

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute
2 for Senate Bill Nos. 4, 42 & 89, Page 6, Section 160.771, Line 23, by inserting after all of said
3 section and line the following:
4

5 "161.396. 1. This section shall be known and may be cited as the "Language Equality and
6 Acquisition for Deaf Kids (LEAD-K) Act".

7 2. As used in this section, the following terms mean:

8 (1) "ASL", American Sign Language as defined in section 209.285;

9 (2) "Credentialed teacher", a certificated teacher with a special education endorsement in
10 deaf or hard-of-hearing education;

11 (3) "Department", the department of elementary and secondary education;

12 (4) "English", the English language including, but not limited to, spoken English, written
13 English, and English with the use of visual supplements;

14 (5) "IEP", individualized education program;

15 (6) "IFSP", individualized family service plan;

16 (7) "Language", communication including, but not limited to, ASL and English;

17 (8) "Language developmental milestones", milestones of language development aligned
18 with the existing state instrument used to meet the requirements of federal law for the assessment of
19 children from birth to five years of age;

20 (9) "Parent", a parent, legal guardian, or other person having charge, custody, or control of
21 the student.

22 3. The department shall select language developmental milestones from existing
23 standardized norms as provided in subsection 6 of this section to develop a resource for use by
24 parents to monitor and track expressive and receptive language acquisition and developmental
25 stages toward ASL and English literacy of children who are deaf or hard of hearing. Such parent
26 resource shall:

27 (1) Include the language developmental milestones selected under the process specified in
28 subsection 6 of this section;

29 (2) Be appropriate for use, in both content and administration, with children who are deaf or
30 hard of hearing and who use ASL, English, or both;

Action Taken _____ Date _____

1 (3) Present the language developmental milestones in terms of typical development of all
2 children by age range;

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

4 (5) Be aligned with the department's existing infant, toddler, and preschool guidelines; the
5 existing instrument used to assess the development of children with disabilities under federal law;
6 and state standards in English language arts;

7 (6) Make clear that parents have the right to select ASL, English, or both for a child's
8 language acquisition and developmental milestones;

9 (7) Make clear that the parent resource is not a formal assessment of language and literacy
10 development and that a parent's observations of a child may differ from formal assessment data
11 presented at an IEP or IFSP meeting;

12 (8) Make clear that parents may bring the parent resource to an IEP or IFSP meeting for
13 purposes of sharing observations about a child's development;

14 (9) Include fair, balanced, and comprehensive information about language and
15 communication modes and about available services and programs; and

16 (10) Include informational resources from Missouri hospitals, as such term is defined in
17 section 197.020, audiologists, otolaryngologists, and pediatricians.

18 4. The department shall select existing tools or assessments for educators that can be used to
19 assess the language and literacy development of children who are deaf or hard of hearing. Such
20 tools or assessments selected under this subsection:

21 (1) Shall be:

22 (a) In a format that shows stages of language development;

23 (b) Selected for use by educators to track the development of expressive and receptive
24 language acquisition and developmental stages toward English literacy of children who are deaf or
25 hard of hearing;

26 (c) Selected from existing instruments or assessments used to assess the development of all
27 children from birth to five years of age; and

28 (d) Appropriate, in both content and administration, for use with children who are deaf or
29 hard of hearing; and

30 (2) May:

31 (a) In addition to the assessment required by federal law, be used by the child's IEP or IFSP
32 team, as applicable, to track the progress of the child who is deaf or hard of hearing and to establish
33 or modify the child's IEP or IFSP; and

34 (b) Reflect the recommendations of the advisory committee established in this section.

35 5. (1) The department shall:

36 (a) Disseminate the parent resource developed under subsection 3 of this section to parents
37 of children who are deaf or hard of hearing;

1 (b) Under federal law, disseminate the educator tools and assessments selected under
2 subsection 4 of this section to local educational agencies for use in the development and
3 modification of an IEP or IFSP; and

4 (c) Provide materials and training on the use of the parent resource to assist children who
5 are deaf or hard of hearing in becoming linguistically ready for kindergarten using ASL, English, or
6 both.

7 (2) If a child who is deaf or hard of hearing does not demonstrate progress in expressive and
8 receptive language skills, as measured by one of the educator tools or assessments selected under
9 subsection 4 of this section or by the existing instrument used to assess the development of children
10 with disabilities under federal law, the child's IEP or IFSP team shall, as part of the process required
11 by federal law, explain in detail the reasons the child is not progressing toward or meeting the
12 language developmental milestones and shall recommend specific strategies, services, and programs
13 that will be provided to assist with the child's success toward English literacy.

14 6. (1) Before March 1, 2024, the department shall provide the advisory committee
15 established in this section with a list of existing language developmental milestones from existing
16 standardized norms with any relevant information held by the department regarding those language
17 developmental milestones for possible inclusion in the parent resource developed under subsection 3
18 of this section. The language developmental milestones shall be aligned to the department's existing
19 infant, toddler, and preschool guidelines; the existing instrument used to assess the development of
20 children with disabilities under federal law; and the state standards in English language arts.

21 (2) Before June 1, 2024, the advisory committee shall recommend language developmental
22 milestones for selection under subsection 3 of this section.

23 (3) Before July 1, 2024, the department shall inform the advisory committee of which
24 language developmental milestones the department selected.

25 7. (1) The commissioner of education shall, in consultation with the Missouri commission
26 for the deaf and hard of hearing, establish an ad hoc advisory committee to solicit input from experts
27 on the selection of language developmental milestones for children who are deaf or hard of hearing
28 that are equivalent to milestones for children who are not deaf or hard of hearing for inclusion in the
29 parent resource developed under subsection 3 of this section. The advisory committee may make
30 recommendations on the selection and administration of the educator tools or assessments selected
31 under subsection 4 of this section. The advisory committee may make recommendations on
32 materials that are unbiased and comprehensive to add to the parent resource.

33 (2) The majority of the advisory committee's members shall be individuals who are deaf or
34 hard of hearing. The advisory committee shall consist of parents, advocates, and professionals from
35 the field of education for the deaf and hard of hearing and shall have a balance of members who
36 personally, professionally, or parentally use ASL and English and members who personally,
37 professionally, or parentally use only spoken English. The advisory committee shall consist of the
38 following members:

39 (a) A credentialed teacher of the deaf who provides direct instruction in ASL;

1 (b) A credentialed teacher of the deaf who provides direct instruction in listening and
2 spoken language;

3 (c) A credentialed teacher of the deaf who has expertise in curriculum development and
4 instruction in ASL and English;

5 (d) A credentialed teacher of the deaf who has expertise in assessing language development
6 both in ASL and English;

7 (e) A speech-language pathologist who has experience working with children from birth to
8 five years of age who are deaf or hard of hearing and use listening and spoken language;

9 (f) A speech-language pathologist who has experience working with children from birth to
10 five years of age who are deaf or hard of hearing and use ASL;

11 (g) A parent of a child who is deaf or hard of hearing who uses ASL;

12 (h) A parent of a child who is deaf or hard of hearing who uses listening and spoken
13 language;

14 (i) A deaf or deaf-blind member of the community who uses ASL as the primary means of
15 communication; or

16 (j) A deaf or deaf-blind member of the community who uses spoken language as the primary
17 means of communication; and

18 (k) Seven members of the committee shall be ex officio members and shall be:

19 a. The executive director of the Missouri commission for the deaf and hard of hearing, or
20 the director's designee;

21 b. The superintendent or assistant superintendent of the Missouri School for the Deaf, or the
22 superintendent's designee;

23 c. A representative of the Missouri Association of the Deaf;

24 d. The person designated by the department of health and senior services to manage the
25 Missouri newborn hearing screening program;

26 e. A coordinator of the First Steps early intervention program administered by the
27 department, or such coordinator's designee;

28 f. The person designated by the department of elementary and secondary education's office
29 of childhood to manage Missouri's early care & education connections; and

30 g. A representative of the department of elementary and secondary education's vocational
31 rehabilitation program who works with individuals who are deaf or hard of hearing.

32 (3) The advisory committee may advise the department or the department's contractor on the
33 content and administration of the existing instrument used to assess the development of children
34 with disabilities under federal law, as used to assess the language and literacy development of
35 children who are deaf or hard of hearing to ensure the appropriate use of such instrument with such
36 children, and may make recommendations regarding future research to improve the measurement of
37 progress in language and literacy of children who are deaf or hard of hearing.

38 8. For the 2024-25 school year and all subsequent school years, the department shall
39 produce an annual report that is specific to language and literacy development of children who are

1 deaf or hard of hearing including, but not limited to, children who are deaf or hard of hearing and
2 have other disabilities, from birth to five years of age relative to peers who are not deaf or hard of
3 hearing. The report shall use existing data reported in compliance with the federally required state
4 performance plan on pupils with disabilities. The department shall make the report available on the
5 department's website before August first of each school year.

6 9. All activities of the department in implementing this section shall be consistent with
7 federal law regarding the education of children with disabilities and federal law regarding the
8 privacy of pupil information.

9 10. For the purposes of developing and using language as described in paragraph (a) of
10 subdivision (1) of subsection 4 of this section, for a child who is deaf or hard of hearing the
11 following modes of communication may be used as a means for acquiring language:

12 (1) ASL services;

13 (2) Spoken language services;

14 (3) Dual-language services;

15 (4) Cued speech;

16 (5) Tactile sign as defined in section 209.285; and

17 (6) Any combination of subdivisions (1) to (5) of this subsection.

18 11. This section shall apply only to activities of the department relating to children from
19 birth to five years of age.

20 12. Implementation of this section shall be subject to appropriations for purposes of this
21 section."; and

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23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.