

**256.106 Deaf and hard-of-hearing children.**

1. *a.* The department shall work with the Iowa school for the deaf, the area education agencies, school districts, and the early hearing detection and intervention program in the department of health and human services for purposes of coordinating, developing, and disseminating resources for use by parents or guardians, early hearing detection and intervention programs, the Iowa school for the deaf, area education agencies, school districts, and accredited nonpublic schools to inform deaf and hard-of-hearing children's expressive and receptive language acquisition or development.

*b.* The duties of the department shall, at a minimum, include all of the following:

(1) Coordinating the development and collection of language milestones for each age, from birth through age eight, in American sign language, English, and other languages as needed pursuant to [subsection 3](#), which may include milestone assessments for deaf and hard-of-hearing children.

(2) Coordinating the development and distribution of resources for parents pertaining to language development pursuant to [subsection 4](#).

(3) Coordinating the development and distribution of resources for early interventionists, educators, hospitals, and health care providers pertaining to language development.

(4) Monitoring the need for valid and reliable language assessments and distribution of resources toward language development in American sign language and English.

(5) Coordinating a parent-friendly procedure for outreach and follow-up.

(6) Coordinating the collection of regular language milestone assessment data for deaf and hard-of-hearing children.

(7) Summarizing data outcomes for parents, guardians, and partner agencies to use, including the annual report published pursuant to [subsection 7](#).

(8) Working with stakeholders to maintain a valid and reliable two-fold language assessment approach, utilizing both American sign language and English, in selecting milestones, compiling data, employing qualified personnel, and distributing resources.

2. The parent resource developed pursuant to [subsection 1](#) shall meet all of the following requirements:

*a.* Include American sign language and English language developmental milestones selected under [subsection 1](#).

*b.* Be appropriate for use, in both content and administration, with deaf and hard-of-hearing children from birth through age eight who use American sign language or English, or both.

*c.* Present the language developmental milestones in terms of typical development of all children from birth through age eight, by age range.

*d.* Be written for clarity and ease of use by parents and guardians.

*e.* Be aligned to the department of education's existing infant, toddler, and preschool guidelines, standards for evaluating eligibility and progress for early intervention or special education under federal law, and state standards in English language arts.

*f.* Clearly specify that the parent resource is not a formal assessment of language and literacy development, and that the observations of a child by the child's parent or guardian may differ from formal assessment data presented at an individualized family service plan or individualized education program meeting.

*g.* Clearly specify that a parent or guardian may bring the parent resource to an individualized family service plan or individualized education program meeting for purposes of sharing the parent's or guardian's observations regarding the child's development.

3. The department, in consultation with the Iowa school for the deaf, the area education agencies, school districts, and the early hearing detection and intervention program in the department of health and human services, shall select existing tools or assessments that may be used by qualified educators to assess American sign language and English language and literacy development of deaf and hard-of-hearing children from birth through age eight.

*a.* Educator tools or assessments selected under [this subsection](#) shall meet the following criteria:

(1) Be in a format that shows stages of language development.

(2) Be selected for use by educators to track the development of deaf and hard-of-hearing children's expressive and receptive language acquisition or developmental stages toward American sign language and English literacy.

(3) Be appropriate in both content and administration for use with deaf and hard-of-hearing children.

b. Educator tools or assessments selected under [this subsection](#) may be used, in addition to any assessment required by federal law, by the child's individualized family service plan or individualized education program team, as applicable, to track deaf and hard-of-hearing children's progress in improving expressive and receptive language skills, and to establish or modify individualized family service plans or individualized education programs.

4. The department shall disseminate the parent resource developed pursuant to [this section](#) to parents and guardians of deaf and hard-of-hearing children and, consistent with federal law, shall disseminate the educator tools and assessments selected pursuant to [subsection 3](#) to early hearing detection and intervention programs, area education agencies, school districts, accredited nonpublic schools, and the Iowa school for the deaf for use in the development and modification of individualized family service or individualized education program plans, and shall provide materials and training on the use of such materials to assist deaf and hard-of-hearing children in kindergarten readiness using American sign language or English, or both, from birth through age eight.

5. a. If moneys are appropriated by the general assembly for a fiscal year for the purpose provided in [this subsection](#), the department shall develop guidelines for a comprehensive family support mentoring program that meets the language and communication needs of families.

b. The department shall work with the early hearing detection and intervention program in the department of health and human services, the Iowa school for the deaf, and the area education agencies when developing the guidelines. The department, in consultation with the Iowa school for the deaf, shall administer the family support mentoring program for deaf or hard-of-hearing children.

c. With the consent of the parent of the deaf or hard-of-hearing child, the family support mentoring program shall pair families based on the specific need, experience, or want of the parent of the deaf or hard-of-hearing child with another family mentor or deaf or hard-of-hearing adult mentor to provide support.

d. In establishing the family support mentoring program, the department may do all of the following:

(1) Hire a family support mentoring coordinator.

(2) Utilize the parent resource created in [subsection 2](#) as well as other resources to provide families with information and guidance on language, communication, social, and emotional development of their child.

(3) Recruit family support mentors to serve the needs of the family support mentoring program. A family support mentor may be any of the following:

(a) A parent who has experience raising a child who is deaf or hard of hearing and who has experience supporting the child's communication and language development.

(b) A deaf or hard-of-hearing adult who serves as a deaf or hard-of-hearing role model for the children and their families. Deaf or hard-of-hearing family support mentors may provide parents with an understanding of American sign language and English, including instructional philosophies for both, such as bilingual bimodal, listening and spoken language, total communication, and other philosophies, as well as other forms of communication, deaf culture, deaf community, and self-identity.

(4) Train parents of a deaf or hard-of-hearing child to become family support mentors and train deaf or hard-of-hearing adults to become deaf or hard-of-hearing adult family support mentors.

(5) Reach out to parents of children identified through the early hearing detection and intervention program in the department of health and human services and share information about the family support mentoring program services available to such parents.

(6) Reach out to families referred by primary care providers, the area education agencies, and from other agencies who provide services to deaf or hard-of-hearing children.

(7) Provide follow-up contact, as necessary, to establish services after initial referral.

e. The department shall coordinate family support mentoring activities with the early hearing detection and intervention program in the department of health and human services, the Iowa school for the deaf, the area education agencies, and nonprofit organizations that provide family support mentoring to parents with deaf or hard-of-hearing children.

f. The department of education shall adopt rules pursuant to [chapter 17A](#) to administer [this subsection](#).

6. All activities of the department of education in implementing [this section](#) shall be consistent with federal law for the education of children from birth through age eight.

7. The department shall annually compile, and publish on the department's internet site, a report using existing data reported in compliance with the state performance plan on pupils with disabilities, required under federal law, that is specific to language and literacy development in deaf and hard-of-hearing children from birth through age eight, including those children who are deaf or hard of hearing and have other disabilities, relative to the children's peers who are not deaf or hard of hearing.

8. For purposes of [this section](#), unless the context otherwise requires:

a. "English" includes spoken English, written English, or English with the use of visual supplements.

b. "Federal law" means the federal Individuals with Disabilities Education Act, as amended by the federal Individuals with Disabilities Improvement Act, Pub. L. No. 108-446, 20 U.S.C. §1400 et seq., as amended.

[2022 Acts, ch 1094, §1](#)

C2023, §256B.10

[2023 Acts, ch 19, §994 – 998, 2486 – 2491, 2513](#)

C2024, §256.106

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from [§256B.10](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)

Subsection 1, paragraph a amended

Subsection 1, paragraph b, unnumbered paragraph 1 amended

Subsection 3, unnumbered paragraph 1 amended

Subsections 4 and 7 amended

Subsection 5, paragraphs a, b, and e amended

Subsection 5, paragraph d, unnumbered paragraph 1 amended

Subsection 5, paragraph d, subparagraph (5) amended