

2015 -- H 5697

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LC001305
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION -- INSTRUCTION FOR DEAF OR HARD-OF-HEARING
STUDENTS

Introduced By: Representatives Handy, Jacquard, Naughton, Messier, and Williams

Date Introduced: February 26, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-25.2-3 of the General Laws in Chapter 16-25.2 entitled
2 "Instruction for Deaf or Hard of Hearing Students [See Title 16 Chapter 97 - The Rhode Island
3 Board of Education Act]" is hereby amended to read as follows:

4 **16-25.2-3. Assessment.** – (a) Individuals involved in administering assessment tools to
5 students who are deaf or hard of hearing shall be proficient in the student's primary
6 communication mode, style, or language as determined by a language assessment consistent with
7 the requirements of § 16-25.2-2. All assessments shall be delivered in the student's primary
8 communication mode, style, or language as determined by a language assessment consistent with
9 the requirements of § 16-25.2-2, shall have been validated for the specific purposes for which
10 they are used, and shall be appropriately normed.

11 (b) The Rhode Island department of elementary and secondary education shall develop
12 language assessments to monitor deaf and hard-of-hearing children's developmental language
13 benchmarks in American Sign Language (ASL) and English literacy and, if applicable, spoken
14 English and visual supplements. Language benchmarks must include data and tracking that
15 provides information as to the individual child's receptive and expressive language comparative
16 to the child's age and cognitive abilities using ASL and English in order to be kindergarten-ready.
17 When the language assessment/benchmarks indicate that the child does not have age-appropriate
18 expressive and receptive language skills, the individualized education plan (IEP) must include as

1 much detail as possible to explain the lack of such skills and make specific recommendations as
2 to what strategies, services, and programs will be available to assist the child in becoming
3 linguistically age-appropriate. The IEP shall include recommendations and information to the
4 family or guardian of the child about being provided training, benchmark materials, and support
5 to insure appropriate language growth as well as recommendations about what the child's IEP
6 should include to assist the child in becoming linguistically age appropriate. These
7 recommendations shall be part of the child's IEP file and all recommendations shall be considered
8 by the child's IEP team in formulating the child's educational plans.

9 (c) A qualified language expert in American Sign Language and other language experts,
10 as deemed appropriate for the education of the child, shall be part of the IEP team.

11 (d) The Rhode Island department of education shall develop specific plans and
12 regulations by January 31, 2017, to fully implement the "language assessment" program.

13 SECTION 2. Chapter 23-13 of the General Laws entitled "Maternal and Child Health
14 Services for Children with Special Health Care Needs" is hereby amended by adding thereto the
15 following section:

16 **23-13-27. Assessment for deaf and hard-of-hearing language development.** – (a) The
17 Rhode Island department of human services with assistance of the Rhode Island department of
18 education shall develop language assessments to monitor deaf and hard-of-hearing children's
19 developmental language benchmarks in American Sign Language (ASL) and English literacy
20 and, if applicable, spoken English and visual supplements. Language benchmarks must include
21 data and tracking that provides information as to the individual child's receptive and expressive
22 language comparative to the child's age and cognitive abilities using ASL and English in order to
23 be kindergarten-ready. When the language assessment/benchmarks indicate that the child does
24 not have age-appropriate expressive and receptive language skills, the individual family service
25 plan (IFSP) must include as much detail as possible to explain the lack of such skills and make
26 specific recommendations as to what strategies, services, and programs will be available to assist
27 the child in becoming linguistically age-appropriate. The IFSP shall include recommendations
28 and information to the family or guardian of the child about being provided training, benchmark
29 materials and support to insure appropriate language growth as well as recommendations about
30 what the child's IFSP should include to assist the child in becoming linguistically age-appropriate.
31 These recommendations shall be part of the child's IFSP file and all recommendations shall be
32 considered by the child's IFSP team in formulating the child's educational plans.

33 (c) A qualified language expert in American Sign Language and other language experts
34 as deemed appropriate for the education of each child, shall be part of the IFSP team.

1 (d) The Rhode Island department of education shall develop specific plans and
2 regulations by January, 31, 2017, to fully implement the "language assessment" program for the
3 benefit of children who are deaf or hard-of-hearing and under three (3) years of age.

4 SECTION 3. This act shall take effect on July 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would mandate that the department of education in conjunction with the
2 department of human services develop programs to assess and monitor developmental language
3 benchmarks for deaf and hard-of-hearing children and would require that Individual Education
4 Plans and Individual Family Service Plans include recommendations and plans to assist the child
5 in becoming linguistically age-appropriate and kindergarten ready. Language experts would be
6 part of the IEP and IFSP teams.

7 This act would take effect on July 1, 2017.

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