

FIRST REGULAR SESSION

SENATE BILL NO. 51

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0643S.01I

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to assessments for the deaf and hard of hearing.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 161, RSMo, is amended by adding thereto one new
2 section, to be known as section 161.413, to read as follows:

**161.413. 1. There is hereby established a language assessment
2 program to be coordinated by the Missouri commission for the deaf and
3 hard of hearing. The purpose of the program is to assess, monitor, and
4 track the language developmental milestones of children who are deaf
5 or hard of hearing from birth through the age of eight. The recognized
6 languages used in the education of children who are deaf and hard of
7 hearing are English and American sign language. The scope of the
8 program includes children who may use one or more communication
9 modes in American sign language, English literacy and, if applicable,
10 spoken English and visual supplements.**

**11 2. On and after July 1, 2019, an annual language assessment shall
12 be given to each child who is deaf or hard of hearing and who is less
13 than nine years of age. Language assessments shall be provided either
14 through early intervention services administered by the Missouri
15 commission for the deaf and hard of hearing, or if the child is three
16 years of age or older, through the school district in which the child is
17 enrolled. Such language assessments shall be provided in accordance
18 with the provisions of this section and any recommendations adopted
19 pursuant to this section.**

**20 3. There is hereby established within the commission an advisory
21 committee on the language assessment program. The advisory**

22 committee shall consist of twelve members as follows:

23 (1) Nine members of the advisory committee shall be appointed
24 by the governor, by and with the consent of the senate, as follows:

25 (a) One member shall be a credentialed teacher of the deaf who
26 uses both ASL and English during instruction;

27 (b) One member shall be a credentialed teacher of the deaf who
28 uses spoken English with or without visual supplements during
29 instruction;

30 (c) One member shall be a credentialed teacher of the deaf who
31 has expertise in curriculum development and instruction of ASL and
32 English;

33 (d) One member shall be a credentialed teacher of the deaf who
34 has expertise in assessing language development in both ASL and
35 English;

36 (e) One member shall be a speech language pathologist who has
37 experience working with children from birth through the age of eight;

38 (f) One member shall be a professional with a linguistic
39 background who conducts research on language outcomes of children
40 who are deaf or hard of hearing and use ASL and English;

41 (g) One member shall be a parent of a child who is deaf or hard
42 of hearing and who uses both ASL and English;

43 (h) One member shall be a parent of a child who is deaf or hard
44 of hearing and who uses spoken English with or without visual
45 supplements; and

46 (i) One member who is knowledgeable about teaching and using
47 both ASL and English in the education of children who are deaf and
48 hard of hearing;

49 (2) Three members of the advisory committee shall be ex officio
50 members as follows:

51 (a) One member shall be the executive director of the
52 commission;

53 (b) One member shall be the commission member representing
54 the Missouri school for the deaf, or such commission member's
55 designee;

56 (c) One member shall be the commission member representing
57 the state board of education, or such commission member's designee.

58 4. The executive director of the commission shall call an

59 organizational meeting of the advisory committee on or before
60 September 1, 2017. At such organizational meeting, the members shall
61 elect a chairperson and vice-chairperson from the membership of the
62 advisory committee. The advisory committee may meet at any time and
63 at any place within the state on the call of the chairperson. A quorum
64 of the advisory committee shall be seven members. All actions of the
65 advisory committee shall be by motion adopted by a majority of those
66 members present when there is a quorum. Any vacancy on the
67 committee shall be filled in accordance with initial appointment
68 procedures.

69 5. On or before January 31, 2019, the advisory committee shall
70 develop specific action plans and make recommendations necessary to
71 fully implement the language assessment program. In carrying out its
72 charge under this section, the committee shall:

73 (1) Collaborate with the office of special education in the
74 department of elementary and secondary education;

75 (2) Solicit input from professionals trained in the language
76 development and education of children who are deaf or hard of hearing
77 on the selection of specific language developmental milestones;

78 (3) Review, recommend, and monitor the use of existing and
79 available language assessments for children who are deaf or hard of
80 hearing;

81 (4) Identify and recommend qualifications of language
82 professionals with knowledge of the use of evidence-based, best
83 practices in English and American sign language who can be available
84 to advocate at IEP team meetings;

85 (5) Identify qualifications of language assessment evaluators
86 with knowledge on the use of evidence-based, best practices with
87 children who are deaf or hard of hearing and the resources for locating
88 such evaluators; and

89 (6) Identify procedures and methods for communicating
90 information on language acquisition, assessment results, milestones,
91 assessment tools used and progress of the child to the parent or legal
92 guardian of such child, teachers and other professionals involved in the
93 early intervention and education of such child.

94 6. The specific action plans and recommendations developed by
95 the advisory committee shall include, but are not limited to, the

96 following:

97 (1) Language assessments that include data collection and timely
98 tracking of the child's development so as to provide information about
99 the child's receptive and expressive language compared to such child's
100 linguistically age-appropriate peers who are not deaf or hard of
101 hearing;

102 (2) Language assessments conducted in accordance with
103 standardized norms and timelines in order to monitor and track
104 language developmental milestones in receptive, expressive, social, and
105 pragmatic language acquisition and developmental stages to show
106 progress in American sign language literacy, English literacy, or both,
107 for all children who are deaf or hard of hearing from birth through the
108 age of eight;

109 (3) Language assessments delivered in the child's mode of
110 communication and which have been validated for the specific
111 purposes for which each assessment is used, and appropriately normed;

112 (4) Language assessments administered by individuals who are
113 proficient in ASL for ASL assessments and English for English
114 assessments;

115 (5) Use of assessment results, in addition to the assessment
116 required by federal law, for guidance on the language developmental
117 discussions by IEP teams when assessing the child's progress in
118 language development;

119 (6) Reporting of assessment results to the parents or legal
120 guardian of the child and the applicable agency;

121 (7) Reporting of assessment results on an aggregated basis to the
122 committees on education of the house of representatives and the senate;
123 and

124 (8) Reporting of assessment results to the members of the child's
125 IEP team, which may be used, in addition to the assessment required
126 by federal law, by the child's IEP team, as applicable, to track the
127 child's progress, and to establish or modify the IEP.

128 7. The department of elementary and secondary education, the
129 department of health and senior services and the state school for the
130 deaf shall enter into interagency agreements with the commission to
131 share statewide aggregate data.

132 8. On or before January 31, 2019, and each January thirty-first

133 thereafter, the commission shall publish a report that is specific to
134 language and literacy developmental milestones of children who are
135 deaf or hard of hearing for each age from birth through the age of
136 eight, including those who are deaf or hard of hearing and have other
137 disabilities, relative to such children's peers who are not deaf or hard
138 of hearing. Such report shall be based on existing data reported in
139 compliance with the federally required state performance plan on
140 pupils with disabilities. The commission shall publish the report on its
141 website.

142 9. The advisory committee established under this section shall
143 expire on July 1, 2019.

144 10. As used in this section the following terms shall mean:

145 (1) "ASL", American sign language;

146 (2) "Commission", the Missouri commission for the deaf and hard
147 of hearing;

148 (3) "English", English literacy, spoken English, signing exact
149 English and morphemic system of signs, CASE, cued speech and any
150 other visual supplements;

151 (4) "IEP", individualized education program;

152 (5) "Language", a complex and dynamic system of conventional
153 symbols that is used in various modes for thought and communication;

154 (6) "Literacy", includes the developmental stages of literacy,
155 including pre-emergent, emergent and novice levels, as necessary
156 beginning stages to master a language.

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