

HOUSE BILL No. 1484

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-35-12.

Synopsis: Center for deaf and hard of hearing education. Requires the center for deaf and hard of hearing education (center) to: (1) select language developmental milestones for inclusion as a parent resource for parents with children who are deaf or hard of hearing; (2) select tools and assessments for educators to assess the language and English literacy development of children who are deaf or hard of hearing; (3) distribute a parent resource to parents of children who are deaf or hard of hearing; and (4) provide training and technical assistance to local educational agencies to use the educator tools and assessments. Requires that a child's individualized education program, individualized family service plan, or Section 504 plan must provide recommendations to assist the child in attaining English literacy. Requires the director of the center to appoint an advisory committee to solicit input from experts on the selection of language developmental milestones for children who are deaf or hard of hearing. Requires the advisory committee to select language developmental milestones for inclusion as a parent resource for parents with children who are deaf or hard of hearing. Requires the center to prepare a report and post the report on its Internet web site that is specific to language and English literacy development of children who are deaf or hard of hearing (including children who are less than 10 years of age and are deaf or hard of hearing and have other disabilities) relative to their peers who are not deaf or hard of hearing.

Effective: July 1, 2019.

Clere, Porter, Behning, Thompson

January 16, 2019, read first time and referred to Committee on Education.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1484

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-35-12 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]:
4 **Chapter 12. Language Development for Children Who are Deaf
5 or Hard of Hearing**
6 **Sec. 1. This chapter applies to children who are:**
7 **(1) less than ten (10) years of age; and**
8 **(2) deaf or hard of hearing.**
9 **Sec. 2. As used in this chapter, "center" has the meaning set
10 forth in IC 20-35-11-2.**
11 **Sec. 3. As used in this chapter, "English" means spoken English,
12 written English, or English with the use of visual supplements.**
13 **Sec. 4. As used in this chapter, "language developmental
14 milestones" means milestones of development aligned with
15 applicable state standards used to meet the applicable federal
16 requirements for the assessment of children who are less than ten
17 (10) years of age.**



1 **Sec. 5. The advisory committee established under section 9 of**
2 **this chapter shall select language developmental milestones from**
3 **applicable standardized norms under the process described in**
4 **section 8 of this chapter to develop a resource for use by parents to**
5 **monitor and track the expressive and receptive language**
6 **acquisition and developmental stages toward English literacy of**
7 **children who are deaf or hard of hearing. This parent resource**
8 **must:**

- 9 **(1) be appropriate for use, in both content and administration,**
10 **with children who are less than ten (10) years of age and are**
11 **deaf or hard of hearing, who use one (1) or both of the**
12 **languages of American Sign Language and English;**
13 **(2) be written for clarity and ease of use by parents;**
14 **(3) be aligned to the applicable state standards for infant,**
15 **toddler, and preschool assessments, applicable federal**
16 **standards for assessing the development of children with**
17 **disabilities, and applicable state standards in American Sign**
18 **Language and English language arts;**
19 **(4) indicate that the parent resource is not a formal**
20 **assessment of language and English literacy development, and**
21 **that a parent's observation of the parent's child may differ**
22 **from formal assessment data presented at a meeting for a**
23 **child's individualized education program, individualized**
24 **family service plan, or a plan developed under Section 504 of**
25 **the Rehabilitation Act, 29 U.S.C. 794;**
26 **(5) contain language developmental milestones selected under**
27 **the process described in section 8 of this chapter;**
28 **(6) present the language developmental literacy milestones in**
29 **terms of development of all children who are less than ten (10)**
30 **years of age; and**
31 **(7) provide information for a parent whose child uses a**
32 **language at home that is not English or American Sign**
33 **Language.**

34 **Sec. 6. (a) The center shall select applicable tools and**
35 **assessments for educators that shall be used to assess the spoken**
36 **English, written English (if applicable), or American Sign**
37 **Language development of children who are less than ten (10) years**
38 **of age and are deaf or hard of hearing. The educator tools and**
39 **assessments must be:**

- 40 **(1) presented in a form that shows the stages of language**
41 **development;**
42 **(2) selected for use by educators to track the development of**



1 expressive and receptive language acquisition and
 2 developmental stages toward English literacy by deaf or hard
 3 of hearing children;

4 (3) selected from applicable instruments or assessments used
 5 to assess the development of all children who are less than ten
 6 (10) years of age; and

7 (4) appropriate, in both content and administration, for use
 8 with children who are deaf or hard of hearing or have
 9 additional disabilities.

10 (b) A child's parent is entitled to annual language testing that
 11 uses the educator tools and assessments described in subsection (a),
 12 in addition to any applicable assessment under federal law or by a
 13 child's individualized education program, individualized family
 14 service plan, or a plan developed under Section 504 of the
 15 Rehabilitation Act, 29 U.S.C. 794 to:

16 (1) track the progress of a child who is deaf or hard of
 17 hearing; and

18 (2) establish or modify the child's program or plan described
 19 in this subsection.

20 A child who meets the requirements of this chapter but who does
 21 not have a plan or program described in this subsection must be
 22 assessed using the educator tools and assessments described in
 23 subsection (a).

24 (c) The educator tools and assessments described in subsection
 25 (a) shall reflect the recommendations of the advisory committee
 26 established under section 9 of this chapter.

27 Sec. 7. (a) The center shall distribute the parent resource
 28 developed under section 5 of this chapter to parents of children
 29 who are deaf or hard of hearing.

30 (b) The center shall provide training and technical assistance to
 31 local educational agencies and other service providers to use the
 32 educator tools and assessments selected under section 6 of this
 33 chapter.

34 (c) If a child who is deaf or hard of hearing does not
 35 demonstrate progress in expressive and receptive language skills
 36 and English literacy, as measured by one (1) of the educator tools
 37 and assessments selected under section 6 of this chapter or other
 38 applicable assessment required under federal law, the child's
 39 individualized education program, individualized family service
 40 plan, or plan developed under Section 504 of the Rehabilitation
 41 Act, 29 U.S.C. 794, must recommend specific strategies, services,
 42 and programs that must be provided to assist the child's progress



1 toward English literacy or refer the child for further assessment.

2 (d) The results of an assessment conducted under section 6 of
3 this chapter for a child to whom this chapter applies must be
4 reported to the center.

5 Sec. 8. (a) Before March 1, 2020, the center shall provide the
6 advisory committee established under section 9 of this chapter with
7 a list of language developmental milestones based on applicable
8 standardized norms, along with any relevant information
9 regarding those language developmental milestones for possible
10 inclusion in the parent resource developed under section 5 of this
11 chapter. The language developmental milestones must be:

12 (1) aligned to the center's applicable guidelines for infant,
13 toddler, and preschool assessments;

14 (2) aligned to the applicable instrument used to assess the
15 development of children with disabilities under federal law;
16 and

17 (3) aligned with applicable state standards in English
18 language arts.

19 (b) Before June 1, 2020, the advisory committee established
20 under section 9 of this chapter shall recommend language
21 developmental milestones for inclusion in the parent resource
22 described in section 5 of this chapter.

23 (c) Before July 1, 2020, the center shall inform the advisory
24 committee of which language developmental milestones are
25 selected for the parent resource described in section 5 of this
26 chapter.

27 Sec. 9. (a) The director of the center shall appoint an advisory
28 committee to solicit input from experts on the selection of language
29 developmental milestones and assessments for children who are
30 deaf or hard of hearing that are equivalent to those for children
31 who are not deaf or hard of hearing, for inclusion in the parent
32 resource developed under section 5 of this chapter.

33 (b) The advisory committee shall consist of individuals with an
34 expertise in and a knowledge of issues in the education of children
35 in Indiana who are deaf or hard of hearing.

36 (c) The director of the center shall:

37 (1) determine the number of persons to serve on the advisory
38 committee;

39 (2) ensure that the membership of the advisory committee
40 includes balanced representation from deaf or hard of
41 hearing perspectives that comprises:

42 (A) individuals with expertise in assessment and



- 1 **instruction in:**
 2 **(i) American Sign Language;**
 3 **(ii) listening and spoken language;**
 4 **(iii) English with visual supports; and**
 5 **(iv) literacy; and**
 6 **(B) parents;**
 7 **(3) appoint a chairperson or co-chairpersons for the advisory**
 8 **committee; and**
 9 **(4) establish the policies and procedures under which the**
 10 **advisory committee operates.**
 11 **(d) At least every five (5) years, the advisory committee shall**
 12 **conduct a review of the process used under section 8 of this chapter**
 13 **to select language developmental milestones and assessment tools**
 14 **and procedures.**
 15 **Sec. 10. (a) Before August 1, 2020, and before August 1 of each**
 16 **year thereafter, the center shall prepare a report, using data**
 17 **reported in accordance with this chapter, and post the report on**
 18 **the center's Internet web site.**
 19 **(b) The report posted under subsection (a) must be specific to**
 20 **the language and English literacy development of children who are**
 21 **less than ten (10) years of age and who are:**
 22 **(1) deaf or hard of hearing; or**
 23 **(2) deaf or hard of hearing and have other disabilities;**
 24 **relative to their peers who are not deaf or hard of hearing.**
 25 **Sec. 11. The center shall implement the requirements of this**
 26 **chapter in accordance with federal law regarding the:**
 27 **(1) education of children with disabilities; and**
 28 **(2) privacy of student information.**

