

1 HB253
2 182201-1
3 By Representative Wilcox
4 RFD: Education Policy
5 First Read: 16-FEB-17

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8 SYNOPSIS: This bill would require the State Department
9 of Education and the Alabama Department of
10 Rehabilitation Services in consultation with the
11 Alabama Institute for Deaf and Blind to jointly
12 select language developmental milestones from
13 existing standardized norms for purposes of
14 developing a resource for use by parents to monitor
15 and track deaf and hard-of-hearing children's
16 expressive and receptive language acquisition and
17 developmental stages toward English literacy.

18 This bill would establish and provide for
19 the membership of an advisory committee.

20 This bill would require the departments to
21 select existing tools or assessments for educators
22 to use in assessing the language and literacy
23 development of deaf and hard-of-hearing children.

24 This bill would also require the departments
25 to jointly produce a report that is specific to
26 language and literacy development of deaf and
27 hard-of-hearing children from birth to five years

1 of age, inclusive, including those who are deaf or
2 hard of hearing and have other disabilities,
3 relative to their peers who are not deaf or hard of
4 hearing.

5
6 A BILL
7 TO BE ENTITLED
8 AN ACT
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10 Relating to deaf and hard-of-hearing children; to
11 require the State Department of Education and the Alabama
12 Department of Rehabilitation Services in consultation with the
13 Alabama Institute for Deaf and Blind to jointly select
14 language developmental milestones to monitor and track
15 expressive and receptive language acquisition and
16 developmental stages toward English literacy; to establish and
17 provide for the membership of an advisory committee; to
18 require the departments to select existing tools or
19 assessments for educators to use; and to require the
20 departments to annually and jointly produce a report.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. For the purpose of this act, the
23 following terms shall have the following meanings:

24 (1) ENGLISH. Includes spoken English, written
25 English, or English with the use of visual supplements.

26 (2) LANGUAGE DEVELOPMENTAL MILESTONES. Milestones of
27 development aligned with the existing state instrument used to

1 meet the requirements of federal law for the assessment of
2 children from birth to five years of age, inclusive.

3 Section 2. The State Department of Education and the
4 Alabama Department of Rehabilitation Services, in consultation
5 with the Alabama Institute for Deaf and Blind, shall jointly
6 select language developmental milestones from existing
7 standardized norms, pursuant to the process specified in
8 Section 5, for purposes of developing a resource for use by
9 parents to monitor and track deaf and hard-of-hearing
10 children's expressive and receptive language acquisition and
11 developmental stages toward English literacy. This parent
12 resource shall satisfy all of the following:

13 (1) Include the language developmental milestones
14 selected pursuant to the process specified in Section 5.

15 (2) Be appropriate for use, in both content and
16 administration, with deaf and hard-of-hearing children from
17 birth to five years of age, inclusive, who use both or one of
18 the languages of American Sign Language (ASL) and English.

19 (3) Present the developmental milestones in terms of
20 typical development of all children, by age range.

21 (4) Be written for clarity and ease of use by
22 parents.

23 (5) Be aligned to the existing infant, toddler, and
24 preschool guidelines, the existing instrument used to assess
25 the development of children with disabilities pursuant to
26 federal law and state standards in English language arts
27 utilized by the departments.

1 (6) Make clear that the parent resource is not a
2 formal assessment of language and literacy development, and
3 that the observations of a parent of his or her children may
4 differ from formal assessment data presented at an
5 individualized family service plan (IFSP) or individualized
6 education program (IEP) meeting.

7 (7) Make clear that a parent may bring the parent
8 resource to an IFSP or IEP meeting for purposes of sharing his
9 or her observations about the development of his or her child.

10 Section 3. (a) The departments shall also select
11 existing tools or assessments for educators that may be used
12 to assess the language and literacy development of deaf and
13 hard-of-hearing children. These educator tools or assessments
14 shall be all of the following:

15 (1) In a format that shows stages of language
16 development.

17 (2) Selected for use by educators to track the
18 development of deaf and hard-of-hearing children's expressive
19 and receptive language acquisition and developmental stages
20 toward English literacy.

21 (3) Selected from existing instruments or
22 assessments used to assess the development of all children
23 from birth to five years of age, inclusive.

24 (4) Appropriate, in both content and administration,
25 for use with deaf and hard-of-hearing children.

26 (b) In addition to subsection (a), the educator
27 tools and assessments may be used, in addition to the

1 assessment required by federal law, by the child's IFSP or IEP
2 team, as applicable, to track deaf and hard-of-hearing
3 children's progress, and to establish or modify IFSP or IEP
4 plans, and may reflect the recommendations of the advisory
5 committee established pursuant to Section 6.

6 Section 4. (a) The departments shall disseminate the
7 parent resource developed pursuant to Section 2 to parents and
8 guardians of deaf and hard-of-hearing children and, pursuant
9 to federal law, shall disseminate the educator tools and
10 assessments selected pursuant to Section 3 to local
11 educational agencies for use in the development and
12 modification of IFSP and IEP plans, and shall provide
13 materials and training on its use, to assist deaf and
14 hard-of-hearing children in becoming linguistically ready for
15 kindergarten using both or one of the languages of ASL and
16 English.

17 (b) If a deaf or hard-of-hearing child does not
18 demonstrate progress in expressive and receptive language
19 skills, as measured by one of the educator tools or
20 assessments selected pursuant to Section 3, or by the existing
21 instrument used to assess the development of children with
22 disabilities pursuant to federal law, the child's IFSP or IEP
23 team, as applicable, as part of the process required by
24 federal law, shall explain in detail the reasons why the child
25 is not meeting the language developmental milestones or
26 progressing towards them, and shall recommend specific

1 strategies, services, and programs that shall be provided to
2 assist the child's success toward English literacy.

3 Section 5. (a) On or before March 1, 2018, the
4 departments shall jointly provide the advisory committee
5 established pursuant to Section 6 with a list of existing
6 language developmental milestones from existing standardized
7 norms, along with any relevant information held by each
8 department regarding those language developmental milestones
9 for possible inclusion in the parent resource developed
10 pursuant to Section 2. These language developmental milestones
11 shall be aligned to the existing infant, toddler, and
12 preschool guidelines, the existing instrument used to assess
13 the development of children with disabilities pursuant to
14 federal law, and the state standards in English language arts
15 utilized by the departments.

16 (b) On or before June 1, 2018, the advisory
17 committee shall recommend language developmental milestones
18 for selection pursuant to Section 2.

19 (c) On or before June 30, 2018, the departments
20 shall jointly inform the advisory committee of which language
21 developmental milestones were selected.

22 Section 6. (a) The State Superintendent of Education
23 shall establish an ad hoc advisory committee for purposes of
24 soliciting input from experts on the selection of language
25 developmental milestones for children who are deaf or hard of
26 hearing that are equivalent to those for children who are not
27 deaf or hard of hearing, for inclusion in the parent resource

1 developed pursuant to Section 2. The advisory committee may
2 also make recommendations on the selection and administration
3 of the educator tools or assessments selected pursuant to
4 Section 3.

5 (b) The advisory committee shall consist of 13
6 volunteers, the majority of whom shall be deaf or hard of
7 hearing, and all of whom shall be within the field of
8 education for the deaf and hard of hearing. The advisory
9 committee shall include all of the following:

10 (1) One parent of a child who is deaf or hard of
11 hearing who uses the dual languages of ASL and English.

12 (2) One parent of a child who is deaf or hard of
13 hearing who uses only spoken English, with or without visual
14 supplements.

15 (3) One credentialed teacher of deaf and
16 hard-of-hearing students who use the dual languages of ASL and
17 English.

18 (4) One credentialed teacher of deaf and
19 hard-of-hearing students from a nonpublic school located in
20 the state.

21 (5) One expert who researches language outcomes for
22 deaf and hard-of-hearing children using ASL and English.

23 (6) One expert who researches language outcomes for
24 deaf and hard-of-hearing children using spoken English, with
25 or without visual supplements.

1 (7) One credentialed teacher of deaf and
2 hard-of-hearing students whose expertise is in curriculum and
3 instruction in ASL and English.

4 (8) One credentialed teacher of deaf and
5 hard-of-hearing pupils whose expertise is in curriculum and
6 instruction in spoken English, with or without visual
7 supplements.

8 (9) One advocate for the teaching and use of the
9 dual languages of ASL and English.

10 (10) One advocate for the teaching and use of spoken
11 English, with or without visual supplements.

12 (11) One early intervention specialist who works
13 with deaf and hard-of-hearing infants and toddlers using the
14 dual languages of ASL and English.

15 (12) One credentialed teacher of deaf and
16 hard-of-hearing students whose expertise is in ASL and English
17 language assessment.

18 (13) One speech pathologist from spoken English,
19 with or without the use of visual supplements.

20 Section 7. The advisory committee established
21 pursuant to Section 6 may also advise the departments on the
22 content and administration of the existing instrument used to
23 assess the development of children with disabilities pursuant
24 to federal law, as used to assess deaf and hard-of-hearing
25 children's language and literacy development to ensure the
26 appropriate use of that instrument with those children, and
27 may make recommendations regarding future research to improve

1 the measurement of progress of deaf and hard-of-hearing
2 children in language and literacy.

3 Section 8. Commencing on or before July 31, 2018,
4 and on or before each July 31 thereafter, the departments
5 shall annually jointly produce a report, using existing data
6 reported in compliance with the federally required state
7 performance plan on students with disabilities, that is
8 specific to language and literacy development of deaf and
9 hard-of-hearing children from birth to five years of age,
10 inclusive, including those who are deaf or hard of hearing and
11 have other disabilities, relative to their peers who are not
12 deaf or hard of hearing. The departments shall each make this
13 report available on their websites.

14 Section 9. All activities of the departments in
15 implementing this act shall be consistent with federal law
16 regarding the education of children with disabilities and
17 state and federal law regarding the privacy of student
18 information.

19 Section 10. This act shall apply only to children
20 from birth to five years of age, inclusive.

21 Section 11. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.