

**SENATE BILL No. 444**

By Committee on Assessment and Taxation

2-11

1 AN ACT concerning education; creating a language assessment program  
2 for children who are deaf or hard of hearing.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) There is hereby established a language assessment  
6 program to be administered by the Kansas commission for the deaf and  
7 hard of hearing. The purpose of the program is to assess, monitor and track  
8 the language developmental milestones of children who are deaf or hard of  
9 hearing from birth to the age of eight. The scope of the program includes  
10 language developmental milestones in American sign language, English  
11 literacy and, if applicable, spoken English and visual supplements.

12 (b) On and after July 1, 2018, an annual language assessment shall be  
13 given to each child who is deaf or hard of hearing and who is less than  
14 nine years of age. The language assessment shall be provided either  
15 through an early intervention services administered by the Kansas  
16 department of health and environment, or if the child is three years of age  
17 or older, through the school district in which the child is enrolled. Such  
18 language assessments shall be provided in accordance with the provisions  
19 of this section and any rules and regulations adopted pursuant to this  
20 section.

21 (c) There is hereby established within KCDHH an advisory  
22 committee on the language assessment program. The advisory committee  
23 shall consist of 13 members as follows:

24 (1) Six members of the advisory committee shall be appointed by the  
25 governor as follows:

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

28 (B) one member shall be a credentialed teacher of the deaf who has  
29 expertise in curriculum development and instruction of ASL and English;

30 (C) one member shall be a credentialed teacher of the deaf who has  
31 expertise in assessing language development in both ASL and English;

32 (D) one member shall be an expert on language outcomes of children  
33 who are deaf and use ASL and English;

34 (E) one member shall be a parent of a child who is deaf and who uses  
35 both ASL and English; and

36 (F) one member who is an advocate for teaching and using both ASL

1 and English in the education of children who are deaf and hard of hearing;  
2 and

3 (2) seven members of the advisory committee shall be ex officio  
4 members as follows:

5 (A) One member shall be the executive director of KCDHH;

6 (B) one member shall be the coordinator of the sound start program,  
7 or such coordinator's designee;

8 (C) one member shall be the KCDHH commission member  
9 representing the state school for the deaf, or such commission member's  
10 designee;

11 (D) one member shall be the KCDHH commission member  
12 representing the department of health and environment, or such  
13 commission member's designee;

14 (E) one member shall be the KCDHH commission member  
15 representing the state board of education, or such commission member's  
16 designee;

17 (F) one member shall be the coordinator of the early intervention  
18 program administered by the department of health and environment, or  
19 such coordinator's designee; and

20 (G) one member shall be the coordinator of the early education  
21 program administered by the department of education, or such  
22 coordinator's designee.

23 (d) The executive director of KCDHH shall call an organizational  
24 meeting of the advisory committee on or before August 1, 2016. At such  
25 organizational meeting, the members shall elect a chairperson and vice-  
26 chairperson from the membership of the advisory committee. The advisory  
27 committee may meet at any time and at any place within the state on the  
28 call of the chairperson. A quorum of the advisory committee shall be seven  
29 members. All actions of the advisory committee shall be by motion  
30 adopted by a majority of those members present when there is a quorum.  
31 Any vacancy on the committee shall be filled in accordance with  
32 subsection (c).

33 (e) On or before January 31, 2018, the advisory committee shall  
34 develop specific action plans and proposed rules and regulations necessary  
35 to fully implement the language assessment program. In carrying out its  
36 charge under this section, the committee shall:

37 (1) Collaborate with the coordinating council on early childhood  
38 developmental services;

39 (2) solicit input from experts on the selection of specific language  
40 developmental milestones;

41 (3) review, select and monitor the use of existing language  
42 assessments for children who are deaf;

43 (4) identify criteria for qualified ASL and English language experts

1 for IFSP or IEP team meetings;

2 (5) identify criteria for qualified language assessment evaluators and  
3 resources for locating such evaluators; and

4 (6) identify methods for communicating language assessment results,  
5 milestones, assessment tools and progress of the child to the parent or legal  
6 guardian of such child, teachers and other professionals involved in the  
7 early intervention and education of such child.

8 (f) The specific action plans and proposed rules and regulations  
9 developed by the advisory committee shall include, but are not limited to,  
10 the following:

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

15 (2) language assessments conducted in accordance with standardized  
16 norms and timelines in order to monitor and track language developmental  
17 milestones in both receptive and expressive language acquisition and  
18 developmental stages towards ASL and English literacy for all children  
19 who are deaf or hard of hearing from birth to the age of eight;

20 (3) language assessments delivered in ASL and English and which  
21 have been validated for the specific purposes for which each assessment is  
22 used, and appropriately normed;

23 (4) language assessments administered by individuals who are  
24 proficient in both ASL and English;

25 (5) use of assessment results for guidance on the language  
26 developmental discussions by IFSP and IEP teams when assessing the  
27 progress of a child's language development in both ASL and English;

28 (6) reporting of assessment results to the parents or legal guardian of  
29 the child, and, on an aggregated basis, to KCDHH for publication to  
30 ensure accountability and provide information on how education of  
31 children who are deaf or hard of hearing can be improved; and

32 (7) reporting of assessment results to the members of the child's IFSP  
33 or IEP team, as appropriate, in order to assist the team in ensuring that  
34 appropriate language growth remains a priority and continues to be  
35 monitored by the team.

36 (g) On or before January 31, 2019, and each January 31 thereafter,  
37 KCDHH shall publish a report that is specific to language and literacy  
38 development of children who are deaf or hard of hearing from birth to the  
39 age of eight, including those who are deaf or hard of hearing and have  
40 other disabilities, relative to such children's peers who are not deaf or hard  
41 of hearing. Such report shall be based on existing data reported in  
42 compliance with the federally required state performance plan on pupils  
43 with disabilities. KCDHH shall publish the report on its website.

1 (h) As used in this section:

2 (1) "ASL" means American sign language.

3 (2) "English" means spoken English, written English and English  
4 with the use of visual supplements.

5 (3) "IEP" means individualized education program.

6 (4) "IFSP" means individualized family service plan.

7 (5) "KCDHH" means the Kansas commission for the deaf and hard of  
8 hearing.

9 (6) "Language" means the cognitive ability to learn and use systems  
10 of complex communication, separate from modality employed to  
11 communicate.

12 Sec. 2. This act shall take effect and be in force from and after its  
13 publication in the statute book.