

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2084 Session of 2019

INTRODUCED BY HOHENSTEIN, LEE, D. MILLER, MURT, DEASY, DeLUCA, FREEMAN, GALLOWAY, HARKINS, HARRIS, HILL-EVANS, ISAACSON, KENYATTA, KINSEY, MALAGARI, MARKOSEK, McCLINTON, McNEILL, READSHAW, ROEBUCK, SHUSTERMAN, SOLOMON, ULLMAN AND GILLEN, NOVEMBER 22, 2019

REFERRED TO COMMITTEE ON EDUCATION, NOVEMBER 22, 2019

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in preliminary provisions, providing  
6 for Deaf Education Commission.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 122.1. Deaf Education Commission.--(a) There is  
13 hereby established the Deaf Education Commission in the  
14 Department of Education for the purpose of making  
15 recommendations on issues relating to the early linguistic  
16 development of children who are deaf or hard of hearing as  
17 provided under this section.

18 (b) (1) The commission shall consist of the following

1 members appointed by the Secretary of Education:

2 (i) A parent of a child who is deaf or hard of hearing and  
3 who uses the dual languages of American Sign Language and  
4 English.

5 (ii) A parent of a child who is deaf or hard of hearing and  
6 who uses only American Sign Language.

7 (iii) A parent of a child who is deaf or hard of hearing who  
8 uses only Listening and Spoken Language.

9 (iv) A certified teacher of deaf or hard of hearing students  
10 who uses the dual languages of American Sign Language and  
11 Listening and Spoken Language.

12 (v) A certified teacher of deaf or hard of hearing students  
13 employed at a Department of Education-approved school for  
14 special education which serves deaf or hard of hearing students.

15 (vi) An expert with a master's or doctorate degree who  
16 researches language outcomes for deaf or hard of hearing  
17 children using American Sign Language and English.

18 (vii) An expert with a master's or doctorate degree who  
19 researches language outcomes for deaf or hard of hearing  
20 children using Listening and Spoken Language.

21 (viii) An expert with a master's or doctorate degree who  
22 researches language outcomes for deaf or hard of hearing  
23 children using only American Sign Language.

24 (ix) A certified teacher of deaf or hard of hearing students  
25 whose expertise is in curriculum and instruction in American  
26 Sign Language and English.

27 (x) An advocate for the teaching and use of the dual  
28 languages of American Sign Language and English;

29 (xi) An advocate for the teaching and use of Listening and  
30 Spoken Language.

1 (xii) An early intervention specialist who is certified or  
2 licensed to work with deaf or hard of hearing infants and  
3 toddlers using the dual languages of American Sign Language and  
4 English.

5 (xiii) A certified teacher of deaf or hard of hearing  
6 students whose expertise is in American Sign Language and  
7 English language assessment.

8 (xiv) A speech-language pathologist with expertise in  
9 Listening and Spoken Language for children who are deaf or hard  
10 of hearing.

11 (xv) A school administrator for American Sign Language-based  
12 education.

13 (xvi) A school administrator for Listening and Spoken  
14 Language-based education.

15 (xvii) A student who identifies as deaf or hard of hearing.

16 (2) The Secretary of Education shall make the appointments  
17 to the commission under paragraph (1) within thirty (30) days  
18 after the effective date of this section. Vacancies in the  
19 membership of the commission shall be filled in the same manner  
20 as the original appointments were made.

21 (c) (1) The commission shall examine, research and issue  
22 recommendations to the Department of Education and the  
23 Department of Human Services for all of the following:

24 (i) The development of a resource guide for a parent or  
25 guardian of a deaf or hard of hearing child to monitor and track  
26 the child's expressive and receptive language acquisition and  
27 developmental stages toward English literacy as required under  
28 subsection (d) (1).

29 (ii) Potential improvements to early intervention programs  
30 available to deaf or hard of hearing students for the purpose

1 specified under subsection (e).

2 (iii) The development of methods of evaluation to annually  
3 collect and publicly report data on language acquisition and  
4 developmental progress of children who are deaf or hard of  
5 hearing from birth to five (5) years of age for the purpose  
6 specified under subsection (f).

7 (2) The commission shall issue the recommendations under  
8 paragraph (1) no later than one (1) year after the commission  
9 organizes. The commission shall transmit a notice to the  
10 Legislative Reference Bureau upon issuing the recommendations  
11 under paragraph (1) for publication in the Pennsylvania  
12 Bulletin.

13 (d) (1) The Department of Education, in an effort to assist  
14 deaf or hard of hearing children in becoming linguistically  
15 ready for kindergarten and in consultation with the Department  
16 of Human Services, shall develop a resource guide for use by a  
17 parent or guardian of a deaf or hard of hearing child.  
18 The resource guide shall:

19 (i) Help a parent or guardian of a deaf or hard of hearing  
20 child monitor and track the child's expressive and receptive  
21 language acquisition and developmental stages toward English  
22 literacy by presenting language developmental milestones.

23 (ii) Be appropriate for use regarding content and  
24 administration for a deaf or hard of hearing child from birth to  
25 five (5) years of age who uses American Sign Language or  
26 English.

27 (iii) Be written for clarity and ease of use by a parent or  
28 guardian of a deaf or hard of hearing child.

29 (iv) Be aligned to existing instruments used by school  
30 entities to assess the development of a child with disabilities

1 in accordance with Federal and State law.

2 (v) Include a statement that the resource guide is not a  
3 formal assessment of language and literacy development and the  
4 observations of a parent or guardian of a deaf or hard of  
5 hearing child may differ from formal assessment data collected  
6 as part of a professional evaluation.

7 (vi) Include a statement that a parent or guardian of a deaf  
8 or hard of hearing child may bring the resource guide to a child  
9 study team meeting for the purpose of sharing observations about  
10 the child's development.

11 (2) The Department of Education shall incorporate the  
12 recommendations issued by the commission under subsection (c)(1)  
13 into the resource guide.

14 (3) The Department of Education shall make the resource  
15 guide available on the Department of Education's publicly  
16 accessible Internet website.

17 (e) After consideration of the recommendations issued under  
18 subsection (c)(1), the Department of Education, in consultation  
19 with the Department of Human Services, shall make improvements  
20 to the early intervention programs available to deaf or hard of  
21 hearing students.

22 (f) The Department of Education and the Department of Human  
23 Services shall implement the methods developed by the commission  
24 under subsection (c)(1)(iii) to annually collect and publicly  
25 report data on the language acquisition and developmental  
26 progress of children from birth to five (5) years of age who are  
27 deaf or hard of hearing.

28 (g) The commission shall expire thirty (30) days after the  
29 date the notice is published under subsection (c)(2).

30 (h) As used in this section, the term "commission" shall

1 mean the Deaf Education Commission established under this  
2 section.

3 Section 2. This act shall take effect immediately.