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SENATE, No. 2045

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED FEBRUARY 26, 2018

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SYNOPSIS

Establishes Working Group on Deaf Education; directs DOE to develop parent resource guide; requires DOE and DOH to collect and report certain data on deaf and hard of hearing children from birth to age 5.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 13, 2019, with amendments.

(Sponsorship Updated As Of: 6/28/2019)

1 AN ACT concerning the early language development of deaf and
 2 hard of hearing children and supplementing chapter 46 of Title
 3 18A of the New Jersey Statutes and P.L.1993, c.309 (C.26:1A-
 4 36.6 et seq.).

5
 6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 7 *of New Jersey:*

8
 9 1. a. There is established in the Department of Education a
 10 Working Group on Deaf Education for the purpose of making
 11 recommendations on issues related to the early linguistic
 12 development of children who are deaf or hard of hearing.

13 b. The working group shall consist of ²~~12~~ ¹⁵ members
 14 appointed by the Commissioner of Education including:

15 (1) a parent of a child who is deaf or hard of hearing who uses
 16 the dual languages of American Sign Language and English;

17 (2) ²a parent of a child who is deaf or hard of hearing who uses
 18 only American Sign Language;

19 (3)² a parent of a child who is deaf or hard of hearing who uses
 20 only ⁴~~spoken English~~⁴ ²~~], with or without visual supplements]~~²
 21 ⁴Listening and Spoken Language⁴;

22 ²~~[(3)]~~ (4)² a certified teacher of deaf and hard of hearing
 23 students who use the dual languages of American Sign Language
 24 and ⁴~~English~~ ⁴Listening and Spoken Language⁴;

25 ²~~[(4)]~~ (5)² a certified teacher of deaf and hard of hearing
 26 students employed at ²~~[a nonpublic school]~~ the Marie H.
 27 Katzenbach School for the Deaf²;

28 ²~~[(5)]~~ (6)² an expert who ²holds a master's or doctorate degree
 29 who² researches language outcomes for deaf and hard of hearing
 30 children using American Sign Language and English;

31 ²~~[(6)]~~ (7)² an expert who ²holds a master's or doctorate degree
 32 who² researches language outcomes for deaf and hard of hearing
 33 children using ⁴~~spoken English~~⁴ ²~~], with or without visual~~
 34 ~~supplements]~~² ⁴Listening and Spoken Language⁴;

35 ²~~[(7)]~~ (8) an expert who holds a master's or doctorate degree
 36 who researches language outcomes for deaf and hard of hearing
 37 children using only American Sign Language;

38 (9)² a certified teacher of deaf and hard of hearing students
 39 whose expertise is in curriculum and instruction in American Sign
 40 Language and English;

41 ²~~[(8)]~~ (10)² an advocate for the teaching and use of the dual
 42 languages of American Sign Language and English;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted June 14, 2018.

²Senate SBA committee amendments adopted December 3, 2018.

³Senate floor amendments adopted December 17, 2018.

⁴Assembly AAP committee amendments adopted June 13, 2019.

1 ²[(9)] (11)² an advocate for the teaching and use of ⁴[spoken
2 English]⁴ ²[, with or without visual supplements]² ⁴Listening and
3 Spoken Language⁴;

4 ²[(10)] (12)² an early intervention specialist ², who is
5 appropriately certified and, if required, licensed,² who works with
6 deaf and hard of hearing infants and toddlers using the dual
7 languages of American Sign Language and English;

8 ²[(11)] (13)² a certified teacher of deaf and hard of hearing
9 students whose expertise is in American Sign Language and English
10 language assessment;² ²[and]²

11 ²[(12)] (14)² a speech ²language² pathologist ⁴[from spoken
12 English]⁴ ²[, with or without the use of visual supplements]⁴ ⁴with
13 expertise in Listening and Spoken Language for children who are
14 deaf and hard of hearing⁴ ; and

15 (15) an audiologist who provides direct services in the
16 classroom, including the educational management, verification, and
17 fitting of appropriate amplification including hearing aids and
18 hearing assistance technologies².

19 c. Appointments to the working group shall be made within 30
20 days after the effective date of this act. Vacancies in the
21 membership of the working group shall be filled in the same
22 manner as the original appointments were made.

23
24 2. a. It shall be the duty of the working group to examine,
25 research, and make recommendations to the Department of
26 Education ³and the Department of Health³ for:

27 (1) the development of a resource guide for parents to monitor
28 and track deaf and hard of hearing children's expressive and
29 receptive language acquisition and developmental stages toward
30 English literacy; ³[and]³

31 (2) the selection of one or more early intervention assessments
32 to be used by educators to assess the language and literacy
33 development of deaf and hard of hearing children³; and

34 (3) the development of methods of evaluation to annually collect
35 and publicly report data on language acquisition and developmental
36 progress of children from birth to age five who are deaf or hard of
37 hearing³ .

38 b. The working group shall issue a report, including its
39 recommendations, no later than one year after the working group
40 organizes.

41
42 3. a. The Department of Education, in an effort to assist deaf
43 and hard of hearing children in becoming linguistically ready for
44 kindergarten and in consultation with the Department of Health,
45 shall develop a parent resource guide for use by parents of deaf and
46 hard of hearing children.

1 The parent resource guide shall:

2 (1) help parents monitor and track deaf and hard of hearing
3 children's expressive and receptive language acquisition and
4 developmental stages toward English literacy by presenting
5 language developmental milestones ²[in terms of typical
6 development of all children, by age range]²;

7 (2) be appropriate for use, in both content and administration,
8 with deaf and hard of hearing children from birth to five years of
9 age, who use both or one of the languages of American Sign
10 Language and English;

11 (3) be written for clarity and ease of use by parents;

12 (4) be aligned to existing instruments used by school districts to
13 assess the development of children with disabilities pursuant to
14 federal and State law;

15 (5) include a statement that the parent resource guide is not a
16 formal assessment of language and literacy development, and that a
17 parent's observations of his child may differ from formal
18 assessment data collected as part of a professional evaluation; and

19 (6) include a statement that a parent may bring the parent
20 resource ¹guide¹ to a child study team meeting for purposes of
21 sharing observations about the child's development.

22 b. The department shall incorporate the recommendations
23 provided by the working group established pursuant to section 1 of
24 this act into the parent resource guide.

25 c. The department shall make the parent resource guide
26 developed pursuant to this section publicly available on its website.
27

28 4. a. The Department of Education ³, in consultation with the
29 Department of Health,³ shall, after consideration of the
30 recommendations provided by the working group established
31 pursuant to section 1 of this act, ³[select one or more] develop
32 guidance regarding³ early intervention assessments ³[to be used by
33 educators]³ to assess the language and literacy development of deaf
34 and hard of hearing children. The ³[selected assessments]
35 guidance³ shall ³[track] include information regarding³ the
36 development of deaf and hard of hearing children's expressive and
37 receptive language acquisition and ³the³ developmental stages
38 toward English literacy ³of children who are deaf and hard of
39 hearing³, and shall be appropriate for the assessment of children
40 from birth to five years of age.

41 b. The department shall disseminate the ³[assessments
42 selected] guidance developed³ pursuant to this section to school
43 districts ³[, and shall provide materials and training on their use]³.
44

45 5. The Department of Education ³and the Early Intervention
46 Program in the Department of Health³ shall ³implement the

1 methods developed by the working group pursuant to section 2 of
2 this act to³ annually collect and publicly report data on the language
3 acquisition and developmental progress of children from ³**[age**
4 **two]** birth³ to age five who are deaf or hard of hearing.

5
6 ³**[6.** The Early Intervention Program in the Department of
7 Health, established pursuant to section 2 of P.L.1993, c.309
8 (C.26:1A-36.7), shall annually collect and publicly report data on
9 the language acquisition and developmental progress of infants and
10 toddlers from birth to age two who are deaf or hard of hearing. **]**³

11
12 ³**[7.]** 6.³ This act shall take effect immediately and the
13 working group shall expire on the 30th day after the submission of
14 its report.