



April 5, 2019

ENGROSSED HOUSE BILL No. 1484

DIGEST OF HB 1484 (Updated April 4, 2019 11:11 am - DI 125)

Citations Affected: IC 20-35.

Synopsis: Language development for children who are deaf or hard of hearing. Provides that the director of the center for deaf and hard of hearing education (center) shall appoint an advisory committee. Requires the center to do the following: (1) Select language developmental milestones to include in a parent resource. (2) Approve tools and assessments for the assessment of children who are deaf or hard of hearing. (3) Develop and prepare a parent resource. (4) Prepare a report using data collected from the results of the assessments. Provides that the center may provide training and technical assistance concerning the use and administration of approved tools and assessments. Provides that the advisory committee shall do the following: (1) Collaborate with experts in: (A) selecting, for recommendation to the center, the language developmental milestones for inclusion in the parent resource; and (B) approving, for
(Continued next page)

Effective: July 1, 2019.

Clere, Porter, Behning, Thompson

(SENATE SPONSORS — KRUSE, RAATZ, MELTON, CRANE, STOOPS)

January 16, 2019, read first time and referred to Committee on Education.
February 7, 2019, amended, reported — Do Pass.
February 11, 2019, read second time, ordered engrossed. Engrossed.
February 12, 2019, read third time, passed. Yeas 92, nays 0.

SENATE ACTION

March 7, 2019, read first time and referred to Committee on Education and Career Development.
March 28, 2019, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
April 4, 2019, amended, reported favorably — Do Pass.

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Digest Continued

recommendation to the center, tools and assessments for children who are deaf or hard of hearing that are equivalent to tools and assessments for children who are not deaf or hard of hearing. (2) Provide to the center, not later than June 1, 2020, a list of the language developmental milestones that the advisory committee recommends that the center include in the parent resource and a list of tools and assessments that the advisory committee recommends the center approve for the assessment of children who are deaf or hard of hearing. (3) Conduct, at least once every five years, a review of the language developmental milestones selected and tools and assessments approved by the center. Provides that the office of the secretary of family and social services (office) may administer annually to a child who is: (1) less than three years of age; and (2) deaf or hard of hearing; at least one of the assessments approved by the center. Provides that each school corporation may administer annually to a child who: (1) is at least three years of age and less than eleven years of age; (2) is deaf or hard of hearing; and (3) has legal settlement in the school corporation; at least one of the assessments approved by the center. Allows a parent to opt out of the annual assessment if the parent provides, in writing, to the office or school corporation the parent's intent to opt out. Requires the office and each school corporation to provide to the center the results of the tools and assessment administered to a child.



April 5, 2019

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.

ENGROSSED 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, "advisory committee" refers to
10 the advisory committee appointed by the director of the center
11 under section 10 of this chapter.**
12 **Sec. 3. As used in this chapter, "amplification device" means:**
13 (1) a hearing aid;
14 (2) a cochlear implant;
15 (3) a bone anchored hearing device;
16 (4) a direct microphone system; or
17 (5) any combination of the aids, implants, devices, or systems

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- 1 described in subdivisions (1) through (4).
 2 **Sec. 4.** As used in this chapter, "ASL" refers to American Sign
 3 **Language.**
 4 **Sec. 5.** As used in this chapter, "center" refers to the center for
 5 deaf and hard of hearing education established by IC 20-35-11-3.
 6 **Sec. 6.** As used in this chapter, "deaf or hard of hearing", which
 7 may be referred to as a hearing impairment, means the following:
 8 (1) A disability that, with or without the use of an
 9 amplification device, adversely affects the student's:
 10 (A) ability to use hearing for developing language and
 11 learning;
 12 (B) educational performance; and
 13 (C) developmental progress.
 14 (2) The hearing loss may be:
 15 (A) permanent or fluctuating;
 16 (B) mild to profound; or
 17 (C) unilateral or bilateral.
 18 (3) Students who are deaf or hard of hearing may use:
 19 (A) spoken language;
 20 (B) sign language; or
 21 (C) a combination of spoken language and signed systems.
 22 **Sec. 7.** As used in this chapter, "English" means:
 23 (1) spoken English;
 24 (2) written English; or
 25 (3) English with the use of visual supplements.
 26 **Sec. 8.** As used in this chapter, "language developmental
 27 milestones" means milestones of development aligned with
 28 applicable state standards.
 29 **Sec. 9.** As used in this chapter, "office of the secretary" refers
 30 to the office of the secretary of family and social services
 31 established by IC 12-8-1.5-1, its offices, or divisions.
 32 **Sec. 10.** (a) The director of the center shall appoint an advisory
 33 committee to assist and advise the center as described in section 11
 34 of this chapter.
 35 (b) The advisory committee consists of individuals who have an
 36 expertise in, and a knowledge of, issues concerning the education
 37 of children in Indiana who are deaf or hard of hearing.
 38 (c) The director of the center shall do the following:
 39 (1) Determine the number of persons to serve on the advisory
 40 committee.
 41 (2) Ensure that the membership of the advisory committee
 42 includes a balanced representation of deaf or hard of hearing



1 perspectives that comprises of the following:

2 (A) Individuals who have expertise in the assessment and
3 instruction of one (1) or more of the following:

4 (i) ASL.

5 (ii) Listening and spoken language.

6 (iii) English with visual supports.

7 (iv) Literacy.

8 (B) Parents of children who are deaf or hard of hearing.

9 (3) Appoint a chairperson or co-chairpersons for the advisory
10 committee.

11 (4) Establish policies and procedures under which the
12 advisory committee must operate.

13 (d) If a vacancy occurs on the advisory committee, the director
14 of the center may appoint an individual to fill the vacancy.

15 Sec. 11. The advisory committee shall advise and assist the
16 center in:

17 (1) selecting language developmental milestones from
18 applicable standardized norms to be included in the parent
19 resource described in section 14 of this chapter;

20 (2) approving tools and assessments under this chapter for the
21 assessment of children who are deaf or hard of hearing; and

22 (3) developing and preparing the parent resource described in
23 section 14 of this chapter.

24 Sec. 12. Not later than March 1, 2020, the center shall:

25 (1) establish a list of language developmental milestones that:

26 (A) are, as applicable, aligned to the center's guidelines for
27 infant, toddler, and preschool assessments;

28 (B) are aligned to the applicable instrument used to assess
29 the development of children with disabilities under federal
30 law;

31 (C) are aligned with applicable state standards in English
32 language arts; and

33 (D) based on applicable standardized norms; and

34 (2) provide to the advisory committee the following:

35 (A) The list of language developmental milestones
36 established under subdivision (1).

37 (B) Any relevant information regarding the language
38 developmental milestones on the list provided under clause
39 (A).

40 Sec. 13. (a) The advisory committee shall:

41 (1) review the list of language developmental milestones and
42 relevant information provided by the center under section 12



- 1 of this chapter;
- 2 (2) collaborate with experts in:
- 3 (A) selecting, for recommendation to the center, the
- 4 language developmental milestones for inclusion in the
- 5 parent resource described in section 14 of this chapter; and
- 6 (B) approving, for recommendation to the center, tools and
- 7 assessments for children who are deaf or hard of hearing
- 8 that are equivalent to tools and assessments for children
- 9 who are not deaf or hard of hearing; and
- 10 (3) not later than June 1, 2020, provide to the center the
- 11 following:
- 12 (A) A list of the language developmental milestones that
- 13 the advisory committee recommends that the center
- 14 include in the parent resource described in section 14 of
- 15 this chapter.
- 16 (B) A list of the tools and assessments for children who are
- 17 deaf or hard of hearing that the advisory committee
- 18 recommends the center approve under section 15 of this
- 19 chapter.
- 20 (b) The advisory committee shall, at least once every five (5)
- 21 years, conduct a review of the language developmental milestones
- 22 selected and tools and assessments approved by the center under
- 23 sections 14 and 15 of this chapter.
- 24 Sec. 14. (a) The center shall do the following:
- 25 (1) Review the lists provided to the center from the advisory
- 26 committee under section 13 of this chapter.
- 27 (2) Select language developmental milestones to include in the
- 28 parent resource described in subdivision (5).
- 29 (3) Not later than July 1, 2020, inform the advisory committee
- 30 regarding which language developmental milestones the
- 31 center selected for the parent resource described in
- 32 subdivision (5).
- 33 (4) Not later than July 1, 2020, approve tools and assessments
- 34 as provided under this chapter to be used in assessing children
- 35 who are deaf or hard of hearing.
- 36 (5) Prepare a parent resource that:
- 37 (A) includes the language developmental milestones
- 38 described in subdivision (2);
- 39 (B) can be used by a parent to monitor and track the
- 40 expressive and receptive language acquisition and
- 41 developmental stages toward English literacy of children
- 42 who are deaf or hard of hearing; and



- 1 (C) meets the requirements of subsection (b).
 2 (b) The parent resource prepared by the center under
 3 subsection (a)(5) must meet the following requirements:
 4 (1) Be appropriate for use, in both content and
 5 administration, with children who:
 6 (A) are less than eleven (11) years of age;
 7 (B) are deaf or hard of hearing; and
 8 (C) use:
 9 (i) ASL;
 10 (ii) English; or
 11 (iii) both ASL and English.
 12 (2) Be written for clarity and ease of use by parents.
 13 (3) Be aligned to the applicable:
 14 (A) state standards for infant, toddler, and preschool
 15 assessments;
 16 (B) federal standards for assessing the development of
 17 children with disabilities; and
 18 (C) state standards in ASL and English language arts.
 19 (4) Include information that:
 20 (A) the parent resource is not a formal assessment of
 21 language and English literacy development; and
 22 (B) a parent's observation of the parent's child may differ
 23 from formal assessment data presented at a meeting for a
 24 child's individualized education program, individualized
 25 family service plan, or a plan developed under Section 504
 26 of the Rehabilitation Act, 29 U.S.C. 794.
 27 (5) Contain the language developmental milestones selected by
 28 the center under this section.
 29 (6) Present the language developmental milestones in terms of
 30 development of all children who are less than eleven (11)
 31 years of age.
 32 (7) Provide information regarding the general development of
 33 language, including phonology, semantics, syntax, and
 34 pragmatics, to a parent whose child uses a language at home
 35 that is not English or ASL.
 36 (8) Provide information on additional supports for language
 37 acquisition, including:
 38 (A) amplification device options;
 39 (B) ASL services options; and
 40 (C) other additional supports determined appropriate by
 41 the center.
 42 (9) Provide information about special education law in



- 1 **Indiana as the law applies to children who are deaf or hard of**
 2 **hearing.**
 3 **(10) Provide additional information for parents of children**
 4 **who:**
 5 **(A) are deaf or hard of hearing; and**
 6 **(B) have additional disabilities.**
 7 **(c) The center shall:**
 8 **(1) distribute the parent resource prepared under this section**
 9 **to parents of children who are deaf or hard of hearing; and**
 10 **(2) post the parent resource prepared under this section on**
 11 **the center's Internet web site.**
 12 **Sec. 15. (a) Not later than July 1, 2020, the center shall approve**
 13 **applicable tools and assessments to assess, as applicable, the spoken**
 14 **English, written English, or ASL development of children who are:**
 15 **(1) less than eleven (11) years of age; and**
 16 **(2) deaf or hard of hearing.**
 17 **(b) The tools and assessments approved under subsection (a)**
 18 **must meet the following requirements:**
 19 **(1) Be presented in a form that shows the stages of language**
 20 **development.**
 21 **(2) Be selected to track the following for deaf or hard of**
 22 **hearing children:**
 23 **(A) The development of expressive and receptive language**
 24 **acquisition.**
 25 **(B) The developmental stages toward English literacy.**
 26 **(3) Be selected from applicable instruments, tools, or**
 27 **assessments used to assess the development of all children who**
 28 **are less than eleven (11) years of age.**
 29 **(4) Be appropriate, in both content and administration, for**
 30 **use with children who are deaf or hard of hearing.**
 31 **Sec. 16. Subject to section 18 of this chapter, the office of the**
 32 **secretary may administer annually to a child who is:**
 33 **(1) less than three (3) years of age; and**
 34 **(2) deaf or hard of hearing;**
 35 **at least one (1) of the assessments approved by the center under**
 36 **section 15 of this chapter.**
 37 **Sec. 17. Subject to section 18 of this chapter, each school**
 38 **corporation may administer annually to a child who:**
 39 **(1) is at least three (3) years of age and less than eleven (11)**
 40 **years of age;**
 41 **(2) is deaf or hard of hearing; and**
 42 **(3) has legal settlement in the school corporation;**



1 at least one (1) of the assessments approved by the center under
2 section 15 of this chapter.

3 **Sec. 18. (a)** A parent of a child who is deaf or hard of hearing
4 may opt the child out of the administration of the annual
5 assessment required under section 16 or 17 of this chapter. To opt
6 out of an annual assessment required under this chapter, a parent
7 of a child who is deaf or hard of hearing must provide, in writing,
8 to the office of the secretary or the school corporation, whichever
9 is applicable, the parent's intent to opt out of the annual assessment
10 for the child.

11 **(b)** The office of the secretary and a school corporation is not
12 required to administer an annual assessment to a child who is deaf
13 or hard of hearing under this chapter if the parent provides, in
14 writing, to the office of the secretary or the school corporation,
15 whichever is applicable, the parent's intent to opt out of the annual
16 assessment.

17 **Sec. 19.** Beginning July 1, 2020, the center may, upon request,
18 provide training and technical assistance to:

- 19 (1) the office of the secretary;
- 20 (2) school corporations; and
- 21 (3) other service providers involved in the assessment process
22 of children who are deaf or hard of hearing;

23 concerning the use and administration of the tools and assessments
24 approved under section 15 of this chapter. The training must
25 include, as applicable, best practices on the appropriate use of
26 amplification devices and visual supports during the assessments.

27 **Sec. 20.** Subject to any applicable federal laws, the office of the
28 secretary and each school corporation shall provide to the center
29 the results of any tools and assessments administered to a child in
30 accordance with this chapter.

31 **Sec. 21. (a)** Before August 1, 2020, and before August 1 of each
32 year thereafter, the center shall:

- 33 (1) prepare a report using data that is submitted under this
34 chapter; and
- 35 (2) post the report on the center's Internet web site.

36 The report may not include any data that identifies an individual
37 child.

38 **(b)** The report prepared under subsection (a) must include data
39 that considers the language and English literacy development of
40 children who are:

- 41 (1) less than eleven (11) years of age; and
- 42 (2) deaf or hard of hearing;



1 in relation to the children's peers who are not deaf or hard of
2 hearing.

3 Sec. 22. The center shall implement the requirements of this
4 chapter in accordance with federal law regarding the:

- 5 (1) education of children with disabilities; and
6 (2) privacy of student information.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1484, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"Sec. 3. As used in this chapter, "deaf or hard of hearing", which may be referred to as a hearing impairment, means the following:

(1) A disability that, with or without amplifications, adversely affects the student's:

(A) ability to use hearing for developing language and learning;

(B) educational performance; and

(C) developmental progress.

(2) The hearing loss may be:

(A) permanent or fluctuating;

(B) mild to profound; or

(C) unilateral or bilateral.

(3) Students who are deaf or hard of hearing may use:

(A) spoken language;

(B) sign language; or

(C) a combination of spoken language and signed systems."

Page 1, line 11, delete "3." and insert "4."

Page 1, line 13, delete "4." and insert "5."

Page 2, line 1, delete "5." and insert "6."

Page 2, line 1, delete "9" and insert "10".

Page 2, line 4, delete "8" and insert "9".

Page 2, line 27, delete "8" and insert "9".

Page 2, line 34, delete "6." and insert "7."

Page 2, line 35, delete "for educators".

Page 2, line 38, delete "educator".

Page 2, between lines 39 and 40, begin a new line block indented and insert:

"(1) administered annually;"

Page 2, line 40, delete "(1)" and insert "(2)".

Page 2, line 42, delete "(2)" and insert "(3)".

Page 2, line 42, after "educators" insert **"and speech language pathologists"**.

Page 3, line 4, delete "(3)" and insert "(4)".



Page 3, line 7, delete "(4)" and insert "(5)".

Page 3, line 11, delete "educator".

Page 3, line 20, after "A" insert "**child's parent may opt the child out of the annual assessments required in subsection (a), if the child is consistently performing at or above age level for that particular age. A**".

Page 3, line 22, delete "educator".

Page 3, line 24, delete "educator".

Page 3, line 26, delete "9" and insert "**10**".

Page 3, line 27, delete "7." and insert "**8.**".

Page 3, line 28, delete "5" and insert "**6**".

Page 3, line 32, delete "educator".

Page 3, line 32, delete "6" and insert "**7**".

Page 3, line 36, delete "educator".

Page 3, line 37, delete "6" and insert "**7**".

Page 4, line 2, delete "6" and insert "**7**".

Page 4, line 5, delete "8." and insert "**9.**".

Page 4, line 6, delete "9" and insert "**10**".

Page 4, line 10, delete "5" and insert "**6**".

Page 4, line 20, delete "9" and insert "**10**".

Page 4, line 22, delete "5" and insert "**6**".

Page 4, line 25, delete "5" and insert "**6**".

Page 4, line 27, delete "9." and insert "**10.**".

Page 4, line 32, delete "5" and insert "**6**".

Page 5, line 12, delete "8" and insert "**9**".

Page 5, line 15, delete "10." and insert "**11.**".

Page 5, line 25, delete "11." and insert "**12.**".

and when so amended that said bill do pass.

(Reference is to HB 1484 as introduced.)

BEHNING

Committee Vote: yeas 12, nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1484, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"Sec. 2. As used in this chapter, "advisory committee" refers to the advisory committee appointed by the director of the center under section 10 of this chapter.

Sec. 3. As used in this chapter, "amplification device" means:

- (1) a hearing aid;**
- (2) a cochlear implant;**
- (3) a bone anchored hearing device;**
- (4) a direct microphone system; or**
- (5) any combination of the aids, implants, devices, or systems described in subdivisions (1) through (4).**

Sec. 4. As used in this chapter, "ASL" refers to American Sign Language."

Page 1, line 9, delete "Sec. 2." and insert "Sec. 5."

Page 1, line 9, delete "has the meaning set" and insert "**refers to the center for deaf and hard of hearing education established by IC 20-35-11-3.**"

Page 1, delete line 10.

Page 1, line 11, delete "Sec. 3." and insert "**Sec. 6.**"

Page 1, line 13, delete "amplifications," and insert "**the use of an amplification device,**"

Page 2, delete lines 10 through 11, begin a new paragraph and insert:

"Sec. 7. As used in this chapter, "English" means:

- (1) spoken English;**
- (2) written English; or**
- (3) English with the use of visual supplements."**

Page 2, line 12, delete "Sec. 5." and insert "**Sec. 8.**"

Page 2, line 14, delete "standards used to meet the applicable federal" and insert "**standards.**"

Page 2, delete lines 15 through 16.

Page 2, delete lines 17 through 42, begin a new paragraph and insert:

"Sec. 9. As used in this chapter, "office of the secretary" refers to the office of the secretary of family and social services



established by IC 12-8-1.5-1, its offices, or divisions.

Sec. 10. (a) The director of the center shall appoint an advisory committee to assist and advise the center as described in section 11 of this chapter.

(b) The advisory committee consists of individuals who have an expertise in, and a knowledge of, issues concerning the education of children in Indiana who are deaf or hard of hearing.

(c) The director of the center shall do the following:

(1) Determine the number of persons to serve on the advisory committee.

(2) Ensure that the membership of the advisory committee includes a balanced representation of deaf or hard of hearing perspectives that comprises of the following:

(A) Individuals who have expertise in the assessment and instruction of one (1) or more of the following:

(i) ASL.

(ii) Listening and spoken language.

(iii) English with visual supports.

(iv) Literacy.

(B) Parents of children who are deaf or hard of hearing.

(3) Appoint a chairperson or co-chairpersons for the advisory committee.

(4) Establish policies and procedures under which the advisory committee must operate.

(d) If a vacancy occurs on the advisory committee, the director of the center may appoint an individual to fill the vacancy.

Sec. 11. The advisory committee shall advise and assist the center in:

(1) selecting language developmental milestones from applicable standardized norms to be included in the parent resource described in section 14 of this chapter;

(2) approving tools and assessments under this chapter for the assessment of children who are deaf or hard of hearing; and

(3) developing and preparing the parent resource described in section 14 of this chapter.

Sec. 12. Not later than March 1, 2020, the center shall:

(1) establish a list of language developmental milestones that:

(A) are, as applicable, aligned to the center's guidelines for infant, toddler, and preschool assessments;

(B) are aligned to the applicable instrument used to assess the development of children with disabilities under federal law;



- (C) are aligned with applicable state standards in English language arts; and
- (D) based on applicable standardized norms; and
- (2) provide to the advisory committee the following:
 - (A) The list of language developmental milestones established under subdivision (1).
 - (B) Any relevant information regarding the language developmental milestones on the list provided under clause (A).

Sec. 13. (a) The advisory committee shall:

- (1) review the list of language developmental milestones and relevant information provided by the center under section 12 of this chapter;
- (2) collaborate with experts in:
 - (A) selecting, for recommendation to the center, the language developmental milestones for inclusion in the parent resource described in section 14 of this chapter; and
 - (B) approving, for recommendation to the center, tools and assessments for children who are deaf or hard of hearing that are equivalent to tools and assessments for children who are not deaf or hard of hearing; and
- (3) not later than June 1, 2020, provide to the center the following:
 - (A) A list of the language developmental milestones that the advisory committee recommends that the center include in the parent resource described in section 14 of this chapter.
 - (B) A list of the tools and assessments for children who are deaf or hard of hearing that the advisory committee recommends the center approve under section 15 of this chapter.
- (b) The advisory committee shall, at least once every five (5) years, conduct a review of the language developmental milestones selected and tools and assessments approved by the center under sections 14 and 15 of this chapter.

Sec. 14. (a) The center shall do the following:

- (1) Review the lists provided to the center from the advisory committee under section 13 of this chapter.
- (2) Select language developmental milestones to include in the parent resource described in subdivision (5).
- (3) Not later than July 1, 2020, inform the advisory committee regarding which language developmental milestones the



center selected for the parent resource described in subdivision (5).

(4) Not later than July 1, 2020, approve tools and assessments as provided under this chapter to be used in assessing children who are deaf or hard of hearing.

(5) Prepare a parent resource that:

(A) includes the language developmental milestones described in subdivision (2);

(B) can be used by a parent to monitor and track the expressive and receptive language acquisition and developmental stages toward English literacy of children who are deaf or hard of hearing; and

(C) meets the requirements of subsection (b).

(b) The parent resource prepared by the center under subsection (a)(5) must meet the following requirements:

(1) Be appropriate for use, in both content and administration, with children who:

(A) are less than eleven (11) years of age;

(B) are deaf or hard of hearing; and

(C) use:

(i) ASL;

(ii) English; or

(iii) both ASL and English.

(2) Be written for clarity and ease of use by parents.

(3) Be aligned to the applicable:

(A) state standards for infant, toddler, and preschool assessments;

(B) federal standards for assessing the development of children with disabilities; and

(C) state standards in ASL and English language arts.

(4) Include information that:

(A) the parent resource is not a formal assessment of language and English literacy development; and

(B) a parent's observation of the parent's child may differ from formal assessment data presented at a meeting for a child's individualized education program, individualized family service plan, or a plan developed under Section 504 of the Rehabilitation Act, 29 U.S.C. 794.

(5) Contain the language developmental milestones selected by the center under this section.

(6) Present the language developmental milestones in terms of development of all children who are less than eleven (11)



years of age.

(7) Provide information regarding the general development of language, including phonology, semantics, syntax, and pragmatics, to a parent whose child uses a language at home that is not English or ASL.

(8) Provide information on additional supports for language acquisition, including:

(A) amplification device options;

(B) ASL services options; and

(C) other additional supports determined appropriate by the center.

(9) Provide information about special education law in Indiana as the law applies to children who are deaf or hard of hearing.

(10) Provide additional information for parents of children who:

(A) are deaf or hard of hearing; and

(B) have additional disabilities.

(c) The center shall:

(1) distribute the parent resource prepared under this section to parents of children who are deaf or hard of hearing; and

(2) post the parent resource prepared under this section on the center's Internet web site.

Sec. 15. (a) Not later than July 1, 2020, the center shall approve applicable tools and assessments to assess, as applicable, the spoken English, written English, or ASL development of children who are:

(1) less than eleven (11) years of age; and

(2) deaf or hard of hearing.

(b) The tools and assessments approved under subsection (a) must meet the following requirements:

(1) Be presented in a form that shows the stages of language development.

(2) Be selected to track the following for deaf or hard of hearing children:

(A) The development of expressive and receptive language acquisition.

(B) The developmental stages toward English literacy.

(3) Be selected from applicable instruments, tools, or assessments used to assess the development of all children who are less than eleven (11) years of age.

(4) Be appropriate, in both content and administration, for use with children who are deaf or hard of hearing.



Sec. 16. Subject to section 18 of this chapter, the office of the secretary shall administer annually to a child who is:

- (1) less than three (3) years of age; and**
- (2) deaf or hard of hearing;**

at least one (1) of the assessments approved by the center under section 15 of this chapter.

Sec. 17. Subject to section 18 of this chapter, each school corporation shall administer annually to a child who:

- (1) is at least three (3) years of age and less than eleven (11) years of age;**
- (2) is deaf or hard of hearing; and**
- (3) has legal settlement in the school corporation;**

at least one (1) of the assessments approved by the center under section 15 of this chapter.

Sec. 18. (a) A parent of a child who is deaf or hard of hearing may opt the child out of the administration of the annual assessment required under section 16 or 17 of this chapter. To opt out of an annual assessment required under this chapter, a parent of a child who is deaf or hard of hearing must provide, in writing, to the office of the secretary or the school corporation, whichever is applicable, the parent's intent to opt out of the annual assessment for the child.

(b) The office of the secretary and a school corporation is not required to administer an annual assessment to a child who is deaf or hard of hearing under this chapter if the parent provides, in writing, to the office of the secretary or the school corporation, whichever is applicable, the parent's intent to opt out of the annual assessment.

Sec. 19. Beginning July 1, 2020, the center shall, upon request, provide training and technical assistance to:

- (1) the office of the secretary;**
- (2) school corporations; and**
- (3) other service providers involved in the assessment process of children who are deaf or hard of hearing;**

concerning the use and administration of the tools and assessments approved under section 15 of this chapter. The training must include, as applicable, best practices on the appropriate use of amplification devices and visual supports during the assessments.

Sec. 20. Subject to any applicable federal laws, the office of the secretary and each school corporation shall provide to the center the results of any tools and assessments administered to a child in accordance with this chapter.



Sec. 21. (a) Before August 1, 2020, and before August 1 of each year thereafter, the center shall:

(1) prepare a report using data that is submitted under this chapter; and

(2) post the report on the center's Internet web site.

The report may not include any data that identifies an individual child.

(b) The report prepared under subsection (a) must include data that considers the language and English literacy development of children who are:

(1) less than eleven (11) years of age; and

(2) deaf or hard of hearing;

in relation to the children's peers who are not deaf or hard of hearing."

Delete pages 3 through 5.

Page 6, line 1, delete "Sec. 12." and insert "**Sec. 22.**".

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1484 as printed February 8, 2019.)

RAATZ, Chairperson

Committee Vote: Yeas 10, Nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1484, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 6, line 32, delete "shall" and insert "**may**".



Page 6, line 38, delete "shall" and insert "**may**".

Page 7, line 17, delete "shall" and insert "**may**".

and when so amended that said bill do pass.

(Reference is to EHB 1484 as printed March 29, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

