

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/House Bill No. 447, Page 7, Section 161.243, Line 23,

2 by inserting after all of said line the following:

3 "161.396. 1. This section shall be known and may be
 4 cited as the "Language Equality and Acquisition for Deaf
 5 Kids (LEAD-K) Act".

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

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

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

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

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

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

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

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

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

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

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

34 (1) Include the language developmental milestones
35 selected under the process specified in subsection 6 of this
36 section;

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

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

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

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

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

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

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

58 (9) Include fair, balanced, and comprehensive
59 information about language and communication modes and about
60 available services and programs; and

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

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

69 (1) Shall be:

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

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

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

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

81 (2) May:

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

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

89 5. (1) The department shall:

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

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

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

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

113 6. (1) Before March 1, 2024, the department shall
114 provide the advisory committee established in this section
115 with a list of existing language developmental milestones
116 from existing standardized norms with any relevant
117 information held by the department regarding those language
118 developmental milestones for possible inclusion in the
119 parent resource developed under subsection 3 of this
120 section. The language developmental milestones shall be
121 aligned to the department's existing infant, toddler, and
122 preschool guidelines; the existing instrument used to assess

123 the development of children with disabilities under federal
124 law; and the state standards in English language arts.

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

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

131 7. (1) The commissioner of education shall, in
132 consultation with the Missouri commission for the deaf and
133 hard of hearing, establish an ad hoc advisory committee to
134 solicit input from experts on the selection of language
135 developmental milestones for children who are deaf or hard
136 of hearing that are equivalent to milestones for children
137 who are not deaf or hard of hearing for inclusion in the
138 parent resource developed under subsection 3 of this
139 section. The advisory committee may make recommendations on
140 the selection and administration of the educator tools or
141 assessments selected under subsection 4 of this section.
142 The advisory committee may make recommendations on materials
143 that are unbiased and comprehensive to add to the parent
144 resource.

145 (2) The majority of the advisory committee's members
146 shall be individuals who are deaf or hard of hearing. The
147 advisory committee shall consist of parents, advocates, and
148 professionals from the field of education for the deaf and
149 hard of hearing and shall have a balance of members who
150 personally, professionally, or parentally use ASL and
151 English and members who personally, professionally, or
152 parentally use only spoken English. The advisory committee
153 shall consist of the following members:

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

- 156 (b) A credentialed teacher of the deaf who provides
157 direct instruction in listening and spoken language;
- 158 (c) A credentialed teacher of the deaf who has
159 expertise in curriculum development and instruction in ASL
160 and English;
- 161 (d) A credentialed teacher of the deaf who has
162 expertise in assessing language development both in ASL and
163 English;
- 164 (e) A speech-language pathologist who has experience
165 working with children from birth to five years of age who
166 are deaf or hard of hearing and use listening and spoken
167 language;
- 168 (f) A speech-language pathologist who has experience
169 working with children from birth to five years of age who
170 are deaf or hard of hearing and use ASL;
- 171 (g) A parent of a child who is deaf or hard of hearing
172 who uses ASL;
- 173 (h) A parent of a child who is deaf or hard of hearing
174 who uses listening and spoken language;
- 175 (i) A deaf or deaf-blind member of the community who
176 uses ASL as the primary means of communication; or
- 177 (j) A deaf or deaf-blind member of the community who
178 uses spoken language as the primary means of communication;
179 and
- 180 (k) Seven members of the committee shall be ex officio
181 members and shall be:
- 182 a. The executive director of the Missouri commission
183 for the deaf and hard of hearing, or the director's designee;
- 184 b. The superintendent or assistant superintendent of
185 the Missouri School for the Deaf, or the superintendent's
186 designee;
- 187 c. A representative of the Missouri Association of the
188 Deaf;

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

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

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

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

201 (3) The advisory committee may advise the department
202 or the department's contractor on the content and
203 administration of the existing instrument used to assess the
204 development of children with disabilities under federal law,
205 as used to assess the language and literacy development of
206 children who are deaf or hard of hearing to ensure the
207 appropriate use of such instrument with such children, and
208 may make recommendations regarding future research to
209 improve the measurement of progress in language and literacy
210 of children who are deaf or hard of hearing.

211 8. For the 2024-25 school year and all subsequent
212 school years, the department shall produce an annual report
213 that is specific to language and literacy development of
214 children who are deaf or hard of hearing including, but not
215 limited to, children who are deaf or hard of hearing and
216 have other disabilities, from birth to five years of age
217 relative to peers who are not deaf or hard of hearing. The
218 report shall use existing data reported in compliance with
219 the federally required state performance plan on pupils with
220 disabilities. The department shall make the report

221 available on the department's website before August first of
222 each school year.

223 9. All activities of the department in implementing
224 this section shall be consistent with federal law regarding
225 the education of children with disabilities and federal law
226 regarding the privacy of pupil information.

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

232 (1) ASL services;
233 (2) Spoken language services;
234 (3) Dual-language services;
235 (4) Cued speech;
236 (5) Tactile sign as defined in section 209.285; and
237 (6) Any combination of subdivisions (1) to (5) of this
238 subsection.

239 11. This section shall apply only to activities of the
240 department relating to children from birth to five years of
241 age.

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

244 Further amend the title and enacting clause accordingly.