

Enrolled
House Bill 3412

Sponsored by Representatives SANCHEZ, EVANS, NOBLE, WILSON, Senator HANSELL; Representatives DOHERTY, FAHEY, GORSEK, HEARD, HERNANDEZ, KENY-GUYER, MALSTROM, MCLAIN, MEEK, NEARMAN, NOSSE, PARRISH, RAYFIELD, SOLLMAN, SPRENGER, VIAL, WHISNANT, WILLIAMSON, WITT, Senators BOQUIST, DEVLIN, GELSER, MONNES ANDERSON, TAYLOR

CHAPTER

AN ACT

Relating to assessments for children with difficulties hearing; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Task Force on Assessments of Children Who Are Deaf or Hard of Hearing is established.

(2)(a) The task force consists of 12 members appointed as follows:

(A) The President of the Senate shall appoint one member from among members of the Senate.

(B) The Speaker of the House of Representatives shall appoint one member from among members of the House of Representatives.

(C) The Superintendent of Public Instruction shall appoint 10 members as follows:

(i) One parent of a child who is deaf or hard of hearing and who is bilingual in American Sign Language and English.

(ii) One parent of a child who is deaf or hard of hearing and who uses only spoken English, with or without visual supplements.

(iii) One teacher of deaf and hard-of-hearing children whose expertise is in curriculum and instruction in American Sign Language and English.

(iv) One teacher of deaf and hard-of-hearing children whose expertise is in curriculum and instruction in spoken English, with or without visual supplements.

(v) One early intervention specialist who works with deaf and hard-of-hearing infants and toddlers using American Sign Language and spoken English.

(vi) One administrator of an early intervention or school-age program for deaf and hard-of-hearing children.

(vii) One representative of the Department of Education.

(viii) One speech pathologist with experience working with deaf and hard-of-hearing children on the development of spoken English, with or without the use of visual supplements.

(ix) One representative of an association that advocates to enhance the quality of life for Oregonians who are deaf or hard of hearing.

(x) One school psychologist with experience working with deaf and hard-of-hearing students and with knowledge in conducting and interpreting cognitive assessments for deaf and hard-of-hearing students.

(b) To the extent practicable, a majority of the members appointed as provided by paragraph (a)(C) of this subsection shall be deaf or hard of hearing.

(3) The task force shall analyze and recommend a framework for assessing deaf and hard-of-hearing children to determine the children's competencies in language and literacy skills for the purpose of ensuring the children are able to successfully access the kindergarten curriculum in an equitable manner. When analyzing and recommending the framework, the task force shall be impartial with regard to the language taught to deaf and hard-of-hearing children.

(4) For the purpose of analyzing and recommending a framework as required by subsection (3) of this section, the task force shall:

(a) Review and recommend use of existing and available tools or assessments for educators to use to assess the language and literacy development of deaf and hard-of-hearing children. The tools or assessments must be:

(A) Standardized, norm-referenced and validated;

(B) Able to track deaf and hard-of-hearing children's expressive and receptive language and cognitive abilities compared to the child's language age-appropriate peers who are not deaf or hard of hearing; and

(C) Able to be used to establish or modify individualized education programs or individualized family service plans.

(b) Determine how often the tools or assessments recommended under paragraph (a) of this subsection should be used for children from birth to age eight.

(c) Identify language development milestones for deaf and hard-of-hearing children by consulting with professionals trained in the language development and education of children who are deaf or hard of hearing. The milestones must be:

(A) A resource for use by parents and educators to monitor and track deaf and hard-of-hearing children's expressive and receptive language acquisition and cognitive abilities;

(B) Able to be used to ensure that deaf and hard-of-hearing children meet developmental milestones toward English literacy; and

(C) Evaluated by the use of formalized evidence-based assessments.

(d) Identify procedures and methods for communicating language acquisition, assessment results, milestones, assessment tools used and progress of a child to the parent of the child and to teachers and other professionals involved in the early intervention and education of a child.

(e) Identify reporting requirements for the department to ensure that statutes and administrative rules are adequately addressing the language developmental needs of deaf and hard-of-hearing children.

(5) A majority of the voting members of the task force constitutes a quorum for the transaction of business.

(6) Official action by the task force requires the approval of a majority of the voting members of the task force who are participating in the meeting.

(7) The task force shall elect one of its members to serve as chairperson. The chairperson shall be a nonvoting member of the task force and may be elected from among any of the voting or nonvoting members of the task force.

(8) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(9) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the voting members of the task force.

(10) The task force may adopt rules necessary for the operation of the task force.

(11) The task force shall submit a report in the manner provided by ORS 192.245, and may include recommendations for legislation, to an interim committee of the Legislative Assembly related to education no later than January 1, 2018.

(12) The department shall provide staff support to the task force.

(13) Members of the Legislative Assembly appointed to the task force and the chairperson of the task force are nonvoting members of the task force and may act in an advisory capacity only.

(14) Members of the task force who are not members of the Legislative Assembly are not entitled to compensation or reimbursement for expenses and serve as volunteers on the task force.

(15) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the task force's duties and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.

SECTION 2. Section 1 of this 2017 Act is repealed on June 30, 2019.

SECTION 3. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by House June 30, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate July 5, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State