Legal Matters

Allegations of Unlawful Discrimination in Education: Parents Taking Their Fight for Auslan to the Courts

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This paper examines the use of the Disability Discrimination Act (Commonwealth of Australia, 1992) by parents seeking access for their deaf children to native sign language in the classroom. It reviews a number of cases in which Australian parents have claimed indirect discrimination by educational authorities over their children’s lack of access to instruction through Australian Sign Language (Auslan) and discusses the outcomes of such litigation. The policies endorsed by deafness organizations are contrasted with those of state educational authorities. The author discusses the limitations of a complaints-based system to address systemic discrimination and suggests the need for legislation to protect the linguistic rights of deaf children.

Australian Anti-Discrimination Legislation

In Australia, the Human Rights and Equal Opportunity Commission (HREOC) is responsible for the investigation and conciliation of complaints made under antidiscrimination legislation. HREOC responds to complaints received under four acts:

2. The Racial Discrimination Act of 1975,
3. The Sex Discrimination Act of 1984, and

Complaints concerning possible discrimination against deaf individuals are made under the Disability Discrimination Act (DDA; Commonwealth of Australia, 1992). The DDA is a federal law that makes it unlawful to discriminate, directly or indirectly, against people with a disability. In the area of education, according to the DDA it is unlawful for an educational authority to discriminate by:

- refusing or failing to accept an application for admission from a person with a disability or accepting that person on less favorable terms or conditions;
- denying or limiting access to any benefit provided by the educational authority, expelling a person because of a disability, or subjecting the person to any other detriment; or
- the presence of humiliating comments or actions that create a hostile environment.

Indirect discrimination is defined as discrimination that is the result of a condition or requirement that is not reasonable, that disproportionately affects people with a disability, or that cannot be met by a person with a disability (Toohey & Hurwitz, 2002). Each year HREOC receives over a thousand complaints. Just over 3% of all complaints relate to deafness, and on average 8–10% of all cases over the past 3 years related to education (see HREOC, 2001a; 2001b; 2002).

Most complaints in education are in the university and government primary school sectors (Toohey & Hurwitz, 2002). On average, about half the cases in education are resolved through conciliation. HREOC is obliged to try to resolve all matters through conciliation; however, the DDA does not require educational authorities to make changes if doing so would impose an “unjustifiable hardship” on those authorities. The Commonwealth Government contributes a sig-
significant amount of funding for education to the states, but it is the state departments of education managers and ministers of education who manage the system (Devine, 2002).

A Placement Model Versus Rights Model

The emphasis in most Australian states is on a “placement” model in which deaf students’ needs are ascertained to determine the most appropriate educational setting and/or level of support for them. More than 80% of deaf and hard-of-hearing students are taught in regular classes. This places a high, but necessary, burden on the regular school system to be “inclusive” and to provide for the communication needs of deaf students. Many deaf students in regular schools have access to special facilities, known in Australia as congregated settings, which cater to groups of students and were established following a review into deaf education in the early 1990s (see Cullin & Brown, 1992). These are generally considered to be a more effective and cost-efficient approach to educating deaf students than isolating them in regular schools without (deaf) peer support. In several regions in Victoria, for example, teacher services have been reduced and the remaining staff moved to deaf facilities where they can support a larger number of students. Students who are in regular schools without a deaf facility receive varying levels of support from the visiting teacher services. In some rural areas, deaf students may only have access to generalist special-education staff who are employed to cater to students with a variety of disabilities and who are not necessarily qualified as teachers of the deaf.

The focus on “placement” in deaf education in Australia largely ignores the language of instruction to be used in these settings. Historically, deaf education has been debated in terms of communication mode: speech or sign. More recently, recognition of the legitimacy of natural sign languages and the establishment of bilingual programs has shifted attention to the language used to instruct deaf children. This has highlighted the dominance of English in spoken and most signed settings. Australasian Signed English is still considered the most prevalent form of signed communication among teachers of the deaf and is the approach endorsed by some state educational authorities. In contrast to the “placement” model that dominates state policies on deaf education, advocates of bilingual education argue on the basis of linguistic rights for deaf children to be educated through Auslan.

International conventions protecting the rights of linguistic minorities are used to support the call for bilingual programs by state, national, and international deafness organizations.

The Australian Association of the Deaf (AAD) has been lobbying for bilingual education for several years and calls for

1. the right of Deaf children to have full early exposure to sign language and to be educated as bilinguals or multilinguals with regard to reading and writing.

2. the recognition of Auslan, the sign language of the Australian Deaf Community as the first language of a Deaf child, which will ensure that Deaf children acquire their first language with full fluency. The right of Deaf children to be educated bilingually with:
   - the national sign language as the main language of instruction for academic subjects
   - the [sic] instruction in the national spoken and written language should occur separately but in parallel as is usual for other bilingual educational programs for other languages.

3. the [sic] instruction of English occurs best in the written form. In order to teach and explain how to use and understand English, Auslan should be used as a teaching language. Deaf children should choose whether to learn the spoken form.

4. the provision of sign language instruction for parents and professionals working with Deaf children.

5. Teachers of Deaf children to learn and use Auslan as the primary language of instruction. (Australian Association of the Deaf, 2003).

The World Federation of the Deaf Scientific Commission on Sign Language (WFD, 1993, p. 12) recommended that “Teachers of the deaf must be expected to learn and use the accepted natural sign language as the primary language of instruction.” This position was reaffirmed in 2003 at the 14th World Congress of the WFD at which the Federation resolved to continue its work: “Opposing the violation of the linguistic and human right of Deaf people still common worldwide and reaffirming that Deaf children have a right to bilingual education in their indigenous sign and written languages” (closing speech by Carol-
lee Aquiline, General Secretary of the WFD). WFD’s position is supported by the Salamanca Statement on Special Needs Education in which it is declared: “The importance of sign language as the medium of communication among the deaf, for example, should be recognised and provision made to ensure that all deaf persons have access to education in their national sign language” (UNESCO, 1994).

Tasmania was the first Australian state to introduce bilingual education for deaf students in 1991 and endorse the use of Auslan in programs operating in the state government sector. Programs followed in most other states, but often not without delay or resistance evidenced by the cases discussed in this paper. In New South Wales, for example, parents and members of the Deaf community turned to private institutions to provide bilingual programs after unsuccessfully lobbying the state educational authority. Frustrated by the unwillingness of the state to do so, the parent group went on to lodge a representative complaint under the DDA (the fourth case reaching agreement through conciliation described later in this paper). In other states, trial or pilot programs generally have been funded by education departments, apparently as an indirect outcome of complaints made against them.

Formal Complaints Concerning the Language of Instruction

At least 11 formal complaints have been lodged with HREOC in Australia over the past decade (1993–2003) that relate to education, deafness, and access to native sign language (from pre-school to secondary school level, that is, 3–18 years of age). A short summary of three of these cases is available from the HREOC Conciliated Outcomes Registers (HREOC, 2003b). Most, however, are described from the author’s involvement as an expert witness sought by parents and legal counsel to comment on the facts of their cases (see Komesaroff, 1998, for a detailed description of two of these cases). All but one complaint was brought by the parents of deaf children, including a representative complaint made by a statewide parent support group. In one case, the action was taken by a deaf secondary student. The complainants in all cases claimed discrimination on the basis of lack of access to Auslan in the classroom. Their claims of disadvantage in educational settings identified an absence of qualified interpreters, qualified teachers proficient in Auslan, and/or support staff fluent in Auslan.

Six cases, just over half the number lodged with HREOC identified in this period, reached conciliation. One further case was dismissed and two were withdrawn. The two final cases reported in this paper have been heard by the Federal Court of Australia. One reached determination in October 2003 with Federal Court Judge Rodney Madgwick finding in favor of the applicant that the Catholic Education Office and MacKillop Catholic College unlawfully discriminated against Jacob Clarke, a profoundly deaf student (Federal Court of Australia, 2004).

Agreement Through Conciliation

The outcomes of four cases that reached agreement through conciliation have been reported by HREOC, and an outline of the complaint and the agreement reached is provided below. The outcomes of the other two cases that were conciliated are not publicly available, the parties agreeing to a confidential settlement.

Complaint: A deaf child taught through Auslan in a pre-school program was to commence formal education in a small regional school where there was no teacher with Auslan qualifications. The department had offered part-time assistance through an aide who understood Auslan, but the child’s parents were concerned that part-time access would put their daughter at a disadvantage.

Conciliated outcome: The department reviewed its policies and offered an incentive to Auslan qualified teachers to move to regional and remote areas. A teacher with Auslan qualifications was appointed prior to the child’s commencement of her first year of formal schooling (Toohey & Hurwitz, 2002).

Complaint: The mother of a 7-year-old profoundly deaf girl who communicates through Auslan claimed her daughter could not access education services on equal terms with other children because the state school at which she was enrolled had not provided an interpreter or teacher with Auslan skills.
Conciliated outcome: Reasonable adjustment was provided, with a change in policy and practice (HREOC, 2003c).

Complaint: The parents of a profoundly deaf girl who attended a local primary school alleged the education department failed to provide reasonable accommodation for their daughter’s disability because it had not employed an Auslan interpreter. They claimed their daughter’s educational opportunities were being wasted as she could not participate in the curriculum without an interpreter.

Conciliated outcome: The department created a new position for a full-time Auslan interpreter (HREOC, 2003a).

Complaint: A statewide parent support group claimed the education department was deficient in providing services to deaf students in six areas and formally called for the provision of bilingual/bicultural education as an educational option.

Conciliated outcome: A working group of both parties was established to discuss issues of concern at biannual meetings; the parent support group would provide feedback and advice to the department on matters of individual concern to parents, and the support group would contact the Board of Studies with a view to introducing Auslan as a subject in the senior years of secondary school (the School Certificate and Higher School Certificate) (HREOC, 2003a).

Significant detail is known about the fourth case listed above through publication of newsletters by the parent group and research by the author (see Komesaroff, 1998). The complaint was lodged in 1993 by a statewide parent support group against the New South Wales (NSW) Department of School Education (now known as the Department of Education and Training). The Parent Council for Deaf Education (PCDE) claimed there was a general lack of access to Auslan in deaf education in government schools in NSW and that the state educational authority had ignored longitudinal studies from bilingual programs in other countries. It formally called for the provision of bilingual/bicultural education as an educational option in NSW (PCDE, 1996) and claimed the education department was deficient in providing services to deaf students in six areas:

1. lack of access to suitably qualified interpreters,
2. lack of access to adequate numbers of qualified teachers of the deaf,
3. ad hoc provision of resources and personnel funding for deaf students integrated into regular schools,
4. absence of a segregated secondary school for deaf students using sign language
5. lack of support for the promotion and understanding of deaf students by their hearing peers, and
6. absence of bilingual/bicultural programs for the deaf.

As stated earlier, the complaint followed unsuccessful attempts during the early 1990s to establish a bilingual program for deaf students in NSW (Graham, 1994). The parent council claimed the department failed to provide equal access to education for deaf students because most teachers and students in regular schools could not communicate with deaf students, many teachers with signing students in their classes did not have adequate communication skills, there were inadequate numbers of suitably qualified interpreters, and students graduating from government schools were essentially illiterate (Friedlander, 1993). The parent council claimed “The Department is routinely forcing hearing disabled students into situations where they are taught by people they cannot understand” (PCDE, 1996, p. 31).

In early 1997, 4 years after the complaint had been lodged, the parties reached agreement through conciliation. Despite the establishment of a working group and biannual meetings in which both parties discussed issues of concern, twelve months after the agreement was signed, the editor of the PCDE newsletter commented: “we are a long way from achieving a workable outcome given the policies and bureaucracy that is found in a large Government Department such as the DSE [Department of School Education]” (PCDE, 1998, p. 5).

Cases Dismissed or Withdrawn

One complaint related to deafness, education, and access to sign language was dismissed by HREOC. Lodged by a deaf secondary school student in 1995, the student complained that her school had discriminated against her when she was refused access to a sign language interpreter for final-year exams. The commissioner declined the complaint on the basis that the
act was not unlawful, given that the school provided an “oral” program in a segregated setting (HREOC, 2000a).

One of two cases withdrawn, Murphy v. State of New South Wales, concerned the education of a deaf boy who showed delayed language acquisition. In 1999, the boy’s mother lodged a complaint that the state was guilty of discrimination “in the facilities which the State provided” for her deaf son. She alleged that despite the school’s acknowledgement of the child’s use of Auslan signs and natural gestures (features of sign language use), it had failed to provide him with accessible linguistic models, resulting in delayed language acquisition (L. Komesaroff, witness statement, December 9, 1999). The hearing was expedited but the case later withdrawn as a result of the mother’s death (HREOC, 2000b).

The second case that was withdrawn was lodged by deaf parents against a segregated school for the deaf in Victoria and the state department of education in 1995. After considerable delays in case proceedings, changes to legal counsel, and alteration to legislative provisions affecting the case, the parents were advised to withdraw their complaint to avoid the risk of costs being awarded against them. Considerable detail is available on this case, as the deaf parents, principal signatories, and two hearing parents who supported the complaint were interviewed in a research study undertaken by the author (see Komesaroff, 1998). The four parents named in the complaint were members of a larger group of parents that had actively sought the introduction of Auslan and establishment of a bilingual program in the school attended by their children. They claimed indirect discrimination on the basis that their children were denied full access to education because of the school’s unwillingness to establish a bilingual program in which Auslan would be used as the language of instruction and recognized as their child’s first language. Details of their complaint, outlined below, summarize the parents’ claims against the school including

- active discouragement of Auslan and pressure on parents not to use Auslan,
- advice favoring integration into regular schools (after completing the school’s program),
- lack of Auslan interpreters, thereby limiting access to the school program and community activities,
- use of Australasian Signed English against parents’ wishes,
- limited or no access to Auslan for some children in the school,
- limited or no access to lessons conducted in Auslan,
- lack of qualified teaching staff proficient or accredited in the use of Auslan,
- lack of educational qualifications among staff proficient in Auslan,
- employment of integration aides lacking Auslan skills,
- continued recruitment and employment of staff without Auslan skills, and
- risk of funding shortfalls each year, leading to the program’s reliance on charitable bequests.

The parents’ decision to lodge the complaint followed years of dissatisfaction and frustration with the absence of Auslan in the classroom and with teachers’ continued use of Australasian Signed English despite parents’ wishes. They claimed that their calls for change had been actively blocked by the school’s principal who allegedly encouraged parents to place their children in the school’s oral stream and warned them that Auslan would not develop a deaf child’s literacy skills. The parents were highly critical of the lack of information given to the school community about the benefits of bilingual education, the lack of effort to introduce parents to deaf adults, and teachers’ failure to recognize the advantage of educating deaf students through sign language.

In 1992, a deaf adult was employed as an integration aide at the school for half a day a week. Contrary to the model of bilingual education sought by parents, she worked beside a hearing teacher who continued to instruct through Signed English (with grammatical suffixes). The following year, the aide’s position was extended to three days a week, and by 1995 it was a full-time position. During the first three years of the program, the children remained in a class without access to Auslan on the days that the “bilingual program” was not offered. The parents rejected the school’s continued use of Signed English and the low status of Auslan in the school. They cited examples of school events such as sports days and school concerts for which Auslan interpreters were not provided. The parents had been active members of the School Council and an education subcommittee in an attempt to introduce a bilingual program. In an effort to reform the school’s program, they addressed formal complaints to the school
principal, School Council, Governing Council, District Liaison Principal, Minister of Education, and State Premier. A parent representative tabled a request for teachers to use Auslan at a meeting of the School Council and Governing Council but was told that she failed to realize the benefits of Signed English for her child.

Due to administrative delays, formal attempts at conciliation did not begin until two years after the complaint was lodged with HREOC. The parents called for the recognition and introduction of Auslan as the language of instruction, appointment of qualified teachers accredited in Auslan, implementation of professional development and preservice Auslan training for teachers of the deaf, and a requirement for all teachers of the deaf to be proficient in Auslan. At conciliation meetings held to try to resolve the matter, the principal and department representative denied all aspects of the complaint and refused the requests made by the parents. Given the inability of the parties to come to agreement, the complaint was listed for hearing at HREOC. Before the case could go to hearing, however, legislative changes required the case to be heard by the Federal Court, as state agencies were no longer able to handle complaints lodged under federal law. In doing so, there was the risk of legal costs being awarded against the complainants.

Given the drawn-out nature of the case and the fact that their children were no longer at the school, there was a risk that the parents would be viewed as egregious for continuing with the complaint. Furthermore, there had been an ongoing problem with legal representation. On two occasions, after several months of legal counsel, the firms that had taken their case on a pro bono basis claimed a conflict of interest and referred the parents back to the Public Law Clearing House (for the appointment of new legal counsel). When the parents met their barrister from the third firm of lawyers to represent them, they sensed little support for their case and were advised to consider the risk of costs being awarded against them. After more than 4 years of legal process, they withdrew their complaint. Although this case did not go to hearing, it did appear to have some effect on the educational community. The state department contributed substantial funds to improve students’ access to Auslan at the school and commissioned a research study to evaluate the school’s bilingual program. The parents moved their children to a segregated school for the deaf with a bilingual program and later to a deaf facility for secondary education (children aged 7–12 years).

Cases Heard by the Federal Court of Australia

Two cases of alleged discrimination on the basis of lack of access to Auslan in education reached the Federal Court of Australia in 2002 and 2003 respectively. A judgement on the first case, Clarke v Catholic Education Office (CEO), was recently handed down (October, 2003). The judge found in favor of the applicant, agreeing that the educational authority and school unlawfully discriminated against a profoundly deaf student. A second case, Hurst and Devlin v Education Queensland, is currently being heard by the Federal Court. Both cases are very significant. Unlike those described earlier in this paper, the determinations reached by the Federal Court judges will contribute to Australian case law.

The first case, Clarke v CEO, was the result of a complaint lodged under DDA by the father of a profoundly deaf boy who communicates through Auslan. After attending a Catholic primary school (Years 1–6) with Auslan support, the parents claimed their son’s enrollment at the Catholic secondary school was offered on the basis of inadequate support with only the possibility of access to sign language. The model of support offered by the school included the “use of signing support if a staff member . . . were to have these skills and be in a position to input into the learning support program” and recommended “if possible, [to] have . . . [his] peers from . . . [his] year 7 classes to support him with interpreting and relaying verbal messages” (MacKillop Catholic College, cited in L. Komesaroff, witness statement, September 20, 2001).

In providing evidence as an expert witness in this case, I stated that the model of support offered by the school and CEO was inadequate for a student who communicates through native sign language, and that it is highly inappropriate for a school and educational authority to suggest that a deaf child who uses Auslan be placed in an educational environment that provides no access to that language. Furthermore, it is highly unreasonable to expect a deaf student to use note taking as his primary method of communication, and it is a monumental failure of the school system not to provide adequate access for a student who is culturally and linguistically deaf. There was no mention of Auslan or indeed “sign language” in CEO policy documents regarding the
provision of services to students with hearing impairment and special needs, and the approach endorsed by the CEO ignored or excluded the use of sign language. In addition to appearing as a witness for the complainants, I was asked to provide interpreting for the court soon after the commencement of proceedings. It had become clear to the judge that an interpreter was required in order for Jacob Clarke to give evidence.

Despite the acknowledged need for an interpreter in court by all parties, the respondents to the complaint argued that Jacob was capable of communicating through a variety of communication methods and would not be best served by “relying” on a sign language interpreter in secondary school. The judgement in this case was that the CEO and MacKillop Catholic College Canberra unlawfully discriminated against Jacob. The Federal Court judge accepted Mr. Clarke’s claims that the failure of MacKillop Catholic College to offer Auslan support to Jacob was discriminatory. In a press release he issued later, Mr. Clarke said:

We never really wanted to pursue this matter in the Courts. . . . we gave the CEO and MacKillop ample opportunity to negotiate an outcome but all our attempts met with resistance. Jacob is profoundly deaf and uses AUSLAN as his first language. MacKillop was only prepared to offer a note-taker to support Jacob in the classroom. It should have been abundantly clear that Jacob would not have been able to cope in this circumstance (press release, Nicholas Clarke, 9 October 2003).

A second case of alleged discrimination against a deaf student on the issue of access to Auslan is currently being heard by the Federal Court. A complaint lodged by two families with deaf children against a state educational authority, Education Queensland, centers on the lack of access to full-time Auslan interpreters in schools and an absence of bilingual education in the state government sector (details of this case are available at Klooger Phillips Scott Lawyers, n.d.).

Discussion

The general inability of most Australian teachers of the deaf to use Auslan is a major barrier to deaf children’s access to education and, in particular, bilingual programs. The lack of teachers of the deaf who are themselves deaf further contributes to the absence of adequate cultural and linguistic role models in the classroom. In a national survey of Australian teachers of the deaf, part of a larger study of the language practices in deaf education, less than 1% of the profession was identified as culturally and linguistically deaf (Komesaroff, 1998). Australian teachers of the deaf have had little or no access to Auslan instruction in teacher education and the Standards Council of the Teaching Profession (1996) determined a desirability for the graduates of special education courses to have the ability to communicate with deaf students, their parents, and support staff. The importance of teachers being fluent in the language of the deaf cannot be underestimated, and teachers’ lack of Auslan skills are often central to their rejection of bilingual education (Komesaroff, 1998). It is both “reasonable” and “fair” to expect teachers qualified to work in a specialist field to adopt the language of the linguistic group they serve. The only university currently providing teacher-of-the-deaf training in Victoria increased the amount of Auslan instruction in its courses from four hours in the mid-1990s to 18 hours in the late 1990s. Such an insignificant amount of time can do little more than make students aware of the existence of a deaf community and its sign language. In Western Australia, preservice teachers of the deaf receive 72 hours of sign language instruction and must reach a satisfactory level to successfully complete the course. This still compares poorly with countries such as Sweden and Denmark, which provided 500–600 hours instruction in their sign languages (see Bergmann, 1994); Swedish teachers are now required to be fluent in Swedish Sign Language before commencing teacher-of-the-deaf training.

It is generally acknowledged that education is probably the most important issue for deaf people. In the view of Karen Lloyd (2001), past president of AAD, it is also the most difficult issue on which to advocate and effect change. She is highly critical of the control traditionally taken by hearing people:

Generations of Deaf children have been and continue to be “educated” in a system controlled by people who are not deaf and who focus on deafness as a defect that needs to be “fixed.” The system attempts to educate them using a language (English) that they do not know fluently and cannot fully access; a system that excludes Auslan, and if it
uses signing at all insists on using a form of sign contrived by hearing people. And these generations of Deaf children have emerged with poor English skills, poor education, poor general knowledge, poor self esteem and so on ... it is particularly revealing that we meet so many “experienced teachers of the deaf” who cannot communicate with us as deaf people. (Lloyd, 2001, pp. 1–2)

Educational authorities generally see parents as being provided with choice in deaf education: choice of educational setting and method of communication. Leaving the decision about language policy to individual schools and teachers to determine, however, perpetuates the dominance of English and the general absence of Auslan. The result is that access to bilingual programs is still limited to a small number of programs across the country. In doing so, the language practices in most educational programs for the deaf ignore or go against the position statements of organizations representing deaf people.

Late Settlement of Cases

In at least three cases, the legal action (or threat of action) appears to have had an effect on the establishment or funding of bilingual programs. Toohey and Hurwitz (2002) state that education complaints are generally resolved quickly and have a common characteristic that both “parties have a genuine interest in the best interest of the child or young person or student and so have a desire to resolve the issues that led to the complaint.” Elizabeth Hastings, a former Disability Discrimination Commissioner, however, had a different view on the willingness of departments of school education to reach conciliated settlement. In a speech on disability rights, she noted that in almost every case there had been a confidential settlement immediately before or during the hearing:

This pattern of late settlement is noteworthy and indicates that some education authorities are keen to avoid setting precedents in this area. In my opinion this ad hoc solution of individual cases is not the best way to make decisions: the important issues are not aired, discussed or determined, and our case law remains impoverished and unhelpful as to how to eliminate discrimination and thereby avoid complaints. (Hastings, 1997)

A similar pattern of late settlement is evident in several of the cases lodged against educational authorities described above. Conciliated settlements are made without admission of liability, avoid legal precedent, and impose a requirement of confidentiality. In doing so, they provide solutions to individual cases but do little to reduce widespread discrimination. Further limitations of individual complaints are the delays, the power imbalance between complainants and respondents, and the “burn out” of complainants (Agostino, 1999). The other deficiency of a focus on individual complaint is the failure to address systemic discrimination.

In conclusion, the continuing legal action taken by parents of deaf children since the introduction of the DDA suggests a failure of educational authorities to adequately respond to the support for bilingual education in Australia. While parents continue to face resistance to their requests for Auslan and bilingual programs, claims of choice in deaf education are merely rhetoric. When it comes to political change, educators and educational authorities may need to become aware of the discriminatory practices within their own classrooms and schools. If litigation convinces them of this, then it is worth the legal fight. In the long-term, however, legislation may be necessary to ensure deaf children’s linguistic rights are met.

References


Devine, M. (2002, November). Discrimination in education: An overview of legislation and cases relevant to the education system...