Rowley Revisited: A Personal Narrative

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Scholarly legal journals do not usually present this kind of article. Over the years, I have read many articles about *Board of Education of the Hendrick Hudson Central School District v. Rowley*.[1] I have found that that almost every article approaches the case from a scholarly perspective. When I have a chance to talk with people about what they have read about the *Rowley* case and what opinions they have formed from those readings, I often find that their perspectives have been significantly influenced by the existing literature. However, almost none of the articles published to date include the personal perspectives of the *Rowley* litigants.

As the child who was at the center of this litigation and who grew up during this case, I want to share my personal experiences. I know not everyone will agree with my perspective. I am not looking for sympathy or support. This is my unique story to share. There are some experiences that I remember vividly—like they happened yesterday. I have emphasized these for the reader in italics. What I hope readers will take away from this article is the understanding that, although educators and litigators often work to help students, some things can happen that are not in the best interest of the students caught in the middle of special education litigation. The same is true for a child caught in the middle of a divorce. Everyone wants to do what is best for the child, but everyone has her own ideas about what is best. This sometimes causes conflicts. In this paper I will show what conflicts arose during the life of the *Rowley* litigation and how I was caught in the middle at times.

Some brief background on my parents and their educational experiences is essential to understand the full scope of what unfolded during the *Rowley* case. My father, Clifford Rowley, was a graduate of the New

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[1] 458 U.S. 176 (1982) (rejecting the claim that the statutory entitlement to a free and appropriate public education (FAPE) required school districts to provide sign language interpreters for deaf students so as to maximize students' potential).

York School for the Deaf (Fanwood) in White Plains, New York, not far from Peekskill, where the *Rowley* case took place. My father is the younger child of Elmer and Thelma Rowley, who are both hearing. My father was born a healthy hearing baby and became deaf shortly after the onset of meningitis. At that time, my grandparents contacted Fanwood and inquired about educating their son. Teachers there advised my grandparents that oral education was the preferred way to educate the deaf and that they should not learn sign language if they wanted my father to be successfully integrated into society. My father was placed into a special program for deaf children who did not use sign language.

The children in this special program at Fanwood were housed and schooled separately from the other deaf children who already signed. Administrators at Fanwood decided to segregate the signers from the non-signers because they felt that the deaf children who signed would prevent the new non-signing children from learning to speak. This "experiment" was short-lived. Some deaf children in the non-signing group had deaf parents and had already seen sign language at home despite the fact that their parents had only talked to them without signing. My father has told me that it was not commonly known at the time that sign language could still be acquired from simply watching signers. Thus, at Fanwood deaf children from deaf families were able to successfully pass on the language of deaf people to non-signing children from hearing families. This is how my dad learned American Sign Language (ASL). The segregated program was soon declared a "failure," and the project was abandoned. All of the students then joined the rest of the deaf students in the Fanwood School and dormitories. My dad grew up as a signing deaf person and was educated with full access to sign language, but his parents never learned to sign.

My mom, Nancy Rowley, grew up in Rochester, New York and was born hearing. At the age of four, my mom caught German measles and started to lose her hearing. By the age of thirteen she could no longer talk on the phone and struggled with communication in school and with friends. She learned to read lips, and her mother mostly filled her in on what was going on. As she became older, she learned of Gallaudet College for deaf students in Washington, D.C. She decided to attend college there upon graduation from her Catholic high school. At Gallaudet many students knew sign language, but my mom did not. She tried to learn as much as possible after she arrived. She met my dad at Gallaudet, and the two of them began courting.

My mom graduated and then enrolled a master's program at Gallaudet. She became a teacher of the deaf and moved to Pennsylvania to teach at Pennsylvania State Oral School (PSOS) in Scranton. After the PSOS headmaster gave my mom her blessing to teach using whichever methodology she wanted, my mom chose to use sign language in her classes. Her students prospered greatly as a result. A few other teachers from PSOS were also getting their master's degrees from Gallaudet at that time and also chose to use sign language in their classrooms. In this way, PSOS made the transition from being an oral school for the deaf to a deaf school that used sign language. When my dad later graduated from Gallaudet, my parents moved to New York to start a new life as a married couple. My mom worked at Fanwood while my dad worked as a chemist in nearby Ossining.

During her time at Fanwood, my mom saw how much potential many deaf students had. She pushed her students to achieve and to be the best they could be regardless of what others thought of their abilities. At that time, in too many schools for the deaf teachers thought less of deaf children and believed that being deaf meant not being able to achieve or learn adequately.[2] My mom noticed that there was an obvious gap between the preparation of students transferring in from other deaf schools and students who had grown up at Fanwood. However, even though Fanwood was considered to be one of the best schools during this time, its students also had to deal with an educational gap. Unlike children at hearing schools, most Fanwood students had little or no language foundation when entering school. These children came from homes without deaf parents and had not been exposed to sign language. This language deficit among entering students automatically put students at schools for the deaf on an uneven playing field compared to students at schools serving hearing children.

This had not always been true in deaf education but became more predominant in the 1880s and 1890s when Alexander Graham Bell pushed for the rise of oralism.[3] Bell is well known for his invention of the telephone, but his passion was trying to assimilate deaf people into a hear-

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[2] SUE LIVINGSTON, RETHINKING THE EDUCATION OF DEAF STUDENTS: THEORY AND PRACTICE FROM A TEACHER'S PERSPECTIVE (1997).

[3] JOHN VICKREY VAN CLEVE & BARRY A. CROUCH, A PLACE OF THEIR OWN: CREATING THE DEAF COMMUNITY IN AMERICA (1989). Oralism strives to integrate deaf or hard of hearing people into a hearing society through the use of spoken English.

ing world. While trying to make a hearing aid, he invented the telephone instead.[4] When Bell pushed for oralism, the focus on deaf children learning English by reading and writing shifted to having them learn to talk and read lips or to the use of any residual hearing. Many educators of the deaf would not concentrate on teaching deaf children academically but instead pushed them to succeed in oral communication. This was still the primary method of teaching in the 1960s when my mom first entered the education field. This was not unique to Fanwood. It was the general consensus among deaf schools at the time.[5]

Deaf education has always faced challenges and continues to struggle to overcome them today. Many other scholars have written extensively on the topic, and I need not delve into that research here. It is important to note that my mom personally experienced the challenges of deaf education as a teacher and as a former deaf pupil taught orally. My dad also experienced these challenges as a student and as a deaf child with hearing parents who never learned to sign. These experiences framed my parents' educational perspectives and would shape their expectations for my education as a deaf child.

My mom eventually left the teaching profession to raise her children. Her first child, my brother John, was born hearing. My mom communicated with him using her voice because she believed a hearing child needed to be successfully assimilated into a hearing world. She questioned whether he would fit in with hearing people if she used sign language to communicate with him. My mom did not have any knowledge to answer this question so she always talked with John. A few years later, I was born, and she talked to me the same way she talked with my brother. It was not until about fifteen months later that she noticed I did not pick up on speech as my brother had. I also started signing because I had seen my parents sign with each other. Because both of my parents were born hearing, it seemed to be genetically improbable that I would be deaf, but my mom had a mother's instinct that she could not shake. She knew I was deaf and made an appointment for a hearing test. Testing could not be done for several months. My mom felt there was no time to spare, and, without waiting for medical confirmation, she dove into her former role as a teacher, making sure that I was signed to and that I

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[4] *Id.*

[5] HARLAN LANE, THE MASK OF BENEVOLENCE: DISABLING THE DEAF COMMUNITY (1999).

understood everything that was happening around me. She would continue in this role as my teacher for many years to come.

After the hearing test confirmed that I was indeed deaf, my parents started discussing what educational options were available for me. At the time, it seemed Fanwood was the only logical choice. I could attend my local elementary school, but, because no one would be signing, I would have no access to the many things that make up the classroom experience, things like specific curriculum content and socialization with the teacher and other students. The local elementary school option was unthinkable to my mom who remembered so clearly the frustration she experienced in school without knowing sign language. It was only after she arrived at Gallaudet and learned sign language that she felt her world had been opened up with full access to information.

Shortly after my parents learned I was deaf, the Education for All Handicapped Children Act, also known as Public Law 94-142, was passed in 1975.[6] This legislation opened the door for disabled children to receive a free and appropriate public education in the least restrictive environment. My parents looked at this new development as an opportunity for me to be mainstreamed and receive an education like that delivered to hearing students. My mom certainly thought this was a better option than the deaf school because, after she learned I was deaf and began to educate me at home, I progressed normally, like hearing children with hearing parents.

Ninety percent of deaf children come from hearing families and are often language delayed because their parents won't, don't or can't learn sign language.[7] I was not part of that ninety percent majority. As part of the minority population of deaf children from deaf parents, I was lucky to always have access to language. Even though my parents did not sign directly with me until after I was fifteen months old, I watched them using sign language and was able to acquire it through observation. If I attended the Fanwood program, many of my schoolmates would be part of that majority and would most likely be language delayed. Intimately aware of that information and having had the experience of working at Fanwood, my mother could only imagine that the local public school would be the better option for me. Moreover, since Public Law 94-142

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[6] 20 U.S.C. § 1401 *et seq.*

[7] Cristina Vaccari & Mark Marschark, *Communication Between Parents and Deaf Children: Implications for Social Emotional Development*, 38 J. CHILD PSYCH. & PSYCHIATRY 793 (1997).

outlined the premises for a providing free and appropriate public education to children with disabilities and purported to guarantee the necessary accommodations, my parents would not be solely responsible for the financial burden of providing services related to my education.

My mom communicated with Furnace Woods, our local public school, about her desire to have me enroll there. The school administration responded with a willingness to provide necessary services for me, including a sign language interpreter. My brother John was already in school there, and my mom was able to follow up with the school administration about what was needed for my attendance. Furnace Woods had a teletypewriter (TTY) installed.[8] Since my parents had a TTY at home, the school could now call them anytime. Although the staff and administrators at the school seemed to be very sincere about wanting to work with my parents, they were still a part of a larger bureaucratic system, the Hendrick Hudson School District, and were required them to report to the Superintendent. Any action at the school level, such as providing a sign language interpreter, would have to be approved by the district office.

When I started kindergarten, my parents expected that an interpreter would be present in my class. When one was not there, my parents asked why one had not been provided. These inquiries created tension between the school district and my parents. My parents only wanted what they thought was best for me, a sign language interpreter to help me fully understand my teacher's spoken words. Hendrick Hudson School District was advised by its lawyer to exhaust all other options first. My mother was not willing to put my education on hold while everyone could agree on exactly what I needed. She talked with my teachers every day and made sure at home that I learned what was taught at school. Thus, in every sense of the word, I was home schooled even though I was also attending Furnace Woods School.

Eventually an agreement was reached that placed an interpreter in the classroom on a "trial basis" for four weeks.

> *One day this man shows up in my class. I know he is the interpreter because my mom has told me he will be coming. But I am scared. I don't know what an interpreter is. I have never seen one before. I am only five, and I don't know what I am supposed to do with him. He*

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[8] The TTY is a phone-based typewriter used by deaf and hearing people for communicating with other deaf people.

> *also looks scary. He is very tall to anyone who is little like me, and he is wearing standard interpreter attire of all black clothes. But I don't know that white interpreters wear dark colors to contrast with their skin color. No one in kindergarten is wearing all black so there must be something wrong with him. I am even more scared. I am only so eager to walk away and keep myself occupied with other doings. Once in a while I quickly steal a glance at him and see him signing. I wonder why. I did not understand that he was signing what the teacher was saying.*

To further complicate things, there were several observers in class, and I knew somehow that they were there because of the man in black. I could not wait until the entourage and the oddly dressed, tall man would leave so my kindergarten class could get back to normal. Due to my reaction, the interpreter was removed from my classroom after only two weeks. The tension between my parents and the school district was heating up.[9]

> *I can feel it, but not from my parents. I feel it at school.*

I progressed into first grade and had a new teacher, who was very different from my kindergarten teacher. She didn't teach me or make sure I was following everything. Since I was already a good reader, I recall always working on worksheets that required I answer questions about books I had read. I cannot remember ever doing anything else in her classroom, but I am sure I did. What I do remember is that there was a steady stream of visitors, and I could clearly see that my teacher was displeased with the interruptions caused by the visitors. It was almost as if she had lost all control of her classroom. And who bore the brunt of her frustration? Me.

During that year, I also had a teacher of the deaf, Sue Williams. She would pull me out of class to make sure I was able to follow along. When I could not follow along in my normal class, she would teach me what I did not understand. I greatly resisted these meetings because it

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[9] In April, 1977, my parents filed a complaint with Department of Health, Education and Welfare (HEW) in order to get a sign language interpreter for me when I would start kindergarten in September. My parents argued that Section 504 of the Rehabilitation Act of 1973 required the school to provide an interpreter. The Rehabilitation Act prohibited discrimination against persons with disabilities served by entities receiving federal funding. In May 1978, HEW's Office for Civil Rights concluded that the school district was in compliance with Section 504 without providing an interpreter.

drew more attention to me and made me look like I was totally responsible for all the disruptions going on in class. In his book, *A Case about Amy*, R.C. Smith was able to use excerpts from Sue William's diary to document my frustration. The entry for February 16, 1979 shows the dialogue that took place between Sue Williams and me:

> *Feb 16. Had a heart-to-heart with Amy, who acted as if she didn't want to come with me. I asked her how she was feeling.*
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> *"I feel bad," Amy said. "I don't want to come with you."*
>
> *"What's wrong?"*
>
> *"I don't know"*
>
> *"Amy, what did you think of the man who visited yesterday?"*
>
> *"I don't like those things."*
>
> *"What do you mean by 'things'?"*
>
> *"All of the people coming."*
>
> *"How does your mother feel?"*
>
> *"She thinks I need an interpreter because I don't understand anything."*
>
> *"Amy, you seem to understand things, not everything, but most things."*
>
> *"Yes."*
>
> *"Do you understand Mrs. Globerman?"*
>
> *"Yes, everything she says."*
>
> *"Well, what don't you understand?"*
>
> *"I don't understand library."*
>
> *"You mean the stories? You don't understand them?"*

> *"Yes."*
>
> *"You want to understand what's happening right?"*
>
> *"Right."*
>
> *"What about movies?"*
>
> *"I don't understand them much."*[10]

I remember so well how I always insisted I understood everything at the time. This was a defense mechanism I used so everyone would leave me alone and things would just return to normal. This was an interesting goal for me. At this point of my life I had never really been exposed to "a normal classroom environment." I am not sure why I resisted everything so much. I suspect I was able to pick up on body language and emotions better than I was able to pick up spoken words, and the emotions made a big impact on me when I could see others felt uncomfortable. One thing I do know is that I preferred to be with the other students all the time rather than being constantly removed from class to meet with my deaf education teacher, going to speech class, or leaving for testing. Sue Williams recognized these feelings and tried to work with me in my class rather than taking me out. This arrangement was ideal for me, but it was bothersome for the classroom teacher. I was no longer paying attention to her. I was working with Sue Williams instead. In addition, other parents were complaining to my teacher because Sue Williams was using sign language in the classroom with me. I seemed to be the only one who wanted to stay in the classroom. No one else wanted me stay.

When I moved into second grade, many of the frustrations that I had been experiencing did not subside. I reacted by continuing to resist and act out.

> *During second grade tensions are at their highest. I am very aware of things happening all around me. Before, the principal, Joseph Zavarella, would come to my class occasionally. Now he comes to my class every day. My parents have already won one hearing at the federal level and an appeal is under way. Every year my parents have an Individualized Education Plan (IEP) meeting with the*

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[10] R.C. SMITH, A CASE ABOUT AMY 32 (1996).

> *school, and every year my parents refuse to sign it because there is nothing on it related to provision of interpreting services. The rest of the stuff on the IEP is the school's defense that they are trying to provide me with the best possible service they think I need (without an interpreter, of course).*[11]

The controversial IEP included providing speech classes to improve my ability to make others understand me, but this did not help *me* understand *others*. Wasn't that the point? I was required to wear an FM system with the teacher wearing a microphone. The FM system certainly amplified everything, but I heard only sounds. I could understand nothing. Simple amplification of the sounds did not allow comprehension of the meaning of the sounds. I think it is sometimes difficult for hearing people to understand that hearing aids and FM systems do not have the same effect as eyeglasses. I imagine the noises I heard everyday sounded like loud power tools to hearing people. This constantly bugged me, and I was happy to turn the noises off. I recall many times that the noises in my head certainly were a distraction as I watched the teacher. I remember reading that the school contended that I had a lot of residual hearing so they felt it was their obligation to make sure I was able to use it. That comment was a light bulb moment for me. It showed me how much hearing people really don't understand what deaf people actually hear. Every deaf person has a different audiogram,[12] and every deaf person reacts differently to their environment. If two deaf people with a similar audiogram were compared based on their audiograms only, one would find a lot of similarities. However, if one looks at both people to see how they function and how they communicate, the audiogram is often not an accurate representation of who deaf people are.

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[11] In December 1978, the school district held the required administrative hearing to determine whether it was in compliance with Public Law 94-142, and in January 1979, the impartial hearing officer ruled that I was receiving an appropriate education without an interpreter under the terms of the statute. My parents then appealed to the New York State Commissioner of Education, who denied the appeal in April 1979. My parents then filed suit in federal court, arguing that the Act did require the school to give me an interpreter. The court held hearings in the case in September and October 1979, and, in December 1979, U.S. District Judge Broderick agreed with my parents and ordered the school to provide a sign language interpreter for all school periods in which academic subjects were taught.

[12] An audiogram charts the intensity of sound that a person can detect at various frequencies. For a discussion of the challenges of using and interpreting audiograms, *see* Robert L. Martin, *Interpreting Hearing Tests with Caution*, 55 THE HEARING JOURNAL 58 (2002).

I do remember getting busted a few times when I left my FM system off on purpose. I would always see the unhappy face either of Miss McLaughlin, my second grade teacher, or Dr. Zavarella, my principal. A facial expression by itself can be worth a thousand words, and I certainly got much more from those displeased looks than from all the static and garble being incessantly blasted through my FM system. The use of the FM system was the school's method of providing me with the things my IEP said I needed to be successful. However, the FM system brought so much attention to me, and I always felt like I had a thousand eyes on me whenever I was using it.

During this time I was also going to speech class. This did not bother me too much because I wasn't going alone. A few of my classmates went with me so I didn't feel singled out. Eventually the number of students going to speech dwindled. When just two of us were left, I told speech teacher, Mrs. Pasierb, that I was excited to be "graduating" from speech soon like my other classmates. She told me that I would need speech class forever because I am deaf. Although I doubt it was her intention to riddle my dreams with a barrage of arrows, I felt so discouraged. Today I still remember that experience as one of my most painful moments in school. It was the first time I fully understood. *I WAS THE PROBLEM. I WAS THE REASON FOR ALL OF THE FUSS GOING ON.* From that moment on I hated speech class. I believed that it was not meant to help me but simply to show that "everything had been done" to help this poor deaf child.

With second grade out of the way, I was on to a new start in third grade. The overall environment improved for me because the school and my parents seemed to have stopped fighting. There were fewer disruptions to my class, and we settled into everyday routines easily. In the lawsuit, the school district lost at the district court level and again at the Court of Appeals. After they lost the appeal, the school district was required to provide me with an interpreter. Having an interpreter in class could have been considered a "new distraction," but the interpreter quickly inserted herself into our everyday routine. Soon many of my classmates and I could not imagine our class without her. For the first time, I really enjoyed school. I was able to follow along perfectly in classroom discussions, and my interpreter made sure to interpret everything, including my classmates' conversations.

My interpreter, Fran Miller, had deaf parents so she grew up communicating in sign language. Not only was she fluent in signing, she was also a skilled interpreter and fully understood how to be a language mediator. She did just that, mediating exchanges among the other students, the teacher and me. I felt friendships blossoming, and I could communicate and follow group conversations. Because I was fluent in sign language, the interpreter opened up a new avenue of complete accessibility for me. I enjoyed school now. I looked forward to recess. The interpreter would follow me out and help me and other children figure out what we wanted to do. Before Fran Miller became my interpreter I had always followed the other children outside. They usually wanted to play kickball, but I was often not included. I would go to the playground and play alone or with a few other children. Now, when other children were in a group discussing what they wanted to do, I could be a part of the group. My interpreter also interpreted those conversations. I finally felt I had a voice because I could say I wanted to play kickball, and they would make sure I was involved. An added bonus of having an interpreter in the classroom meant that, when I got home from school, I only had to do my homework. I no longer had to work with my mother when I got home to relearn everything I was supposed to have learned in class that day. Now I really had a lot more time to play and "just be a kid." Third grade was a really good year.

School seemed really good, and life "seemed back to normal," but things were actively brewing in the background. When R.C. Smith was researching the experiences of everyone involved with the proceedings, he was able to find the notes of people who came to visit the school and witnessed the escalation of such hostilities. Mary Sheie was the lead expert witness that my parents' lawyer used, and she made several visits to Furnace Woods. In a note Mary Sheie commented on "how surprised she was at how much anger there was in the classroom and in the principal's office and how calmly [my mom] had taken it."[13] This was written in reference to a visit by other expert witnesses my parents used in the trial. Why was it okay to have the school's witnesses in the classroom but not my parent's witnesses? During that same visit Mary Sheie went to the principal's office with my mother and noted that the principal practically scolded my mother, saying the school had provided so many things like the TTY and the FM system and never once had my mother said thanks. There was so much anger because the school was

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[13] Smith, *supra* note 10, at 36.

taking steps to accommodate me, but those steps never included the one thing my parents requested—an interpreter.

My brother had to transfer to a private school about twenty minutes away because it became too difficult for him to continue to go to Furnace Woods Elementary. Many of his classmates and their parents did not understand what was going on between my parents and the school district, and there was much hostility directed at my brother. As the only hearing person in my immediate family, he was able to hear and understand the comments from people around him. I am sure that my parents and I had people making comments around us, but we were not as aware of it as my brother was. When John transferred to a new school, he found that his problems followed him there. Students made fun of him and picked on him because his family was different; we were all odd. *Who else had a deaf family? Probably no one else.* Deaf families are a rarity, and a family with one hearing child and other deaf children is even more unusual. Most deaf people have several hearing children, and those hearing siblings are able to support each other. John had no one. Even as siblings, we were worlds apart. We were fighting the same battle but fighting it separately. It was almost like we were not struggling against the same thing, making our struggles seem more lonely and more difficult.

When my situation at school had improved, my parents finally had the time to address my brother's situation, but much damage had already been done. The resentment that the school district and the community had towards my family was there and likely to remain forever. People who had direct interaction with my parents or me were very supportive, but others who did not know us and only saw us on TV or read about us in newspapers often felt strongly that we had no place in the public schools.

Early in the legal proceedings, the school made it clear that I should have attended Fanwood so they would not have to be responsible for the costs of supportive services. However, as the case progressed, their position changed. They were no longer were able to prove Fanwood was a good fit for me and agreed with my parents that Furnace Woods was where I belonged. What services I should receive to be successfully integrated at Furnace Woods continued to be debated. I underwent many observations and was tested by various psychologists. The school hired their own psychologist for several different kinds of tests, including IQ tests. Their psychologist did not sign so my parents challenged the validity of the results. They got their own signing psychologist who could fully communicate with me. The results of the tests were different, and it was later admitted into evidence that I was very smart, a high functioning child with a lot of potential. The school district could no longer claim that I would be better off at Fanwood. I was on grade level and would be ahead of many deaf peers who had not learned anything until they entered school.

A few years ago, I was asked to be a part of a psychological study for a deaf woman's post-doctoral project. In this study I was asked to take an IQ test. It was an eerie experience because I remembered many of the questions from the tests I had taken multiple times as a child. I had taken the test so many times that it had become too familiar for me. Someone told me once that a person's IQ never changes, but the more the school and my parents argued about the validity of the test, the more often I was given it, and my score improved every time. I was not becoming smarter, but I was becoming a smarter test taker. I observed things in pictures and was able to remember them. The next time I took the test I could look for items from a previous test. When I was older, one person made a comment to me that something I noticed in one of the pictures was never noticed. I remembered that, and I would then always watch for the reactions on the faces of the people who gave me the tests. I'd like to believe they knew it was impossible for me to be that smart, but I had outsmarted them and beat the test. I don't know if that's true or not, but I do know that these types of tests are not designed to be given every year or even twice a year which was often the case. These tests were a tool for the school district to try to show that I was not as "smart" as my parents claimed I was. If that were true, there was no reason to provide me with an interpreter so long as I was passing in classes with above average grades.

I entered fourth grade and things changed again. I still had an interpreter because the school had not yet appealed the Court of Appeals decision, but Fran Miller was not there anymore.[14] Technically I didn't have an interpreter. I had Beth Freed, a teacher of the deaf who served in the role of interpreter. The school argued that I still needed to be

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[14] The school district appealed the district judge's ruling, and that appeal was heard by the three judges on the Second Circuit Court of Appeals in May, 1980. In July, the Second Circuit affirmed the district judge's ruling by a 2-1 vote. The school district asked the Supreme Court to review the decision in December 1980, and, in November, 1981, the Court accepted the case for review.

pulled out of class for some "one on one time" to make sure I was following everything from the classroom. Their rationale was that my teacher for the deaf could "interpret" what was being said in the classroom. Ms. Freed was very nice, but I missed Fran Miller. Ms. Freed was a teacher and only told me what the teacher said. I did not know what my classmates were saying, and I was left to fend for myself at recess. I went outside with my FM system, but of course, I hated the FM. I couldn't play with that big bulky thing wrapped all over my body.

One afternoon at recess I was on the swings. Instead of swinging in the direction of the playground, I decided to swing toward the marsh behind the fence. I swung and swung as high as I could. My FM was loose. I never wore it tightly against my body because it was already uncomfortable. The FM swung right off and pulled the earplugs right out of my ears. I laughed in delight when it went over the fence and landed in the cattails. I was quite a monkey back then. I could have scaled the fence easily and jumped in the water and mud and picked up my FM. But why would I ever want to do that? No one else knew how miserable that thing made me. I was perfectly happy with my hearing aids and even happier with an interpreter, a real one. I didn't even have that anymore.

In March 1982, while I was still in fourth grade, the United States Supreme Court heard the oral argument in the case between Hendrick Hudson School District and my parents. My parents' lawyer, Michael Chatoff, was the first deaf person to ever to argue before the Supreme Court. Michael became deaf during law school due to tumors on his auditory nerves. Surgery to remove the tumors cut his auditory nerves, and he became permanently deaf. He struggled with neurofibromatosis, but it did not keep him from becoming a lawyer. Through chance, he met my parents and decided to take on our case. He never charged my parents any legal fees, which would have been huge by the time the case finally came to an end. Since he became deaf as an adult, he preferred to talk instead of signing. English was his first language. The Supreme Court arranged for the court proceedings to be transferred to a computer by a transcriptionist so Michael could read everything that was going on in real time. This was the first time such a venture had been undertaken. It is now common practice in courts all over America.

During the summer between fourth grade and fifth grade, the Supreme Court announced that the two previous decisions of the lower courts in my parents' favor were overturned. The Supreme Court sided with the school district, finding that the school did provide me with adequate services to make sure I was passing from grade to grade. For the Court, a free and appropriate public education did not mean I was entitled to reach my full potential as the gifted child that I was. It just meant that as long as I was passing, I was doing fine.

My parents had already decided to move to New Jersey. There was no reason to stay in Peekskill, New York. I would never have an interpreter in school there. My father commuted between New York and New Jersey every day for many years so it seemed logical to move closer to where my father worked. In New Jersey, there was a day school for the deaf where many deaf children were mainstreamed. However, before we could move, I had to stick out one more year at Furnace Woods.

During that last year at Furnace Woods, I had a teacher with an Australian accent. This teacher and I had a love/hate relationship. My desk was right next to his so I could talk to him anytime I wanted to, but there were times when he became so frustrated with me because I could not understand him. He had big teeth that didn't make lip-reading easy. And that Australian accent of his! I couldn't figure out what he was saying half the time. Once, I kept asking him again and again what he was saying, and he kept repeating and repeating to no avail. I was begging him to please write down what he was saying and was near tears. He became extremely frustrated, and he exploded. He yanked my ponytail. My head snapped back. I was in shock. I could not believe what had happened. No other teacher ever touched me. I hated him for that, and I tried to avoid him as much as I could from then on.

Another day in class, this same teacher made an announcement about a map. He wrote on the board "MAP." I asked him for more information, and he said "world map." I was scared. I would have to make a world map at home over the weekend. I arrived home and told my parents I had to make a map for homework. This was not unusual. I had done maps before but never the whole world! He had not handed out map paper so my dad and I drove to the next town to buy poster paper. We found a nice picture of the world, and Dad helped me outline the continents. I worked on the map all weekend. I didn't know how much detail my teacher wanted from me since he didn't give me a list, but I was very proud of the map when I finished because I had put a lot of detail into it.

Monday morning my dad helped me roll up the map and put a rubber band around it. I took it to school. I held on to my map and wondered when we would hand it in. My teacher looked at me and handed me a big sheet of paper with a world map already printed on it. All of the students got one. I was dismayed that I hadn't understood that the map wasn't a homework assignment. It was what we were going to be working on during the following week. When my teacher asked me what the poster was, I told him it was nothing. Later my dad asked me why I brought the poster home, and I told him exactly what happened. There was nothing he could do except hug me. Hugs have gotten us through many tough times.

Some time after the map incident, my class was on a field trip, and this same teacher knew I was not following along. He picked up a piece of bark from a white birch tree and wrote down what the presenter was talking about. He wrote down the words "deciduous" and "coniferous" and explained what they meant. I held on to the bark. When I came home from the field trip, my mother saw it. To her, this act alone really showed that I needed an interpreter and—more importantly—that the teacher knew it.

> *After all the misery he put me through, I'm glad he finally realized what it takes to communicate with me. I'm still mad about the map thing, too.*

When my parents put their house up for sale, the school district found out that we were moving and put a lien on our house to recover their costs in the litigation. We moved anyway, but my parents were not able to sell their house. The lien did not make matters easier. The conflict between the school district and my parents continued and became a dogfight. Living in New York was bad for my family, and it was quickly getting worse.

The move to New Jersey was the best thing that happened to my family. I started attending school with other deaf kids. For the first time I truly didn't feel alone. I had an interpreter in all my classes. My brother had many friends who didn't care that his parents and his sister were deaf. They saw deaf students every day so the idea of deaf families was not such a foreign concept for them. Finally, I was no longer abnormal just because I was deaf.

I remember more than I would like to remember about my experience at Furnace Woods. I believe that I am supposed to remember so I can share my story in the hope that other children do not have to experience the same things I did. My experience informs the kind of decisions I make today as an adult. If a conflict arises and I know that I will have to put someone in an uncomfortable situation, I am more likely to avoid it. However, conflict and discomfort can't always be avoided. I wish both sides had not had to go into litigation. I wish that we had not had to move to find a new school district so that my needs could be met.

Children should be allowed to be children. Too often children are robbed of their right to grow up without the weight of the world on their shoulders. I know the weight of my world was squashing me in elementary school as my family and I pursued the educational experience I needed and deserved. Many times I wanted to play or be like the little kid I should have been, but I was expected to be just the opposite. With the case going all the way to the Supreme Court, I got a lot of national attention from the media. I didn't ask for that. People ask me if this was all worth it. Would I do this again? I was faced with that decision with my own children who are deaf. The school district I first worked with informed me that they wanted my oldest daughter to be able to function without an interpreter by the time she entered school. In my mind I was thinking that the school wanted to make her hearing. They wanted to deprive me and her of communication. I had to explain to the school that American Sign Language is not a detriment to my daughter's education but actually an advantage that helps her thrive in school. Twenty five years ago my parents asked for an interpreter for the exact same reasons. Twenty five years later I know there has been progress, but it is not always evident. So would I do it again? Not at the expense of my children.