

Hi Everyone. I wanted to pass this article on to you. This case involves a deaf high school student, Samantha Solorzano, who is being denied realtime captioning by her school district, Glendora Unified. There was a hearing this March in which I testified as an expert witness. In May, the administrative law judge ruled in favor of the student (OAH Case No. N2006110090, Special Education Division, State of California). The school district is appealing the judge's decision. I am working with Samantha's mother to help bring attention to her case.

This newspaper article appeared in the [San Gabriel Valley Tribune](#) on June 14, 2007. Please note that you can go to the newspaper's website to comment, http://www.sgvtribune.com/search/ci_6135867, and/or write a letter to the editor of the paper. Samantha's case was also the lead story in [La Opinion](#) on May 31, www.laopinion.com, and was reported on KMEX-TV news.

District files appeal against deaf student

By Alison Hewitt Staff Writer

GLENDORA - Samantha Solorzano, a deaf sophomore at Glendora High School, cried tears of joy after she and her family won a lawsuit against her school requiring it to provide her with a real-time transcription of her classes.

Then, June 7, the school appealed. In court documents, the district called having a court reporter transcribe classes an "extreme solution" that could intimidate other students.

"I feel mad that they won't give up ... I want to hear what everybody's saying," said the 16-year-old. She doesn't enunciate much, but she is understandable.

Being deaf since birth hasn't kept Solorzano from attending regular high school classes, but it has kept her from joining classroom discussions. She has several ways of understanding what people say, from lip reading to a cochlear implant in her left ear, although she still might need people to repeat themselves. Her teachers have microphones so their voices are transmitted to her hearing aid.

But most students sit behind her and she can't always see their lips. Since she doesn't know what they're saying, she doesn't want to speak, she said.

"I can't see their faces and read their lips," Solorzano said. Two voices at once are hard to interpret, and a note-taker hired by the school can't take notes word for word. The note-taker also leaves out snide remarks that set the other kids laughing, leaving Solorzano out, too, she said.

So in May 2006, Solorzano and her family asked the school to provide a transcription service, which is used in several area high schools and colleges. A court-reporter style "captionist" would sit in class with Solorzano, typing what the teachers and students said word for word for her to read on a computer screen, or projected onto a classroom screen.

But the school disagreed, saying in court documents that captioning was unnecessary. It would also cost upward of \$35,000 per year. The school offered other options, including a sign

language interpreter and the note-taker.

So in November, the family sued, and they won in May. Glendora High School appealed last week.

Ted McNevin, the Glendora Unified School District's director of instructional and student support services, said he couldn't talk about Solorzano's case for confidentiality reasons, but spoke about special education programs.

"We have an obligation to provide students with what they need ... but we try to distinguish between what would be needed and what is just helpful," McNevin said. "That's where we sometimes get into disputes with families. They're not looking at it from an educational and legal point of view, they're looking at it from their hearts."

A transcript of a class would be used as a back-up if a student missed a part of a discussion, he said. Since it wouldn't be part of the main way of providing instruction, it falls into the "just helpful" category, he said.

And while the school can't consider the cost when deciding whether to provide a program such as transcription, the school would not get any new funding for the program, either, McNevin noted.

But a judge slammed the school for failing to meet Solorzano's needs. In the decision, Administrative Law Judge Clara Slifkin criticized the school for giving Solorzano a sign language interpreter, even though she is an oral learner and uses sign language only socially, not academically.

Slifkin also highlighted testimony by [Sandy Eisenberg](#), who owns a captioning company, saying that captioning would improve Solorzano's lagging vocabulary skills and encourage her to use her voice more. Solorzano's mother, Jackie, said it would also help make her daughter more independent because she would begin to recognize the sound of more words once she could see them printed at the same time she hears them spoken.

The appeal could take one or two years, but Solorzano's attorney, David M. Grey, said federal laws will require the school to provide captioning during the appeal - but he will have to get a court order for it.

"We should be able to get an order within 60-90 days," Grey said. "So ... she's not going to get the service for the rest of this school year or during summer school."

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