
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,



- 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).



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 much
17 thereof as may be necessary for fiscal year 2016-2017 for the
18 establishment of language developmental milestones for deaf and
19 hearing-impaired children and development of a parent resource
20 and educator tools to monitor and track deaf and hearing-



1 impaired children's language acquisition and developmental
2 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, 3000.



Report Title:

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

Description:

Requires the Executive Office on Early Learning to establish language developmental milestones, develop a parent resource, and select tools or assessments for educators to assess the language and literacy development of deaf and hearing-impaired children. Requires the Superintendent to establish an advisory committee. Makes an appropriation. (HB1780 HD1)

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