

## **Ruling gives deaf girl \$79,000 bus pass**

VALLEY COMMUTE: Palmer judge says district must pay \$79,000 tab.

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(02/16/09 21:44:36)

WASILLA -- In a potentially precedent-setting decision, a Palmer judge has ruled that a deaf student from the Valley deserves a free bus ride to school in Anchorage.

But the issue isn't settled yet.

The Anchorage School District expects to fight the ruling with an appeal filed this week in state Supreme Court.

The case centers on a Big Lake girl whose family learned in 2007 that as a middle-schooler she could no longer catch a bus from Wasilla to Alaska State School for the Deaf and Hard of Hearing classes in Anchorage.

Last week, Palmer Superior Court Judge Vanessa White ruled the Anchorage district must provide transportation for 13-year-old Katelyn Reese, the only middle-school student asking for a ride from the Mat-Su -- a ride that costs \$79,000 a year.

Anchorage has contracted with the state to run the school, which serves students from across Alaska.

The Anchorage district fears the court decision could extend to other Valley students, though it's not clear how many could benefit, superintendent Carol Comeau said.

Comeau also said the Anchorage district shouldn't have to pay the bill to bus students from outside the district. Instead, that burden should fall either to the state or the Mat-Su school district. She didn't know yet whether the district's appeal will address who pays.

"With as big as the Mat-Su has gotten, they really need to be looking at establishing their own program," Comeau said. "Students should be able to live at home and go to a program in their own district."

## 90-MILE COMMUTE

The girl at the center of the case is Katelyn Reese, a computer-savvy teenager who loves manga comics and snowmachining. She started attending the Anchorage school as a 3-year-old, when a double-ear infection stole her hearing.

Within a few years, the district began sending a bus to Wasilla Middle School to pick Reese up. Three other hearing-impaired elementary students rode the bus, too.

But in 2007, as Katelyn prepared to enter middle school, the district informed her family that they would no longer send a bus just for her.

Middle-school students from the Valley had never been bussed before, and that age group might be better off living at the school, state-appointed Hearing Officer Thomas J. Slagle found in fall 2007.

For the 2007-2008 school year, Katelyn lived during the week with an aunt in Chugiak, putting a crunch on that family and leaving the girl out of birthdays and other family events, her mother said.

"It was very hard," said Toni Reese, a secretary at Houston High School. "I was still her mom. But I want my children to live with me."

This school year, Reese said, she and her husband, Rod, have been making a 90-mile round trip with their daughter every day to get her to school.

She was "just elated" to learn of the court ruling, she said. "It's a huge relief."

#### COST NOT CONSIDERED

The 28-page decision issued Feb. 9 by Judge White states the Anchorage district's decision to stop busing the girl violated aspects of several federal requirements for students with disabilities.

If the district was busing Reese as an elementary student, White found, it couldn't just stop transporting her when she hit middle school.

In 2007, Reese was the only Mat-Su student moving up from elementary programs operating out of Russian Jack Elementary to middle-school programs at Hanshaw Middle School, six miles away.

The schools operate on different schedules, so the district would have to start a different route, at a cost of \$79,000 per route, Comeau said.

White said federal laws governing disabled students don't allow her to consider expenses in her decision.

But she also noted the difficulty posed by state changes in school transportation funding that gives districts flat rates per student rather than reimbursing specific bus routes.

"It's just another impact on our general fund," Comeau said. "We're taking away from our own students."

She said she didn't know how many Valley hearing-impaired students might switch to the Anchorage school if bussing were provided.

The district has denied transportation to at least one other middle-school student, said Meg Allison, a lawyer with the Disability Law Center, which represents Katelyn Reese.

Nineteen hearing-impaired students attend classes from pre-school to high school in the Matanuska-Susitna Borough School District, according to spokeswoman Catherine Esary.

Mat-Su district officials say they do, indeed, provide services for hearing-impaired students.

There are three certified hearing-impaired teachers in the district, according to Scott Daugharty, assistant director of student support services. The district also employs two sign-language interpreters and hires four more as independent contractors.

"We don't ever want to say we can't provide the support for these children," Daugharty said. "But people like the mother you're discussing have chosen that culture of having numerous other deaf students around her daughter."

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