

BILL ANALYSIS

Senate Research Center
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S.B. 354
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Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 354 empowers parents with children who are deaf or hard of hearing (D/HH) with information about their child's language acquisition, whether that child speaks English or American Sign Language. Too often, children who are D/HH arrive to school without language or dramatically behind. Part of the cause is that many parents are not able to recognize their child's progress in language acquisition because they themselves are not D/HH.

S.B. 354 helps to bridge that information gap by providing a guide for these parents on proper language acquisition developmental milestones that also includes information on how to increase that acquisition if the child is behind. S.B. 354 further helps these children by offering increased screenings for these children to provide more opportunities to check their progress on these milestones. S.B. 354 preserves a parent's choice of language for his/her child, while assisting that parent with increased information about the progress in that language so that the child will be successful in kindergarten and beyond.

As proposed, S.B. 354 amends current law relating to language acquisition for children less than eight years of age who are deaf or hard of hearing.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education and the executive commissioner of the Health and Human Services Commission in SECTION 2 (Section 29.316, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.301, Education Code, by adding Subdivision (2-a) and amending Subdivision (3), to define "deaf or hard of hearing" and redefine "English."

SECTION 2. Amends Subchapter I, Chapter 29, Education Code, by adding Section 29.316, as follows:

Sec. 29.316. LANGUAGE ACQUISITION. (a) Defines "advisory committee," "center," "division," "language acquisition," "plan," and "team."

(b) Requires the Texas Education Agency (TEA), the Division for Early Childhood Intervention Services of the Health and Human Services Commission (DECIS; HHSC), and the Educational Resource Center on Deafness at the Texas School of the Deaf (ERCOD), to jointly develop a program to monitor and improve the language acquisition of children less than eight years of age who are deaf or hard of hearing.

(c) Requires the commissioner of education (commissioner) to establish an advisory committee (committee) on language acquisition for children less than eight years of age who are deaf or hard of hearing. Requires that the committee consists of 13 members, appointed by the commissioner, who meet certain requirements.

- (d) Provides that a member of the committee is not entitled to compensation for services provided.
- (e) Requires the committee, each year, to elect one of its members to serve as presiding officer for a term of one year.
- (f) Requires the committee to make certain recommendations to TEA, DECIS, and ERCOD, to advise TEA and DECIS on the content and administration of certain assessment instruments, and to oversee the identification, assessment, and assistance of certain children.
- (g) Requires TEA, DECIS, and ERCOD to jointly develop a resource designed for use by parents of children who are deaf or hard of hearing to monitor and track their children's language acquisition and developmental stages toward literacy in both English and American Sign Language (ASL). Requires that the resource meets certain requirements.
- (h) Requires TEA, DECIS, and ERCOD to jointly select tools or assessments for use by educators to assess the language acquisition of children less than eight years of age who are deaf or hard of hearing. Requires that the tools or assessments meet certain requirements.
- (i) Requires TEA and DECIS to distribute the resource developed to parents and guardians of children less than eight years of age who are deaf or hard of hearing, and distribute the selected tools or assessments and materials and training on their use to local education agencies.
- (j) Requires a team established for a child less than eight years of age who is deaf or hard of hearing to assess the child's language acquisition not less than once every three months. Requires the child's team, if the child does not demonstrate satisfactory process in both English and ASL, as measured by a tool or assessment, or a certain instrument used to assess the development of children with disabilities, to explain in detail to the committee the reasons why the child is not making satisfactory progress and recommend to the committee specific strategies, services, and programs to be provided to the child to assist the child's language acquisition.
- (k) Requires TEA and DECIS, not later than July 31 of each year, to jointly prepare a report on the language acquisition of children less than eight years of age who are deaf or hard of hearing. Requires that the report rely on certain existing data, includes certain information, compare progress in English literacy made by children who are deaf or hard of hearing to progress in that subject made by children of the same age range who are not deaf or hard of hearing, and that it be posted on TEA's, DECIS's, and ERCOD 's respective Internet websites.
- (l) Requires the commissioner and the executive commissioner of HHSC to adopt rules as necessary to implement this section, including rules for implementing this section in a manner that complies with certain federal law.

SECTION 3. (a) Defines "advisory committee," "agency," "center," and "division."

- (b) Requires the commissioner, as soon as practicable after the effective date of this Act to appoint the members of the committee.
- (c) Requires TEA and DECIS, not later than January 1, 2018, to provide to the committee a list of existing English and ASL assessment instruments that meet the requirements under Section 29.316(g)(2)(C) (relating to the requirement that a certain monitoring and tracking resource be aligned to certain guidelines, standards, and instruments), Education Code, as added by this Act, and any relevant information possessed by TEA or DECIS regarding those assessment instruments.

(d) Requires the committee, not later than April 1, 2018, to make its initial recommendations to TEA and DECIS regarding the English and ASL assessment instruments to be included in the parent resource developed under Section 29.316(g), Education Code, as added by this Act.

(e) Requires TEA and DECIS, not later than April 30, 2018, to jointly select one or more English and ASL assessment instruments to be included in the parent resource developed under Section 29.316(g), Education Code, as added by this Act, and inform the committee of the instrument or instruments selected.

(f) Requires TEA, DECIS, and ERCOD, as soon as practicable after the selection of one or more assessment instruments, to jointly develop the parent resource under Section 29.316(g), Education Code, as added by this Act, and the tools or assessments for educators under Section 29.316(h), Education Code, as added by this Act. Requires TEA and DECIS, as soon as practicable after the selection of one or more assessment instruments, to distribute the parent resource and the tools or assessments for educators as provided by Section 29.316(i), Education Code, as added by this Act.

(g) Requires TEA and DECIS, not later than July 1, 2018, to prepare the initial report required under Section 29.316(k), Education Code, as added by this Act, and to ensure the report is posted as required.

SECTION 4. Effective date: September 1, 2017.