

House File 868

H-1452

1 Amend House File 868 as follows:

2 1. Page 4, by striking line 7 and inserting:

3 <..... \$ 6,174,526>

4 2. Page 4, after line 8 by inserting:

5 <__. From the moneys appropriated in this subsection, not
6 more than \$199,000 shall be used to implement and administer
7 section 256B.10, if enacted by this Act.>

8 3. Page 21, after line 14 by inserting:

9 <Sec. __. NEW SECTION. **256B.10 Deaf and hard-of-hearing**
10 **children — language developmental milestones.**

11 1. *Language developmental milestones — selection.*

12 a. The director of the department of education shall appoint
13 an early language development consultant to work with the
14 state school for the deaf, the area education agencies, school
15 districts, and the early hearing detection and intervention
16 program in the department of public health, and shall select
17 language developmental milestones from existing standardized
18 norms for purposes of developing a resource for use by parents
19 or guardians to monitor and track deaf and hard-of-hearing
20 children's expressive and receptive language acquisition and
21 developmental stages toward American sign language and English
22 literacy. In selecting the language developmental milestones,
23 the early language development consultant shall consider
24 recommendations from the advisory committee established under
25 subsection 5.

26 b. The duties of the early language development consultant
27 appointed by the director pursuant to paragraph "a" shall, at a
28 minimum, include all of the following:

29 (1) Developing and managing language milestones for each
30 age, from birth through age eight, in American sign language
31 and English pursuant to subsection 3.

32 (2) Staffing the advisory committee established pursuant
33 to subsection 5, including but not limited to organizing and
34 facilitating the advisory committee meetings.

35 (3) Developing and distributing resources for parents

1 pertaining to language development pursuant to subsection 4.

2 (4) Developing and distributing resources for early
3 interventionists, educators, hospitals, and health care
4 providers pertaining to language development.

5 (5) Exercising general supervision over follow-up contacts
6 with parents and guardians regarding the need for valid and
7 reliable language assessments and distribution of resources
8 toward language development in American sign language and
9 English.

10 (6) Planning a parent-friendly procedure for outreach and
11 follow-up.

12 (7) Exercising general supervision over annual or biannual,
13 at the consultant's discretion, milestone assessments for deaf
14 and hard-of-hearing children.

15 (8) Managing and summarizing data outcomes for parents,
16 guardians, and partner agencies to use, including the annual
17 report published pursuant to subsection 7.

18 (9) Arranging for and exercising general supervision over
19 the appropriate training for language assessment personnel.

20 (10) Maintaining valid and reliable two-fold language
21 assessment approach, utilizing both American sign language and
22 English, in selecting milestones, compiling data, employing
23 qualified personnel, and distributing resources.

24 2. *Parent resource.* The parent resource developed pursuant
25 to subsection 1 shall meet all of the following requirements:

26 a. Include American sign language and English language
27 developmental milestones selected under subsection 1.

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

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

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

1 guardians.

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

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

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

18 3. *Selection of tools or assessments.* The early language
19 development consultant, in consultation with the state school
20 for the deaf, the area education agencies, school districts,
21 and the early hearing detection and intervention program in the
22 department of public health, shall select existing tools or
23 assessments for educators that can be used to assess American
24 sign language and English language and literacy development of
25 deaf and hard-of-hearing children from birth through age eight.

26 a. Educator tools or assessments selected under this
27 subsection shall meet the following criteria:

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

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

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

1 *b.* Educator tools or assessments selected under this
2 subsection may do either of the following:

3 (1) Be used, in addition to any assessment required by
4 federal law, by the child's individualized family service plan
5 or individualized education program team, as applicable, to
6 track deaf and hard-of-hearing children's progress in improving
7 expressive and receptive language skills, and to establish or
8 modify individualized family service plans or individualized
9 education programs.

10 (2) Reflect the recommendations of the advisory committee
11 convened under subsection 5.

12 4. *Dissemination.* The early language development
13 consultant shall disseminate the parent resource developed
14 pursuant to this section to parents and guardians of deaf and
15 hard-of-hearing children and, consistent with federal law,
16 shall disseminate the educator tools and assessments selected
17 pursuant to subsection 3 to early hearing detection and
18 invention programs, area education agencies, school districts,
19 accredited nonpublic schools, and the state school for the deaf
20 for use in the development and modification of individualized
21 family service or individualized education program plans,
22 and shall provide materials and training on the use of such
23 materials to assist deaf and hard-of-hearing children in
24 kindergarten readiness using American sign language or English,
25 or both, from birth through age eight.

26 5. *Advisory committee.*

27 *a.* The department of education shall establish and consult
28 with an advisory committee for purposes of soliciting input,
29 including input from experts on the selection of language
30 developmental milestones for children who are deaf or
31 hard-of-hearing that are equivalent to those for children who
32 are not deaf or hard-of-hearing, for inclusion in the parent
33 resource developed and disseminated to parents and guardians
34 pursuant to this section. The early language development
35 consultant shall provide staffing and administrative support

1 to the advisory committee and shall provide the committee
2 with a list of existing language developmental milestones
3 from existing standardized norms, along with any relevant
4 information the department has regarding those language
5 developmental milestones for possible inclusion in the parent
6 resource developed pursuant to this section.

7 *b.* The advisory committee shall do all of the following:

8 (1) Make recommendations on the selection and use of the
9 educator tools or assessments selected pursuant to subsection
10 3.

11 (2) Advise the department or its consultants on the content
12 and administration of existing evaluation and assessment tools,
13 instruments, and procedures used to assess the development
14 of children with disabilities pursuant to federal law, and
15 to assess deaf and hard-of-hearing children's language and
16 literacy development to ensure the appropriate use of such
17 tools, instruments, and procedures with such children, and may
18 make recommendations regarding future research to improve the
19 measurement of progress of deaf and hard-of-hearing children in
20 language and literacy development.

21 (3) Develop a process in compliance with federal law for
22 plan modifications if a deaf or hard-of-hearing child does not
23 demonstrate adequate yearly progress in improving expressive
24 and receptive language skills, as measured by an educator tool
25 or assessment selected pursuant to subsection 3.

26 (4) The advisory committee shall consist of seven
27 volunteers, the majority of whom shall be deaf or
28 hard-of-hearing, and all of whom shall have experience
29 or involvement within the field of education for the
30 deaf and hard-of-hearing or relating directly to deaf and
31 hard-of-hearing children. The advisory committee shall include
32 all of the following members:

33 (a) One parent or guardian of a child who is deaf or
34 hard-of-hearing and who uses both American sign language and
35 English or who uses spoken English.

1 (b) One licensed teacher who uses American sign language and
2 English.

3 (c) One licensed teacher who uses spoken English.

4 (d) One person who shall be the parent or guardian of a deaf
5 or hard-of-hearing child or an interpreter, speech pathologist,
6 teacher of the deaf, human rights advocate, child advocate, or
7 licensed education administrator.

8 (e) One advocate for the deaf or an advocate of American
9 sign language.

10 (f) One American sign language specialist, American sign
11 language professor, or native signer recommended by the Iowa
12 association of the deaf and the office of deaf services of the
13 department of human rights.

14 (g) One speech pathologist whose expertise is in spoken
15 English, or an early interventionist who uses spoken English.

16 c. The early language development consultant shall
17 convene the advisory committee by March 1, 2022, and as
18 frequently thereafter as the consultant deems necessary
19 for purposes of this section. The advisory committee shall
20 submit recommendations to the state board of education by
21 July 1, 2022, shall submit recommendations relating to plan
22 modifications developed pursuant to paragraph "b", subparagraph
23 (3), to the state board of education and to the general
24 assembly by December 1, 2022, and shall submit recommendations
25 thereafter as the consultant deems necessary.

26 6. *Activities — consistent with federal law.* All activities
27 of the department of education in implementing this section
28 shall be consistent with federal law for the education of
29 children from birth through age eight.

30 7. *Annual report.* The department of education shall
31 annually compile, and publish on the department's internet
32 site, a report using existing data reported in compliance
33 with the state performance plan on pupils with disabilities,
34 required under federal law, that is specific to language and
35 literacy development in deaf and hard-of-hearing children from

1 birth through age eight, including those children who are deaf
2 or hard-of-hearing and have other disabilities, relative to the
3 children's peers who are not deaf or hard-of-hearing.

4 8. *Definitions.* For purposes of this section, unless the
5 context otherwise requires:

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

8 b. "*Federal law*" means the federal Individuals with
9 Disabilities Education Act, as amended by the federal
10 Individuals with Disabilities Improvement Act, Pub. L. No.
11 108-446, 20 U.S.C. §1400 et seq., as amended.>

12 4. By renumbering, redesignating, and correcting internal
13 references as necessary.

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