is particularly useful because it is concerned not only with identifying the individual actors and layers within the language planning process as Cooper (1989) suggested, but it is also acutely interested in illuminating the interrelations among the layers, actors, languages, social contexts of language, and LPP processes (Hornberger & Hult, 2008; Ricento & Hornberger, 1996).

Employing an ecology of language orientation to examine the implementation of transformative multilingual language policies in South Africa and Bolivia, Hornberger (2002) explicated how these policies open up “ideological and implementational space” in the linguistic landscape to allow for the coexistence of many languages. In instances where education policies seem to restrict multilingual education, Hornberger (2005) asserted:

[I]t is essential for language educators and language users to fill up implementational spaces with multilingual educational practices, whether with intent to occupy ideological spaces opened up by policies or to prod actively toward more favorable ideological spaces in the face of restrictive policies. Ideological spaces created by language and education policies can be seen as carving out implementational spaces at classroom and community levels, but implementational spaces can also serve as wedges to pry open ideological ones. (p. 606)
These ideological and implementational spaces create room for actors to interpret and reinterpret policies. Given that these spaces exist, it is then necessary to identify the individuals involved in carrying out policy implementation to examine the ways in which they make use of these spaces (Baldauf, 1982, as cited in Kaplan & Baldauf, 1996; Hornberger & Johnson, 2007).

Language ecology is a conceptual orientation. It does not specify any particular set of data collection techniques or analytic methods (Hornberger & Hult, 2008; Hult, 2010). Thus, a methodological framework that complements an ecological orientation is needed. Discourse analytic methods are fruitful for bringing to bear both micro- and macrolevel discourses within LPP landscapes (Hult, 2010; Ricento, 2000). A discourse analytic methodology such as Scollon and Scollon’s (2004) nexus analysis is particularly useful for investigating LPP processes because it, like the ecological onion, is concerned with examining individuals and processes within interpersonal, organizational, and institutional levels (Hult, 2010).

Nexus analysis is concerned with studying specific elements of the LPP landscape: discourse and social action. Discourse, according to Scollon and Scollon (2004), can be defined as “the use of language to accomplish some action in the social world” (p. 2). Discourse takes shape in speech, texts, and images and occurs on both micro- and macrolevels, as seen in a greeting between two friends or a recently enacted education policy (Scollon & Scollon, 2004). Just as discourse and social action take place on micro- and macro-scales, discourse and social action can be analyzed on both levels. Undertaking a nexus analysis allows one to identify and understand the links that connect the micro- and macrolevel discourses (Hult, 2010; Scollon & Scollon, 2004). Placing an ecologically shaped lens into a nexus analysis methodological framework to examine LPP landscapes, such as implementing language policy for deaf children, can ensure that the processes, individuals, and discourses operating within and among the various layers are identified and analyzed.

AGENTS IN A TEXAS SCHOOL DISTRICT

Having outlined the major provisions of IDEA and identified tensions that exist, I now examine the ways in which agents in a Texas school district navigate these discourses. Drawing on data from a multimethod, multi-sited qualitative research study (Author, 2010) conducted at a Texas school district, I report on ways in which language education ideologies influence agents’ implementation of IDEA within meso- and microlevels. Furthermore, I draw on Hornberger’s (2002) description of ideological and implementational spaces to elucidate how agents’ beliefs about language and education policy influence their interpretation of IDEA.

THE STUDY

Emerson Independent School District\(^3\) (EISD) is a large school district located in a metropolitan city in Texas. American Heritage Elementary School (AHES) is nestled in a middle-income

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\(^3\)Pseudonyms are used for the school district, the middle school campus, and participants.
suburb on the city’s outskirts. AHES is a choice site of inquiry because it houses a well established special school program that provides services to students from within the district, as well as students from neighboring districts. Thus, the school representatives are regularly involved in creating IEPs. The case study involved (a) semi-structured interviews with 16 participants that included parents of deaf students, educational service providers at two school campuses, district administrators, and state level agents; (b) policy text analysis; and (c) researcher observations (Compton, 2010). Interviews were audio recorded and transcribed following Rapley’s (2007) convention. IDEA, Texas Administrative Code Chapter 89, Texas Education Code Chapter 29, and EISD district policies were gathered for analysis. Field note collection methods were used during observations. Following the qualitative case study tradition, data were analyzed using an inductive interpretive approach (Duff, 2008; Merriam, 1998; Yanow, 2000).

The findings reported herein draw from interview data of three participants: a Texas Education Agency (TEA) representative, EISD’s special education legal counsel, and AHES’s audiologist. I focus on these particular individuals to illustrate not only how their language ideologies shade their interpretation of special education policies, but also to demonstrate how their influence permeates neighboring LPP layers. The agent at the campus level writing a student’s IEP looks to EISD’s attorney for policy guidance. EISD’s attorney in turn is concerned with how TEA interprets IDEA. Finally, TEA must ensure school districts comply with federal policy. By focusing on these individuals, I attempt to unpeel what Vaughn describes as the “complex interplay among the federal law, state laws and regulations, and actual practice at the district and school levels” (National Council on Disability, 2008, p. 12). Figure 2 illustrates these policy layers and the agents that work within them. I begin with the state layer.

![Figure 2](image-url)  
**Figure 2** Layers of the language policy and planning onion at American Heritage Elementary School.

*Notes.* IDEA = Individuals with Disabilities Education Improvement Act of 2004; ISD = Independent School District; IEP = individualized education plan; TEC = Texas Education Code.
State Layer

Scott Lamm joined TEA’s policy division as the director of deaf and hard of hearing services in 2006. His responsibilities are threefold. First, he provides guidance to school districts to ensure that “they are meeting all of the policies or all of the requirements of [IDEA]” (Interview, June 15, 2009). Second, when federal legislation changes, Scott solicits input from community stakeholders (e.g., deaf education teachers, parents of deaf children, and school administrators) regarding proposed changes to state regulations. Third, Scott collaborates with education service centers across Texas to develop deaf education support and training materials for school districts and parents. Prior to accepting the position at TEA, Scott worked at a school for the deaf and spent many years as a deaf education teacher. Although Scott frames deafness as a communication disability, he argues that “American Sign Language [ASL] is not a communication mode; it’s . . . a very intact, functional language” (Interview, June 15, 2009).

When asked about federal policies that govern deaf education, Scott referenced two provisions of IDEA: interpreting services and an opportunity for students to communicate with peers and professionals. He explained:

[K]ids need to have opportunities to have a set of communication peers that they can communicate with, that they can interact with, that are sort of at the same age level and same communication level using the same strategies and that they really have access to professionals who also use that particular mode of communication. (Interview, June 15, 2009)

Scott highlights the unique communication needs of students when explaining federal policies that impact deaf education. He did not, however, mention the LRE provision. During the course of our interview, Scott never mentions the LRE requirement. Rather, he chooses to frame IDEA’s requirements from a language and communication perspective. Then, Scott goes on to describe how Texas state education policy also pries open this same implementational space within IDEA’s communication provision:

Texas was one of the first states in the nation that identified as what was then referred to as the Deaf Child’s Bill of Rights. And so you can look in Texas Education Code Chapter 29 and there’s a whole list of things that are listed in law in the Texas Education Code that are important to consider when we’re talking about students who are deaf or hard of hearing. (Interview, June 15, 2009)

In 1995 Texas enacted Texas Education Code Chapter 29 (TEC). It recognizes ASL as a language used by deaf students and enumerates deaf students’ rights to an education where their main mode of communication (including ASL) is fostered and developed. This legislation is commonly referred to as the Deaf Child’s Bill of Rights; eleven states have passed similar communication-driven legislation.4

Whereas the consideration of deaf children’s unique communication needs appears as a subparagraph in IDEA (2004, § 614(d)(3)(B)(iv)), the TEC enumerates deaf children’s language and communication rights in a subchapter six pages in length. TEC begins by recognizing ASL as “a complex, visual, and manual language with its own grammar and syntax” (2007, § 29.301(2)). The law grants deaf students the right to receive an education in their unique communication

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4See http://www.nad.org/issues/education/k-12/bill-of-rights
mode, alongside peers who use the same language, as well as access to instruction in their language modes (TEC, 2007, § 29.303-305). The TEC is a prime example of how individuals use their agency to open up ideological spaces in policy texts to create a larger implementational space for multilingual education (Ball, 2006; Hornberger, 2005).

Turning to the ways in which a district implements IDEA, Scott advises districts to consider the implementational space created with the passage of TEC:

TEA says that districts need to make sure that students’ needs are met... So it goes back to the IEP, [it] goes back to ensuring that they’ve really looked very carefully at what the students’ needs are. On a frequent basis we want districts to really look at a student’s communication strengths, communication weaknesses, communication modes, what their preference for communication is, what works well for this particular student and why and where there seem to be weaknesses that need to be improved upon... So we really want, we want people to really look at individual student communications and really make sure that students are really getting what it is that they need. (Interview, June 15, 2009)

Scott couches deaf students’ needs within the framework of language and communication, rather than within the dominant discourse: the LRE. Furthermore, he presents this guidance as a TEA position (line 1), perhaps to give it greater weight. If engaged in an ideological tug-of-war between LRE and deaf students’ communication needs, Scott would pull for students’ communication needs as evidenced by his recommendations to school districts (lines 3-4). From these excerpts, one can see how Scott’s beliefs about the role of language and communication influence the discourses he takes up and the ways in which he uses implementational space within the policies to promote multilingual, multimodal educational contexts for deaf students.

District Layer

Kate Andersen has served as special education legal counsel to EISD since 1996. Previous to representing EISD, she was part of the legal division for a large education association in Texas. Kate credits her family for shaping her love of education policy. Her family members have served as teachers, school board members, principals, and district administrators. She chose to blend her passions for policy and education by becoming a special education attorney. Kate describes her roles with EISD as three-tiered. First, she states, “I help school officials interpret the federal law and guidelines... I read the law and say, ‘This is the way I interpret it’” (Interview, November 12, 2009). Second, she provides extensive in-service and teacher training to ensure that school personnel understand the policy requirements and are aware of any legislative changes. Third, she serves as litigation defense when parents challenge school district’s placement decisions.

In discussing deaf students’ language and communication needs, Kate recognizes ASL as a communication mode that some students use and acknowledges that school districts are required by law to provide support to students who communicate in ASL (Interview, November 21, 2009). District officials who drafted and approved EISD board policies adopted all but two of TEC’s provisions promoting deaf students’ access to educational contexts where peers and teachers share

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5Only a general description of the district policies is provided in an effort to maintain the school district’s anonymity.
the same communication mode. In our discussion, Kate does not mention or refer to TEC or the board policies. Rather, she couches communication needs within the LRE provision:

... [T]here’s a large issue federally called least restrictive environment. You may have heard of it as mainstreaming or inclusion. And that’s “how do we provide services for individuals with disabilities in the context of a classroom with non-disabled peers, or with less-disabled peers?” There are a lot of benefits to that. From an educational policy perspective I think the benefits to that include modeling by non-disabled peers of appropriate language patterns, which is incredibly appropriate for students who have hearing loss. (Interview, November 21, 2009)

In Kate’s description of the LRE, she instantiates the inclusion ideology that the general education classroom is the most appropriate setting because hearing students serve as language models for deaf students (lines 4-6). This is also consistent with her views on language learning in general. She believes that like traditional English language learners, immersing deaf students with support is an effective method for teaching English (Interview, November 21, 2009). Furthermore, Kate states that appropriate language patterns are those expressed in spoken English, not in ASL (line 5), suggesting that the only language deaf students need to learn is English.

Later in the conversation, Kate discusses the role that students’ communication needs plays in creating IEPs:

For students who are deaf, auditorially impaired, those students frequently have [IEP] components that talk about language development, ASL, the number of vocabulary signs, in addition to other things like self-advocacy skills. “How do I let the teacher know that I don’t understand what was just said and I don’t think the interpreter gets it?” . . . So it all depends on what the child’s individual make up is and what they need . . . . And then the end result is we hope we can do that in what’s called the least restrictive environment. (Interview, November 21, 2009)

Kate acknowledges that children’s language development is one factor that is addressed in creating IEP goals. The example she gives for an IEP language development goal pertains to the number of ASL signs a child will learn during the academic year (line 2). When juxtaposing language and the LRE provision, access to peers and teachers who communicate in sign language takes a back seat to placement in the general education classroom.

In describing the IEP creation process, Kate articulates two competing discourses within IDEA: meeting students’ individual needs and placing students in the general education classroom. In lines 5-6 she makes it clear that she views the regular education classroom as the preferred placement context for deaf students. What is particularly striking about this last statement, however, is that Kate uses “least restrictive environment” to mean “general education classroom.” Although the term LRE encompasses all educational placement options, Kate uses the term LRE to mean the general education classroom.

Campus Layer

Whereas Kate’s ideological views about deaf education are strongly tied to the LRE provision and Scott’s belief that student placement decisions should be centered on students’ communication needs, Ann Cody describes herself as a “middle of the roader” (Interview, May 19, 2009). Ann is EISD’s audiologist and is housed at AHES. As director of audiological services, Ann is responsible for conducting hearing tests, making recommendations for students’ IEP
communication goals, and participating in IEP meetings. In addition, she provides services to students from across the district and works closely with the district’s itinerant deaf education teachers. As such, Ann acts as a scale jumper (Blommaert, 2007); she moves between the core of the LPP onion (AHES) and the district layer. Whereas Scott and Kate are not directly involved in the creation of students’ IEPs, Ann does play an active role in the IEP process by making recommendations for IEP goals and in determining which educational context is the LRE for each student. Ultimately, then, Ann’s language ideologies and interpretation of the LRE and students’ communication needs provisions directly impact deaf students’ access to multilingual classrooms.

Ann views sign language as a communication tool, much like an auxiliary aid such as a cochlear implant or listening device. She states upfront that as an audiologist, she views deaf education issues from a “hearing standpoint” and is interested in providing “tools to help [students] be successful” (Interview, May 19, 2009). She argues that educational service providers working with deaf students should ask themselves, “What do [students] need?” and then provide them with “whatever it takes” to ensure their success (Interview, May 19, 2009). One obstacle she believes special education professionals face in securing necessary services for students is the dominant view of the LRE provision:

I think we’re more bound to a least restrictive environment which means putting kids in mainstream. Because we’ve had parents that want sign [language]. But we have to say, “But have you tried, have we tried oral and English and language?” or we’re kind of forced to do that. So we can’t put them here [in the special school program] until we’ve tried [mainstreaming] and shown it’s not successful . . . sometimes I think there’s inclusion where there shouldn’t be inclusion. But, that’s the law. People fought for it. My kid should not be denied being in the regular classroom no matter how much they’re getting or not getting. And it makes it hard. But we’re always going to have laws for something and it’s not going to fit every child. (Interview, May 19, 2009)

Here, Ann articulates the challenges that the LRE provision has presented to placing deaf students in more multilingual, multimodal educational environments. Although she does not agree with the prevailing interpretation of LRE that limits deaf students’ access to multimodal environments (lines 4–6), she seems to believe that the LRE provision overrules students’ needs, as indicated by her last statement (lines 8–9).

Prefacing her comments presented earlier, Ann describes how she feels that her professional judgment is harnessed by the prevailing interpretation of LRE. As she states in lines 3 through 5, her recommendation to place students in special school programs is overruled by the LRE provision. When asked whether or not there is flexibility in determining which services she could provide, she responded:

Yes . . . in fact the state does not recognize unilateral hearing losses as being eligible for services, technically. But we still put [students] in services if the need is there . . . . So we can kind of bend when we need to . . . . I don’t think they’re [TEA representatives] going to come in and tell us those unilateral kids can’t [receive services]. (Interview, May 19, 2009)

Ann bucks the proverbial system by carving out implementational space to provide services to children with unilateral hearing losses. Because she believes that students with unilateral hearing loss benefit from audiological services, Ann is confident that the state would side with her determination that the child’s needs supersede any restrictions outlined (or omitted) in state policy.
Here she opens ideological space in the policies to support auditory services. However, she does not open implementational space within IDEA and TEC to place students in special school programs without first trying a mainstream setting. Perhaps Ann’s beliefs about language (“I look at everything from a hearing standpoint” (Interview, May 19, 2009)) influence the spaces she opens up.

**DISCOURSES AND SPACES**

Several conclusions can be drawn that have implications for both policy and practice. First, in answer to Cooper’s (1989) question, educational service providers and parents are the agents who ultimately implement IDEA. They determine deaf children’s educational placement through the IEP creation process. Agents in the state and district layers of the LPP onion are not directly involved in creating students’ IEPs. It can be argued, then, that parents and educational service providers like Ann have the greatest influence in determining the educational contexts in which deaf children are placed. As such, it is important that they are aware of all of the circulating discourses to make informed decisions concerning educational placement.

The Commission on Education shed light on one such discourse in its report to Congress. Citing findings from its investigation into the quality of deaf education, the Commission expressed concern at the “widespread” misinterpretation and misapplication of the LRE provision: “Too often, deaf children have been placed in improper educational settings because educational agencies have prioritized placement with [non-disabled] students in the least restrictive environment above placement which is most appropriate for the individual child” (Commission on Education, 1988, p. 7). The former Assistant Secretary of Education in the Office of Special Education and Rehabilitative Services also cautioned schools in how the LRE provision is interpreted:

> [I]f you asked me for the single issue that thwarts our attempts to provide an appropriate education for deaf children, I would tell you . . . : the interpretation and application of the LRE provision . . . . School districts are applying the LRE provision by generalizing that placements in or closer to the regular classroom are somehow inherently less restrictive for all children with disabilities. While this may be true for many children with all types of disabilities . . . for a deaf child, these settings may be completely isolating due to communication factors. (Davila, 1992, as cited in Schildroth & Hotto, 1994, p. 9)

Subsequent guidance and regulations from the U.S. Department of Education echo both the Commission’s and the Secretary’s call that a child’s individual needs must be the driving force behind selecting the most appropriate educational context (Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities; Final Rule, 2006; U.S. Department of Education, 1992).

Next, the degree to which deaf children develop language and communication is highly dependent on the context within which they are placed. Spoken languages are relayed through speech and sound. Sign languages are relayed through signs, body movements, and facial expressions. Both forms of languages rely on different methods for communication. As such, a spoken language does not serve as a model for a sign language just as a sign language cannot serve as a model for a spoken language. For a student who communicates in sign language, IEP teams may
determine that a child’s IEP goals and individual communication needs are best met in a context other than the inclusion setting (recall Ann’s comments). In such cases, IEP teams need only turn to the communication needs provision in IDEA to explain their placement decision (RODE, 2008). Whereas Ann described the LRE provision as being inflexible so as to allow for initial placement outside the inclusion setting, this dominant discourse is challenged by the guidance set forth by the U.S. Department of Education (RODE, 2008). The LRE is not the general education classroom (RODE, 2008). The educational context that is the LRE is the one in which the child will achieve his or her IEP goals.

Finally, policies are not mechanically passed down from the macrolevel, to the inner layer, and finally to local contexts where they are implemented in precisely the way that they were intended by federal policymakers (D. C. Johnson, 2010). Rather, policies are interpreted and reinterpreted at the state, district, and local levels. From Scott’s comments, we see how state law makers made use of implementational space in IDEA’s communication needs provision to enact the Deaf Child’s Bill of Rights. At the local level, we see how Kate creates space in the policies to provide a student with audiological services that are not enumerated in state policy. These examples illustrate how individuals instantiate microlevel change by carving out spaces in policy texts to support students’ linguistic development, both in sign language (Deaf Child’s Bill of Rights) and spoken language (auditory services for unilateral hearing loss).

CONCLUSION

Historically, LPP implementation has been examined at the macrolevel (Baldauf, 2008). However, Ricento (2000) argued that macrolevel LPP processes cannot be understood if isolated from meso- and micro-layers. As such, this article examined the agents, levels, and processes involved in implementing IDEA for deaf students in a local school district in Texas. First, I prof-fered an analysis of how IDEA functions as de facto language policy for deaf students. The IEP process serves as language planning activity, allowing agents to open up or close down ideological and implementational space within policies to promote multilingual, multimodal educational contexts. There are, however, competing discourses within the IEP process. Most notably, tensions arise when trying to satisfy the LRE provision while simultaneously considering deaf students’ unique communication needs.

Turning to a school district in Texas, I demonstrated how agents’ language ideologies influence the degree to which implementational space for multilingual education is opened up by agents within the state, district, and campus layers. Agents at the state layer pried open implementational space in IDEA to pass the Deaf Child’s Bill of Rights and encourage school districts to consider students’ unique communication needs. At the district level, EISD adopts the Bill of Rights as district policy. Agents within the district and campus layers take up the dominant discourse in IDEA that views the inclusion setting as the LRE. By examining the agents and processes involved in implementing education policy, one can peel back the LPP layers and, thus, peer into the core of the onion to see how agents navigate competing policy discourses and use ideological and implementational space to promote multilingual, multimodal educational contexts.
ACKNOWLEDGMENTS

I am indebted to Francis M. Hult for his constructive feedback and insightful comments on this article. Similarly, I thank Larry Siegel for his helpful comments.

REFERENCES


