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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 302L, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§302L-    Language developmental milestones for deaf and  
5 hearing-impaired children; special education. (a) The  
6 executive office on early learning shall select language  
7 developmental milestones from existing standardized norms,  
8 pursuant to the process specified in subsection (d), for  
9 purposes of developing a resource for use by parents to monitor  
10 and track deaf and hearing-impaired children's expressive and  
11 receptive language acquisition and developmental stages toward  
12 English literacy. This parent resource shall:

13           (1) Include the language developmental milestones selected  
14           pursuant to the process specified in subsection (d);

15           (2) Be appropriate for use, in both content and  
16           administration, with deaf and hearing-impaired  
17           children from birth to five years of age, inclusive,



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1           who use both or one of the languages of American Sign  
2           Language and English; provided that for the purposes  
3           of this section English includes spoken English,  
4           written English, or English with the use of visual  
5           supplements;

6           (3) Present the developmental milestones in terms of  
7           typical development of all children, by age range;

8           (4) Be written for clarity and ease of use by parents;

9           (5) Be aligned to existing guidelines and instruments of  
10           the executive office on early learning and department  
11           of education, as applicable, that are used to assess  
12           the development of children with disabilities pursuant  
13           to federal law, and state standards in English  
14           language arts;

15           (6) Make clear that the parent resource is not a formal  
16           assessment of language and literacy development, and  
17           that a parent's observations of their children may  
18           differ from formal assessment data presented at an  
19           individualized family service plan or individualized  
20           education program meeting; and



1        (7) Make clear that a parent may bring the parent resource  
2        to an individualized family service plan or  
3        individualized education program meeting for purposes  
4        of sharing their observations about their child's  
5        development.

6        (b) The executive office on early learning shall select  
7        existing tools or assessments for educators that can be used to  
8        assess the language and literacy development of deaf and  
9        hearing-impaired children. These educator tools or assessments:

10       (1) Shall be in a format that shows stages of language  
11       development;

12       (2) Shall be selected for use by educators to track the  
13       development of deaf and hearing-impaired children's  
14       expressive and receptive language acquisition and  
15       developmental stages toward English literacy;

16       (3) Shall be selected from existing instruments or  
17       assessments used to assess the development of all  
18       children from birth to five years of age, inclusive;

19       (4) Shall be appropriate, in both content and  
20       administration, for use with deaf and hearing-impaired  
21       children;



1       (5) May be used, in addition to the assessment required by  
2       federal law, by the child's individualized family  
3       service plan or individualized education program team,  
4       as applicable, to track deaf and hearing-impaired  
5       children's progress, and to establish or modify  
6       individualized family service plan or individualized  
7       education program plans; and

8       (6) May reflect the recommendations of the advisory  
9       committee established pursuant to subsection (e).

10       (c) The executive office on early learning shall  
11       disseminate the parent resource developed pursuant to subsection  
12       (a) to parents and guardians of deaf and hearing-impaired  
13       children, and, pursuant to federal law, shall disseminate the  
14       educator tools and assessments selected pursuant to subsection  
15       (b) to schools and teachers for use in the development and  
16       modification of individualized family service plan or  
17       individualized education program plans, and shall provide  
18       materials and training on its use, to assist deaf and hearing-  
19       impaired children in becoming linguistically ready for  
20       kindergarten using both or one of the languages of American Sign  
21       Language and English.



1       If a deaf or hearing-impaired child does not demonstrate  
2 progress in expressive and receptive language skills, as  
3 measured by one of the educator tools or assessments selected  
4 pursuant to subsection (b), or by the existing instrument used  
5 to assess the development of children with disabilities pursuant  
6 to federal law, the child's individualized family service plan  
7 or individualized education program plan, as applicable, shall,  
8 as part of the process required by federal law, explain in  
9 detail the reasons why the child is not meeting the language  
10 developmental milestones or progressing toward them, and shall  
11 recommend specific strategies, services, and programs that shall  
12 be provided to assist the child's success toward English  
13 literacy.

14       (d) On or before March 1, 2018, the executive office on  
15 early learning shall provide the advisory committee established  
16 pursuant to subsection (e) with a list of existing language  
17 developmental milestones from existing standardized norms, along  
18 with any relevant information held by the executive office on  
19 early learning regarding those language developmental milestones  
20 for possible inclusion in the parent resource developed pursuant  
21 to subsection (a). These language developmental milestones



1 shall be aligned to the existing guidelines and instruments of  
2 the executive office on early learning and department of  
3 education, as applicable, that are used to assess the  
4 development of children with disabilities pursuant to federal  
5 law, and the state standards in English language arts.

6 On or before June 1, 2018, the advisory committee shall  
7 recommend language developmental milestones for selection  
8 pursuant to subsection (a).

9 On or before June 30, 2018, the executive office on early  
10 learning shall inform the advisory committee of which language  
11 developmental milestones were selected.

12 (e) The superintendent shall establish an ad hoc advisory  
13 committee for purposes of soliciting input from experts on the  
14 selection of language developmental milestones for children who  
15 are deaf or hearing-impaired that are equivalent to those for  
16 children who are not deaf or hearing-impaired, for inclusion in  
17 the parent resource developed pursuant to subsection (a). The  
18 advisory committee may also make recommendations on the  
19 selection and administration of the educator tools or  
20 assessments selected pursuant to subsection (b).



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1        The advisory committee shall consist of thirteen  
2 volunteers, the majority of whom shall be deaf or hearing-  
3 impaired, and all of whom shall be within the field of education  
4 for the deaf and hearing-impaired. In addition, the advisory  
5 committee shall include all of the following:

6        (1) One parent of a child who is deaf or hearing-impaired  
7        who uses the dual languages of American Sign Language  
8        and English;

9        (2) One parent of a child who is deaf or hearing-impaired  
10       who uses only spoken English, with or without visual  
11       supplements;

12       (3) One credentialed teacher of deaf and hearing-impaired  
13       pupils who uses the dual languages of American Sign  
14       Language and English;

15       (4) One credentialed teacher of deaf and hearing-impaired  
16       pupils from a state certified nonpublic, nonsectarian  
17       school;

18       (5) One expert who researches language outcomes for deaf  
19       and hearing-impaired children using American Sign  
20       Language and English;



- 1        (6) One expert who researches language outcomes for deaf  
2                    and hearing-impaired children using spoken English,  
3                    with or without visual supplements;
- 4        (7) One credentialed teacher of deaf and hearing-impaired  
5                    pupils whose expertise is in curriculum and  
6                    instruction in American Sign Language and English;
- 7        (8) One credentialed teacher of deaf and hearing-impaired  
8                    pupils whose expertise is in curriculum and  
9                    instruction in spoken English, with or without visual  
10                   supplements;
- 11       (9) One advocate for the teaching and use of the dual  
12                   languages of American Sign Language and English;
- 13       (10) One advocate for the teaching and use of spoken  
14                   English, with or without visual supplements;
- 15       (11) One early intervention specialist who works with deaf  
16                   and hearing-impaired infants and toddlers using the  
17                   dual languages of American Sign Language and English;
- 18       (12) One credentialed teacher of deaf and hearing-impaired  
19                   pupils whose expertise is in American Sign Language  
20                   and English language assessment; and





1       (13) One speech pathologist from spoken English, with or  
2           without the use of visual supplements.

3       (f) The advisory committee established pursuant to  
4       subsection (e) may also advise the executive office on early  
5       learning on the content and administration of the existing  
6       instruments used to assess the development of children with  
7       disabilities pursuant to federal law, as used to assess deaf and  
8       hearing-impaired children's language and literacy development to  
9       ensure the appropriate use of that instrument with those  
10       children, and may make recommendations regarding future research  
11       to improve the measurement of progress of deaf and hearing-  
12       impaired children in language and literacy.

13       (g) Commencing on or before July 31, 2018, and on or  
14       before each July 31 thereafter, the executive office on early  
15       learning shall produce a report, using existing data reported in  
16       compliance with the federally required state performance plan on  
17       pupils with disabilities, that is specific to language and  
18       literacy development of deaf and hearing-impaired children from  
19       birth to five years of age, inclusive, including those who are  
20       deaf or hearing-impaired and have other disabilities, relative  
21       to their peers who are not deaf or hearing-impaired. The



1 executive office on early learning shall make this report  
2 available on its website.

3 (h) All activities of the executive office on early  
4 learning in implementing this section shall be consistent with  
5 federal law regarding the education of children with  
6 disabilities and federal law regarding the privacy of pupil  
7 information.

8 (i) For the purposes of this section, the term "language  
9 developmental milestones" means milestones of development  
10 aligned with the existing state instruments used to meet the  
11 requirements of federal law for the assessment of children from  
12 birth to five years of age, inclusive.

13 (j) This section shall apply only to children from birth  
14 to five years of age, inclusive."

15 SECTION 2. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$                    or so  
17 much thereof as may be necessary for fiscal year 2016-2017 for  
18 the establishment of language developmental milestones for deaf  
19 and hearing-impaired children and development of a parent  
20 resource and educator tools to monitor and track deaf and



1 hearing-impaired children's language acquisition and  
2 developmental stages toward English literacy.

3 The sum appropriated shall be expended by the executive  
4 office on early learning for the purposes of this Act.

5 SECTION 3. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

Calvin K. Boy

John M. M...

Guthrie Threlter

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**Report Title:**

Language Developmental Milestones; Deaf; Hearing-Impaired; Early Learning; Appropriation

**Description:**

Requires the executive office on early learning to establish language developmental milestones for the purpose of developing a resource for use by parents of deaf and hearing-impaired children to track the children's language acquisition and developmental stages for children from birth to five years of age. Establishes criteria for the parent resource. Requires the executive office on early learning to select tools or assessments for educators to assess the language and literacy development of deaf and hearing-impaired children from birth to five years of age. Requires the superintendent to establish an advisory committee to solicit input from experts on the selection of language developmental milestones. Makes an appropriation for the establishment of language developmental milestones and the corresponding parent resource and educator tools and assessments.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

